

Are They Still Here? Transitional Justice Experiences in the Southern Cone and Reactionary Movements¹

*¿Siguen aquí? Experiencias de justicia transicional
en el Cono Sur y movimientos reaccionarios*

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Received: September 2, 2025

Accepted: January 5, 2026

Published: February 19, 2026

DOI: <https://doi.org/10.22201/ijj.24484873e.2026.175.20521>

¹ This work was carried out with the support of the Brazilian Coordination for the Improvement of Higher Education Personnel (CAPES) —Funding Code 001.

Abstract: Transitional justice processes aim to break with a dictatorial past, repair harm to victims, and prevent future human rights violations. Conversely, reactionary movements—characterized by nostalgia for authoritarian periods—can undermine transitional justice at both political-institutional and social levels through their societal reach and ascent to national power. These relationships require deeper academic inquiry due to insufficient scholarly discussion. This article analyzes potential connections between transitional justice in Argentina, Brazil, and Chile amid reactionary movements and their rise to power. The hypothesis posits that “the greater the social and political rise of reactionary movements in Latin America, the weaker the commitment to transitional justice processes”. Using qualitative bibliographic and documentary research, this study contributes to exploring associations between ongoing—never fully completed—transitional justice measures and still-present reactionary movements, as the title suggests, which emerge at different social and political moments.

Keywords: Latin America; Southern Cone; military dictatorship; transitional justice; reactionary movements.

Resumen: Los procesos de justicia transicional buscan romper con el pasado dictatorial, reparar a las víctimas y prevenir nuevas violaciones de derechos humanos. Por el contrario, los movimientos reaccionarios son nostálgicos de los períodos autoritarios, lo que puede socavar la justicia transicional a nivel político-institucional y social, a través de su alcance social y su ascenso al poder nacional. Por esta razón dichas relaciones requieren una investigación académica más profunda. El presente artículo analiza las posibles conexiones entre la justicia transicional en Argentina, Brasil y Chile, en medio de los movimientos reaccionarios y sus ascensos al poder. Se parte de la siguiente hipótesis: “Dada la creciente presencia de actores sociales reaccionarios, existe un rechazo a la justicia transicional”. Mediante el uso de bibliografía cualitativa e investigación documental, este estudio contribuye al debate de las asociaciones entre las medidas de justicia transicional en curso—en constante construcción—y los movimientos reaccionarios todavía presentes en el Cono Sur.

Palabras clave: América Latina; Cono Sur; dictadura militar; justicia transicional; movimientos reaccionarios.

I. Introduction

The decades from the 1960s to the 1980s were distressing and pivotal for several Latin American countries—notably Argentina, Brazil, and Chile—that experienced markedly violent military dictatorships. Despite undergoing redemocratization processes without institutional ruptures, these countries engaged in transitional justice efforts aimed at preserving victims’ memories, holding perpetrators accountable, and preventing the recurrence of human rights violations committed by state agents driven by dominant political ideologies.

Over the past decade, beginning in 2015, various countries in the region have experienced political shifts at the national level. These changes resulted from reactionary movements that brought conservative presidents to power—leaders with varying degrees of authoritarianism and controversial stances on past military dictatorships in their respective countries. This includes opposition to transitional justice mechanisms such as truth commissions, civil and criminal accountability, and symbolic reparations.

The growing popular adherence to reactionary movements, alongside governance by authorities who deny or downplay the historical importance and necessity of redress for state crimes committed during dictatorships, may lead to the undermining of transitional justice policies. This is true even when such policies are ongoing, including monthly reparations, symbolic gestures, and active prosecutions of human rights violators.

It is a fact that reactionary movements are still present. In Latin America—in countries marked by the legacy of military regimes—denialism, ignorance of past violations, and even spontaneous or explicit preference for military governments persist. The question remains whether, and if so how, contemporary reactionary movements have hindered transitional justice processes that require not only state action but also vigilant societal support.

Therefore, the question asked is that: can it be affirmed that the reactionary movements of the most recent Latin American political cycle have interfered with transitional justice experiences in Argentina, Brazil, and Chile? Our working hypothesis is that “given the growing presence of reactionary social actors, there is a rejection of transitional justice”.

Our model of analysis employs the level of respect for transitional justice processes as the dependent variable, measurable through observables such as the maintenance or dismantling of truth commissions, legislative changes affecting reparations, public statements by state officials, and judicial efforts in accountability. The analysis is structured around three main independent variables, derived from the complex array of factors identified in the literature and comments, which must be clearly systematized: (1) intensity of reactionary cycles: the degree of social and political rise of reactionary movements, measured by their electoral success and popular adherence, as well as the open denialism or glorification of the dictatorships present in their discourse and government actions; (2) balance of power and institu-

tional context: the relationship between political, military, and social forces at the time of the transitional process and during the reactionary cycle. This includes considering the specific characteristics of the dictatorships and the temporal gap between transition and transitional justice implementation (notably in Brazil), which influences institutional resilience; (3) ideological polarization and culture of rights: the general ideological climate concerning human rights and the dictatorial past among the population, analyzed through public opinion data and the extent of civil society mobilization.

This paper aims to analyze the potential relationship between transitional justice in Argentina, Brazil, and Chile and the rise of reactionary movements to power. The discussion is warranted due to the lack of scholarly work exploring the intersections between transitional processes and reactionary movements in these countries —despite the latter’s broad popular appeal and rise to power through democratic elections.

The choice of these countries is derived from the fact that they are part of the Southern Cone, experienced military dictatorships between the 1960s and 1980s, and later implemented transitional justice processes, although Brazil stands out for its nearly three-decade delay in doing so. Additional similarities arise from the fact that all three countries experienced the most recent conservative political cycle, which began in the second half of the 2010s, during which the growth of reactionary movements was observed, including revisionism —if not open praise for the dictatorships— and opposition to transitional justice measures

The structure of this study begins with reflections on the relationship between reactionary ideologies, Latin American military dictatorships, and the human rights violations they committed, with a focus on Operation Condor. Next, it presents the key concepts and components of transitional justice as a post-dictatorial mechanism for reparation, accountability, and memory. Finally, it offers an analysis and discussion of potential limitations to transitional justice in the three countries arising from the presence —and electoral success— of reactionary movements in the recent conservative political cycle, drawing on public opinion data on democracy, dictatorship, human rights, and transitional justice.

