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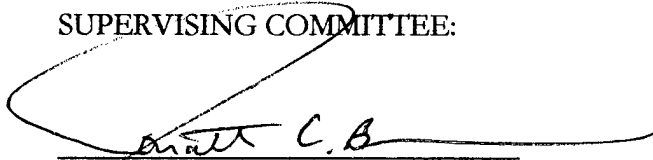
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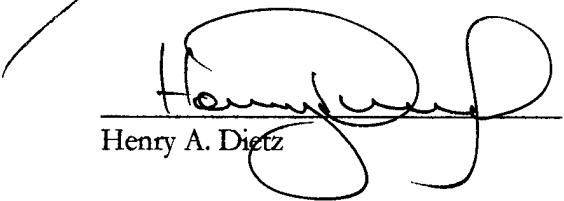| 17. SECURITY CLASSIFICATION OF REPORT	18. SECURITY CLASSIFICATION OF THIS PAGE	19. SECURITY CLASSIFICATION OF ABSTRACT	20. LIMITATION OF ABSTRACT

Institutionalizing State-Sponsored Terrorism:

A Decade of Violence in Argentine Terrorism; Revolution and Military Reaction, 1970 to 1979

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Henry A. Dietz

To all the victims, on every side of the conflict, but especially to those survivors who still struggle for both justice and reconciliation.

Acknowledgments

Institutionalizing State-sponsored Terrorism

A Decade of Violence in Argentine Terrorism; Revolution and Military Reaction,

1970 to 1979

by

Wayne Peter Magnusson, M.A.

The University of Texas at Austin, 1998

SUPERVISOR: Jonathan C. Brown

This thesis examines the institutionalization of violence in the history of the Republic of Argentina, and pays special attention to the institutional terrorism of the decade of the 1970's. The history of Argentina clearly shows that legalized violence has always been a method of gaining and maintaining political power in this nation. In the mid-1970's, Argentina's coercive forces responded to the most dangerous terrorist threat in its history with its own brand of institutionalized state-sponsored terror. The conflict between terrorist forces and the Argentine military and police forces, known as the "Dirty War", resulted in the "disappearance" of between 8,000 and 30,000 persons. Subsequent investigations revealed thousands of accounts of brutal murder, rape, kidnapping, robbery, and illegal detention, perpetrated by the legal coercive forces. Some of the top military and police leaders were convicted in federal court, and served prison sentences until their pardon and release in 1991. This thesis first examines Argentina's history of violence and military elitism, then takes a closer look at the terrorist threat of the early 1970's and the military response from 1975 to 1979. It ends by addressing the issues of accountability and judgment of the military officers responsible for human rights abuses, and recent efforts for reconciliation in Argentina.

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GLOSSARY

AAA, or "Triple A" - Alianza Anti-communista Argentina, or Argentine Anti-communist Alliance.

Campo de Mayo - a large, sprawling military complex in the northwest suburbs of the federal capital, Buenos Aires. Home of several combat units, the Military College (officers), and the non-commissioned officers' school.

Casa Rosada ("Pink House") - The very large national executive office building, on the east end of the Plaza de Mayo in downtown Buenos Aires. Site of numerous demonstrations and presidential speeches.

CONADEP - Comisión Nacional sobre la Desaparación de Personas, or National Commission on Disappeared Persons, commissioned by President Raúl Alfonsín to investigate disappearances in 1984.

ELN - Ejército de Liberación Nacional, or National Liberation Army. Short-lived communist organization in Tucuman Province, mid-1960's.

ERP - Ejército Revolucionario del Pueblo, or People's Revolutionary Army. The largest communist armed terrorist organization in Argentina, 1970 to 1979.

FAL - Fuerzas Armadas de Liberación, or Armed Forces of Liberation. A minor Peronist guerrilla organization in 1970, absorbed by the Montoneros in 1973.

FAP - Fuerzas Armadas Peronistas, or Peronist Armed Forces. A minor Peronist guerrilla organization in 1970, absorbed by the Montoneros in 1973.

FAR - Fuerzas Armadas Revolucionarias, or Revolutionary Armed Forces. A minor communist guerrilla organization in 1970, absorbed by the ERP in 1973.

Montoneros - A leftist Peronist terrorist group, the largest guerrilla organization in Argentina, founded in 1970.

OLAS - Organización Latina Americana de Solidaridad, or Latin America Solidarity Organization. Inter-american communist organization, led by Cuba.

Plaza de Mayo - The large central plaza in downtown Buenos Aires near the waterfront, surrounded by the Casa Rosada, the National Cathedral, the National Bank, and the historic "Cabildo" edifice, cradle of Argentine independence. Site of presidential addresses and various demonstrations and protests.

"Proceso" - Refers to the Proceso de Reorganización Nacional, or the Process of National Reorganization. This was the label for the military government era of 1976 to 1983, taken from the military document which superseded the national constitution during that time.

PRT - Partido Revolucionario de Trabajadores, or People's Revolutionary Party. The communist political wing directly associated with the ERP. Essentially, the communist party in Argentina.

"Punto Final" - Loosely translated, "the final point" of order, or the "final stage". This document established a cutoff date to submit indictments against military personnel for human rights abuses during the Dirty War.

UCR - Unión Cívica Radical, or Radical Civic Union. Founded in the late nineteenth century, it became the largest and most influential political party from 1912 to the late 1930's, and remains one of the largest in Argentina today. Originally a left-of-center party committed to political and economic liberalism, and appealed mainly to the Argentine middle class.

Introduction

On 24 March 1976, General Jorge Videla led a military junta in a bloodless coup to topple the civilian Peronist government in Argentina. The national legislature, the free press, numerous professional and social organizations, and certainly a majority of the general population welcomed the coup with relief and applause after nearly three years of economic chaos, civil war, and ineffective government under Juan D. Perón and his wife María Estela Martínez (Isabel). The Argentine military, no stranger to political intervention in their nation since 1930, quickly moved to stabilize the economy and to destroy a powerful and widespread terrorist threat. For the next four years, the military government successfully curbed inflation and exterminated thousands of leftist guerrillas. However, members of the Armed Forces, in their exuberance to win this "dirty war", imposed human rights abuses upon scores of innocent fellow citizens, "disappearing" up to 30,000 persons by some estimates. After destroying the terrorist threat by the end of 1979, the government lost much of its credibility as the economy once again took a nose-dive, and bewildered relatives and international organizations demanded an accounting for the disappeared. Largely to detour general attention away from embarrassing questions, the Argentine military invaded the Malvinas (Falkland) Islands and started a war with Great Britain in April 1982, a wildly popular (in Argentina) political move for strategically insignificant real estate. The British military quickly defeated the poorly-trained

and -equipped Argentine forces by early June, a defeat that added the final straw to completely discredit and de-legitimize the regime. In December 1983, President Raúl Alfonsín led a new civilian government to attempt repairing a shattered nation.

In examining the Argentine Military government from 1976 to 1983, most of the literature and documents appear to narrowly focus on the dramatic accounts of torture, rape, murder, and other human rights abuses the military perpetrated upon innocent civilians. These horrific acts did, in fact, occur. However, while the intent of this study certainly does not mean to diminish or minimize the legitimacy of these obviously real, documented, and tragic events, it is important to remember that soldiers and terrorists suffered and died too in this terribly brutal war. The Argentine military government, as well as past civilian governments, proved unable to successfully fuse democracy with liberal institutions during Argentina's violent history. They repeatedly failed to recognize the faulty logic of trying to institute democracy through coercion.

Intransigence, the stubborn refusal to compromise, has constantly upset Argentine society, where competing political groups fanatically opposed each other on nearly every economic and social issue. Specifically, such issues tended to boil down to an inability to institute broad democratic concepts of participation within a narrow system of traditional oligarchy control over national resources. These issues have tended to split political groups into water-tight compartments where different sources of legitimacy were upheld simultaneously by contending groups

using mutually exclusive arguments.[1] Intransigence, deeply imbedded in the Argentine character, never allowed many basic political and socio-economic issues to achieve complete resolution by themselves, leading to a never-ending cycle of trial, resistance, reprisal, and stalemate. The 1976 coup aimed specifically to break this self-destructive cycle through forced consensus in the political, economic, and social order. After decades of struggle, the Argentine military offered their coercive capacities as the final solution to remove all the dangerous, "subversive elements" from the fatherland, thus saving the nation for another try at liberal democracy and preserving the sacred "traditional Argentine national values" of peace, order, discipline, and family. Of course, critics view this as mere verbal gymnastics to justify the war-mongering hordes' lust for power, just another contending power group vying for control of the state. However, this study argues that, while such critics may scoff at a transparently not-so-selfless attitude, the military as an institution took control with the best of intentions to unify their country and to produce prosperity and growth. Unfortunately, a very real terrorist threat lay directly between the armed forces and their ultimate goals, in absolute and fatal defiance. Although the Argentine military did not instigate the conflict known as the "Dirty War", they did successfully terminate the war, sacrificing a great deal of institutional legitimacy and not a few lives to accomplish a mission the Argentine people gave them. In spite of their success in military mission accomplishment,

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[1] José Luis De Imaz, *Los Que Mandan: Those Who Rule* (1970), 55.

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their self-imposed mission of economic and political salvation failed miserably.

Why, then, did the Argentine military seize the government in 1976 and take total control? Why did they feel so obligated to take the reigns of power, but then completely ignore principles of the rule of law? The Argentine armed forces did not turn to state-sponsored terrorism as a sudden policy change, nor as a six-year historical anomaly of aberrant behavior. Argentine governments had consistently used its armed forces to enforce policy and programs on internal issues throughout its history. Official terrorism had served repeatedly to impose policies made by tyrants and "democratic" governments alike. Of course, such coercive policies then failed to produce lasting growth and prosperity. In the mid 1970's, Argentina found itself at a crossroads in which the choices for national survival became extremely limited, none of which provided a happy solution for everyone. Winners would automatically produce losers. Within a situation of dangerous anarchy, the military alone remained the only institution capable of dealing with a very real and potent terrorist threat. The various terrorist organizations all refused to accept nothing short of a complete social revolution, considered absolutely unacceptable to most of Argentine society, and especially to big business, the landed oligarchy, and the Catholic Church. The only acceptable alternative to capitulation, the only plan with a remote chance of success, was total war: annihilation of the enemy. The Argentine military accepted the thankless job, perhaps not fully cognizant (and certainly not clairvoyant) of its full import, but

willing to accept full institutional accountability for the overall success or failure of the mission. The military, as a mission-oriented institution, focused on the annihilation of subversion as the answer to the national crisis. However, they quickly discovered that complete elimination of the enemy required a new set of rules, because the current rules failed to limit anyone but the government itself. The Argentine military assumed complete political and social control over the nation in 1976 because Argentine society wanted them to do so, because the Armed Forces remained the only institution capable of restoring a government of law amid a state of near anarchy, and because the military correctly perceived the terrorist threat as more than a temporary challenge for political power; they required unrestrained impunity to operate, to effectively annihilate subversion in all forms, especially the so-called "dangerous and cancerous" ideologies of communism and Peronism, and to eliminate the threat of complete social revolution advocated by terrorist organizations.

Chapter 1

A HISTORY OF MILITARY ELITISM

Before the republic of Argentina became a functioning, independent state

by the early 1820's, the Argentine Army of Liberation had already created a new

creole elite vital to gaining and maintaining political power in the former Spanish

Viceroyalty of the Río de la Plata. A new, professionalized officer corps closed its

social ranks and made itself the indispensable partner for anyone with ambitions

for political power.[1] From 1832 to 1852, while most of Latin America wallowed in

an identity crisis of state formation and civil war, Argentine dictator Juan Manuel de

Rosas built a relatively stable authoritarian dictatorship on a genuinely populist

base, with the army as his primary vehicle to unify, integrate, and control the

various classes, regions, races, and other divisive institutions.[2] He owned the

personal loyalty of the officers, and his troops came from the lowest classes of

Indians, blacks, gauchos, and other provincials, mostly from the interior. This

army conquered vast territories, subjugated and civilized the gauchos and Indians

of the provinces, and organized state institutions. The Argentine Army pre-dates

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[1] Tulio Halperín Donghi, "Revolutionary Militarization in Buenos Aires, 1806-1815", *Past & Present*, Vol. 40 (1968), 85.

[2] Ricardo D. Salvatore, "Reclutamiento Militar, Disciplinamiento y Proletarizacion en la Era de Rosas", *Boletin del Instituto de Historia Argentina y Americana "Dr. Emilio Ravignani,"* 3rd series, No. 5 (1992), 25.

the Republic as the liberating institution of much of South America. In the nineteenth century, the Army conquered the deserts and jungles, founded towns and cities, unified and integrated the territories in 1880; they built the nation.[3] The army's role as Argentina's founding institution proved to be the basis of military assumption of responsibility for the destiny and development of the Argentine nation for the next one hundred seventy years following independence in 1810.

Although liberalism dominated economics from the 1850's to 1930, it failed to touch politics. Liberalism demanded open markets, free trade, and little government interference, but the conservative elite in Argentina insisted on dominance in government to protect their own economic interests, which lay principally in livestock and cereal grains. Many liberal politicians recognized the need to keep the military out of politics, but the various political groups did not want to give up such a valuable tool of coercion to achieve political goals.[4] Even "liberal" presidents like Domingo Sarmiento and Bartolomé Mitre utilized the army to exterminate the Pampean Indian tribes by 1879, and to subjugate rebellious provinces to central authority in Buenos Aires. Reformist President Hipólito Yrigoyen of the new Unión Cívica Radical (Radical Party) used troops to subdue strikers who threatened national economic interests in the 1919 "Semana Trágica", where numerous industrial workers in Buenos Aires died demanding improved

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[3] Arturo Frondizi, *Nación Argentina y sus Fuerzas Armadas* (1992), 35.

[4] Gilberto Ramirez, Jr., *The Reform of the Argentine Army, 1880-1904* (1987), 2.

wages and benefits. Yrigoyen sent troops again to Rosario in the 1928 "Santa Fé Crisis", where dock workers faced brutal repression as well for merely refusing to work for poor wages and in worse conditions.[5] Although such use of force eroded the legitimacy of democratic processes in Argentina, it routinized coercion as a legitimate political tool to preserve the economic interests of the dominant landowning class. The army ensured domestic peace, a habit adopted at independence and persisting through most of Argentina's history.

Although most of the army's operations involved purely domestic issues during this period of national consolidation, from 1880 to 1930, Argentina grew increasingly alarmed at the European arms race and the rising military potential of long-time border rival Chile near the end of the nineteenth century. This old enmity triggered a regional arms and modernization race under the constant threat of war, which never truly materialized. Institutional autonomy and the relative lack of external conflicts in the final decades of the century had caused the officer corps to grow top-heavy and without the skills, education, training, and experience to fight a modern war.[6] The enlisted ranks suffered from an even worse state; poorly

trained, fed, clothed, and treated, they were unequipped materially, mentally, and emotionally for any kind of serious conflict. Soldiers who left the army seldom

[5] Robert P. Korzeniewicz , "The Labor Politics of Radicalism: The Santa Fe Crisis of 1928," *HAHR*, Vol. 73 (1992), 1-32.

[6] Ramírez, *The Reform of the Argentine Army, 1880-1904*, 142.

departed with any usable education or marketable skills. In 1898, General Julio Roca assumed the presidency (in an election) and immediately charged his young protégé, Captain (later Colonel) Pablo Riccheri, to "undertake a concentrated and systematic effort to create a truly national army and to make a nation".[7]

Riccheri completely rebuilt the new Argentine military over the next thirty years, with the nation's enthusiastic support. A new generation of highly-educated young officers trained in European military academies, mostly in Germany, learning current doctrine, tactics, and strategy, and became proficient in modern weaponry and engineering. The new leaders revised recruiting and promotion procedures, pay and benefits, and educational programs. They designed and constructed arms industries, ports, fortifications, highways, railroads, training facilities, and housing. Army engineers played a vital role in the development of the nation's domestic industries in coal, petroleum, iron and steel, and promoted supporting industries like textiles, leather, and food processing. A new policy of obligatory conscription changed the army from a disorganized bundle of social rejects into a patriotic, proud citizen's army, instructed in literacy, morality, discipline, culture, obedience, and duty.[8] The army came to symbolize these ideals in the "new" Argentine culture. By the late 1920's, the Argentine military had become not only a significant

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[7] Ibid., 287.
[8] Ibid., 334, 421, 450.

economic force in leading the nation in heavy industry, science and technology, and infrastructure development, but a cultural force as well.

Successful military reform and heightened prestige produced a generation of officers not only highly competent, but also highly skeptical of civilian competence. They uniformly resented and disdained corrupt and corrupting officials, although the patronage system naturally corrupted and extended throughout the military itself. President Yrigoyen and most of his successors repeatedly used the promotion and assignment systems to gain the support of influential military leaders. This generation of officers produced leaders like Generals Uriburu and Justo, who governed the nation in the 1930's on anti-corruption platforms, but who also enjoyed opportunities to promote and reward supporters. Nevertheless, the view grew and persisted in the armed forces that civilian government could not cope with the process of nation-building. Historian Gilberto Ramirez said, "Civilian ineptitude, obstructionism, and corruption further engendered the military's growing confidence and feeling of superiority". Professionalization of the officer corps failed to de-politicize the military, due to domestic, civilian political failures. The officers often felt they were forced into political activity and obligations as a matter of duty, thereby assuming the task "to look after the lofty interests of the nation".[9] They used patriotism to justify intervention into civilian matters; participation and leadership in nation-building

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[9] Ibid., 410, 469-470.

