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Kathleen J. Hancock
University of Texas, San Antonio

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Breaking Silence, The Case That Changed The Face of Human Rights by Richard Alan White. Washington, DC: Georgetown University Press, 2004. 320pp.

A Fulbright scholar, Richard Alan White, found himself in the midst of a human rights case that later set an important legal precedent for trying foreign human rights abusers in U.S. courts. Breaking Silence is the inside story of White's personal involvement in the torture case that resulted in U.S. attorneys prosecuting Americo Norberto Peña-Irala, a former Paraguayan Inspector General of Police. Peña had tortured to death the young son of a prominent human rights activist, Dr. Joel Filártiga, whom White had met and befriended during his dissertation research in 1975.

The Filártiga family's courageous attempts to bring Peña to justice in their home country were met with death threats. Eventually, Dolly, the victim's sister, fled to the United States. In a bizarre coincidence, Peña was also in the U.S., where he apparently intended to stay indefinitely. When Ms. Filártiga learned of his presence, she and her lawyers chose a brilliant and highly unusual approach: they sued, and won, under a little-known and seldom-used Federal law from 1789: the Alien Tort Claims Act (ACTA). The Act grants jurisdiction to U.S. federal courts to hear complaints by foreign nationals for torts in violation of the "law of nations or a treaty of the United States." Since the landmark Filártiga decision, Human Rights Watch noted, "U.S. courts have recognized that a limited number of international crimes including genocide, crimes against humanity, war crimes, torture, 'disappearances,' extrajudicial executions, forced labor and prolonged arbitrary detention, violate the 'law of nations' and that claims for such abuses therefore can be brought under the ATCA" ([click here for the full report](#)).

Breaking Silence does not delve into the specifics of the legal case but rather the events—the torture, the death, and, mostly, the family's search for justice—that led to the case. The author contributes to our understanding of human rights cases by showing in considerable detail how a family endured a son's torture-death that occurred in retaliation for the father's political activity during the dictatorship of General Alfredo Stroessner. White brings the reader into the family's home, where the members express their fears, fight with one another, plead for White to help them, place considerable faith in the power of Amnesty International, and eventually rise up to strike back at the oppressor.

Written in the first person, White's writing can be sometimes annoying, as he frequently inserts himself into the story, describing his personal thoughts and often seeming to aggrandize his role in the fascinating lives of this brave yet imperfect family. A significant portion of the book consists of dialogue between the author and the Filártiga family. The following is typical of the style:

...attempting to put things in perspective, I told them, "... I can only promise that no matter what happens, we won't give up."

"But to think that I'm some kind of super gringo that can wave a magic wand and straighten everything out is pure fantasy. I simply don't have that kind of influence or contacts."

"You work for Amnesty International, don't you?" Dolly retorted. "You arranged all the letters, didn't you?"

“Organizing a letter-writing campaign of Joel’s friends is one thing,” I replied. “It had nothing to do with Amnesty. In fact, it was I who sent Amnesty background materials on us and asked them to help if we got in trouble. They said they would do what they could, and then they asked me to help out with their human rights work while I’m here in Paraguay” (62-63).

The prose style, lack of theory, and detailed dialogue make this book ill-suited for graduate students. These drawbacks, however, may be a plus for undergraduates. The reader gets a first-hand glimpse into the struggles families face when they lose a loved one, especially a child, to torture, and how they live with the fear of going up against a powerful dictatorship. Readers will appreciate seeing how Amnesty International learns about and investigates cases to ensure the validity of the claims. Indeed, students may even value White’s personal involvement in the story. His initially unintentional entanglement in the case, and then apparently pivotal role in bringing in Amnesty International and providing much needed hope to the family, might well seduce adventuresome students into pursuing their own scholarly work.

Kathleen J. Hancock, University of Texas, San Antonio
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