This is a qualitative study that includes a literature review on Latin American military dictatorships (Figueroa Ibarra, 2001; Romero, 2014; Valencia

Grajales & Marín Galeano, 2016), general transitional justice experiences (Gómez Isa, 2008; Teitel, 2011; Van Zyl, 2011; Cuya, 2012; Baggio, 2014; Cuervo et al., 2014), and specifically those in Argentina, Brazil, and Chile (Galindo, 2012; Gómez de la Torre, 2023; Mendizábal Cortés, 2024; Goullart & Vitorino, 2024), as well as contemporary reactionary movements (Raimundo & Maia, 2019; Benetti et al., 2020; Svampa, 2020; Shoshan, 2021; Martín Álvarez & Pirker, 2022; Zamarguilea, 2022; Martiarena Pazos, 2024). These categories are correlated to examine the influence of one to another.

On the empirical side, this study seeks to identify and analyze acts of obstruction carried out by conservative governments against transitional justice institutions, as well as how Latin Americans in the three countries perceive the relationship between reactionary ideologies and opposition to post-dictatorial transitional justice policies, and how such attitudes affect both completed and ongoing transitional justice efforts.

To do so, public opinion surveys were examined from the World Values Survey regarding preferences for democracy, dictatorship, and human rights from 2005 to 2022. This period covers both progressive and reactionary political cycles, with the latter marked by growing popular support for dictatorships and government stances that downplay transitional justice. While previous studies have used these indicators (Raimundo & Maia, 2019; Costa & González, 2019), they have not explored their connection to transitional justice and recent reactionary movements, which this research aims to do.

II. El cóndor pasa? Notes on reactionism and human rights violations in Latin American dictatorships

“El Cóndor Pasa” is a Peruvian song widely recognized as a cherished symbol of Andean culture. Composed over a century ago by Julio de La Paz and Daniel Alomía Robles, it is part of a zarzuela with overtones of social denunciation, evoking the flight of the condor as a metaphor for the freedom that never marked the relationship between European colonizers and Latin American Indigenous peoples, who were exploited and decimated (Salazar Mejía, 2014). Its lyrics reflect the clash with Anglo-Saxon culture, which vio-

lently suppressed Indigenous traditions, and contain a plea to return to a beloved homeland, as if the lyrical self were involuntarily exiled and thus forced to live far from what it recognizes as its own. Since then, new and more refined forms of human rights violations have emerged in the Andean region—such as those perpetrated by the military dictatorships that ruled many of its countries, including Argentina, Brazil, and Chile, particularly from the 1960s through the 1980s. Forced exile became one of these regimes’ core political strategies. Notably, the terminology used to describe the network of military operations supported and funded by the United States in these and other nations—Operation Condor—invokes that same bird.

This chapter examines the connections between reactionary ideologies, Latin American military dictatorships, and human rights violations committed by state agents. Like the Andean condor, the study embarks on a theoretical “flight” over Operation Condor and the role played by the United States and its prevailing conservative ideology during the Cold War era—a period that was “cold” only in the territories of the superpowers but “hot” in the underdeveloped regions.

One of the defining political features of Latin America is the alternation of right-wing and left-wing political-ideological cycles in national executive power, in addition to the presence of forces from across the political spectrum within national parliaments (Medeiros, 2018; Hoeveler, 2023). Right-wing political cycles tend to be more uncompromising in confronting violence and crime, implementing public security policies with a more militaristic and authoritarian character (Silva, 2024), partly as a legacy of the military dictatorships and Operation Condor (Gaudichaud, 2019; Vázquez Salazar, 2021; Payne, Zulver & Escoffier, 2023).

Operation Condor did not precede all Latin American dictatorships, as it is more specifically associated with the second half of the 1970s and the first half of the 1980s (Cunha & Kriskche, 2020; Lessa, 2022). However, it clearly reinforced them, continuing practices established by the National Security Doctrine (NSD), which predates many of these regimes. The NSD emerged as a United States response to the Soviet nuclear threat, marked by intensified foreign policy and financial support for neighboring and allied countries. These nations were also facing the rise of left-wing movements and leaders at the national level (Gómez de la Torre, 2023). Thus,

“the National Security Doctrine appropriated and reformulated pre-existing ideas and concepts, such as the latent anti-communism of Latin American elites”, which maximized the NSD’s influence by enabling military dictatorships to dismantle democracy and disregard human rights —subjecting these countries to authoritarian, imperialist, disciplinary, and neoliberal interests (Mendes, 2013, pp. 11-22). It is not surprising, therefore, that practices such as threats, assassinations, enforced disappearances, torture, illegal imprisonment, the suppression of political rights, party bans, deportations, strike prohibitions, and ideological persecution became commonplace. Other frequent tactics included states of emergency, fraudulent elections, and direct intervention in unions and social organizations (Figueroa Ibarra, 2001; Gómez, 2008, pp. 103-105; Valencia Grajales & Marín Galeano, 2016). The reactionary ideology exported from the United States —disseminated across Latin America and absorbed not only by the armed forces but also by significant portions of conservative civil society, as Gómez de la Torre (2023) reminds us— helped normalize terror across the region. While general patterns existed, each country also retained distinct national characteristics in its authoritarian experience.

Still, a relatively detailed examination of the particularities in each country can be useful for understanding why some dictatorships —and by extension, some transitional justice processes— carry more weight in current debates. This may not imply reversals in investigations or prosecutions of regime agents, but rather a potential loss of social prestige or institutional support for transitional justice, particularly in light of the (re)emergence of regional reactionary movements, as hypothesized here. According to official data available at the time —data that must be analyzed cautiously due to the real possibility of statistical manipulation to downplay the repressive nature of dictatorial governments— Pereira (2010) and Martínez et al. (2015) estimate the following figures: just under 400 deaths and disappearances in Brazil; between 3000 and 5000 in Chile; and between 20,000 and 30,000 in Argentina. Regarding political prisoners, the estimated figures are 25,000 in Brazil, 60,000 in Chile, and 30,000 in Argentina. As for exiles: 10,000 in Brazil, 40,000 in Chile, and 500,000 in Argentina. These numbers must also be considered in proportion to the total population in each country in 1983: 144 million in Brazil, 13 million in Chile, and 32 million in Argentina.

Drawing on what Galindo (2012, p. 41) calls “more modest estimates”, due to a “deep statistical dissent”, the Argentine dictatorship stands out as being —proportionally— the most violent. This does not minimize the human rights violations committed in Brazil and Chile, which are also the focus of this study, especially with regard to transitional justice and its relationship with the new reactionary movements that have gained strength since 2015.