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efforts "reinforced the belief of the military that they formed the only true national elite". Later military leaders consistently and frankly considered themselves "the ultimate arbiters of the destinies of the nation".[10]

On 6 September 1930, the military dismissed an increasingly senile President Yrigoyen from the national executive offices and assumed governmental control, in a reaction to Radical middle-class reforms and ineffective leadership, conservative elite fears, and the Great Depression. Although the military took power, the landed oligarchy, newspapers, and even many members of Congress actively encouraged and supported the move. Argentine historian Luis Romero described the armored cavalry march from the Army's Campo de Mayo base, just outside the capital, to the Casa Rosada seat of government in the heart of downtown Buenos Aires as a "parade of patriotism in the face of otherwise indifference".[11]

Influenced by international trends of nationalism, including a respect for the successes of European Fascism in the 1920's and '30's, most Argentine people viewed the new military government as the savior of national pride, preserver of order and strength, the unselfish and patriotic watchdog of the "Patria". As well as appealing to military vanity and pride, much of civilian society appreciated and supported a strong conservative move toward peace and order. Argentines

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[10] Ibid., 485.
[11] Luis A. Romero , *Los Golpes Militares, 1812-1955* (1969), 114-116.

considered this provisional government a legal, transitory step to revise national leadership, and not threatening to constitutional law. President (General) José Uriburu, supported by the Conservatives and other members of the economic elite, appeared reluctant to reestablish civilian government until he could successfully destroy the radically reformist "Yrigoyenismo".[12] He pressed for constitutional reform, especially to alter the electoral and representation systems, which quickly alienated much of his previous popular support, but Uriburu still managed to exclude the Radicals (UCR) from all elections.[13] Of course, the military enjoyed a large portion of the national budget to purchase modern weaponry and maintain customary troop levels, but civilian confidence began to erode as political corruption invaded the officer corps. Nevertheless, nationalism emerged as a powerful trend, espousing concepts of self-sufficiency, patriotism, and even expansionism. A large segment of Argentine society still viewed the military as the national symbol of culture and morality, to the point of a messianic view of their role in the history of the nation.[14] Over the next decade, the officer corps became thoroughly politicized, divided, and corrupt, setting the stage for the major watershed in twentieth century Argentine politics: Peronism.

Colonel Juan D. Perón took advantage of the internal divisions within the

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[12] Romero, *Los Golpes Militares, 1812-1955*, 110, 117-119, 121.
[13] Robert A. Potash, *The Army and Politics in Argentina*, Vol. I (1969), 60, 74.
[14] Ibid., 101-103.

armed forces to gain a fanatically loyal following. His determined group of officers played a central role in the 1943 coup, after which he used personal connections to secure key responsibilities in the new government to influence both political and military assignments and appointments as Secretary of Labor, Deputy Minister of War, and later Vice President. By the election of 1946, in spite of the well-founded fears of his enemies, Perón won the presidency in the fairest election in decades, and by a respectable margin. Over the next nine years, Perón drained the national treasury to buy support from a genuinely adoring public, who benefited temporarily from the short-lived pseudo-prosperity. His massively expensive social welfare programs gave poor Argentines food, housing, and employment, without successfully forming the financial infrastructure necessary to perpetuate these programs. Perón's social agenda fitted with the paternalistic attitude toward the poor working classes shared by most military officers, who also shared the President's ideas of making industrial development the key to military and national strength.[15] He initially pacified the armed forces in his determination to industrialize and nationalize the arms, energy, transportation, and infrastructure sectors. Perón increased military pay and benefits, and democratized the officer corps by removing religious and class requirements for commissions.[16] For a few years at least, the military officers generally remained professional, obedient, and loyal, in spite of Peronist breaks with tradition and the occasional heavy-handed

[15] Ibid., 286.
[16] Robert A. Potash, *The Army and Politics in Argentina*, Vol. II, 79-89.

political moves. Unfortunately for the populist president, he succeeded in alienating the military after winning his second election in 1952, by further politicizing them through the manipulation of appointments, promotions, and assignments, and by his increasingly fanatical demands for personal, rather than institutional, loyalty to himself and his meddling (to the military) wife Evita. Although Evita died shortly after the 1952 election, Perón continued to pursue nationalistic and free-spending economic policies, resulting in yet another financial crisis exacerbated by growing political conflict. In response to Perón's disastrous economic program, the Argentine armed forces moved once again in September 1955, ousting Perón and sending him to exile.

For the next eighteen years, Perón would haunt the Argentine military from exile, creating what Argentine historian Guillermo O'Donnell termed "The Impossible Game".[17] In this "game", there were three basic rules: first, if the Peronists participate, they will always win any elections due to their formidable organization and huge popular following, but will not allow fair competition once in power, tending to ignore democratic legitimacy; second, if the Peronists are excluded from elections, the so-called democratic winners will never muster enough support to execute any kind of economic policy, destroying government efficacy; third, the Argentine military will always serve as umpire in the game,

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[17] Juan J. Linz and Alfred Stepan. *Problems of Democratic Consolidation: Southern Europe, South America, and Post-Communist Europe* (1996), 196-197.

taking direct control in the event of any crisis of legitimacy or efficacy. The military consistently failed to form a definitive plan of government after eliminating Perón, and although thoroughly politicized, they suffered from deep ideological divisions, many officers still supportive of Peronist doctrine.[18] When the military cautiously allowed elections in 1958, left-of-center candidate Arturo Frondizi won the presidency (due to clandestine Peronist support) and quickly tried to institute an ambitious program of economic growth. However, military leaders saw Frondizi's propensity for compromise and an inability to impose authority as signs of weakness and self-interest, and the Generals dismissed him four years later. In the 1963 election, Arturo Illía won the presidency with only 25 percent of the entire vote, in a system with compulsory voting laws. Obviously, 75 percent did not want his leadership. The old Argentine problem of intransigence reached its apex in the early 1960's with a phenomenal variety of parties and candidates and little chance for compromise or the formation of coalitions. By the mid-1960's, the military had repaired many of the internal divisions plaguing them since 1930, and found unity in a violent rejection of any kind of return to Perón or Peronism, and in an obsessive concern with the spread of international communism.[19] The military once again dismissed a civilian president, Illía, in 1966. This new regime under General Juan Onganía proved to be different from previous "guardian" military governments. It became a greatly concentrated and centralized state power,

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[18] Potash, *The Army and Politics in Argentina*, Vol. II, 201.

[19] Ibid., 334-335.

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determined to make unambiguous use of its power against unions, the working class, and the growing terrorist organizations among union and student ranks.[20] Past civilian governments in Argentina had proven ineffective in confronting these issues with any kind of success, and the Argentine military felt duty-bound to take a firm stand against threats to the prevailing economic elite or to their own institution.

Two previous events also set precedents for the new regime to follow. In 1956, in the confusing aftermath of the Perón ouster, a few Peronist officers expressed strong dissatisfaction to the Presidency of General Aramburu, and threatened a counter-coup. For the first time in the twentieth century, an Argentine government executed some of its own military leaders by firing squad for political rebellion. This execution of Peronist officers drove a wedge between the armed forces and Peronism, made reconciliation irreversible without threatening to destroy the military as an institution, and justified future state-sponsored terrorism.[21] Then, during the Frondizi presidency, the military won approval for the Plan de Conmoción Interna del Estado, or "Plan CONINTES", in March 1960. This plan, designed to combat domestic terrorism, included three important components: first, it gave the Argentine armed forces direct responsibility and authority to repress terrorism within national borders; second, it

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[20] Daniel James, *Resistance and Integration: Peronism and the Working Class, 1946-1976* (1988), 218.

[21] Potash, *The Army and Politics in Argentina*, Vol. II, 233-235.

subordinated provincial police forces to the national military; and third, it assigned jurisdiction over cases involving civilians accused of involvement with subversive activity to the military courts.[22] This crucial legislation, approved by a democratically-elected civilian government, proved to be a major platform of legitimacy for future military atrocities for the next two decades.

The Onganía regime, 1966 to 1970, distinguished itself by unprecedented military domination of all government departments, eventually exposed as an inefficient way to govern, and by its deteriorating ability to contain a small, but growing terrorist threat. Efforts to suspend collective bargaining and to suppress union activity and their leaders met with tremendous opposition, culminating with the infamous "Cordobazo" rebellion led by university students and industrial auto workers in late May, 1969. This revolt in the provincial city of Cordoba lasted two days, and tied down military and police forces with burning barricades, snipers, extensive looting, and cut communications lines. Resistance calmed itself before coercive forces became truly effective, and exposed the illusion of military invincibility as well as the growing rifts between large sectors of society. This event spurred a radicalization of the rank and file in the unions and universities, and allowed an increased trend of radical political activists to move into influential leadership roles; Maoists, Marxists, communists, socialists, revolutionary Peronists, and hordes of other leftists led a widely-dispersed, but determined movement to

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[22] Ibid., 322.

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protest military authoritarianism and diminished economic opportunities.[23]

Terrorist organizations jumped in numbers, membership, and their level of violent activity from 1969 to 1973, thoroughly demoralizing a military trying to demonstrate a semblance of restraint in the face of an opposition unwilling to compromise. A discredited Onganía administration surrendered to the successive and equally inept governments of Generals Levingston and Lanusse, until resistance to the demand for a return to civilian, democratic government became impossible to ignore. In 1973, despite President (General) Alejandro Lanusse's expectations of popular support for continued support of the military government, the Peronist Party (Partido Justicialista, or PJ) swept the elections, considered fair and inclusive. The new Peronist President Héctor Cámpora promptly canceled Juan Perón's exile order, and abdicated the chief executive office to welcome home the elderly populist statesman, setting the stage for one last disastrous attempt at Peronism.

The vastly discredited and hated military had stepped aside yet again, honoring the mandate of the Argentine people for a return to civilian government, even if it meant a Peronist program. However, every coup since the first in 1930 had enjoyed significant popular support, and the Argentine armed forces patiently waited for disaster to strike once more. Tragically, the military did not have to wait long. The growing terrorist organizations refused to accept democratic elections,

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[23] James, *Resistance and Integration*, 233-238.

even with the promise of social reform. Organizations like the Peoples' Revolutionary Army (ERP) and the Montoneros pledged to settle for nothing less than complete social and political revolution, and the destruction of the Argentine military as an institution.

The Argentine nation had known very little true democracy, and a great deal of political violence since independence in the early 1800's. Authoritarian and "democratic" leaders alike utilized the state's coercive forces to enforce government policy and to protect the historically vital export economy controlled by the landed oligarchy. As the founding institution of the nation, the Argentine Army relished its role as the protector of tradition and enforcer of order, which only perpetuated a repressive social and political hierarchy. The professionalization and modernization of the Army in the early 1900's only served to reinforce this role, and economic liberalism failed to fully democratize politics until Juan Perón rose to power in 1946. However, Peronist democracy incited even more conflict and divided Argentine society, as a greater variety of political groups discovered the benefits and uses of power, and challenged those who formerly held uncontested power. The decade of the 1960's demonstrated not only the inefficiency of military government in attempting to maintain an archaic economic order, but also a growing trend of radical ideologies bent on total social revolution in Argentina.

Chapter 2

THE SUBVERSIVE THREAT

The subversive threat in Argentina has its roots in the mass immigrations of the late 1880's and early 1900's, when communist and socialist agitators appeared among the newly arrived industrial workers. Following a few "red scares" after the Russian Revolution (1917), repressive Argentine governments managed to keep leftist movements under relative control, at least until the Cuban Revolution in the early 1960's. By the end of the decade, communist and leftist Peronist groups began to organize and formulate plans to destroy the existing social and political structure. The year 1970, then, marked the commencement of a more generalized and coordinated aggression against the Argentine state. Then, in the period 1973 to 1975, terrorist organizations grew tremendously in numbers and armed capabilities, became vastly more bureaucratized, and turned to strategy and tactics enormously more threatening to the state and to the military in particular, because these organizations pledged to revolutionize Argentine society, starting with the destruction of the state government and its coercive forces.

From 1880 to 1910, Argentina experienced a massive influx of European immigration, similar to the United States during the same period. A large portion of these immigrants came from Germany, Great Britain, Eastern Europe, and the

Middle East, but predominantly from Spain and Italy. Argentina welcomed these new workers as the answer to the nation's desire to industrialize and diversify agriculture, but the new arrivals also included those experienced in radical union and political activity. This period, and the following twenty years until 1930, saw a rise in union organization and mobilization, led by anarchist-syndicalists influenced by Socialism, Marxism, Russian bolshevism, and the October Revolution of 1917.[1]

Although the communists and other left-wing activists became influential in some unions, they never became a significant political threat for some time, in spite of elitist fears. Even in the 1928 elections, the Communist Party polled less than two percent. However, the mere presence of communists in the nation prompted military action at the request of a fearful government and landed oligarchy. Army troops and right-wing death squads hired by the employers executed over a hundred protesting workers in Argentina's first "red scare" during the week of January 9-16, 1919, known as the "Semana Trágica". Then, in the second red scare of 1921, rural workers on southern Patagonian sheep ranches rebelled because of low pay and oppressive work conditions. Led by bolshevists, these workers armed themselves and seized control of the entire province of Santa Cruz, establishing a de facto soviet. The government sent the army to intervene, and massacred some fifteen hundred strikers after they surrendered. Then, following the revenge assassination of the Army's expedition commander, Colonel

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[1] Donald C. Hodges , *Argentina's Dirty War* (1991), 23.

Héctor B. Varela, the Argentine military remained committed to a struggle against subversion.[2]

The 1930 military coup resulted, in large part, due to a third red scare at the beginning of the Great Depression. The government, landed elites, and the military feared that massive layoffs would generate waves of labor unrest, led by strengthened communist-led unions. The military governments of the 1930's established relative order during the depression by focusing on domestic industrial development and import substitution, and managed to keep leftist political organizations under control. Then, World War II gave the Argentine economy a huge boost with expanded markets for agricultural products, and pacified union activity. As the war ended and the export levels dropped in the mid-1940's, Juan Perón converted the labor unions to his own brand of radical reform to address the renewed economic concerns. The communist movement remained semi-dormant, dominated by Peronist leadership in Argentina, until the Cuban Revolution of 1959 gave it a boost, as it did throughout Latin America.

The 1960's saw a rise in political radicalization of the younger generation, and their turn to communism and Peronism. On 20 October 1965, the exiled Perón wrote to his supporters in Argentina that what was required was "to develop a clear attitude, anti-imperialist, anti-capitalist, anti-oligarchical...It is fundamental

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[2] Ibid., 24-27.

that our youth understand they must always stand ready to fight…Peaceful coexistence is impossible among oppressed classes and their oppressors."[3] In August 1966, Cuba hosted the Tricontinental Conference of Havana, attended by delegates from the communist parties across the Americas and Africa. A year later, these same delegates met separately in their own nations and finalized the formation of the Latin American Solidarity Organization (OLAS), who adopted the following principles: to initiate a revolutionary armed struggle in Latin America; to create a combined strategy of revolutionary movements among the American nations; and to win the solidarity of the American peoples, including the defense of the Cuban process. These conferences resulted in the formation of clandestine armed organizations in various nations, including the National Liberation Army (ELN) in northern Argentina.[4] The ELN aimed to support the Ché Guevara-led insurgency in Bolivia, but fell apart after the Bolivian army ambushed Guevara's group and executed the leader himself. In 1969, after the May "Cordobazo", several clandestine organizations began to form in reaction to the repressive military regime of Onganía, and in 1970 six major groups announced their existence and revolutionary intentions.

In 1970, six major organizations began revolutionary operations, as well as numerous smaller groups, the total only numbering around 200 active combatants.

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[3] Roberto Cirilo Perdia, *La Otra Historia: Testimonio de un Jefe Montonero* (1997), 56.

[4] Armando Alonso Piñeiro, *Cronica de la Subversion en la Argentina* (1980), 1-2.

Four of the groups fanatically supported the return of their hero, Juan Perón: the Peronist Armed Forces (FAP), the "Shirtless Commandos", the Revolutionary Armed Forces (FAR), and the Montoneros. The other two major groups identified mainly with radical communist ideals: the People's Revolutionary Army (ERP), and the Armed Forces of Liberation (FAL). By 1972, these groups had grown moderately, numbering around 600, and by 1973 the Peronist organizations had merged into a single, larger group of Montoneros, and the ERP had absorbed the FAL. The Montoneros and the ERP, then, formed the core of subversive activity in 1970's Argentina, and constituted the greatest threats for terrorist activity.[5]

The ERP chose to challenge any government with a doctrine clear, direct and unmistakable in their intentions. The Argentine Revolutionary Workers' Party (PRT), political partner to the ERP, resolved the following on the occasion of the founding of the ERP in July 1970:

> In the process of initiating a revolutionary war in our country, our party has begun to fight with the objective to dismember the armed forces of the regime to make possible the insurrection of the proletariat and the people.

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[5] María José Moyano, *Argentina's Lost Patrol: Armed Struggle, 1969-1979* (1995), 2, 22, 101-103.

The armed forces can be defeated only by an opposing revolutionary army.[6]

The PRT congress advocated the active recruiting of more members and the formation of rural and urban military units to undertake operations designed to mobilize the masses in direct or indirect participation in the war. The PRT central committee indicated that "no one (in Argentina) can escape the fact of war", whether or not they approved; everyone must feel "the effects of war, more every day in their daily lives". In 1972, the ERP announced its overall program, calling for not only political representation and economic and social reforms, but also a complete nullification of all foreign treaties and alliances, elimination of private property, and nationalization of all major commercial enterprises. In addition, they demanded the elimination of all military and police institutions, and the formation of a popular militia. In 1973, the ERP declared "the Argentine people have initiated a process of revolutionary war, whose final objective is the fall of capitalism, the end of an unjust regime (the Peronist government).... National and social liberation, and the conquest of the socialist fatherland".[7] In reaction to the 1976 military coup, ERP commander Mario Roberto Santucho editorialized in the communist periodical "El Combatiente":

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[6] Ramón Genaro Díaz Bessone,. *Guerra Revolucionaria en la Argentina, 1959-1978* (1988), p. 21.

[7] Ibid., 21-29.

In our first war of independence the rebel armies twice attempted to advance through Bolivia towards Peru and failed; then they discovered the triumphant road through Chile …. This is what is happening and will happen in our revolutionary war. With advances and retreats we will escalate the abrupt and glorious path that leads us to the much desired national and social liberation of our motherland and our people.[8]

The ERP documents and declarations leave no doubt about their intentions and goals. They openly declared a state of war with the Argentine state and its armed forces, and against civil society and private property, to achieve the formation of a revolutionary socialist state.

The Montoneros proved equally clear in expressing their doctrine and intentions. Montonero member Roberto Perdia identified the "three traditional banners of Peronism: Economic independence, political sovereignty, and social justice." When Perdia's revolutionary column organized in northern Santa Fe province, he described three other banners: "socialism as the ultimate objective, Peronism as their political identity, and armed struggle as the method."[9] The Montoneros made their first public appearance on 29 May 1970 with the kidnapping of retired General Pedro Aramburu and his execution on 1 June. Founding members Mario Firmenich and Norma Arrostito declared the objectives

[8] Moyano, *Argentina's Lost Patrol*, 151.

[9] Perdia, *La Otra Historia*, 56, 155.

of the Aramburu execution: First, to introduce the organization to the public; second, "to exercise revolutionary justice against the most intelligent of the leaders of the so-called liberation movement" (referring to the 1955 coup deposing Perón); third, to eliminate the "Aramburu project" of replacing the corporatist regime of Onganía, because they considered Aramburu even more politically odious than the current general/president (the Army pressured Onganía to resign in June 1970).[10] In 1971, the Montoneros declared: "The movement….has passed to the offensive. It is the commencement of a war for power…. Only a war by the people will save the people….The popular war is a gigantic task because it presupposes the incorporation of all people in the conflict". They outlined five major objectives: complete nationalization of the economy, worker control over all production, expropriation of all capital without compensation for the landed oligarchy, liberation of all political prisoners, and suspension of all repressive laws. In addition, like the ERP, they threatened to destroy the military, "to shoot them with their own guns" if they tried to manipulate any more elections.[11] In the Montonero publication, "La Causa Peronista", leaders appealed to the exiled Juan Perón:

> We have clear doctrine and clear theory which brings us to conclude a strategy equally clear: The only possible road, for the people to assume

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[10] Díaz Bessone, *La Guerra Revolucionaria en la Argentina*, 125.
[11] Ibid., 29-32.

power and gain national socialism, is total revolutionary war. The method to follow is guerrilla warfare, both urban and rural.

With a machiavellian attitude, Perón responded to the letter, that "Anything is fine if the outcome is convenient".[12]   However, Roberto Perdia commented three decades later, that "It was never an official position, or even a major objective of the Montoneros, the promotion or pursuit of a coup d'etat."[13]   Nevertheless, the Montoneros and the ERP would settle for nothing less than total war and annihilation of the Argentine military, to achieve a complete social revolution of all Argentine institutions.

From 1970 to early 1973, the major terrorist organizations directed most of the violence toward property, rather than persons, generally involving theft, bombings of symbolic buildings, and some kidnappings. All the groups raided military arsenals and factories, robbed banks, stole medical supplies, seized corporate office buildings and sometimes entire rural towns, and distributed food, toys, and propaganda leaflets to the poor. Just a month after the Aramburu assassination, the Montoneros occupied and controlled the town of La Calera, Córdoba Province, for several hours. They robbed the single bank, jailed the small police force, cut the phone lines, and distributed propaganda leaflets.[14]   For the

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[12] Díaz Bessone, *La Guerra Revolucionaria en la Argentina*, 127-129.

[13] Perdia, *La Otra Historia*, 254.

[14] Díaz Bessone, *La Guerra Revolucionaria en la Argentina*, 130-131.

next two years, the Montoneros generally followed this model of resistance. The ERP military plan of operations during this period included similar tactics. They robbed banks and arsenals to obtain both funds and weapons. They formed military cells to execute "acts of resistance". They seized towns, liberated prisoners, kidnapped capitalist executives, and generally spread these works over the whole territory of the nation. To accomplish these objectives, ERP leaders admonished every member to "be willing to kill or be killed".[15] During the month of April, 1971, the ERP killed two police officers (because they resisted), robbed an armory for weapons, assaulted a clinic for medical supplies, and hijacked an armored truck with 121 million pesos. In addition, they occupied the Channel 10 television transmitter in Córdoba, broadcasting an image of Ché Guevara while issuing a twenty minute subversive proclamation on the "glorious revolution".[16] In the first political kidnapping of a capitalist executive, the ERP nabbed Stanley Sylvester, of the Swift-Armour meat-packing company, in May 1971, and donated the 50,000 dollar ransom to charity.[17]

Before 1973, the subversive organizations remained fairly small, and generally made a sincere effort to win the hearts of the masses through what many regarded as heroic and charitable acts, such as distributions of food, money, and

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[15] Ibid., 23.

[16] Ibid., 132-133.

[17] Moyano, *Argenina's Lost Patrol*, 27.

toys in poor neighborhoods. Guillermo O'Donnell conducted an opinion survey in 1971 which showed nearly half the population considered armed struggle "justified"; most of the survey respondents came from the middle and upper classes. Of all those polled, 45.5 percent of residents in the Federal Capital felt the resistance justified, 53 percent in Córdoba, 51 percent in Rosario, and 49.5 percent in all interior provinces.[18] Journalist Raúl Abdala complained in reaction to the survey that:

> Every attack, every kidnapping - with or without a subsequent murder - are seen by many as a statement, better still, as a morally valid action, and even as the only alternative left to bring about 'structural change'... (Normally) peaceful people ... applaud as an act of social justice the obtention of a multimillionaire ransom and the murder of a kidnap victim, or in any event attempt unsuccessfully to hide their sympathy towards these excesses, justifying them with arguments whose coherence nobody tries to sustain to any degree ... (The guerrillas) count on a panoply of approvals, complacencies and connivances, from the justification that proceeds from the party committees and forums....[19]

Although the guerrilla organizations had won a great deal of respect, if not popularity, they stayed small in numbers, simple, compartmentalized, and cellular;

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[18] Perdia, *La Otra Historia*, 113.

[19] Moyano, *Argentina's Lost Patrol*, 27-28.

and all members worked in both military operations and political propaganda. The terrorists maintained decentralized, semi-autonomous cells who followed broad policies set by the national leadership, but who carried out operations independently and secretly. They usually tried to avoid what they considered unnecessary violence to innocent citizens. The movements proved so popular, that Héctor Cámpora's new Peronist legislature unanimously passed an amnesty law after only two days of debate, 26 and 27 May 1973, and freed 371 convicted terrorists from prison. The legislature described the guerrillas as "patriots", unjustly accused "delinquents", and misunderstood lads; most of the 371 returned to their terrorist organizations and activity.[20] However, two events would prove explosive to the escalation of the scope and character of the struggle: the "Trelew massacre" in 1972, and the electoral triumph of the Peronist Party the following year.

Escalating human violence demonstrated the absolute hate developing between the terrorist ranks and the state coercive forces of army and police, pitting the two sides in a no-quarter fight to the death. As early as September 1971, the ERP lost some of their positive public image when they assaulted the Villa Urquiza prison in Tucumán. They liberated fourteen guerrillas, but killed five guards unnecessarily, all working-class men with families. Other deaths on both sides occurred occasionally, but infrequently, until over 100 ERP, FAL, and Montonero inmates escaped from the Rawson Maximum Security Prison in Chubut Province,

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[20] Díaz Bessone, *La Guerra Revolucionaria en la Argentina*, 165-181.

on 15 August 1972. Only 25 of the 100 guerrillas managed to secure transportation via taxi to Trelew Airport, where a hijacked plane awaited for them to flee the country. Due to the imminent arrival of alerted Naval security forces, only the first six terrorists (all senior leaders) boarded the plane and flew to a safe exile in Chile. The remaining nineteen seized the airport temporarily, but surrendered to the overwhelming security forces, who transported the guerrillas to the nearby Almirante Zar Naval Base. One week later, on 22 August, security troops executed sixteen of the prisoners and wounded three "while trying to escape". Over the next two days, the government under General Alejandro Lanusse not only published three conflicting accounts of the "accident", but inexplicably allowed the survivors to tell a quite different story; Navy troops had lined them up in the prison corridor and shot them with automatic weapons. Outraged guerrilla organizations pledged revenge: In December 1972, the FAR assassinated Rear Admiral Emilio Berisso, chief of Naval Intelligence. In April 1973, the ERP assassinated Rear Admiral Hérmes Quijada, Chairman of the Joint Chiefs of Staff. In the same month, the Montoneros assassinated Colonel Héctor Iribarren, Third Army Intelligence commander.[21] Although the terrorist organizations had long demanded the elimination of the Argentine military as part of the revolution, they had seldom targeted members of the military for lethal violence until after the Trelew massacre. After this event, the war became more personal.

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[21] Moyano, *Argentina's Lost Patrol,* 28-30.

Many Argentine citizens thought that the return of civilian government in general, and the May 1973 electoral victory of Peronist presidential candidate Héctor Cámpora in particular, would signal a trend of terrorist pacification. However, in spite of the Cámpora amnesty (371 guerrillas freed), the ERP declared that they would "continue the armed struggle". The ERP pledged support for the new government, but viewed the progress as unsatisfactory; they also pledged to continue attacks on the military and on foreign businesses. The FAL declared a truce, but quickly cautioned that "Today, like yesterday, we affirm that we will win with weapons... the present is one of struggle and the future is ours".[22] Peronist groups declared a more optimistic truce, especially after the announcement of the return of Perón himself. However, the Montoneros quickly lost their enthusiasm on 20 June 1973 when Juan Perón actually returned to his homeland. His arrival celebration turned into a massacre at Ezeiza International Airport, as 400 died and many more wounded in a massive and violent scuffle among different wings of the Peronist crowd, armed labor unionists, the ERP, and government security forces. Although every group there laid blame for the incident on others and they still argue over who started it, the new government blamed the Montoneros for the incident. Then, on 1 May 1974, Perón himself denounced the Montoneros publicly, in a speech at the Casa Rosada in front of thousands assembled in the downtown Plaza de Mayo.[23] Again, a scuffle ensued, this time without weapons,

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[22] Ibid., p. 142.

[23] Diaz Bessone, *La Guerra Revolucionaria en la Argentina*, 187-190.

and the Montoneros marched out of the Plaza in the middle of Perón's speech, chanting insults to the old man. A radical periodical noted, "A notorious disappointment reigns today within the Peronist youth and the revolutionary sectors of Peronism. Perón returns to Argentina and destroys one by one, carefully, the youths' dreams".[24] Feeling tremendously betrayed, the Montoneros rejected Perón as a traitor of his own ideology, and resumed terrorist violence. As Montonero leader Roberto Perdia commented years later, "The Peronism of '73 to '76 was frustrating. It was incapable of responding to the demands of its people."[25] Both the ERP and the Montoneros stepped up activity, and also experienced a massive influx of membership, probably due to widespread disappointment with the perceived lack of revolutionary progress.

The return of Perón in 1973 and the accompanying rise in terrorist organization numbers and activity necessarily bureaucratized these organizations to better facilitate communications and operations effectiveness, and also led to a marked rise in violence against human targets. The combined membership of the Montoneros and the ERP in early 1973 numbered only about 600, but within little more than a year their ranks swelled to over 5000 active combatants. They began to adopt army-style ranks and uniforms, as well as military organizational structures. Most alarming to Argentine society, the terrorists increasingly targeted people

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[24] Moyano, *Argentina's Lost Patrol*, 143.
[25] Perdia, *La Otra Historia*, 153.

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rather than property, especially aiming for police and military personnel. These developments led the general populace to progressively reject guerrilla legitimacy, and to demand military intervention to terminate the bloodshed.

Estimates on guerrilla membership vary according to source. Most agree that prior to 1973 the groups were small, totaling up to 600, certainly less than 1000. During the period 1973 to 1975, however, the various organizations merged to form only two major groups, the Montoneros and the ERP, and membership rose dramatically. However, different sources have produced widely divergent figures on the strength of subversive organizations. Argentine General Ramón Díaz Bessone estimated terrorist numbers at 30,000, of which 15,000 served in combat roles.[26] Historians Sergio Ciancaglilni and Martín Granovsky claim a mere total of 1,300 combatants in 1975.[27] Most other sources suggested a more modest range, from 2,000 to 8,000. María José Moyano, in examining newspaper accounts, internal guerrilla documents, and guerrilla interviews, placed Montonero strength at around 3,500 and the ERP at 1,500 for a total of 5,000 at its peak in early 1975. Newspaper accounts alone described the capture or executions of over 3,000 guerrillas.[28] These numbers seem to better explain the scope of terrorist operations

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[26] Moyano, *Argentina's Lost Patrol*, 102-103.

[27] Sergio Ciancaglini y Martin Granovsky, *Nada Mas Que La Verdad: El Juicio a las Juntas* (1995), 266.

[28] Moyano, Argentina's Lost Patrol, pp. 102-105.

at the time and indicate a real military threat, although the military consistently inflated estimates to justify a radical response.

Before 1973, new members joined mostly for political and highly personal reasons, usually because of perceived injustice in the social and political systems and socialist idealism. Roberto Perdia described his feelings at the time: "Life as a Montonero was more than a political rational. It was a passion, a way of being alive in the world,....a commitment that involved my whole being in action, thought, feeling, and work..."[29] During the later period however, the guerrillas themselves described their motivations for joining as for appearance, because it was fashionable, and because their friends had joined. Many Argentines believed the guerrillas would turn to conventional politics after 1973. This might have worked, but this generation had witnessed little, if any, conventional political activity. To them, politics was war. This new crop of recruits viewed the struggle more pessimistically, as events out of control, yet finding fulfillment in the struggle itself. Young guerrillas commented, "Joining solves your life's problems. They all wanted to shoot at something"; "There was no room for anything other than armed struggle"; "They joined an organization with power. We created that power".[30] When asked to list the defining events that shaped their generation, some named the Vietnam War, the Cuban Revolution, and the Algerian War, but most

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[29] Perdia, *La Otra Historia*, 9.

[30] Moyano, *Argentina's Lost Patrol*, 113-126.

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considered events closer to home: the Trelew Massacre in 1972 and the Cordobazo in 1969. Few mentioned the socialist experiment of the Chilean government under President Salvador Allende from 1970 to 1973, but guerrillas viewed the military coup on Allende as only serving to demonstrate the uselessness of unarmed revolutionary policy and the justification of armed struggle. The guerrillas glorified the struggle itself even more than the ultimate objectives of the conflict, in an alarming trend in the cult of death. According to one young guerrilla:

> In the early years as a rule we canceled an operation unless we all had a 95 percent chance of coming out alive. In 1975, I had to carry out an operation where I only had a 50 percent chance of surviving... by that time we had developed a conception of heroism. What counted was no longer life but death. He who did not die was worthless.[31]

Although the Montoneros and the ERP had plenty of willing young martyrs, the leadership remained focused on their ultimate objectives. Montonero commander Mario Firmenich described their strategy:

> Guerrilla warfare ... is the highest level of political struggle. This method is developed when political objectives cannot be attained through non-armed forms of political struggle ... We define ourselves through the resort to this form of struggle as politico-military organizations, our fundamental

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[31] Ibid., 124.

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end is and always has been a political objective.... Power springs out of the barrel of a gun ... If we abandoned our weapons we would retreat in our political positions .... As long as the power of imperialism and the oligarchy has not been destroyed we must prepare ourselves to endure and face the next confrontation.[32]

Even the leadership, though, began to change: after 1973, the "entrance course" for membership in the Revolutionary Workers' Party (PRT), the political division of the ERP, involved weapons training, not Marxist doctrine.

After 1973, the Montoneros and the ERP both reorganized out of necessity to more efficiently handle their swelling ranks. Over the next three years, these groups grew in organizational complexity, instituted more rigid authority and command structures, and adopted military customs and task specialization. During the period 1973 to 1975, the ERP and the Montoneros both increasingly resembled regular military forces, complete with uniforms (in combat operations), command structure, and a division of labor. They abandoned the close-knit cell structure of three to eight persons per cell, who all worked in both military operations and political propaganda. Although most guerrillas remained "territorial", restricting themselves to defined geographic sectors, many became "professionals" in various departments within the organizations, like forging, intelligence, explosives

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[32] Ibid., 145.

manufacturing, arms procurement and training, propaganda and printing, and administration.

By 1974, the ERP had abandoned the cellular strike unit and formed a regular armed force with rank structure and uniforms, patterned on the Argentine army. Per guerrilla accounts, they used actual army uniforms stolen from supply depots, and formed squadrons of five to fifteen "soldiers", platoons of fifteen to thirty, companies of thirty to ninety, and battalions of 200 to 300 members. Officers commanded enlisted troops in each unit, and adopted military ranks, insignia, terminology, and salutes.[33]

By 1974, the Montoneros also adopted military ranks and uniforms, but retained the basic organizational structure of ten "columns" based on geographic sector responsibility. The old "commandos" (strike cells) became combat platoons, and new "militia" platoons formed to support operations with diversions and political demonstrations. In addition, the Montoneros created elite Special Combat Groups (GEC) who operated anywhere in the country without specific column affiliation. They later formed other "professional" cells devoted to political, trade union, or military activity, accountable only to the national leadership, not the territorial columns. By 1976, the Montonero army referred to itself as a political party as well, but also adopted a new rank and authority structure

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[33] Ibid., 146-147.

similar to the Argentine army.[34] Roberto Perdia commented on the 1973 to 1976 period, that "The violence not only continued, but expanded as well....Increased militarism made everything more difficult, complex, and dangerous. Except now, we suffered; largely from the losses, but also from political fallout."[35]

After 1973, terrorist operations changed significantly in scope and character. They executed larger, more spectacular operations against military and capitalist targets, with the most modern weaponry and communications equipment. Additionally, these operations increasingly targeted humans rather than property, with much less regard for "collateral damage" (innocent noncombatant lives), or for public opinion. According to press reports, guerrilla attacks increased only slightly between 1973 to 1976, with 1,935 incidents in the four-year period, up from 1,759 between 1969 to 1973. (Apparently, many terrorist incidents went unreported, since military records showed more than 21,000 documented guerrilla incidents between 1969 and 1979). Bombings constituted nearly half of these incidents, especially during the earlier period. However, the types of operations and targets changed dramatically after 1973. Human targets, like kidnapping and assassination, totaled 32.09 percent of all reported attacks after 1973, but only 12.17 percent before. Terrorist organizations quickly discovered the most efficient way to raise money for arms and supplies: kidnapping corporate executives. High-

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[34] Ibid., 148-153.
[35] Perdia, *La Otra Historia*, 237.

profile kidnappings jumped from 85 (as reported in the press) before 1973, to 140 from 1973 to 1976. Of the 114 documented ransoms, terrorist groups netted over 105 million dollars in earnings from just the top sixteen abductions between 1971 and 1975. With such a war treasury, the guerrillas relied less on arsenal thefts for arms and supplies or on international organizations sympathetic to their cause. Instead, they bought the latest in sophisticated weaponry on the black market, including automatic weapons, plastic explosives, grenade and rocket launchers, anti-armor missiles, and communications equipment.[36] Deaths increased three-fold, from just over 200 in the early period to over 600 after 1973, as the operations turned to a more lethal character.

From 1973 to 1975, terrorist operations increasingly targeted military and business leaders for assassination, and boldly attacked military installations in larger and more complicated operations. According to press reports, only 7.34 percent of the incidents between 1969 to 1973 involved deaths. From 1973 to 1976, however, the incidence of violent death rose to 24.85 percent and up to 43.79 percent after 1976.[37] After 1973, terrorist organizations specifically targeted the "traitorous bureaucracy": banks, foreign-owned auto dealerships and factories, railroad stations, elite clubs, and individual military members. Between 1973 and 1975,

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[36] Moyano, *Argentina's Lost Patrol,* 50-59.
[37] Ibid., 56.

large guerrilla forces attempted at least fifteen assaults to take over major military installations.