The relationships between reactionary ideologies and military dictatorships have been preliminarily outlined in this chapter. The following sections explore the possible relationships between reactionary movements and transitional justice processes in the three countries under analysis. But first, it is necessary to define the core concepts and characteristics of transitional justice, including its origins and aims —topics that will be addressed in turn.

III. “Marias and Clarices still weep”: Concepts and elements for the idea and practice of transitional justice in the Southern Cone of Latin America

Military dictatorships leave behind more than just a tragic historical record; they devastate entire families through a wide range of human rights violations committed in the name of a political project of state and power. Many “Marias” and “Clarices” wept for their loved ones who were persecuted, not only in Brazil, but also in Argentina, Chile, and other Latin American countries that endured military rule. These violations are what justify the implementation of transitional justice processes: to investigate human rights abuses, hold perpetrators accountable in civil, criminal, and administrative spheres, and provide financial or symbolic reparations to surviving direct and indirect victims —as well as to society at large, which has a vested interest in preserving democracy and protecting human rights. Transitional justice is primarily justified by a context of “new” rights: legal claims that are enforceable against the state, such as the right to know, the right to truth, and the right to memory. These rights enable individuals to bring legal action against perpetrators of human rights violations. Truth commissions are key institutions in this effort—not only collecting but also producing information and data that were hidden, rather than merely forgotten (Gómez Isa, 2006; Pereira, 2019).

One cannot ignore, however, the classic debate that opposes justice and peace (Olasolo Alonso, Mateus Rugeles & Contreras Fonseca, 2016). Cuya (2012) and Weichert (2018) highlight the common tension between these goals: one must supposedly yield to the other. Critics of transitional justice argue that prosecuting dictators and repressors could endanger peace, and thus favor amnesty laws. Supporters contend that such impunity carries a heavy and unjustifiable moral and political cost —especially since the goal is not only to look back, but also to move forward and prevent repetition of past abuses. It is therefore essential to ponder the “justice” and the “transition” elements in the phrase “transitional justice”. These concepts are not mutually exclusive, nor is transitional justice a new type of justice altogether (Gomes & Rezende, 2012; Quinalha, 2013; Goulart & Vitorino, 2024).

Theoretical efforts to define the foundations and conceptual boundaries of transitional justice do not aim to create a single, rigid definition of these post-dictatorship institutional practices —which may not even be possible, given the wide variety of measures enacted under the label “transitional justice”. Still, it is possible to outline its core characteristics and components and to adopt working definitions, which is essential for academic research such as this.

According to Van Zyl (2011, pp. 47-48), transitional justice is the effort to “build sustainable peace following a period of conflict, mass violence, or systematic human rights violations”, with the aim to “prosecute perpetrators, reveal the truth about past crimes, provide reparations to victims, reform abusive institutions, and promote reconciliation”. This, in turn, helps strengthen democratic regimes and requires a broad set of strategies and interventions carried out by public officials, institutions, and civil society organizations. Reconciliation implies a rejection of violence as a tool to resolve political, cultural, and social conflicts, and instead a civic ethic of peaceful coexistence (Goulart & Vitorino, 2024). Weichert (2018) emphasizes that transitional justice does not introduce a new form of democracy, nor does it consolidate it on its own, but it can substantively reinforce democracy when accompanied by broader, holistic public policies (Muñoz Nogal & Gómez Isa, 2015).

They both (2009, p. 23) credit the success of transitional justice to the capacity of national legal and judicial systems. This view is echoed by Teitel (2011, p. 135) and Baggio (2014, p. 640), who argue that legal responses

are crucial to confronting past atrocities —particularly considering the often-contentious relationship between the judiciary and the military during the Latin American dictatorships, with each case having its own specificities (Blank & Facchini Neto, 2019).

Likewise, Almeida and Torelly (2010, pp. 38-39) stress that the institutional experiences of transitional justice provide a valuable normative foundation for the law through international treaties, domestic legislation, and new conceptions of justice intended to promote reconciliation in societies fractured by authoritarianism. Although such measures are not always explicitly laid out in international law, they are supported by major international human rights instruments (Cuya, 2012, pp. 40-41). Furthermore, transitional justice is not bound only to the laws in effect at the time the crimes were committed (Galindo, 2012), which counters legal-positivist arguments that would excuse past abuses on temporal or formalist grounds.

In its genealogical origins, transitional justice is closely linked to the Nuremberg Trials following the defeat of the Nazi regime. However, this legal milestone —though symbolically powerful— was limited by selective justice (for instance, omitting the Soviet crimes) and the absence of an internationally recognized framework for defining crimes against humanity. It was only in the second half of the 20th century that treaties and international courts began to solidify the principles of transitional justice (Teitel, 2011; Cuya, 2012; Baggio, 2014).

As Cuya (2012, p. 26) explains, the term “transitional justice” emerged in the 1990s to name the institutional and normative mechanisms used to confront the past in post-authoritarian and post-conflict countries, primarily in Latin America, Africa, and Eastern Europe. The concept was further developed by human rights organizations, victims’ groups, scholars, and international agencies such as the United Nations and the International Criminal Court (Espinoza, 2010; Cuya, 2012).

The implementation of transitional justice (TJ) is a dynamic process that rarely follows a linear roadmap. The timing and sequencing of TJ measures are, in fact, critical variables that condition their success and resilience. The literature classifies these sequences, distinguishing, for example, between rapid transitions (such as Argentina, where trials began immediately) and slow or delayed transitions (such as Brazil, with its National Truth Commission

created three decades later) (Pereira, 2010; Quinalha, 2013). The sequence is not merely chronological; an early amnesty (as in Brazil) can block punitive justice, while progress in truth and reparation (as in Chile) can generate social pressure for subsequent trials. The temporal gap between the democratic transition and the implementation of transitional justice (as in Brazil) acts as a key independent variable influencing the capacity of contemporary reactionary movements to undermine these policies.

These sequences are intrinsically linked to the ethical and political dilemmas of TJ. The main dilemma, as already mentioned, is the tension between peace and justice (Olasolo Alonso et al., 2016). However, the complexity extends to the truth versus justice dilemma (where truth can be obtained through non-judicial commissions in exchange for limited criminal justice) and the forgiveness versus accountability dilemma (Teitel, 2011). The resolution of these dilemmas —whether society prioritizes stability or morality— defines the nature of the transitional process and its subsequent vulnerability.