Both the Montoneros and the ERP increasingly targeted military installations in their efforts to discredit and demoralize the armed forces. In September 1973, eleven ERP guerrillas attacked the Army Medical Corps Headquarters in Buenos Aires and killed Lieutenant Colonel Raúl Duarte Ardoy. President Perón immediately and officially outlawed the organization. In January 1974, 70 ERP members seized the 10th Cavalry Regiment at Azul, Buenos Aires province. Although the army suppressed the attack, the ERP assassinated Colonel Camilo Gay and his wife, as well as a conscript, and kidnapped Lieutenant Colonel Jorge Ibarzábal, whom they later tortured and executed.[38] On 1 July 1974, the ERP announced their intention to win a "liberated zone" in Tucumán province, forming a virtual "soviet", in a direct challenge to the military.[39] In August 1974, 130 ERP troops simultaneously seized the Villa María Explosives Factory in Córdoba and the 17th Airborne Infantry Regiment in Catamarca province. On 13 April 1975, 70 ERP guerrillas assaulted Arsenal Battalion 121, stole weapons and explosives, and executed several army officers. In August 1975, the Montoneros seized the Benjamín Matienzo airport in Tucumán and blew up a C-130 Hercules military transport plane, killing 5 and wounding 26 rural police officers aboard. Then, later

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[38] Ibid., 56.

[39] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 214.

in the same year, each group executed the most spectacular assaults undertaken by Argentine guerrillas. In October, more than 500 Montoneros seized the 29th Mounted Infantry Regiment, El Pacú Airport, and Penitentiary Unit 10 in Formosa province. In December, more than 300 ERP guerrillas seized the 601 Arsenal Battalion at Monte Chingolo in Buenos Aires, the largest arms depot in the country. In both operations, all the guerrilla members wore uniforms, and both groups suffered heavy casualties. The ERP lost over 100 dead in this assault alone. In addition, these large-scale assaults probably served to convince the military of the seriousness of the threat, since they believed the guerrillas would probably not commit the majority of their forces to a single operation, especially with the expectation of numerous casualties.[40] According to Daniel Frontalini and Maria Caiati, of the Center for Legal and Social Studies (CELS), the ERP attacked Monte Chingolo with their entire membership of only 150. With the loss of over two thirds of their fighting force in one operation, the ERP never again mounted a serious large-scale military operation.[41] Later attacks, however, clearly demonstrated that the ERP still possessed the ability to strike successfully and repeatedly. The terrorists clearly announced the intent of these attacks. On 22 August 1975, after the Montoneros tried unsuccessfully to blow up the missile frigate "Santísima Trinidad" while docked at Ensenada, Buenos Aires, they

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[40] Moyano, *Argentina's Lost Patrol*, 56-57.

[41] Daniel Frontalini and Maria Cristina Caiati, *El Mito de la Guerra Sucia.* (1984), 6.

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declared in the Peronist publication "Evita Montonera" that "This attack is an act of war!".[42]

As the terrorist organizations increasingly targeted military and police members for assassination and the numbers of innocent victims of the violence mounted, Argentine society began to regard the organizations with rising abhorrence. The assassinations became much more difficult to justify or explain to the Argentine people. In August 1974, the ERP announced a one-for-one revenge campaign, pledging to kill sixteen military officers to atone for recent losses. From September to December, the ERP murdered nine officers, but stopped the campaign when the tenth victim also included the officer's three-year-old daughter. In 1975, the Montoneros launched a campaign to arbitrarily kill policemen because they were "representatives of authority". In September 1974, the Montoneros not only kidnapped the Born brothers (of Bunge & Born, Inc.), collecting a 61,500,000 dollar ransom, but brutally murdered both the driver and the bodyguard.[43] Terrorists assassinated congressional deputy Hipólito Acuna in May, 1975, along with his elderly mother. A bomb which killed Buenos Aires Police chief Alfonso Vérgel also took a police sergeant, and the wife and daughter of the building custodian. In August 1975, the ERP kidnapped, tortured, then executed a Colonel Larrabure in Rosario, Santa Fé province. An autopsy on the former Colonel's

[42] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 310-313.
[43] Moyano, *Argentina's Lost Patrol*, 60-61.

cadaver revealed evidence of starvation, dehydration, electric shocks and burns on the genitals, and severe bruising from innumerable beatings all over the body with various implements, including a hammer.[44]

After the 1976 military coup, the violence grew even more widespread and indiscriminate in nature. On 2 July 1976, a powerful bomb destroyed the dining room in the Buenos Aires Federal Police Building, killing 18 and wounding 66.[45] David Calderwood, the CIA chief of station, United States, recalled an incident in late 1977 when three carloads of terrorists sprayed automatic gunfire around one of the busiest intersections in the city, Nueve de Julio and Corrientes. The terrorists killed the targeted official, but also inflicted casualties among the numerous bystanders in the vicinity.[46] Mr. Calderwood also remembered vividly the public outcry over the assassination attempt on Rear Admiral Armando Lambruschini, Chairman of the Joint Chiefs of Staff. When the Montoneros bombed Adm. Lambruschini's apartment in Buenos Aires, they missed the Admiral and his wife, who were not home, but the fifteen-year-old daughter Paula, a bodyguard, and a neighbor all died in a blast that destroyed an entire floor of the building.[47] On 27 September 1979, the Montoneros entered the Olivos (suburb of Buenos Aires) home of Economics Minister Walter Klein and shot two household employees.

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[44] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 305-307.

[45] Ibid., 269-272, 327.

[46] David Calderwood, Interview, January 1998.

[47] Moyano, *Argentina's Lost Patrol*, 61.

Then, with the entire family upstairs, the terrorists placed several explosives around the house and completely reduced the structure to rubble. Miraculously, Dr. Klein, his wife and four children, and three others all survived.[48]

These incidents, and dozens more, exposed the indiscriminate nature of the terrorist attacks, and won growing sympathy for the military. Once again, the pendulum had swung back to redeem the military in the eyes of Argentine society, from pariahs in 1973 to the "saviors" in 1976, just like 1930, 1955, and 1966. Alonso Piñeiro, in his book "Crónica de la Subversión en la Argentina", documented 1,025 names of persons assassinated by the various terrorist organizations between 1969 and 1979. Although most of the victims came from the military, government, and business communities, a great many innocent family members and unfortunate bystanders perished as well.[49] These so-called "guerrillas" murdered men, women, and children; judges, public servants, businessmen, labor leaders, and soldiers, as well as their families and neighbors. They extorted millions in "revolutionary taxes", assaulted and robbed banks, and kidnapped business and political figures for exorbitant ransoms. In fact, the guerrillas so discredited themselves in the public opinion that no one defended them even later, after the military's own failure in 1982 and subsequent handover to a civilian government. Even Montonero leader Roberto Perdia commented, "Our

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[48] Díaz Bessone, *Guerra Revolucionaria en la Argentina,* 339.
[49] Piñeiro, *Crónica de la Subversión en la Argentina,* 133-171.

resistance no longer had the same social legitimacy of the former decade."[50] Still, during the 1973 to 1975 period, the military demonstrated remarkable restraint, pursuing the terrorists only at the government's direction.   This Peronist government, however, did not stand idle in the crisis.

The Peronist administration made up for the relatively defensive stance taken by the military, with the formation of the semi-secret Argentine Anti-communist Alliance, or "Triple A".   After President Perón found he could not control the terrorists, even the Peronist Montoneros, he denounced all the terrorist organizations. In October 1973, Perón allowed Social Welfare Minister José López Rega, to form the Triple A, a fanatical group of right-wing Peronists who proved even more adept at a cruder style of terrorism as either the Montoneros or the ERP. The Triple A enjoyed the full, albeit clandestine, approval of the ruling government, so they could operate without fear of legal restraints. Beginning in November 1973, this semi-official Mafia began to carry out three tasks: first, it published a death list of prominent Argentines with suspected leftist sympathies; second, it attempted to control labor militancy through intimidation; third, it aimed to eliminate all members of the ERP and Montoneros. Funded and directed by López Rega, the Triple A methodically hunted down and executed terrorists and leftist sympathizers.[51] Then, the Argentine congress joined Perón to pass anti-

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[50] Perdia, *La Otra Historia*, 278.

[51] Moyano, *Argentina's Lost Patrol*, 38.

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terrorist laws by the end of January 1974 to include the death penalty for convicted terrorists. Although no judge would dare try a terrorist in a court of law, due to a fear of lethal reprisal, the Triple A executed vigilante justice with impunity. This Mafia operated effectively through the end of 1975, and especially after the death of Perón in July 1974. The new president, Mrs. (Isabel) de Perón, allowed López Rega to operate his Mafia with even less interference. The government refused to investigate allegations against the Triple A, or even recognize its existence, because it served a valued political purpose in eliminating enemies.[52] Piñeiro documented at least 80 dead, including several typically unidentifiable and mutilated corpses, attributed to the work of the Triple A.[53] The Triple A fought the terrorist organizations in a war marked by unprecedented brutality, because neither side recognized the humanity of the other. Of course, the Triple A enjoyed the huge advantage of not having to operate underground. The war rendered the government of the widow of Perón completely useless, because the judiciary ceased to function and the Triple A executed police authority without law. Even the military turned a blind eye to the illegal right-wing activity, because the Triple A proved useful in somewhat diverting terrorist attention away from the armed forces as a target for violence. The emergence of the Triple A constituted the first attempt to eliminate subversives in an organized manner through illegal means. Years later, the Alfonsín administration in the 1980's formulated a "theory of two

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[52] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 200-201.

[53] Piñeiro, *Crónica de la Subversión en la Argentina*, 171-173.

terrorisms": that armed struggle and state terror constituted two sides of the same coin, and that condemnation of the latter should extend to the former, which preceded and justified it. After the 1976 coup, the entire security forces geared to that purpose, of institutional state terror, eliminating the need or purpose of the Triple A, which quickly disbanded.[54]

Even in 1975, the armed forces quickly lost any desire for restraint as terrorist attacks more frequently targeted military installations and persons the military deemed illegitimate targets as innocent noncombatants, especially children. Before 1973, many military officers actually tolerated the violence, as long as the guerrillas targeted specific, political targets, and avoided "unnecessary" killing. However, the escalation of brutal, indiscriminate violence and the loss of legal legitimacy in the deteriorating M. de Perón administration influenced the officer corps to strongly consider intervention. In addition, most of the officers despised the Triple A almost as much as the Montoneros and ERP, because they considered the right-wing fanatics a true Mafia, dedicated to self-enrichment, rather than the defense of Argentine institutions.[55]   Ironically, the same military's top leaders would adopt similar mafia tactics after 1976. On 5 February 1975, President Isabel Martínez de Perón issued the "secret" executive decree number 261. This decree authorized military operations to "neutralize or annihilate" the remaining

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[54] Moyano, *Argentina's Lost Patrol,* 75, 91.

[55] Lieutenant Colonel Tulio C. Felici, Interview, 16 March 1998.

subversive elements in Tucumán (where the ERP had established considerable power, but was decimated in the assault on Monte Chingolo), and it placed federal police forces and resources under operational control of the armed forces. Due to a sense of desperation on the part of a paranoid president, a democratically elected administration officially asked (in fact, ordered) the Argentine military to decisively act to eliminate subversion in the nation.[56] The Military stood ready to comply.

By 1975, the terrorist threat in Argentina had grown to proportions beyond the state's capacity to contain with normal police assets. From their dramatic but small beginnings in 1970, the Montoneros and the ERP grew modestly in numbers for the first three years, but enjoyed some popularity in Argentine society in the face of a discredited, repressive military regime. After Juan Perón returned to power, however, the guerrilla ranks virtually swelled with perhaps less-idealistic, but certainly more fatalistic young Argentines. The now larger guerrilla groups adopted a more bureaucratic style of organization to facilitate operations and communications, and began to resemble military units with the use of uniforms, rank and command structures, and specialization of labor. Even from the beginning in 1970, the guerrillas clearly expressed their ultimate goal: complete social revolution in the Argentine state, commencing with the destruction of all coercive government institutions. In the early period, prior to 1973, the terrorists confined most of their efforts to violence against property, such as robbery,

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[56] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 233-234.

bombings of symbolic structures, and building seizures. Following such activity, the guerrillas often distributed food, money, toys, and propaganda leaflets to the poor. However, after 1973 the terrorists increasingly turned to violence against persons, in the form of kidnapping and assassination. In addition, this violence grew more indiscriminate in nature and more directed at military and police personnel. The terrorists raised hundreds of millions of dollars to buy the latest in weaponry and equipment, by kidnapping business executives for ransom and assessing "revolutionary taxes" on foreign businesses in Argentina. The ERP and the Montoneros both engaged the armed forces in spectacular, large-scale assaults on military installations. The Perón administration enlisted the help of the Peronist right wing in 1973 to address the growing terrorist threat, and organized the Triple A to institutionalize state terror against leftist forces. The years 1974 and 1975 saw the Argentine state deteriorate into economic stagnation, a brutal war between terrorist forces, a non-functioning legal system and ineffective police effort, and a paralyzed political system unable to take control. This situation of chaos, violence, and poverty required a radical solution, and the Argentine people demanded that the military step in to restore order to the nation.

Chapter 3

A MILITARY UNLEASHED: A NEW KIND OF WAR

Throughout Argentine history, the national armed forces intervened often in internal affairs, for political purposes, but always with significant popular support. They never seized power for purely selfish aims without some kind of request from large Argentine civilian institutions to take control in a crisis. They had, perhaps, one notable departure from their tradition of caution and restraint: the Trelew Massacre, where naval troops executed 16 terrorists without prior government approval.

During the Peronist administration, 1973 to 1976, the military confined itself to a low profile defense of its own installations, as left- and right-wing terrorist groups slaughtered police, soldiers, other terrorists, and family members of the various combatants. The Argentine national police forces progressively lost control over growing terrorist violence, and lost legal legitimacy in ignoring the right-wing terrorism of the Triple A. The brutal behavior of the Triple A embarrassed the government, who still refused to acknowledge its existence. In July, 1975, the armed forces, the political leadership, and labor chiefs all pledged support for Mrs. Perón, but actively pressured her to remove Triple A director López Rega. In fact, Peronist Deputy Jesus Porto proposed on 10 July to impeach

López Rega, calling him the "instigator and intellectual author" of Triple A terrorism. The next day, Mrs. Perón accepted López Rega's resignation as social welfare minister, secretary to the presidency, and personal secretary to the president.[1] The former presidential advisor departed Argentina the same month to live in exile. However, the president's cabinet remained dominated by associates of López Rega, and the Triple A continued attacks on leftists until the military supplanted them near the end of 1975, and the Triple A faded into non-existence by the March 1976 coup.

According to the eminent sociologist and political scientist Max Weber, one of the defining characteristics of a sovereign state is the successful "monopoly of legitimate physical violence".[2] In Argentina, 1970 to 1975, the state lost that monopoly. Members of the Argentine national legislature acknowledged the desperate situation of growing anarchy in 1974: Senator Leopoldo Bravo said, "....This truly constitutes a civil war." Senator Cornejo Linares commented, "....This is the hour to act, to defend the most precious we have, not just the institutions and the state, but our very nationality, compromised by this conspiracy of international origin." Senator Fernando De la Rúa demanded, "It is certain the violence must stop.... Since only the state of law should have the monopoly on force, it should utilize drastic measures." In 1975, De la Rúa continued, "... If this

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[1] *Argentina & Peron, 1970-75*, edited by Lester A. Sobel ("Facts on File",1975), 149-150.

[2] Diaz Bessone, *Guerra Revolucionaria en la Argentina*, 248-249.

(climate of terror) continues, we will soon see confrontations terribly vast and painful, and then there will be no order, nor law, nor state, and society will not survive."[3]

With a demoralized police force in disarray and a legal system virtually paralyzed, President Martinez de Perón desperately turned to the armed forces to provide a final solution to the problem of internal security, in the secret decree number 261. This decree limited military action to the province of Tucumán, and it soon became obvious that the terrorist threat extended far beyond those borders. The Argentine armed forces required more geographic and executive latitude in order to make operations effective, and by late 1975 the President granted to the military such latitude. The armed forces obeyed constitutional authority to organize and execute a plan to "annihilate subversive elements" in all of Argentina, which soon resulted in the assumption of all government responsibilities in a political vacuum, in addition to an absolute commitment to a new kind of total war.

On 6 October 1975, acting president Italo Luder (serving temporarily for the ill Isabel) issued three crucial executive decrees in reaction to the strident demands of the church, business, and civic leaders for military action. Decree 2770 formed an internal security council of mostly military officers to dedicate their work to actively combat subversion. This council advised and counseled the presiden

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[3] Ibid., 268-271.

on methods and strategy; then, they coordinated, planned, and conducted the war. The decree assigned the Presidential Press Secretary and the State Information Secretary to assist the Defense Council in conducting the war, and subordinated the Federal Police and National Penitentiary Service to the council as well. Decree 2771 subordinated all provincial police and penitentiary forces to the Defense Council. Then, executive decree 2772 charged the Argentine Armed Forces "to immediately proceed to execute those military and security operations deemed necessary to effectively annihilate subversive elements in all of Argentina".[4] These decrees indicated the government's perception of a grave national emergency, threatening the nation's very existence. They constituted a declaration of war against subversion, giving the military a blank check to take any action necessary for complete victory. Defense Council President Dr. Tomás S. E. Vottero addressed the National Defense School on 16 December 1975: "The armed forces, complying with constitutional obligations....have assumed the responsibility for direct action against armed subversion....until we achieve its complete extermination".[5] At this point, the struggle ceased to be a police matter; the government now agreed with the guerrillas themselves in calling it a "war". Now, with constitutional backing, the Argentine armed forces assumed an offensive stance from the previous one of restraint.

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[4] Ibid., 234-237.
[5] Ibid., 245-246.

Italo Luder, the former President of the senate, recalled these events in his testimony at the military trials, beginning 22 April 1985: As acting president of the nation, he extended the decrees "to guarantee the security and tranquillity of the country now compromised by subversion". Luder described the Argentine police forces as completely inadequate to contain subversion on such a huge scale, and gave the examples of Colombia and Peru as similar concurrent examples of other nations pursuing anti-subversion military tactics. Although he and President M. de Perón personally invited military leaders to create the internal security council, Luder claimed he quickly distanced himself from actual council plans, and he denied any knowledge of later military government plans. Luder complained that he never meant Decree 2772 as a "blank check" for the military to "disregard law and due process". Rather, he understood the action as a completely legal and sensible one, with the intent to collaborate with the armed forces to not only accomplish the mission, but to preserve individual rights and rule of law. Luder defended his actions because he personally viewed the "military option as the last and only option to defeat subversion".[6] Minister of the Interior Alberto Luís

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[6] Argentina. Cámera Nacional de Apelaciones en lo Criminal y Correcional Federal de la Capital Federal. Actas Mechanografiadas (artículo 490 Código justicia militar)de la Causa No. 13 originariamente instruida por el Consejo Supremo de las Fuerzas Armadas en cumplimiento del decreto 158/83 del Poder Ejecutivo Nacional. Testimony of Sr. Italo Luder, 22 April 1985. Copies in the Rare Documents Section, Nettie Lee Benson Latin American Collection, The University of Texas at Austin. (Note: this source is the record of testimonies presented to the federal court of appeals convened in Buenos Aires, Argentina, for the trial, April to August 1985, of the nine members of the military juntas for crimes against humanity. Hereafter, footnotes will indicate only "Testimony", name of testator, and date of testimony.)