Finally, the emergence of saboteurs or spoilers (commonly referred to as spoilers in the Anglo-Saxon literature) is a central factor that impacts TJ. Spoilers are actors, both internal (armed forces, conservative politicians, economic groups) and external (other states or transnational actors), who actively seek to delegitimize, reverse, or block TJ measures. Their strategies range from political pressure (such as the “due obedience” defense in Argentina or the self-proclaimed “Amnesty Law” in Brazil) to active denialism in public discourse, which is the variable that connects this theoretical debate with the central theme of the present study. Contemporary reactionary movements (analyzed in Chapter IV) can be conceptualized as a new wave of ideological and governmental spoilers that use denialism and polarization to erode the democratic consensus on the necessity of TJ.

In Latin America, transitional justice gained traction especially from the 1980s onward, accompanying the processes of redemocratization in the Southern Cone. These processes occurred unevenly and were marked by tensions between the desire for accountability and the political need for institutional continuity and military appeasement (Pereira, 2010; Quinalha, 2013). While Argentina led early efforts with trials and repeals of amnesty laws, Chile followed a more gradual approach with truth commissions and limited prosecutions. Brazil was the last to formally engage with transitional justice

mechanisms, only establishing its National Truth Commission in 2012—three decades after the end of its dictatorship.

In the Argentine case, the National Commission on the Disappearance of Persons (CONADEP)—which, as noted, did not use the epithet “truth” in its designation (Mendizábal Cortés, 2024)—drew international attention and interest through the initiative of then-President Raúl Alfonsín (1983-1989) in 1983, shortly after the re-democratization. This was joined by various human rights organizations, which provided archives, inspected institutional facilities, gathered testimonies from former exiles, and collected declarations and testimonies from those responsible for human rights violations. Some of these activities were broadcast on national television, increasing the dissemination of the national transitional justice process, which was further amplified by the publication of the report entitled “Nunca Más” (Never Again) (Pinto, 2010).

CONADEP contributed to the annulment of the self-amnesty promulgated by the military, clarified the facts related to the disappearance of persons during the years covered by the Argentine dictatorship (1976-1983), received complaints, collected evidence, and forwarded it to judicial institutions; it also investigated the fate of children taken from their families during the dictatorship, details of which were thoroughly included in the report (Mendizábal Cortés, 2024). Unlike Argentina—and also Chile, as will be seen below—Brazil took longer to implement its truth commission as a transitional justice mechanism, doing so primarily due to international pressure. The country faced and still faces obstacles regarding the judicial prosecution of crimes committed by state agents due to the “preventive” Amnesty Law (Gómez de la Torre, 2023) promulgated in 1979 and declared by the Federal Supreme Court as compatible with the new legal-constitutional order after re-democratization, despite a subsequent (by a few months) opposing ruling by the Inter-American Court of Human Rights in the Gomes Lund case. Nevertheless, the National Truth Commission (CNV), established by Law No. 12.528/2011 during the government of then-President Dilma Rousseff, helped investigate crimes committed outside Brazilian territory but within the framework of Operation Condor and incorporated advances offered by international law, in addition to promoting material and symbolic repara-

tions for victims (Abrão & Torelly, 2012; Oliveira & Reis, 2021; Mendizábal Cortés, 2024).

The CNV, like other Latin American transitional justice measures, was marked by a comparison with reconciliation, which should in no way imply a “recontextualization” of the truth with a revisionist and/or denialist character—as will be discussed in the following section dealing with reactionary movements and their opposing perspective on transitional justice. The Commission sought to bring to light the truth of the offended, direct and indirect victims, and not a reversal of allegations of human rights violations, which is neither the objective nor the desired outcome of transitional justice mechanisms (Barros, 2020). This is particularly relevant given that the beginning of the Brazilian transitional process, specifically the Amnesty Law, was characterized by strong military control over the emerging democracy, unlike what was observed in Argentina and Chile, for example. For these reasons, Brazilian transitional justice during this period was unable to overcome the previous dictatorial model, and even the CNV faced numerous obstacles—which persist to this day—in holding agents accountable (Moura, 2014).

In Chile, meanwhile, the National Truth and Reconciliation Commission (CNRV) was established in 1990, during the government of Patricio Aylwin (1990-1994), the first elected president after redemocratization. The Commission investigated cases of executions and forced disappearances—but not torture, which attracted international criticism (Pinto, 2010)—committed during the dictatorship between 1973 and 1990, either inside the country or abroad, but against national victims, who were to be duly identified through the Commission’s work. It was also tasked with recommending reparatory measures for the victims and others of a legislative and administrative nature, as well as producing a final report (Mendizábal Cortés, 2024). The Chilean case is characterized by greater civil society participation in the transitional justice process, as well as a stronger and more lasting presence of memory policies that have persisted since the end of the dictatorship (Goulart & Vitorino, 2024). This makes it possible to affirm that in Chile it is not only a matter of “never again” to dictatorships but, above all, to the conditions that gave rise to them (Jelin, 2013, pp. 133-134).

Comparatively, all three countries established truth commissions; regarding the prosecution of agents and officers, Brazil did not conduct these trials as expected, convicting only a minuscule number of repressive agents—similar to what occurred with the removal of military agents and officers from their duties in cases where they were still in service, which was also observed in Chile (Cabral, 2017; Costa & González, 2019; Figari Layús, 2022). According to Gallo (2022), the characteristics observed in Brazil indicate a low capacity and probability of punishing crimes of the authoritarian regime, derived from the insufficiency of measures taken during the transitional justice processes—which should not overlook parallel situations to the transition, such as limitations imposed by the legal system and the legislative and constitutional judicial interpretation—as well as from its failure to involve society as a whole, being related mainly to the direct victims of the period (Costa & González, 2019).

The lack of societal involvement in transitional justice actions or, at least, in awareness and sensitivity regarding their importance for democracy and human rights constitutes a problem, especially when—and if—reactionary movements with enough political reach to elect authorities to national offices, such as the executive branch leadership, emerge. This is what happened recently in Latin America from 2015 onwards. In countries such as Argentina, Brazil, and Chile, there has been an increase in conservative agendas, including authoritarian appeals, nostalgia and longing for military dictatorships, intensification of social conflicts both interpersonal and between individuals and the State—motivated by political-ideological and cultural preferences—as well as denialist stances regarding the severity of the dictatorships and their human rights violations.

It remains to examine how these reactionary movements, in the three mentioned countries, have had and still have the capacity to harm transitional justice processes that still have pending measures to be realized, both at the institutional level and in terms of social perception. These relationships between reactionary movements and transitional justice in the Southern Cone of Latin America are discussed in more depth below.

IV. “Apesar de vocês?” Advances and limitations in transitional justice experiences amid reactionary movements

“Apesar de Você”, a song by Chico Buarque, was one of the anthems of resistance against the Brazilian military dictatorship. The opposition sang it addressing those responsible for human rights violations and for maintaining the regime in power (Moura, Amaral & Silva, 2021). People hoped for “another day”, for redemocratization, for a return to “normality” as opposed to the state of exception. In Argentina, this moment was reached in 1983; in Brazil, in 1985; and in Chile, in 1990, regardless of when the first transitional justice measures were implemented. Despite reactionary voices opposing reparations and accountability for the events and conduct during the military dictatorships, transitional justice continued to strive toward its proposed objectives. In recent years, once again, these voices have risen with (not so) new agendas. It is therefore important to analyze potential limitations in the transitional justice experiences in Argentina, Brazil, and Chile resulting from reactionary movements observed in social, political, legal, and governmental spheres in these countries.

The alternation of political cycles in Latin America embodies a historical tendency of the region to have right- and left-wing governments alternating power in a way, albeit non-linear and non-homogeneous. Regarding right-wing political cycles, Svampa (2020) points out that the first occurred precisely during the military dictatorships of the 1960s to 1980s; the second with the advance of neoliberalism in the region, mainly encouraged by the United States of America; and the third, after 2015, with the election of Mauricio Macri as President of Argentina, followed by the election of several other conservative and reactionary leaders, such as Sebastián Piñera in Chile and Jair Bolsonaro in Brazil in 2018.

The most recent conservative political cycle arose from crises of the “pink tide”, a progressive political cycle, especially with issues involving public security, political corruption, austerity, state efficiency, economic recession — topics leveraged by reactionary movements to bring key political-ideological leaders to central power, both in the Executive Branch and legislatures. These characteristics distinguish Latin American reactionary movements from European and North American ones, although the former have been influ-

enced, to varying degrees and forms, by the latter —especially after Donald Trump’s electoral victory in 2016 in the United States and the consequent strengthening of multinational networks aimed at spreading reactionary ideals and practices— and despite common elements between neoliberal and authoritarian right-wing biases (Svampa, 2020; Shoshan, 2021; Martín Álvarez & Pirker, 2022; Zamarguilea, 2022).

Besides the measures implemented by these authorities during their terms, it is also important to highlight that their electoral victories and the reach of their political speeches and platforms within the electoral base, as well as the impacts on human rights, demonstrate the perpetuation of authoritarian values shared by a significant portion of subjects participating in the electoral process as voters, not just the elected officials (Martín Álvarez & Pirker, 2022).

This observation is relevant when analyzing potential relationships between recent reactionary movements in Latin America and the transitional justice processes —completed or ongoing— designed to overcome, so to speak, the dictatorial past through material and symbolic reparations, as well as through the investigation and possible conviction of those responsible for human rights violations perpetrated in the name of the state. In this context, the central role of support from various actors within civil society, together with elected authorities, for transitional justice measures becomes evident. This support implies rejecting denialism regarding the dictatorships and refusing to relegate the atrocities committed under their rule to a secondary status —a perspective typical of reactionarism.

From a preliminary standpoint regarding transitional justice processes such as the Brazilian National Truth Commission (CNV), some studies point to the “silence” of right-wing parties and parliamentarians concerning the CNV’s establishment —a silence expressed through attitudes, statements, and actions that downplayed the severity of the repression characterizing the previous national dictatorship, which lasted for over four decades (Barros, 2020). Among these politicians was Jair Bolsonaro, a federal deputy (1990-2018) and later President of the Republic (2019-2022), who openly opposed the CNV through a series of speeches and legislative proposals (Almada, 2021; Fernandes, 2022; Zimmermann, 2023; Bauer, 2024). On the one hand, the literature on transitional justice suggests that such measures are more

closely related to the balance between social, political, and military powers within national contexts and circumstances than to the ideological positions of the actors involved. On the other hand, in cases where transitional justice is implemented after a significant period of democratic consolidation—as in Brazil, unlike Argentina and Chile—ideology may play a more relevant explanatory role. The argument is that the temporal distance between transition pacts and the consequences—including political ones—of implementing justice measures is influenced by, and at the same time influences, individuals' positions regarding the past, present, and future of transitional justice, as well as the political regimes they seek to overcome and prevent from recurring, such as military dictatorships (Raimundo & Maia, 2019, pp. 196-199). For Martínez et al. (2015), social and institutional perceptions and attitudes toward the dictatorial past depend on a variety of factors, such as the dissemination to the broader population of information about the violence suffered by victims—with the aim of raising awareness or at least informing them—as well as ideological identification with different social groups, both repressors and the repressed. It is therefore no coincidence that individuals with a left-wing orientation tend to place greater value on the effectiveness, or at least the pursuit of effectiveness, of procedural measures inherent to transitional justice, while those closer to the right tend to be more distrustful of such actions.

Correspondingly, people identifying with the left hold views opposed to military dictatorships, while those on the right, especially those situated at the extreme end of the political spectrum, tend to exhibit nostalgia, valorization, or at least concealment, attempting to downplay the repressive nature of the dictatorships of that era. Analyzing the dynamics between political-ideological identification and positions regarding transitional justice measures allows us to raise questions about the relationships between political past and present (Raimundo & Maia, 2019), as well as the possibilities of reactionary movements undermining transitional justice processes (Martíarena Pazos et al., 2024), since during electoral campaigns and even after elections, in official speeches and political practices, they position themselves favorably toward the military dictatorships of the past, including nostalgic and glorifying elements (Svampa, 2020; Ayala Saavedra, 2021; Zamarguilea, 2022). In this context, the dependent variable—the level of institutional respect

for transitional justice processes— requires systematic and comparative analysis among the reactionary governments of the Southern Cone, as proposed in the Introduction. This analysis focuses on the ideological and governmental spoilers—the new wave of spoilers—and their concrete institutional dismantling strategies. In this regard, the considerations of Martiarena Pazos et al. (2024) provide useful contributions, focusing on legislative and administrative political measures taken by conservative governments in Argentina, Brazil, and Chile. In Argentina, public statements by government officials about the dictatorship, relations with victims’ movements and human rights organizations, and the judicial dimension of crimes committed during the dictatorship were three relevant variables for understanding the impact of Mauricio Macri’s administration (2015-2019) on transitional justice measures. The authors note that such impacts were limited both due to the high mobilization capacity of Argentine social movements and because many policies in this area were already well-established (Martiarena Pazos et al., 2024, pp. 135-138). After four years under the progressive government of Alberto Fernández (2019-2023), Javier Milei assumed power, also questioning the number of deaths during the dictatorship and running on a ticket with a Vice President known for denialist speeches on the topic (Goullart & Vitorino, 2024).