Rocamora further indicated that the government left the military to determine strategy and tactics; "the issue of legality was not addressed, only assumed", he testified, but admitted the government did not require the military to report to anyone.[7]

Among the military officers themselves, they had no doubt their authority and freedom to act extended from legitimate, constitutional, and civilian sources, although they sometimes disagreed slightly on the exact meaning of key terms like "annihilate". The generals and admirals traced their role to lead in the war against subversion to several documents: not only Executive Decrees 2770, 2771, and 2772, but back to the Plan CONINTES of March 1960. For many officers, authority to act simply resulted from following orders in the "Plan de Capacidades", or "PLACINTARA". This document merely outlined general objectives to combat subversion, and mostly dealt with chains of authority, geographic responsibilities, and reporting procedures. Retired Vice Admiral Antonio Vañek echoed his colleagues' claim that orders for the war against subversion were written in PLACINTARA, and no verbal orders could possibly modify or change it. However, Vañek said that original authority stemmed from the "Plan CONINTES, authorizing military intervention in cases of natural disasters or national crises".[8] Retired Lieutenant General Cristiano Nicolaides

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[7] Testimony, Alberto Luís Rocamora, 22 April 1985.
[8] Testimony, Antonio Vañek, 23 April 1985.

pointed out that Decree 2772 "gave the mission (to combat internal subversion) to the Department of Defense, but did not outline, limit, or suggest any methods of planning or execution of the mission". Nicolaides further differentiated "war" from "repression": To repress meant to neutralize, or stop the effects of something; but war meant a political, not a police, action requiring annihilation of the enemy. Such annihilation meant "to reduce the morale and the material and physical capacity, to remove the will to fight, and to impose consequences for aggression".[9] Most officers seemed to agree with his definition of "annihilate", but others agreed with Retired Vice Admiral Luís María Mendía's version: "The objective was to annihilate subversive elements. To annihilate is to destroy or reduce to nothing", not to merely wear out or neutralize. Mendía further commented that "...military action is inherently violent and destructive, intent on mission accomplishment. The mission was not to dissuade or suppress, but to annihilate", because the constitutional government had exhausted all other methods.[10]

After the coup, the junta replaced 80 percent of all federal judges, and decreed several "institutional acts" to have pre-eminence over constitutional law. Some of these acts included permission for police or military forces to hold civilians in detention, without charges, for unspecified periods of time; they gave

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[9] Testimony, Cristiano Nicolaides, 26 April 1985.
[10] Testimony, Luís María Mendía, 23 April 1985.

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military courts jurisdiction over virtually every possible case, and instituted the death penalty for political cases. An Americas Watch Report in 1987 described the effects of these acts, that this completely "altered fundamental principles of penal law and of criminal procedures....allowing military forces to participate in the repression of subversion unencumbered by judicial oversight."[11] Disappearance methods, combined with a complete absence of judicial procedures, allowed the military task forces free reign to operate with impunity, which they in fact did.

Military officers uniformly believed a state of war existed, that the war had a unique character, and that the nation required their unwavering dedication to decisively win that war. Mendía quoted the Uniformed Code of Military Justice: "A state of war may exist without a declaration," and stated confidently that "This was defined as a true war."[12] However, to a man, the officer corps understood this as a very different kind of war for which they had trained. Retired Rear Admiral Salvio O. Menéndez, who actually led several assaults on terrorist bases of operation and suffered crippling wounds, commented:

> We were confronted by a war we didn't understand, without any set doctrine; where our every movement was detected in advance by the enemy, who anticipated our attacks or just escaped....(we) were in a very

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[11] *Truth and Partial Justice*, 5.

[12] Testimony, Mendía, 23 April 1985.

unconventional type of war for which (we) were ill-prepared; not just a confrontation with common delinquents, but a total, yet atypical war.[13]

Admiral Nicolaides described the war as "without precedent or adequate comparison; an atypical, singular case". The intervention of a complicated array of people, methods, and circumstances made it:

> ....extremely difficult to discern in an exact and timely manner, the problems that could affect responsibility...Because the war was atypical, developing within the country itself, it produced unique problems and adopted a unique character heretofore unknown; such required completely new and untested methods to deal with the threat. Structure and organization of the enemy made traditional military methods ineffective".[14]

Retired Admiral Rubén Oscar Franco added:

> They fought an unconventional war, a type of revolutionary war; where the enemy had no uniform or flag, was hidden in the population, and committed terrorist acts of kidnapping and assassination, even military assaults. The military was required to adopt new tactics. When the rules change, to adapt is to survive. Intelligence on the enemy is vital to military success, (but) intelligence is very difficult when the enemy is

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[13] Testimony, Salvio O. Menéndez, 23 April 1985.
[14] Testimony, Nicolaides, 26 April 1985.

invisible....The war was brutal because the enemy sought to take and maintain power by force, and made no secret as to their ultimate aim to install a Marxist state like Cuba. The ERP leader (Santucho) declared this objective clearly in their own press and even on television. [15]

The Argentine military leaders consistently complained that their training in doctrine, strategy, and tactics proved wholly inadequate for the purpose at hand, but nevertheless remained committed to victory or death. Retired General Albano Eduardo Harguindeguy exclaimed, "The most urgent goal of the moment for all of us (Argentines) was our liberty, which was endangered....we reestablished a state of internal security we can all be proud of."[16]

Secure in the mandate of constitutional authority and the Argentine people, the military officers led the Defense Council to conceptualize a new mission, and to develop appropriate strategy and methods to combat the terrorist threat. The government gave the armed forces a fairly clear mission in Decree 2772, to "annihilate subversive elements". Even though there existed some disagreement on the specific implications of the expression, the officer corps knew they needed to take the offensive in the war. They determined to concentrate on key urban areas and immediate rural zones, where the great majority of the populace resided: Buenos Aires, La Plata, Córdoba, Rosario, Tucumán, and Santa Fé. In these cities

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[15] Testimony, Rubén Oscar Franco, 26 April 1985.

[16] Testimony, Albano Eduardo Harguindeguy, 14 May 1985.

and their suburbs, the armed forces aimed to take the war to the guerrillas and pay them back with the same terrorist tactics.

The Defense Council expressed the goal "to notably diminish (terrorist) activity" by the end of 1975, and return subversion completely to policial control by the end of 1976. To accomplish this ambitious project, military leaders developed strategies to first develop effective intelligence on subversive organizations, then create a permanent situation of instability within these organizations in order to restrict guerrilla operational abilities. Within this state of instability, the military intended to systematically annihilate (kill) all subversives and begin to apply constant pressure. They aimed to eliminate guerrilla support systems of supply and logistics, and counter leftist propaganda with their own. Then, the armed forces would isolate and destroy the terrorists one-by-one and group-by-group. "Given an assumed offensive attitude" the armed forces possessed complete liberty of discretion to act, "to intervene in all situations" involving subversive activity.[17]

With such wide latitude in unit-level operations, military units took action and immediately began to institutionalize official state terror, often adopting the same tactics used by the leftist guerrillas. The armed forces began operations in November 1975, but vastly increased the tempo after the March coup. As the

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[17] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 237-240.

most common method of counter-terrorism, military personnel perfected the "disappearing" of persons. Typically, overwhelming numbers of heavily-armed, masked men violently forced their way into the private home of the suspect(s), usually between midnight and four o'clock in the morning. In the dark and confusion, these anonymous callers separated the target from any other persons present, immobilized and hooded or blindfolded the target amid threats of violence to the other occupants, and then carried the target away in an unmarked automobile, usually a black Ford Falcon. After the abduction, the anonymous men delivered the target to a nearby "detention center", where other anonymous men interrogated the prisoner on the names and locations of other terrorists, and other information on subversive activity. Sometimes, if the target turned out to be a mistake, another anonymous group of men would transport the detainee to some out-of-the-way spot and liberate him, often still hooded or blindfolded. More often, however, the mysterious men transported the prisoners to larger detention centers, where the detainees suffered more interrogations, then summary execution and burial in an unmarked grave.

This method proved highly effective in accomplishing the military's goals to eliminate subversive personnel, especially the PRT and ERP, who relied on meticulous records in their planning and organization. On the night of 19 July 1976, a military strike force cornered several ERP members in a rural home and killed them all in a short, but violent assault, including ERP commander Mario

Roberto Santucho. Numerous other communist leaders followed Santucho to the grave over the next year until the few remaining ERP/PRT leaders went into self-exile by May 1977.[18] The Montonero commanders fled into exile even earlier, by December 1976. Numerous surviving guerrillas interviewed commented that, while state terror frequently struck the population randomly, it "decimated guerrilla ranks with surgical precision". The guerrillas estimated an eighty percent fatality tally by 1979: Montonero ranks fell from almost 4,000 to just over 700 remaining combatants, and the ERP only counted around 300 survivors from 1,500 members only four years before.[19] Thus, in just a few years, the military managed to track down and execute more than 4,000 terrorist combat troops.

Most experts place the actual numbers of dead at 8,000 to 30,000 "disappeared", all attributed to official military operations. The military leadership defined "subversive elements" to include those sympathizing with the revolutionary movements, even if not involved in combat operations. This even extended to suspicious occupations, like psychiatrists, university professors, and union leaders, as well as family members and acquaintances of known guerrillas. "Disappearing" these persons provided the military with a convenient way to ignore embarrassing questions, especially when abducting innocent people. Military authorities simply denied knowledge, and no one could prove otherwise

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[18] Moyano, *Argentina's Lost Patrol*, 152.
[19] Ibid., 105-107.

due to lack of evidence. Military officers enjoyed complete freedom to operate with impunity after Decree 2772, and even more so after the 1976 coup.

Not long after the government allowed the military to take charge in the war against subversion in October 1975, this same government found itself rapidly disintegrating from within. The judiciary and the entire legal system ceased to function because of the government's refusal to recognize illegal acts on either side of the war. The Argentine congress had traditionally followed the lead of a stronger presidential institution, so they became essentially useless when rule of law ceased to exist and the president herself grew increasingly indecisive, paranoid, and incompetent. In March 1976, several congressmen lamented the situation thus: Senator Angeloz complained "I no longer know what to tell the people of Córdoba! How can I return and express to them....our impotence to protect the lives of the inhabitants of Córdoba. Norms are not respected, the law is empty, and the nation's senators have their hands tied". Senator Bravo exclaimed, "There is a power vacuum, and no functioning government!". Lower house Deputy G. H. Molina said, "The whole country is a victim of an implacable and progressive destruction". The President of the Chamber of Deputies, Sánchez Toranzo, added, "The moment has arrived to sacrifice everything so that, in some way or other, this generation can do its part without shame (as a legacy) for our children".[20] Indeed, that moment arrived on 24 March 1976, when Army General

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[20] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 277-278, 282, 286.

Jorge Videla led the armed forces in a peaceful coup to fill this power vacuum; peaceful because the military had already been the de facto ruler of Argentina for several months already. On 29 March 1976, the new government issued a statement of "basic proposals and objectives for the Process of National Reorganization" ('El Proceso'):

> To restore the essential values that serve as fundamental to the integral conduct of the state....to reconstruct the content and image of the nation, to eradicate subversion and to promote economic development....to assure to future installment of a republican democracy, representative and federal, adequate to the reality and exigencies and progress of the Argentine people.[21]

Members of Congress, most of the public media, and a great many public and private institutions applauded the move as the only possible solution to reestablish peace and order, even if it meant a great deal of sacrifice. However, Argentine society had no idea what kind of sacrifice would result, now that the military possessed popular support to go along with absolute de facto power, and a plan to effectively erase subversion from the nation at any cost.

Literally thousands of Argentine citizens, most of them innocent of any guerrilla activity, paid that cost with their lives. In addition to the aforementioned

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[21] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 285.

"typical" method employed by military strike teams to disappear subversives, later testimony revealed additional details much less complimentary to the military members' behavior. In 1986, the National Commission on Disappeared People (CONADEP) published a report called "Nunca Más" (never again), describing literally thousands of documented cases of torture, rape, kidnappings, and murder, in 340 identified secret detention centers.[22] According to numerous testimonies, abductions in the home often included beatings and torture, the looting of household valuables and food, and the rape of any women present Handcuffs and shackles often accompanied the hoods and blindfolds, which the anonymous men hardly ever removed throughout the detainee's ordeal. Removing the detainee's ability to see or move caused disorientation and helped to break down the prisoner's will to resist.[23]

While in detention, prisoners suffered starvation and dehydration, and unidentified men beat them in daily torture sessions with rubber hoses, police batons, leather whips and belts, steel bars, or just fists and boots. Interrogators inflicted severe electric shock treatments on the detainees, often immersing them in water to increase the effect. Detention center guards repeatedly gang-raped many female detainees. Intense pain and nutritional deprivation broke the will of the prisoners, until they willingly confessed to anything just to avoid more abuse. The

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[22] *Nunca Más*, a Report by Argentina's National Commission on Disappeared People (CONADEP, 1986), 10-208.

[23] Ibid., 9-72.

mysterious men even abducted children, whom they often left with relatives, but sometimes forced the children to witness their parents' torture sessions, or tortured the children in front of the parents to extract a confession.[24]

Interrogators devised innumerable and ingenious methods of torture and applied them liberally, but the favored tool seemed to be the electric prod. When applied in large doses and voltages to sensitive orifices of the body, electricity effectively elicited confessions, both real and imagined, just to stop the treatment. In one particularly obscene method, torturers placed the naked victim in a gunny sack with a large, hungry cat; they then applied an electric prod to both human and cat, causing the cat to frantically bite and scratch in its efforts to escape. During the torture sessions, interrogators constantly pressed the victims for information, and grew more angry and sadistic when the answers proved unsatisfactory. Sometimes the questions made absolutely no sense to the tortured, nor did the torturers intend to make sense, apparently preferring to inflict pain for the sake of experimentation or perhaps to perfect a technique.[25]

Whether or not a detainee confessed himself as a legitimate terrorist, his handlers generally ended the suffering eventually with a single bullet to the head. The "anonymous men" usually buried the corpses in unmarked mass graves, burned them in pits, or delivered the bodies to the local crematorium. At just the

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[24] Ibid., 9-72.
[25] Ibid.

La Chacarita cemetery in the Federal Capital, authorities logged nearly 30,000 (above normal annual totals) unexplained and unidentified bodies burned in its crematorium between 1975 and 1979.[26] The military correctly assumed unidentifiable ashes would be poor evidence in the event of later accountability. In several instances, military personnel threw drugged, live prisoners out the open rear bay doors of C-130 military aircraft flying high over the Atlantic Ocean.[27] Investigators uncovered 249 documented cases of the abduction of pregnant women who stayed alive until they delivered their babies, then were disappeared. These cases of pregnant women constituted ten percent of all women abducted, and three percent of the total disappeared. None of these mothers survived. Military couples, or their friends or relatives, then adopted these "orphans".[28] CONADEP documented 8,960 cases of murder, rape, robbery, and illegal detention in minute detail, in evidence too overwhelming to refute. Even these numbers, though, do not account for the unreported disappearances or those survivors desiring anonymity. For these reasons, CONADEP confidently speculated that a great many more similar cases had occurred, cases in which the only possible witnesses had perished without documentation.[29]

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[26] Ibid., 225-226.

[27] Ibid., 221-223.

[28] Ibid., 286-300.

[29] Ibid., xvi.

Although the testimonies of thousands demonstrate widespread, standardized procedures for disappearing so many Argentine citizens, it is likely that top leaders had little knowledge of the details. Later trial evidence showed that they knew their subordinates had been committing gross violations of human rights, but the leaders merely chose to physically distance themselves from the real dirty work and did not require subordinates to describe their actions in detail. The military leadership justified the atrocities as "errors" in the heat of battle, and acts that must be expected, however wrong. The survivors' testimonies strongly indicated exceptional organization and coordination in effecting the disappearances. However, the testimonies of the top military leaders told a slightly different story, little of it actually believable, that claimed wide latitude in subordinate decision-making. They consistently denied knowledge of torture, clandestine detention centers, or other illegal acts. Even if truthful, their testimonies may indicate, that if not guilty of murder and torture, they must stand condemned for incompetence at the least. Although a commander may not know the details of their subordinates' every act, he is still responsible for those acts. The 1985 trials depended on this principle to successfully prosecute the military leaders.

In military organizations, top commanders seldom know the specific details of the operations performed by subordinates, even those directly under their stewardship. Instead, they tend to accept the reports of intermediate-level and unit-level officers, who only outline generalities in their required weekly reports for the

sake of brevity. In other words, commanders know only what they are told. Although the commanders may never have encouraged abuses, they did not forbid them either; the subordinates knew they could not only get away with excessive force, but would be rewarded just for results. Those officers directly responsible for the atrocities committed in the dirty war, most likely young captains and lieutenants in the majority, probably reported only the numbers and types of operations performed, with brief descriptions of their level of success and perhaps lists of confirmed terrorists captured and executed. Such reports, of course, would naturally exclude details of torture, methods of execution, or any mistakes committed; to mention such "negatives" would certainly prove detrimental to a young officer's career. Nevertheless, this kind of reporting does not excuse the commanders from responsibility, but merely illustrates the degree and scope of dishonesty in the officer corps and the extreme atmosphere of total power and impunity under which the military operated. They had no civilian authority to account to, and military officers assumed that results mattered more than the process.

Of the twenty generals and admirals who testified during the first month of the 1985 trials, all indicated they had no knowledge of human rights atrocities committed under their commands. None knew of any clandestine or illegal detention centers; none knew about any tortures or murders, and they certainly never authorized such actions. General Harguindeguy claimed the security forces

kept detainees only in the existing prison system, and sometimes in temporary facilities in other military and police installations.[30] Admiral Vañek also said prisoners stayed only at known military establishments, and "were processed as quickly as possible; within 48 hours (was) desired". However, Vañek elaborated, "guerrillas were taken to 'safe houses' owned by the military, to separate them from most other military personnel and innocent civilians....in special 'sectors', segregated from the rest of the base".[31] In the military view, the detention centers were not secret, since they used existing military and police facilities. The Argentine military owned enormous tracts of real estate throughout the national territory; this was a matter of public record. Therefore, the military could claim no secret centers existed, but still build new or adapt existing facilities on their property and segregate them from other military functions.