In Chile, the victory of Sebastián Piñera led to few advances in memory, truth, and justice policies and imposed severe restrictions on human rights gains for victims of the dictatorship and their families, such as status changes justified by budgetary issues, reduced efforts to locate and identify disappeared persons, and a departure from determinations by international organizations concerned about the direction of the measures taken (Martiarena Pazos et al., 2024, pp. 139-141). In Brazil, even before Jair Bolsonaro’s administration (2019-2022), the conservative government of Michel Temer, who took office after the impeachment of former President Dilma Rousseff (2011-2016), altered nearly 80% of the composition of the Amnesty Commission, initiating the dismantling of transitional justice policies. This included suspending public apologies to victims, bureaucratizing amnesty grants to regime dissenters, and restricting psychological support for victims, also citing budgetary reasons similar to those alleged in Chile. These measures intensified during Jair Bolsonaro’s presidency, with the replacement of the General Coordination

of Rights to Memory and Truth by the General Coordination of the Disappeared, omitting terms related to post-dictatorial reckoning, reparation, and accountability (Martiarena Pazos et al., 2024, pp. 141-144). It was also during Bolsonaro's government that the Ministry of Women, Family and Human Rights, then headed by Minister Damares Alves, annulled approximately 300 amnesties and altered the composition of transitional justice commissions, which began referring to former political militants who had opposed the regime as terrorists (Fernandes, 2022; Zimmermann, 2023). By comparing the intensity and type of institutional boycott, a clear difference is observed in the expression of the dependent variable: the lowest respect for transitional justice processes was manifested in a more acute and programmatic way during the Bolsonaro administration in Brazil. While the Macri and Milei governments in Argentina faced more deeply rooted social resistance that limited far-reaching dismantling (keeping trials active), and Piñera's boycott in Chile was mainly administrative and budgetary, the conservative cycle in Brazil (initiated by Temer and culminating in Bolsonaro) opted for direct institutional dismantling, the annulment of acts of reparation, and explicit state denialism. This difference in the type and scope of the boycott leads us to argue that, in relation to the institutional resilience of TJ, the Bolsonaro government demonstrated the least respect, transforming ideological boycott into government action.

The adversarial stance of authorities occupying central state positions toward transitional justice measures —combined with the popular support that the head of the executive branch enjoys not only among their electorate but in the nation more broadly— tends to be projected onto segments of the population that share their ideals, perceptions, and ideologies, fostering opposition to reparations for crimes committed by military dictatorships in the region. The transformation of a broad consensus on the horrors perpetrated during the period into relativization undermines confidence in democracy and raises questions about the possibility of once again living under a dictatorship —or a “soft dictatorship”. Modifications to reparation commissions; the proliferation of discourses and practices that attack the dignity of victims and their families; and open praise for the dictatorships all resonate among political and social actors who come to reject transitional justice and related themes linked to human rights and to the confrontation of any authoritarian

or dictatorial social and political residue or seed (Benetti et al., 2020). It was not without reason that, years before the rise of these reactionary movements, it was stated that “long-term peace cannot be achieved unless the population is confident that injustices can be redressed through legitimate structures for peaceful dispute resolution” (Annan, 2009, p. 321). In other words, in a context in which transitional justice is permeated by reactionary movements, not only are legislative and administrative political measures relevant, but adherence—or lack thereof—to reparations and accountability measures is a determining variable in the (un)success of transitional justice, particularly in relation to measures still underway, such as pecuniary reparations and new public acknowledgments of committed human rights violations. The situation becomes clearer—and more aggravated—when opposition to transitional justice spreads to the point that, along with other factors, it brings to the presidency authorities who oppose such measures and nevertheless achieve popularity, backed by their electoral bases. From these considerations arises the need to investigate, through opinion polls, the positions of Latin Americans regarding preferences for democracy versus dictatorship, the potential role of the military in political leadership, and, more specifically, perceptions about transitional justice.

For this purpose, this study initially draws on data from the World Values Survey, valued for their merits in allowing cross-national comparisons over historical time series and for addressing issues that go beyond a narrow understanding of democracy (Costa & González, 2019). The series for 2005-2009, 2010-2014, and 2017-2022 are examined, as the first two cover the so-called progressive political cycle—the prevailing political orientation in most Latin American countries at the time—while the third corresponds to the period of reactionary governments, given the differing perspectives maintained by each political-ideological spectrum regarding the roles played by dictatorships and transitional justice. In the 2005-2009 wave, 1002 people were interviewed in Argentina, 1500 in Brazil, and 1000 in Chile; in 2010-2014, 1030 in Argentina, 1486 in Brazil, and 1000 in Chile; and in 2017-2022, 1003 in Argentina, 1762 in Brazil, and 1000 in Chile. The data take into account the proportionality of each country’s population. At first glance, it is evident that there are no questions directly related to transitional justice and respondents’ perceptions of it. However, there are questions related to the topic,

such as those dealing with stronger or weaker preferences for democracy, military rule, and respect for human rights. The first question and its answers to be analyzed concern support for a political system governed by the military, an alternative way of referring to military dictatorships. The responses “very good” and “fairly good” were grouped together, as were “very bad” and “fairly bad”; in addition, there were the answers “don’t know” and “no response”.

Board 1. Support to a political system governed by militaries

<i>Year</i>	<i>Responses</i>	<i>Argentina</i>	<i>Brazil</i>	<i>Chile</i>
2005-2009	Very good and fairly good	10,7 %	33,8 %	16,7 %
	Very bad and fairly bad	79 %	62,2 %	71,5 %
	No response	1,5 %	1,8 %	1,6 %
	Do not know	8,9 %	2,3 %	10,3 %
2010-2014	Very good and fairly good	9,9 %	32,1 %	16,5 %
	Very bad and fairly bad	80,9 %	60 %	75,7 %
	No response	3,2 %	0,3 %	0,5 %
	Do not know	6,1 %	7,6 %	7,3 %
2017-2022	Very good and fairly good	15,6 %	36,7 %	16,8 %
	Very bad and fairly bad	77,1 %	46,2 %	71,2 %
	No response	6,6 %	15,3 %	10,8 %
	Do not know	0,7 %	1,8 %	1,3 %

Source: self elaborated based in *World Values Survey*.

Across the three historical periods analyzed, there is relative stability in the numbers presented by the three countries, with particular emphasis on the higher number of Brazilian respondents who considered the possibility of a military government as very or fairly good, along with a decrease —during the years of conservative government— in the number of people who viewed such a possibility as very or fairly bad. In contrast, Argentina showed a slight increase in the perception that a potential military govern-

ment would be a good option, while Chile maintained stable numbers. It is likely that these distinctions between Brazil and the other countries are due to the fact that Brazil’s transitional justice process was carried out much later than its redemocratization —unlike in neighboring countries, where transitional measures were implemented immediately after the end of the military dictatorships (Gomes & Rezende, 2012; Gómez de la Torre, 2023). Similarly, it is possible that a history of denialism, including in official discourse (Benetti et al., 2020), contributed to this decrease in rejection of the idea of viewing a military government as something positive.

Board 2. Military takeover when democracy is perceived as incompetent

<i>Year</i>	<i>Responses</i>	<i>Argentina</i>	<i>Brazil</i>	<i>Chile</i>
2005-2009	Not an essential characteristic of democracy	53,6 %	24,5 %	43,8 %
	Scale from 2 to 5	14,2 %	31,7 %	26 %
	Scale from 6 to 9	11,3 %	22,6 %	11,9 %
	An essential characteristic of democracy	12,2 %	14,2 %	8,5 %
	Do not know	7,2 %	5 %	8,2 %
	No response	1,3 %	2,1 %	1,7 %
2010-2014	Not an essential characteristic of democracy	43,3 %	27,9 %	45,3 %
	Scale from 2 to 5	35,4 %	23,5 %	28,8 %
	Scale from 6 to 9	14,1 %	16,8 %	14,5 %
	An essential characteristic of democracy	4 %	18,6 %	4,2 %
	Do not know	2,3 %	9,8 %	5,8 %
	No response	1 %	0,5 %	1,4 %

2017- 2022	Not an essential characteristic of democracy	41 %	31,1 %	31 %
	Scale from 2 to 5	24,2 %	16,6 %	37 %
	Scale from 6 to 9	23,3 %	15,6 %	15,2 %
	An essential characteristic of democracy	7,3 %	22,1 %	8,3 %
	Do not know	3,7 %	13,2 %	7 %
	No response	0,6 %	1,4 %	1,3 %

Source: self elaborated base on *World Values Survey*.

In response to the question regarding perceptions of a military takeover of political power in cases of incompetence—a vague and broad term, but seemingly related to failures in delivering and ensuring rights and public services—respondents’ answers were grouped into four categories, formed by condensing the original scale into two broader groups. Thus, on a scale from 1 to 5 (“this takeover is not an essential characteristic of democracy”), the responses indicate rejection of the idea of a military takeover as posed in the question; whereas on a scale from 6 to 10 (“this takeover is an essential characteristic of democracy”), the responses indicate agreement with such conduct. Once again, Brazil stands out for showing the highest levels, compared with the other countries, of agreement with the idea that a military takeover in cases of democratic incompetence is itself an essential feature of democracy—as if resorting to self-appointed military governments (a euphemism for coup leaders) represented a kind of wildcard or moderating power. These results were even more pronounced during the 2017-2022 cycle, with similar increases also observed in Chile and Argentina. It is possible that these findings are related to the spread and intensification of discourses emphasizing democratic shortcomings and the supposedly greater technical, administrative, and governmental efficiency of the military—narratives that gained traction during the reactionary political cycle in the three countries analyzed (Kyle & Reiter, 2019; Kuehn & Levy, 2020).

Board 3. Respect for human rights

<i>Year</i>	<i>Responses</i>	<i>Argentina</i>	<i>Brazil</i>	<i>Chile</i>
2005-2009	A great deal or some respect	37,2 %	46,5 %	45,6 %
	Not much or none at all	58,7 %	52,6 %	50 %
	No response	0,6 %	0,5 %	0,6 %
	Do not know	3,4 %	0,3 %	3,8 %
2010-2014	A great deal or some respect	44,3 %	37,7 %	52,6 %
	Not much or none at all	53,9 %	59,6 %	44,7 %
	No response	0,5 %	0,5 %	0,7 %
	Do not know	1,3 %	2,1 %	2 %
2017-2022	A great deal or some respect	45,2 %	38 %	42,9 %
	Not much or none at all	50,6 %	54,4 %	50,9 %
	No response	3,6 %	6,1 %	4,9 %
	Do not know	0,6 %	1,4 %	1,4 %

Source: self elaborated based in *World Values Survey*.

As the third question selected for the purposes of this investigation, Latin American respondents were asked about the degree of respect for human rights. Once again, the responses were grouped into “a great deal or some respect” versus “not much or no respect at all”, along with those who did not know or chose not to answer. In all three countries, most cases show figures at or above half of respondents stating there is a lack of respect for human rights. In Brazil, there was a decline in perceptions of respect during the periods from 2010 to 2014 and from 2017 to 2022, while in Argentina, there was a gradual increase in appreciation for human rights. This finding may be related to the association of human rights with impunity, the weakening of police forces, and resistance to tougher public security policies —common narratives throughout Latin America, including in the three countries analyzed, especially during the reactionary political cycle (Moreira, 2019). As can be observed, the absence of questions directly related to transitional justice represents a limitation of the survey, as it prevents a more in-depth in-

vestigation into the relationship between prevailing political-ideological preferences during the reactionary political cycle —marked by the enthusiastic and widely supported election of leaders with little interest in transitional justice and who downplay the horrors of military dictatorships. However, while this limitation affects the analysis of Brazil and Argentina due to the lack of concrete data, the same cannot be said for Chile, where the National Institute for Human Rights conducted a public opinion survey in 2022 that included various themes related to human rights, including people’s perceptions of transitional justice. Among the 7000 Chileans interviewed, just over half were unaware of the reports issued by truth commissions after the national military dictatorship, and fewer than 10 % had actually read them; the remainder had heard of them but not read them, excluding those who didn’t know or declined to answer (figures below 10%). Likewise, around 7 out of 10 respondents stated that they do not visit memory sites related to human rights violations under the dictatorship (INDH, 2022, pp. 74-75). In contrast, approximately 75 % of respondents agreed or strongly agreed that it is necessary to prosecute and punish those responsible for human rights violations committed during the dictatorship, and just over 70 % believed such accountability helps prevent future violations —also linked to awareness and public dissemination of the violations committed by state agents (INDH, 2022, p. 76). Regarding the importance attributed to transitional justice by respondents, the data show stronger support among left-leaning individuals, followed by those with centrist political positions and individuals of middle socioeconomic status. Conversely, the oldest and youngest respondents, as well as those on the political right, showed significantly lower levels of support (INDH, 2022, p. 77). The results observed in Chile are consistent with what the literature suggests regarding the relationship between political-ideological alignment and greater or lesser support for transitional justice measures. On the other hand, the data also reflect varying levels of approval for military governments and their associated policies —findings echoed in both the Argentine and Brazilian contexts. As for Brazil, since the anti-democratic events of January 8, 2023 —surrounding President Lula’s inauguration for his third term— and the ensuing legal accountability efforts, right-leaning political groups have advocated for an amnesty for those convicted of crimes against the democratic rule of law. Although this does not represent a dic-