The commanders claimed that they knew people were detained and interrogated, but denied knowledge of illegal punishments. So far as Admiral Mendía "knew", his troops detained numerous persons suspected of subversive activity and brought them on military bases; his intelligence officers promptly interrogated the detainees, then either released them peacefully or held the prisoners "for further investigation or punishment".[24] Commanders received weekly, brief reports from subordinate officers, and knew their troops detained and

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[30] Testimony, Harguindeguy, 14 May 1985.
[31] Testimony, Vañek, 23 April 1985.

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interrogated large numbers of people, but the commanders denied the existence of orders at any level to kidnap, torture, and execute citizens under suspicion of subversive activity. Retired Vice Admiral Oscar Antonio Montes indicated that his subordinate officers submitted weekly summary reports, but they only described main events, highlights, numerical data, and odd events, all summarized in brief form.[32] Admiral Vañek had no knowledge of actual interrogation techniques, just that his interrogation officers "were skilled at obtaining the truth". He admitted, however, that "deaths occurred as a result of self defense" on the part of Navy personnel.[33] When questioned about bodies washed up on the shore in his jurisdiction, retired Vice Admiral Pedro Antonio Santamaría claimed it was "nothing unusual; this had always happened", from time to time.[34] Retired Rear Admiral Manuel J. García said he received "complete and extensive" weekly reports, but could not recall the exact content. He never authorized torture or physical elimination of subversives, nor did he ever speak to, interview, or witness the interrogation of a detainee. His intelligence officers performed most interrogations, but García admitted other officers could have done them too. He assumed the interrogations consisted of "just questions and answers".[35] Apparently, Argentine military officers at the highest levels assumed much and

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[32] Testimony, Oscar Antonio Montes, 23 April 1985.

[33] Testimony, Vañek, 23 April 1985.

[34] Testimony, Pedro Antonio Santamaría, 23 April 1985.

[35] Testimony, Manuel J. García, 23 April 1985.

knew very little of their subordinates' activities. The trial prosecutors in 1985 could not cross-examine the officers without risking their legal right to refuse testimony on the basis of self-incrimination, similar to the United States Constitution's fifth amendment. Therefore, the testimonies had to stand as stated, with innumerable questions unasked and unanswered.

The generals and admirals described a decentralized, compartmentalized organizational method of administration. According to several testimonies, the military junta running the country's day-to-day activities and policies only served as political leaders, concerned with things like economic production and foreign affairs. Meanwhile, the armed forces service commanders conducted the actual war against subversion, but only in overall responsibility for results. The young unit-level officers, squad commanders within the special "task forces", accomplished the real "dirty work" of eliminating terrorists, then reported glowing results to their superiors. Retired Air Force Brigadier Jesús Orlando Cappellini insisted that no unified master plan existed to fight the war against subversion. Instead, the military relied on the "Plan de Capacidades," which merely outlined "compartmentalized, general missions" for all military units, assigning to each a geographic area of responsibility. However, Cappellini admitted he had commanded the group called the "Marco Interno" (internal framework), charged with the overall planning, conduct, and execution of operations against subversion. Another general officer

confirmed the view that the "Marco Interno handled the war".[36]   Retired Air Force Brigadier José María Romero, member of the Joint Chiefs of Staff 1979, said that "The joint chiefs had no mission concerning the war against subversion. They only handled review and coordination of plans, the budget, and in resolving national defense strategy".[37]   According to Air Force Brigadier Antonio Diego López, the junta had no anti-subversive function; individual unit commanders accomplished all planning, execution (no pun intended), and supervision. López also claimed no special military units existed for the express purpose of fighting the war against subversion.   However, he contradicted himself in admitting that perhaps "twenty to thirty members (under his command) in Merlo were assigned to 'Task Force 100', for a total of 100 to 150 members at any one time".[38]   Few senior officers implicated themselves in actual counter-terrorist operations; if they claimed involvement, participation remained invariably benign.

Apparently, these task forces accomplished most of the work in the dirty war. Most military units gave up a few personnel on a rotating basis to supplement a small permanent core of officers in each task force. Most of these temporary-duty personnel probably did not participate directly in abductions or torture, but rather provided support roles like administration, logistics and supply,

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[36] Testimony, Ricardo Agusto Peña, 24 April 1985.

[37] Testimony, José María Romero, 24 April 1985.

[38] Testimony, Antonio Diego Lopez, 23 April 1985.

transportation, or in clean-up details to dispose of corpses and other evidence. Enlisted personnel, especially, do not question orders. From the beginning of military training, the military institution instills in new conscripts and regular soldiers unquestioning obedience and trust in their superior officers. During the dirty war, they did not ask why their officers worked at night, or why they wore civilian attire. Enlisted support personnel did not ask where the bodies came from, or why the bodies displayed such curious wounds. They probably could easily guess, but soldiers do not question officers.

The permanent-party task force officers controlled the operations and limited them to the minimum number of persons needed to accomplish each mission, but compartmentalized individual tasks to prevent most personnel in the rest of the military from seeing the "big picture". Mr. Calderwood, the U.S. CIA chief in Buenos Aires, controlled two highly-placed agents from 1977 to 1979, a government ministry official and an army colonel. Following instructions from Washington, Mr. Calderwood asked both to investigate the rumors of clandestine human rights abuses by the Argentine military and police. The civilian ministry official immediately denied knowledge of anything like that, but the colonel said he would ask a few questions. The colonel returned with no knowledge, but acknowledged rumors in the barracks. Mr. Calderwood said he felt his friendship with the colonel was such that they withheld few secrets from each other, but later in 1979, the colonel told the CIA agent that the rumors "were probably true," but

that he could not comment on that subject any longer.[39] Perhaps for a while, many military members really did not know exactly what their colleagues were doing, but murder on such a grand scale would be a difficult secret to keep.

The commanders insisted they always received and issued proper written orders, but deferred significant decision-making responsibility to subordinates. Retired Rear Admiral Salvio O. Menéndez noted that the "procedures for handling detainees were followed strictly by written plans and directives....(these) instructions precisely warned officers to avoid upsetting the general population, to keep things quiet, and collateral damage at a minimum". His orders, always written, instructed him "to investigate some specific place or incident," usually things like the movement of armed civilians, the existence of arms caches and explosives, or unusual vehicle activity. As a task force operations commander at the Navy Mechanics School, Menéndez and his group conducted numerous abductions; he "disarmed them and immobilized detainees", then delivered the detainees to intelligence personnel at the nearest existing military installation. Other groups had specific orders for processing the detainees, and handled the transfers and interrogations.[40] Admiral Montes, as commander of Task Force Number 3, explained that his troops, comprised mostly of Navy personnel and sometimes police personnel, delivered detainees to the nearest local unit (military or police),

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[39] David Calderwood, Interrview, January 1998.
[40] Testimony, Salvio O. Menéndez, 23 April 1985.

whose intelligence officers would then "investigate". Montes understood that, once the "situation of the detainee was clarified", they either freed the prisoner or turned him over to the military courts.[41] Brigadier Cappellini stated that "Task Force 100 (was made of) regular service members who rotated from their own home units".[42] The testimonies of these officers always insinuated that "someone else" must have committed the abuses. First-hand accounts of intelligence officer behavior are noticeably absent in all officer testimonies. No officer confessed or admitted personal responsibility for any atrocity; but at the same time, the military structure tended to compartmentalize responsibilities into tightly controlled roles for individual units and personnel, and placed specific duties at the lowest possible level. Admiral Vañek claimed that the Task Force commanders determined the final destination of the detainees, yet these same commanders, like Menéndez and Montes, deny knowledge of any results beyond initial abductions. Although these officers probably did not divulge absolutely everything they knew about specific events in the dirty war, they probably did not really know very much about certain details, and did not want to know. Junior officers (certainly colonel and below) most likely conducted the torture sessions and executed the prisoners, and their superiors protected their identities. A common saying in every military (although the real version is slightly more "colorful") is that, "doo-doo flows downhill", meaning that accountability for individual acts ends at the lowest possible level.

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[41] Testimony, Montes, 23 April 1985.

[42] Testimony, Cappellini, 23 April 1985.

However, in actual practice and in a court of law, it is the exact opposite. Responsibility lies at the highest possible level, the originator of an order.

These military officers felt that the condition of war changed the rules; that each officer had a patriotic duty to serve the nation and obey their leaders in spite of "errors", and they all recognized a personal stake in the conflict as potential targets. Admiral Menéndez suffered wounds from two bullets and a grenade after ringing a doorbell at the home of a suspected subversive. In less than two months, he had two severe wounds (that left him hospitalized for two years), he witnessed the violent death of a close friend and subordinate, and saw two or three other comrades gravely wounded by terrorist arms.[43]   Brigadier López recalled the discovery of incendiary bombs placed in the wing gas tanks of six or seven of his aircraft at the Mariano Moreno Air Base in 1976. He expressed outrage especially because his aircraft were based in, and frequently flew over, a highly-populated area in suburban Buenos Aires. The resulting investigation produced an Air Force corporal and his young local girlfriend as the perpetrators and positively linked both to the ERP. Military and civil courts convicted both, but while the corporal remained in prison as of 1985, the woman stayed alive and free.[44]   Other officers acknowledged excesses and errors as an unavoidable part of war. General Nicolaides implied that the military institution could not accept responsibility for

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[43] Testimony, Menéndez, 23 April 1985.
[44] Testimony, López, 23 April 1985.

every individual act, however wrong. "Accountability will never be perfect in the hands of men, so let God (handle) it." Nicolaides philosophized that "unjust methods and innocent deaths" were a "relative thing, due to the nature of war", and that unfortunate events inevitably occurred. (Both the Geneva Conventions and the Nuremburg trials disallowed this excuse.) He continued, "....errors are those acts committed by those physically involved in the execution of orders, and in making mistakes in said execution. Many of these (torturers, murderers) were caught and punished".[45]   Nicolaides and the other officers testifying did not present any evidence of soldiers who were punished by military courts, even for "exceeding orders". However, Admiral Franco seconded his Army colleague, that "errors committed in war can be anything. Crimes exposed were dealt with and punishment administered". The armed forces acted institutionally, by constitutional authority, and accomplished the mission "in and by acts of service", but "injustices resulted when personnel deviated from plans and orders, impossible to control under all circumstances." Franco continued:

> In a state of war, violation of fundamental human rights is inevitable. Suppression of liberty, lack of due process, even loss of innocent life are certainly violations, but must be expected....Detention of armed civilians in their own homes was considered a necessary and legitimate act of war, although torture was not legitimate....killing blindfolded, manacled

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[45] Testimony, Nicolaides, 26 April 1985.

prisoners is not legitimate, but is a brutal act that can and does occur in war.[46]

Franco did not mention the consequences that must follow such acts, like the issue of accountability. Retired Air Force Brigadier Augusto Jorge Hughes explained that this "war confronted the military with new doctrines, requiring new and untried procedures. These procedures never appeared in written directives; only general guidelines were promoted, like the value of surprise, initiative, and secrecy as fundamental to all operations".[47] All the officers admitted horrible atrocities had indeed occurred and expressed sincere remorse for the loss of innocent life, but at the same time justified the errors as unavoidable components of war and refused to even consider remorse for the despised terrorist dead.

Nicolaides, Franco, and Hughes formed the final military junta before reinstituting civilian government in 1983. To facilitate a return to constitutional government, they composed and issued the "Final Document", dated 28 April 1983, to explain the military's position and to perhaps justify its actions during the dirty war. This fourth junta consulted former junta members unofficially to "clarify facts", and additionally consulted their 13 division commanders who aided in corrections, suggestions, propositions, and additions. The entire senior army staff unanimously approved the final draft. In this document, the armed forces assumed

[46] Testimony, Franco, 26 April 1985.

[47] Testimony, Augusto Jorge Hughes, 26 April 1985.

institutional responsibility for planning and executing all actions as the sovereign power in Argentina; they declared its military operations to be "acts of service"; and they recognized "possible errors" while successfully accomplishing the mission, but errors to be justified by the results. The final document carefully pointed out the constitutionally-valid directives the previous government gave to the Argentine armed forces in 1960 and 1975. It counted over 21,000 documented acts of subversive terrorism in a mere ten years, between 1969 to 1979. It declared absolute victory against the subversive terrorist organizations as a mission accomplished by 1979. Finally, the Final Document called upon the world, as well as all Argentines, to "allow history and God to judge responsibility". Referring to the Final Document, General Nicolaides commented, that "as a professional military officer, (he) viewed the whole thing as a true war", because two armed opponents struggled for absolute, raw, and uncontested power in a political vacuum; that subversive groups sought conquest, "to impose a leftist ideology completely foreign to tradition and against the national system and sentiment"; also, that the "armed forces complied with the constitutional directive, by executive decree, to oppose this threat of military, ideological conquest".[48] Admiral Franco added, "Direct responsibility for unjust methods and innocent deaths is too complicated to determine. Time and extensive investigations will eventually expose the truth. The state of war tends to muddle issues of injustice and fair play".[49] On

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[48] Testimony, Nicolaides, 26 April 1985.
[49] Testimony, Franco, 26 April 1985.

10 December 1983, the new Alfonsín administration plunged into the challenge of rebuilding constitutional institutions and to uncover exactly what happened to the "disappeared".

Throughout Argentine history, the army had intervened often and violently in internal affairs. In 1975, amid economic and political chaos, a constitutional government legally ordered the military to take any actions necessary to "annihilate subversive elements" in Argentina. On 24 March 1976, the armed forces assumed total control over all state institutions, because the rule of law had ceased to function and the terrorist threat had grown beyond the capacity of the state to handle with normal police assets. The Argentine military planned and executed the deliberate destruction of all terrorists and other persons associated with subversive activity, without legal restraint. They accomplished the mission with remarkable efficiency, eliminating more than 80 percent of the terrorist membership. Members of the military, especially the officer corps, believed a true state of war existed, but that this unconventional type of war required an equally unconventional response. They perfected the hideous practice of "disappearances", along with regular tactics of torture, robbery, rape, and murder, and instituted an atmosphere of terror in the entire country. This atmosphere helped to produce the compliance, if not (coerced) loyalty, of Argentine society. The military leaders convinced themselves that since the war itself was just, the methods did not matter as long as they accomplished the objective. Perhaps many

military members did not participate in the atrocities perpetrated by their comrades, but the commanders certainly knew what was happening and passively approved of their subordinates' violent and illegal activities. Even in the military trials of 1985, the officers responsible for the atrocities claimed innocence for themselves, their superiors, and their subordinates. They felt justified in their actions, that they had won a patriotic war, and had avoided a "tragic" social revolution at the hands of dangerous leftist forces. Although the terrorist organizations had started the dirty war in 1970 and committed innumerable atrocities themselves, the military failed to rise above inhumane behavior, and amplified the atrocities even beyond the scope perpetrated by the guerrillas. Lieutenant Colonel Felici, a young lieutenant during the dirty war, sadly commented that "the war itself was especially brutal because neither side recognized the humanity of the other. There existed a genuine, vicious hatred for the enemy, and the fighting had become personal rather than political."[50] The real tragedy of the Dirty War is not about who won or lost the war, or the failure of a social revolution; its tragedy lies in the historical intransigence and institutionalization of violence in Argentina that destroyed tens of thousands of human lives. As CONADEP leader Ernesto Sabato exclaimed, "nunca más!" (never again!).

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[50] Felici, Interview, 16 March 1998.

Chapter 4

ACCOUNTABILITY, JUDGEMENT, AND RECONCILIATION

Radical Party candidate Raúl Alfonsín won the 1983 presidential election on the strength of the UCR platform of pledging, among other things, to make the president commander-in-chief of the armed forces, to restrict the military function to external defense, to lower the military budget, to gain civilian control over military industries, and to cancel the draft. Most importantly, Alfonsín promised to pursue a detailed and complete investigation of all possible human rights abuses perpetrated by the military government between 1976 and 1982. The new government avoided the issue of the Malvinas conflict, hesitant to criticize the validity of that ill-conceived and untimely, but well-intentioned (to some), effort. Instead, they focused on rebuilding shattered economic and social institutions while trying to determine what had occurred during the Proceso era, and decide what action to take. Then, in 1985, the Alfonsín administration did what no nation before or since has ever done: their courts tried and convicted their own military officers for crimes against humanity. Few Argentine citizens questioned the need to establish accountability for the military's behavior, but the debate raged for years over the degree of restitution required to heal the deep wounds in Argentine

society. The trial and conviction of five general officers (and a few others) satisfied a psychological need to assign responsibility at the most appropriate level, the ultimate leadership; however, the subsequent military and terrorist pardons by the Menem government in 1989 and 1990 also satisfied an equally important need for Argentine society to focus on healing and reconciliation, rather than intransigence and revenge.

By early 1979, the military government considered the war against subversion essentially over, although the ERP and Montoneros did execute some very minor operations afterward. Brigadier Capellini said, the "enemy was beaten militarily by January 1979".[1] Brigadier Lopez indicated that the Air Force commander-in-chief announced the same in his annual directive on 25 January 1985, that terrorist acts had stopped, and that future operations were to be preventative and defensive in nature.[2] Indeed, with eighty percent of their members dead and the few surviving leaders living in exile, the ERP and the Montoneros failed to mount any significant military operations after 1979.

For the next three years, with little more to accomplish in the war against subversion, the military government fell victim to runaway inflation, an unfavorable trade imbalance, international criticism, and they endured increasingly bolder denunciations from human rights organizations. Desperately, they sought a military

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[1] Testimony, Cappellini, 23 April 1985.
[2] Testimony, Lopez, 23 April 1985.

solution to raise flagging confidence in the junta's leadership. The relative economic stability of 1976 to 1980 resulted mainly from the military government's open market policy, allowing foreign capital and products to flood the Argentine economy with little, if any, restraint. Deficit spending and an ever-growing trade imbalance eventually drove up inflation, and international financial organizations like the International Monetary Fund (IMF) began to insist on tighter monetary and credit controls, causing the Argentine economy to nearly collapse under the weight of failed domestic business and poor export performance.[3] In addition, a powerful human rights movement in Argentina began to assert itself in denunciations of the military's not-so-secret policy of disappearing "subversive" persons.

At least ten organizations, many with international ties, more actively protested the disappearances after 1979. In addition to civil libertarian and religious movements, family-based groups like the Mothers of the Plaza de Mayo proved effective in avoiding military reprisals as they resorted to non-violent public protests. The Mothers had demonstrated silently in the downtown Plaza de Mayo every Thursday since April 1977, until they eventually led demonstrations of thousands and even tens of thousands by 1981. Even soldiers had difficulty in repressing mothers and grandmothers who only wanted to know where their

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[3] *Truth and Partial Justice in Argentina*, An Americas Watch Report, August 1987, 7.

children had gone.[4]   International human rights organizations and foreign

governments began to take greater interest in the protests, and they increased

awareness all over the world of the Argentine situation through publications like

the "Americas Watch Report" and through official, public diplomatic inquiries.

The military government consistently responded that they too supported the ideals

of human rights, but they also reminded others to mind their own business and

never admitted a problem existed. President Videla said, "For us, respect for

human rights comes not only from law and international declarations, but results

from our profound Christian conviction on the fundamental dignity of man".

Army Chief Roberto Viola remarked in a 1979 Army Day speech, "We've

accomplished our mission – that is the only and sufficient explanation. The

country and the Armed Forces know the price....the dead, the injured, the

detained, the forever absent". (At that time, no one really knew the full price). In

1981, the newly installed President Viola responded to international criticism:

> I think that you are suggesting that we investigate the security forces –
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> absolutely out of the question. This is a war and we are the winners. You
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> can be certain that in the last war if the armies of the (Nazi) Reich had won,
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> the war crimes trials would have happened in Virginia, not in Nuremburg.[5]

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[4] Alison Brysk, *The Politics of Human Rights in Argentina: Protest, Change, and Democratization* (1994), 45-49.

[5] Ibid., 51-59.

Amid growing international and domestic pressure, and collapsing economic and financial institutions, the third junta led by General Leopoldo Galtieri embarked on an audacious plan to divert attention away from human rights: to incite a clean, patriotic war by invading the British-owned Malvinas Islands.

Great Britain invaded and occupied the undefended Malvinas in 1833 and renamed them the Falklands, and every Argentine public school student since had accepted this event as an unjust example of imperialistic invasion, and looked forward to the future restitution of the Islands as Argentine territory. In April 1982, Argentine naval and ground forces invaded and occupied the Malvinas with very little resistance. With mostly one- and two-year conscripts defending the desolate rocky coasts, the poorly-trained and -equipped Argentine soldiers awaited British response while the government tried to drum up international support. Although most Latin American nations applauded the action as a blow against historical Anglo domination in the region, they provided little real physical support. The United States naturally supported its closest long-time ally, dooming Argentina's chances to hold the relatively worthless real estate. The British Navy put together an impressive armada in May, and easily defeated the Argentine forces by 2 June 1982, and completely humiliated the Argentine Army and Navy. Only the Air Force managed to gain some respect with successful air strikes, until a lack of spare parts and mid-air refueling capabilities reduced their effectiveness. Most Argentine citizens initially reacted to the invasion with wild enthusiasm, but quickly

lost their fervor when the defeat exposed military incompetence and even cowardice. The Malvinas fiasco proved the final straw to completely discredit the military government, which then began preparations for elections the next year.

The military, in preparing to turn government over to civilian leaders, aimed to maintain their privileged role in Argentine society. However, economic chaos, the dirty war, and the Malvinas failure served so thoroughly to discredit the armed forces, that they remained largely unable to shape the transition to their favor. The last junta, along with the entire general staff, issued the "Final Document" on 28 April 1983 to attempt an explanation for the dirty war and its results. In addition, they tried to secure the military's right to review economic policy and a commitment not to prosecute their officers for crimes committed in the dirty war, the Malvinas war, or in cases of corruption among high-ranking officers.[6] During the Proceso era, the high command who ran the government had enriched themselves, taking advantage of the unique economic opportunities of wielding complete power with impunity. Many government leaders collected salaries, benefits, and pensions for both military office and government position. They even used their positions of influence to secure low-interest loans for private speculation, as well as to extort and loot property of the disappeared.[7] More than anything else, perhaps, the generals and admirals feared the humiliation of public

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[6] *Truth and Partial Justice in Argentina*, 9.

[7] Deborah L. Norden, *Military Rebellion in Argentina: Between Coups and Consolidation* (1996), 63-65.

trials, and issued a declaration of self-amnesty two weeks before the election. This "Law of National Pacification" feebly tried to suggest national reconciliation by simply ignoring what had happened, but both main candidates denounced the amnesty attempt. On 30 October 1983, UCR candidate Raul Alfonsín took a slightly stronger stand against the military than his Peronist opponent Italo Luder, and won in a landslide with over 52 percent of the popular vote.[8]

President Alfonsín took office 10 December 1983 and lost no time to ensure public confidence in his pledge to prosecute the military criminals. On 15 December, he issued two executive decrees. In Decree 157, Alfonsín ordered trials for the former guerrilla leaders (the ERP and the Montoneros). Decree 158 included the following: Article One ordered the summary trials of all nine junta members in the Armed Forces Supreme Court; Article Two outlined the charges, that junta members be tried for murder, torture, and "deprivation of liberty" (usually kidnapping or illegal detainment); Article Three changed the Code of Military Justice (military law) to allow appeal of sentence from military courts to the Federal Court of Appeals; Article Four provided the necessary appropriations to pay for the trial costs. In addition, on the same date, Alfonsín formed the National Commission on Disappeared People (CONADEP), to independently investigate the disappearances.[9] Nine months later, CONADEP and the military Supreme

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[8] *Truth and Partial Justice in Argentina*, 11-13.

[9] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 18-19.

court issued their findings. Predictably, the military court found virtually no basis for a trial; but CONADEP issued its "Nunca Mas" report on 20 September 1984, documenting 8,961 cases of disappearances and 340 clandestine detention centers, and denounced over 1,500 named military and police officers for these cases. According to executive decree, the case then passed to the Federal Court of Appeals to decide the issue.[10]

In the meantime, President Alfonsín dismantled the Argentine military machine. His administration drastically cut the military budget, forced numerous generals and colonels to retire, and cut salaries for the top officers. They reduced the number of conscripts in the draft, confiscated military industries and real estate assets, and civilianized military education institutions and the defense ministry. Congress passed legislation redefining the military mission, to confine it to national defense against external threats only. In preparation for the trials, Alfonsín distinguished three levels of responsibility: those who gave orders, those who exceeded orders, and those who followed orders. The new president seemed to sense the need for some degree of restraint, and wanted to punish the first two groups, but hesitated to condemn the entire military institution.[11] For most of 1985, the entire nation observed in fascination the unfolding drama of the most important criminal trial in its history.

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[10] Ibid., 19-21.

[11] Norden, *Military Rebellion in Argentina*, 84-96.

The Argentina Federal Court of Appeals convened in the Federal Capital, Buenos Aires, on 22 April 1985. Nine former general officers stood trial not for the 1976 coup or for the Malvinas War, but for crimes against humanity: homicide, torture, kidnapping, illegal detention, and robbery. The court could not try the defendants for "disappearances", because no law existed to prohibit this activity. Another factor made prosecution difficult: to prove homicide, the law required the physical body as evidence, and virtually thousands of bodies no longer existed in identifiable form. Most of the bodies had been reduced to ashes in crematoriums, or lay at the bottom of the Atlantic. From 22 April to 14 August 1985, 833 persons testified for the panel of six judges. The state "fiscales", or prosecuting attorneys, presented the case of the state from 11 to 18 September, and the defense attorneys argued the case of their clients from 30 September to 21 October. Finally, on 9 December 1985, the court issued its lengthy sentence, convicting five of the defendants and acquitting the other four.[12]

Both the prosecution and the defense dwelt extensively on the issue of whether or not a war actually existed, on appropriate behavior in wartime, and on individual versus institutional responsibility. In the prosecution's closing arguments, chief prosecutor Julio César Strassera asked rhetorically, "Was there a war?" He indicated that no Proceso documents mentioned any declaration of war, and all military losses from 1976 to 1982 occurred during criminal acts

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[12] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 22-23.

(assassination) or in defending against guerrilla attacks on military installations. Strassera said that kidnapping, torture, and execution of unarmed prisoners could not be considered acts of war, but mere acts of common criminals. Although he admitted that "we now accept the theory of war", Strassera insisted these acts "exceeded the necessities of combat....not to be permitted even in war". However, the prosecutor cautioned, "This process (trial) has not been directed at (the armed forces), rather against those responsible for its conduct in the period 1976 to 1982. The armed forces are not in the seat of the accused, just (those specific) persons" indicated. Strassera closed his comments with, "Henceforth, from this trial and condemnation that I propose, we have the responsibility for a peace based not in forgetting, but in memory. Not in violence, but in justice. This is our opportunity. And perhaps it is our last."[13] The prosecution's case demanded only that the top military leaders, those who gave the orders, be condemned for crimes against humanity. Strassera and the other prosecutors hesitated to condemn the entire military institution as too drastic a reaction, but wanted the doors open for future cases to prosecute other military members who "exceeded" orders.

In the closing arguments for the defense, Admiral Massera's attorney Jaime Prats Cardona led the fight, outlining a number of strong points. Cardona justified the conditional abuse of civil rights, that in a conflict between rights and life, "the

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[13] Ibid., 175-176, 181-182.

state will (and should) preserve life". This would seem an ironic statement, since the armed forces did not try terribly hard to "preserve life" any more than "rights" during the war. The attorney reminded the court of irrefutable testimony where the guerrillas themselves first recognized that an unconventional, real war existed, and that they intended to annihilate the Argentine military as one of its principal war aims. Cardona pointed out that not only did a significant proportion of society actively support military aggression to address the threat, but also that a constitutional, democratic, civilian government ordered the military to contain the insurgency in 1975. He indicated that this war had been atypical, therefore the rules of engagement had to change too. Since the terrorists killed innocent citizens and executed unarmed captives, Cardona implied that response in kind must be expected, if not justified. The defense attorney pointed out that the prosecution had been careful to attack only the methods used, but not the act of repression itself. Cardona added that they must seriously question the validity of many of the testimonies presented to the court, because so many of the witnesses' first-hand experiences with repression disallowed objectivity, or they could even have possibly been members of subversive organizations.[14] The defense failed, however, to demonstrate possible doubt that the defendants did indeed commit murder, kidnapping, robbery, and illegal detention. The lawyers only sought to describe the actions as justifiable "errors", as the results of war.

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[14] Ibid., 198-200.

Most of the accused submitted short statements of self defense, expressing remorse for what had happened (in generalities) but denying personal or institutional responsibility for military actions in the dirty war. Admiral Massera produced possibly the best example of military thought during the Proceso era, in his statement of self defense:

> I have not come to defend myself. No one has to defend himself for winning a just war. And a war against terrorism was a just war....If we had lost, we would not be here – neither you nor I – because long ago the judges of this court would have been substituted for turbulent courts of the people and a ferocious and irreconcilable Argentina would replace the old fatherland...We won the armed war and lost the psychological war....We were absorbed in an armed struggle, and we were convinced we were defending the nation, and we were convinced our compatriots not only supported us, but they even incited us to win because it was to be a triumph for all. When the enemy realized they were losing the war, they mounted a spectacular movement....on the sacred theme of human rights. No one ever said anything about the victims of terrorism. What about the police, the soldiers, the civilians who were victims – many times indiscriminate – of subversive violence? Have they fewer rights or are they less human?....The accusation has done nothing more than try to demonstrate that excesses were the norm among the legal forces.

Naturally, this just is not true. Anyone can imagine that nothing will (magically) transform officers in the army, air force, and navy into a band of assassins who lose all ethical sense at night. But what is unnecessary to demonstrate is that in a terrorist organization, excess is most certainly the norm, simply because excess is its reason to exist....I am responsible for any errors they (subordinates) may have committed...all my subordinates...fulfilled my precise orders....I, and only I, have the right to face my accusers. To place others here would be to place Argentina herself before the accusers, because in truth I tell you that Argentina liberated and won its war against national dissolution.[15]

Massera's testimony had numerous snippets of truth, but failed to address the real issue: did he order subordinates to kill, kidnap, and steal? However, he raised the interesting question of what possible ramifications would have occured had the military not defeated the armed terrorist organizations. He also cautioned the court to not forget who instigated the war, who won the war, and that they needed to apply justice both ways. Still, at the end of the trial, Massera was just another convicted criminal.

With the arguments completed, the six-judge panel carefully considered all the evidence and tried to ignore personal feelings. They considered all written

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[15] Ibid., 203-205.

documents, the declarations of the ex-commanders, the 833 testimonies, the allegations of both prosecution and defense, and all pertinent evidence on existing doctrines, theory, and national and international antecedents. Army records showed 21,642 documented guerrilla actions between 1969 and 1979. The Army claimed guerrilla organizations numbered around 25,000 persons in 1975, of which 15,000 served in violent armed roles. Human rights organizations submitted more conservative estimates of no more than 1,300 terrorists in that same peak year, and that no more than ten percent of those documented as disappeared in the "Nunca Mas" report could have been actual terrorists. With more than 200,000 members in the combined armed forces, the prosecution remained skeptical as to the true threat posed by guerrilla military actions.[16] Nevertheless, in the final sentencing, the tribunal admitted that the terrorist activity constituted a serious "aggression against Argentine society....and that the state had to react to prevent a growth that would endanger institutions and the philosophy of the national constitution".

The judges outlined a few things the military could have tried, or done better, like dictate a new penal code to accelerate the trials of subversive terrorists, better nurture and protect a justice department to do this kind of work, officially declare a state of war, and better utilize guerrilla defectors.[17] However, the court agreed with the prosecution, that the juntas deliberately planned and executed a

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[16] Ibid., 263-279.
[17] Ibid., 285-286.

policy of covert repression as its main weapon against subversion; to kidnap, interrogate, torture as "necessary", and all in complete secrecy. The government denied the victims' existence, and commanders gave subordinates wide latitude to determine the fate of their victims.[18] Finally, the court read the verdicts and sentences, condemning five for homicide, torture, kidnapping, and robbery: General (ret.) Jorge Rafael Videla, guilty, life imprisonment; Admiral (ret.) Emilio Eduardo Massera, guilty, life imprisonment; Brigadier (ret.) Orlando Ramon Agosti, guilty, four years and six months imprisonment; Lieutenant General (ret.) Roberto Eduardo Viola, guilty, seventeen years imprisonment; Admiral (ret.) Armando Lambruschini, guilty, eight years imprisonment. The court found the other four defendents (brigadiers Omar Graffigna and Basilio Lami Dozo, Lieutenant General Leopoldo Galtieri, and Admiral Jorge Anaya) not guilty, but reserved the right to try them for other crimes committed when serving in military duties other than in the ruling juntas. In addition, in the last part of the sentencing, the judges indicated that more trials would follow, possibly prosecuting up to 1,700 other military defendants, "to divide the guilty from the innocent".[19]

This sentence unsettled the officer corps, who refused to accept what they regarded as a national betrayal; but human rights organizations remained appalled at

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[18] *Truth and Partial Justice in Argentina*, 34-35.

[19] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 298-299, 301-302.

what they considered a weak, fearful effort. After the last court session, one of the judges remarked to a journalist:

> We accept the criticism. Since this trial started, (we were) criticized. But those who say that the sentence is weak do not realize we had to carry out this trial against wind and tide, amid the silence of most of the political class....but also understand we sentenced them according to proof (of evidence)....and not just how it seemed to us.[20]

Although the acquittals surprised and outraged many in Argentina and in other nations, Argentina won respect for the court's scrupulous observance of Argentine law and international standards. This established a more assertive, independent judiciary – something notoriously absent from Argentine history. The defendants naturally appealed the federal appellate court decision. A year later, in December 1986, the Argentina Supreme Court upheld the decision and the five officers went to prison.[21]

Also in December 1986, the courts convicted five Federal Police officers for war crimes, with sentences ranging from 4 to 25 years, but the government took steps to limit future prosecutions. The Alfonsín administration announced in December 1986 that they would try only those military personnel officially indicted

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[20] Ibid., 28.

[21] *Truth and Partial Justice in Argentina*, 38.

within the next sixty days. This "Punto Final" document, passed by Congress, effectively limited human rights cases by refusing to recognize any more cases after 22 February 1987. The government wanted to alleviate concern and unrest in the armed forces, but the courts worked feverishly through the holidays to process as many cases as possible.[22] In April 1986, the Defense Ministry had instructed military prosecutors to consider innocent all personnel who had just "obeyed orders", so the military courts began to acquit defendant after defendant under their own "due obedience" law.[23] The Punto Final document then eliminated new cases, allowing only those with actual indictments accomplished before the 22 February deadline.

Still, the armed forces felt that the Alfonsín administration approached military policy too aggressively, not cooperatively, and at times they protested vigorously. The government allowed public condemnation of the entire military institution in the press and electronic media without positive restructuring, so Alfonsín's "quest for control" did not subordinate them as much as alienate them. In addition, the army suffered from internal ideological and political cleavages that would not go away. A Peronist-Nationalist faction of mid- to low-level officers, mostly infantry, refused to accept degradation while the rest of the army seemed content to ride out the storm. These rebels, led mainly by Aldo Rico and

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[22] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 315-316.
[23] Ibid., 315.

Mohammed Ali Seineldín, pledged to not allow further threats to the Argentine military.[24]

During Holy Week in April 1987, Lieutenant Colonels Ernesto Barreiro and Aldo Rico led the rebellion of "carapintadas" (or "painted faces", for the camouflage makeup they wore) known as "operation dignity". They demanded complete amnesty for the military, the resignation of Army Joint Chief Héctor Ríos Ereñú, and to "cease the hostile campaign against the army through the communications media". President Alfonsín met with the rebel leaders, who backed off and returned peacefully to the barracks. However, the government did induce General Ríos Ereñú to resign, and Alfonsín responded on 14 May 1987 with a confirmation of the military "Due Obedience" law, effectively canceling numerous pending cases of human rights abuses involving lower-ranking personnel. Due obedience limited prosecution to only those who gave, or originated the orders, and those who exceeded orders; the courts could not prosecute those who "merely followed orders".[25] In a smaller, but related rebellion, Aldo Rico led a small armed force in January 1988 to protest his own arrest at Monte Caseros, Corrientes Province. In these two incidents, the military rebelled not for budgets or political power, but merely for prestige. They felt the trials interfered with internal military affairs, unfairly condemned the entire military

[24] Norden, *Military Rebellion in Argentina*, 105, 122-124.