tatorial or post-dictatorial context —nor, therefore, a form of transitional justice, since it does not seek to redress state-perpetrated human rights violations but rather to shield individuals from criminal liability for actions defined as crimes— the recent Brazilian context sheds new light on potential ways of confronting politically delicate situations that blur the line between democracy and authoritarianism, often favoring unilateral power grabs with militarized overtones.

V. Final Considerations

The title of this article refers to the film *I'm Still Here* (2024), a Brazilian biographical drama directed by Walter Salles and inspired by the autobiographical book of the same name by Marcelo Rubens Paiva. Set in the 1970s, the film tells part of the story of the Paiva family as they tried to navigate life during the military dictatorship. Most of the accounts center on the mother, Eunice Paiva, who was suffering from Alzheimer's at the time the book that inspired the screenplay was written.

On January 21, 1971, Rubens Paiva was taken from his home by six men acting on behalf of the military and never returned. The family was forced to endure those cruel times without a body, without the opportunity to mourn the loss of their father and husband —whose death the Brazilian state eventually, though belatedly, admitted to having caused. This form of obstructed memory seems to be the film's central character. Memory is foundational to the establishment of consciousness, and in this sense, forgetting or manipulating memory can serve as a tool for maintaining established orders. Comparing experiences in the Southern Cone, their processes of redemocratization, and the ways transitional justice has been —or continues to be— applied, one can observe, for instance, that the delayed implementation of transitional justice mechanisms in Brazil, unaccompanied by a significant effort in memory reconstruction, created space for reactionary movements.

These movements, which notably employ denialist narratives about the human rights violations committed by Latin American dictatorships, have contributed to the erasure or manipulation of these memories. This

has allowed public debate to shift from how to repair victims and prevent recurrence to whether violations even occurred or whether the repression was perhaps “necessary”. This intentional displacement of debate results from the absence of memory work involving society as part of the transitional justice process. While it is possible to understand that families of women like Maria and Clarice, who grieve for their disappeared loved ones, were victims of the dictatorship, the broader understanding —that society itself was also a victim— becomes increasingly remote when collective memory is compromised.

Consequently, individuals’ perceptions of the present, past, and future —as well as their emotional engagement— are essential, particularly when ideological projects play a significant role in shaping political understanding and action, and when they face reactionary movements capable of manipulating memories and taking control of national governments in countries such as those of the Southern Cone. In this context, the message is that they are still here: reactionary movements, nostalgia for dictatorships, and the devaluation of memory, truth, and justice policies remain. These are hallmarks of a transitional period that never fully ends. State action regarding the acknowledgment and reparation of the horrors of military dictatorships is highly relevant, but it also depends on various factors —chief among them the support and, more importantly, the awareness of democratic citizens about what happened and what must never be repeated.

Democracy is at risk when individuals openly and flagrantly opposed to democratic solutions for addressing the consequences of military dictatorships —on both direct and indirect victims, as well as on the national imaginary concerning human rights— are elected to power. Human rights, their meaning, and their protections in the face of a dark past (which cannot be changed) and a potentially dangerous future (which must be avoided) are deeply affected. In Argentina, public resistance managed to curb Mauricio Macri’s attempts to dismantle institutions related to transitional justice, although it did not prevent his openly adverse public statements against reparatory measures or his praise of the dictatorship —attitudes later repeated by Javier Milei.

In Chile, the Piñera administration rolled back progress by restricting victims’ rights, weakening the search for the disappeared, and disregarding

international recommendations. In Brazil, Michel Temer initiated the dismantling of transitional justice by altering the Amnesty Commission and limiting reparations, a process intensified by Jair Bolsonaro's administration, which annulled amnesties, reconfigured commissions, and reinforced narratives that downplay the crimes of the dictatorship. Considering that public opinion surveys conducted during the conservative, reactionary political cycle—particularly between 2017 and 2022—showed a diminished preference for democracy and respect for human rights, the initial hypothesis of this study, namely that “the greater the social and political rise of reactionary movements in Latin America, the weaker the commitment to transitional justice processes”, is confirmed.

While the indicators analyzed are not specific to transitional justice measures, they are closely related, as they reflect preference for—or rejection of—truth, memory, and justice policies. This is influenced by the ideological spectrum and by how it shapes understandings of conflicting forms of government and divergent perspectives on human rights. The main limitation of the study lies in the lack of specific and detailed public opinion research in Argentina and Brazil regarding how people perceive, respect, and value transitional justice, its measures, and its potential contributions to democracy and the protection of human rights. Nevertheless, Chile's experience with this type of research, along with the prior analysis of World Values Survey data regarding preferences for democracy, dictatorship, and human rights, has allowed for meaningful progress in understanding the relationships between ideological positions and the potential—not merely the effectiveness—of transitional justice.

It is therefore considered that this work has the potential to contribute to the most recent research agendas on transitional justice, especially given the considerable time that has passed since the processes in Argentina (1980s), Chile (1990s), and even Brazil's belated efforts (2010s). Transitional justice encompasses a set of continuous processes and measures, the durability of which depends in part on popular awareness and support—beyond mere state action by elected authorities.

VI. References

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How to cite

IJJ-UNAM

Silva, Thyerrí José Cruz, Espinoza, Fran, and Linhares, Hannah Silva, “Are They Still Here? Transitional Justice Experiences in the Southern Cone and Reactionary Movements”, *Boletín Mexicano de Derecho Comparado*, Mexico, Vol. 59, No. 175, January-April, 2026, e20521. <https://doi.org/10.22201/ijj.24484873e.2026.175.20521>

APA

Silva, T.J.C., Espinoza, F., & Linhares, H.S. (2026). Are They Still Here? Transitional Justice Experiences in the Southern Cone and Reactionary Movements. *Boletín Mexicano de Derecho Comparado*, 59(175), e20521. <https://doi.org/10.22201/ijj.24484873e.2026.175.20521>