[25] Ciancaglini and Granovsky, *Nada Mas Que la Verdad*, 316-317.

institution, and portrayed them all as criminals and the enemy as innocent victims. Although huge civilian demonstrations opposed the Holy Week rebellion, inducing Alfonsín to act, the rest of the military did not. Those who did not participate tended to at least sympathize with the rebels.[26]

Nearly a year later, Colonel Seineldín led the "Operation Virgen of the Valley" rebellion at Villa Martelli in December 1988, and demanded higher prestige and status of the military as an institution. In addition to impunity in civilian courts of law, they demanded the retirement of the Army Chief of Staff Caridi, an end to all human rights abuse trials, amnesty for acts committed in the dirty war, and an increase to the military budget. Then, in a "gallant" personal gesture, rebel leader Seineldín demanded sole responsibility for the rebellion, with a military (not civilian) court trial to follow.[27] The revolt turned tense as the rebels seized the Campo de Mayo military base in the Buenos Aires suburbs, and unarmed civilian crowds surrounded the base in counter-protest. At the end of the third day of the rebellion, 4 December 1988, the rebels suddenly surrendered, and Alfonsín assured the public that no negotiations had taken place. However, within a month, the military received a 20 percent pay raise, Caridi had resigned, and the rebel leaders received military court trials and minor disciplinary sanctions. In addition, the government did not pursue any more significant prosecutions for the rest of

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[26] Norden, *Military Rebellion in Argentina*, 125.

[27] Ibid., 134.

Alfonsín's term of office.[28]   The military rebellions succeeded in their main

objectives: to blunt the attack of the human rights groups demanding unending

trials, and to establish more internal control within the military institution.

Only a month later, on 23 January 1989, the military received an

unexpected shock as several dozen members of the ultra-leftist nationalist "All for

the Fatherland Movement" attacked the La Tablada military base in Buenos Aires

Province. They apparently hoped to spark a massive popular uprising, but didn't,

and the military required nearly two days to defeat the guerrillas. Over 40 soldiers

and guerrillas died, more than 100 wounded, and the army took 20 of the attackers

prisoner. Authorities linked several of the leaders with the former ERP, and the

attack nearly reversed public opinion to support for military action. President

Alfonsín even congratulated "those (military men) who carried out this important

action and saved the country…from really important evils". [29]

Other disturbing information and actions followed the La Tablada

incident. Amnesty International and other human rights organizations alleged that

the military did not call the police or National Guard, responded with deadly force,

and ignored guerrilla attempts to surrender. The army forces failed to use tear gas

and other non-lethal methods. Some attackers who had surrendered "disappeared",

and interrogators beat and tortured several of those captured. A few guerrilla

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[28] Brysk, *The Politics of Human Rights in Argentina*, 102-103.
[29] Ibid., 118-119.

corpses turned up mutilated beyond recognition. The government created a National Security Council composed of military officers to advise the president and direct anti-guerrilla policy, in direct contradiction to law. Even most of the human rights groups (except the Mothers of the Plaza) condemned the attack, siding with the military action as justified.[30] The return of guerrilla activity did not result in a return to widespread repression, and the human rights movement in Argentina did manage to play a legitimate role to limit the state's coercive forces, but Argentine society again seemed to move disturbingly toward the acceptance of institutionalized violence to resolve conflict. The military used the attack to justify the war on subversives and as proof of their subsequent victimization and punishment. During the Alfonsín presidency, military rebellion managed to return the military to a more prestigious role and had won every concession they demanded, except amnesty.

In May 1989, Peronist candidate Carlos Menem won the presidency, and his party won control of Congress. Almost immediately, Menem announced his intention to pardon all those involved in the 1970's dirty war, on both sides of the conflict. On 7 October 1989, his executive decree freed 39 military officers, 64 ex-guerrillas, the junta responsible for the Malvinas War, and 164 officers involved in the recent rebellions of the late 1980's. Menem discharged Aldo Rico and retired Mohammed Seineldín. On 29 December 1990, Menem issued a full pardon

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[30] Ibid., 120-121.

freeing Videla, Massera, and Viola. (Lambruschini and Agosti had completed their prison terms). This same pardon also included the former Montonero chief Mario Firmenich, who had been extradited from Brazil in October 1984 and convicted in November 1985. Menem defended his actions, that "We can't look back. (We must) stop with this dark period of Argentine history, because on the contrary, every time we ask (to reexamine the conduct) of a member of the armed forces, we will have these kinds of problems" (referring to the rebellions). On 2 November 1994, President Menem publicly thanked the military for their "triumph in the Dirty War that placed the (Argentine) community on the border of dissolution".[31] Perhaps this statement went a bit too far, but he made an important point crucial to national healing: justice may never be satisfied, but reconciliation would prove vital to future peace and order in Argentina. Menem considered this much more important than dredging up more past abuses to rectify.

Menem succeeded in pacifying the military in the 1990's because he became proactive in balancing military concerns with strict economic reform. He provided legitimate missions for the military, such as counter-drug and international peace-keeping operations in cooperation with the United Nations, instead of spending excessive energy preventing their intervention in internal affairs. The President, with Congressional support, privatized and downsized military industries, sold valuable military real estate, and used the considerable

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[31] Ciancaglini y Granovsky, *Nada Mas Que la Verdad*, 319-323.

revenues to pay foreign debts and to modernize weapons and equipment. The government cut troop allotments nearly in half, reduced the draft, and consolidated or closed several units and bases. Menem emphasized quality and modernization, and retired scores of old generals and colonels who no longer had real jobs to do. The administration made promotions more competitive, strengthened reserve and ROTC programs while reducing the active full-time forces, and established military educational ties to civilian institutions. Menem halted the nuclear weapons program completely and signed a non-proliferation treaty with Brazil, liberating massive funds for more productive uses. He canceled the Condor II Intermediate-Range Ballistic Missile program, and even managed to settle a long-standing territorial dispute with Chile without even consulting the armed forces.[32] The presidential pardons for war criminals removed the sense of threat to the military as an institution. Menem succeeded in modernizing and pacifying the Argentine armed forces because he removed police responsibilities from military duties, and ensured civilian control over the defense ministry and national intelligence. In addition, the new-found government efficiency in economic policy proved soothing to military leaders. Today, however, the Argentine military still enjoys significant coercive potential. Although much smaller, they have become a much better-trained and -equipped armed force, smarter and more modern, and

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[32] Paul W. Zagorsky, "Civil-Military Relations and Argentine Democracy: The Armed Forces Under Menem". *Armed Forces and Society*, vol. 20, No. 3 (Spring 1994), 423-437.

streamlined in organizational leadership. Perhaps, only the continued progress of democracy and economic growth may completely remove the armed forces as a threat to repeat its past repressive practices.

While the Alfonsín administration focused on accountability and judgment of the military Proceso-era government, the Menem regime turned to an attitude of reconciliation. CONADEP's "Nunca Mas" report and the military trials of 1985 exposed much of the military's horrific illegal activity in the last stage of the Dirty War. The prosecution convinced the Federal Court of Appeals that the military leaders of the Proceso era were indeed responsible for murder, rape, robbery, and illegal detention, on a massive scale. Although the defense offered wonderful-sounding rhetoric and made some valid points about the actuality of a war and criminal terrorist activity, it could not excuse their own criminal activity. Based on irrefutable evidence, the court convicted five general officers and a few other military and police officers for crimes against humanity. The Alfonsín government then had to struggle for the next four years with a rebellious military bent on preventing institutional condemnation and disintegration. Military rebellion and Alfonsín's desire to keep the peace resulted in wide concessions for the armed forces, to keep a tenuous hold on the new struggling democracy. Then, the Menem presidency in the 1990's gained the military's support and respect by pardoning all war criminals and creating a leaner, modern, more efficient military institution. For over a decade now, Argentine society has turned its attention more

to the future, and tried to forget the atrocities of the Dirty War, in spite of lingering scars. However, Argentines should always remember the words of federal prosecutor Julio Strassera, that their responsibility for a lasting peace lies not in forgetting, but in memory, and that this is perhaps their last opportunity for such a peace.

Chapter 5

CONCLUSIONS AND REFLECTIONS

The Republic of Argentina has a long history of repeated incidents of political violence. As the founding institution of the nation, the Army has always considered itself responsible for the preservation of internal stability and order, and has fought to ensure for itself a dominant role in Argentina's destiny. Even professionalization and modernization in the early 1900's failed to de-politicize the armed forces, and the 1930 military coup began more than a half-century of military rule or guardianship. The last military government, called the Process of National Reorganization (1976 to 1983), culminated in the most repressive and infamous military rule in Latin American history, with the institutionalization of state-sponsored terrorism.

Leftist ideologies had grown steadily during the era of economic liberalization and massive immigration, 1880 to 1930, in reaction to the social inequalities of imperialist capitalism and economic domination of the Argentine landed oligarchy. They dramatically increased their influence in national affairs with the rise (and communist adoption) of Peronism in the 1940's, and became the

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who increasingly turned to violent methods of protest and advocated armed struggle for the purpose of inciting a social revolution in Argentina.

With the return of Juan Perón in 1973, the leftist guerrilla organizations not only grew tremendously in membership, but also militarized their organizations and elevated the scope of violence with the expressed aim of destroying the government and its coercive institutions. The Montoneros and the ERP probably numbered nearly 5,000 armed combatants at their peak in 1975, plus sympathizers. Although small in numbers, they proved effective in mounting numerous kidnappings and assassinations, as well as some spectacular military assaults with the latest in modern weaponry. They consistently stated that a war existed, and that the objectives of this war included the elimination of the military and police forces, and a complete social revolution of Argentine institutions. Although at first largely tolerated by Argentine society, between 1970 and 1973, they quickly lost the public's confidence as the violence grew more widespread and indiscriminate. Even President Perón denounced the rebels as mere terrorists, and allowed a fanatical right-wing group (Triple A) to hunt down and execute Argentine leftists with complete impunity. By the end of 1975, the war had paralyzed the government, who turned again to the military to defeat the guerrilla threat and restore order and peace.

On 24 March 1976, the military assumed complete control of the government because large sectors of society wanted them to do so, and because

they correctly perceived the guerrilla movements as legitimate threats to a social order and tradition they wished to preserve. Amid economic and political chaos, the Argentine armed forces restored economic stability (temporarily), then planned and executed the annihilation of the terrorist organizations. By 1979, the military had won the armed struggle, but lost the psychological struggle because they achieved their goal at the expense of literally thousands of innocent civilian lives, the victims of an over-zealous military bent on winning at any cost.

The numerous human rights organizations succeeded in exposing at least 8,000 to possibly as many as 30,000 deaths perpetrated by the Argentine armed forces during the war. In addition, these accounts included the widespread use of torture, and incidence of rape, kidnapping, and robbery. The military leadership directed a deliberate and methodical campaign of terror against the entire population, attempting to obliterate all sources of subversion, including leftist ideology as well as terrorist behavior. As a result, the armed forces instituted the practice of "disappearances", to enable them to operate with impunity. Constitutional law ceased to function, and the military became a law unto themselves.

In the aftermath of military failure in the 1982 Malvinas War, the Argentine population stridently demanded accountability for the armed forces' record of human abuses during the Dirty War. The new civilian government elected in 1983, led by President Raúl Alfonsín, fulfilled their campaign pledge to pursue the issue,

and tried nine general officers (former junta members) in the Argentina Federal Court of Appeals in 1985. In a remarkably fair, but controversial outcome, the court convicted five of the officers and sent them to prison. In addition, Argentine courts convicted a few other officers and police leaders for human rights crimes. Following the junta trials, the armed forces rebelled and demonstrated forcefully on several occasions, and progressively won concessions to stop further trials and to exercise more control in internal military issues. However, the rise of Carlos Menem to the Argentine presidency in 1989 ended the protests because he granted a blanket amnesty for all war criminals, and because he attended to the needs and fears of the military members. Only a few officers and guerrillas ever served prison terms.

Most of the literature covering this most infamous era of Argentine history tends to concentrate on the atrocities committed by military members. Historians have been quick to judge these criminals as among history's worst. Perhaps they are, but the Montoneros, the ERP, the Triple A, and others committed atrocities equally reprehensible. However, they tend to fall into secondary importance, perhaps because of the more massive scope of military repression. After living through this dark period, how do the Argentines themselves feel about this part of their history? The military leadership, as evidenced by their testimonies, refused to accept blame and attempted to justify their actions as understandable "errors" in the heat of battle. But then, what of the rest of the military members who did not

participate in the abuses, the former terrorists themselves, and the rest of Argentine society?

The great majority of the terrorists died at the hands of an efficient military counter-terrorist machine. Only a few survived, and even fewer movement leaders. The former tend to just consider themselves fortunate to have survived, with perhaps a hint of bitterness, but more with nostalgia for the camaraderie, excitement, and belonging of the times. The few surviving former leaders, however, persist in glorifying the movements, as unrepentant for their actions as the military. After his release from prison, former Montonero Chief Mario Firmenich commented in May 1995:

> An entire generation was generously sacrificed in a struggle imposed on us as a moral duty in a country that was unjust and without destiny....Such capable and intelligent humanity (was not) led by the nose towards a tragic end....The national pain was made possible by the authoritarian and militaristic culture of which we all formed a part. In that context, political violence was always legitimate.[1]

This guerrilla leader implicated all Argentines as equally responsible for the war, at least in allowing the violence to escalate to the point of institutionalization. The

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[1] Ciancaglini y Granovsky, Nada Mas Que la Verdad, 341.

guerrillas firmly believed there existed no difference between them and the rest of Argentine society; just the military versus everyone else.

According to Lieutenant Colonel (Air Force) Felici, today's Argentine military just wants to serve their nation, but recognizes the scars of distrust that may take many years to erase from civilian memory. However, they consider themselves as victims of historical intransigence and institutional violence as much as the rest of Argentine society. They can legitimately point out that a constitutional, democratic government gave the order to "annihilate subversives", but then failed to provide any further direction for the armed forces to operate. Then, the military took power in the political vacuum left by inept civilian leadership, and fulfilled the mission with a purely military solution for a police issue. From the military point of view, the embarrassing failure was one of leadership. Felici said the top military leaders failed, not just because they allowed abuses to occur, but also "because they failed to perform their sworn duty to preserve and defend the constitution, and to restore the rule of law." He explained that "they operated with legal impunity and allowed the same for subordinates." In addition, the junta leaders "seemed more concerned with their place in history," than with the practical job at hand of reconstructing a shattered economy and legal system. Felici commented further, that the eventual conviction of the junta members "was proper, but for the wrong reasons". The generals most probably did not know the true extent of abuses by their subordinates, although they most

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assuredly should have known (and put a stop to it, of course), but they simply failed to restore constitutional law.[2] This alone could have prevented the majority of the abuses and bloodshed.

The rest of Argentine society also feels some responsibility for creating a situation conducive to the atrocities that occurred. From the first military coup in 1930, to the last in 1976, a significant proportion of the population supported military action, and at least passively encouraged militarization and institutional violence. Three months prior to the departure of the last military junta in December 1983, an article appeared in the publication "Convicción", 21 September 1983:

> We Argentines were in a war. We all lived it and suffered it. We want the world to know that the decision to enter the struggle was provoked and impelled by subversion, not caused by the Armed Forces. Nor was it caused by the Argentine government. All, absolutely all men of good will who inhabit the Argentine land, asked the armed forces to enter the war to win the peace. At the cost of any sacrifice….And just like any other war, ours also had its price.

The article further acknowledged atrocities on both sides, deaths and disappearances, all accomplished for their "right to peace," and questioned by a

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[2] Felici, Interview, 16 March 1998.

small minority. It pointed out that others died also, who had intended to "impose extreme ideologies, and a way of life totally foreign to our national sentiment. That was the price of war in Argentina." This article bore the signatures and endorsements of over a hundred large, private institutions in Argentina, including the Bankers Association, the Lions and Rotary clubs, the Stock Market of Buenos Aires, the Chamber of Commerce, the Cancer League, and numerous other business, professional, educational, and associational organizations.[3]   Critics may claim that the traditional elite, historically allied with the military, control most of these institutions, but most of the organizations' membership tend to come more from the middle class.

Perhaps the old Argentine statesman, Arturo Frondizi, provided the best evaluation of the situation in his own testimony at the junta trials, 16 May 1985. Although he expressed outrage at the loss of three nephews disappeared and his own brother's brutal execution at the hands of the military, the ex-president frankly forgave the military perpetrators:

> As long as hate and rancor dominate, reconstruction of the nation will be impossible. That is what we need now. That there be justice, but more so that we dedicate ourselves to rebuild our nation....I don't want to leave seeds of hate for the new generation....I've repeatedly said that the armed

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[3] Díaz Bessone, *Guerra Revolucionaria en la Argentina*, 343-344.

forces in Argentina may have committed many errors, but they are a fundamental institution of the country; and that without national armed forces, within a constitutional framework, we will not be able to rebuild the nation! For this reason I have insisted on the necessity that while these trials may seek justice, they should not transform themselves into a dismantling of institutions.[4]

Justice will never satisfy all the wrongs committed in Argentina's Dirty War of the 1970's. Memory, not forgetting, will prevent future abuses, with significant assistance from economic growth and democratic development. The Argentine people must continue to seek peace and reconciliation, not the intransigent demands of justice, to heal the wounds of a long past of institutionalized violence.

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[4] Testimony, Arturo Frondizi, 16 May 1985.

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* Note: For all Spanish-language publications and documents, the author translated all quotations to English. The author alone is responsible for any errors in linguistic interpretation.

VITA

Wayne Peter Magnusson was born in Mesa, Arizona on 21 March 1960, the son of Donna Mae Merrill Magnusson and Eldon M. Magnusson. After graduation from Westwood High School, Mesa, Arizona, in 1978, he attended Mesa Community College in the same city for one year, then served a mission for The Church of Jesus Christ of Latter Day Saints in Buenos Aires, Argentina from July 1979 to July 1981. After an additional year at Mesa Community, he entered Arizona State University (ASU), Tempe, Arizona, in 1982 and earned a Bachelor of Arts degree in Spanish and Secondary Education in May 1986. He was employed as a teacher of Spanish, History, and Geography, and coached football and baseball for Seligman Unified School District, in Seligman, Arizona, from 1986 to 1988. He then taught Spanish, History, Geography, and American Civics, and coached football and basketball for Humboldt Unified School District in Dewey/Prescott Valley, Arizona, from 1988 to 1991. Between teaching semesters, he attended summer sessions at ASU and earned a Master of Education degree in July 1991. In August 1991, he entered the United States Air Force through Officer Training School at Lackland AFB, Texas. He has served in various positions as an Air Force officer at Davis-Monthan AFB, Arizona, and at Howard AFB, Republic of Panama, and King Abdul Aziz Air Base, Kingdom of Saudi Arabia. In January 1997, he entered the Graduate School at The University of Texas at Austin, on an Air Force Institute of Technology sponsorship, Air Force Academy faculty preparation program.

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