Memory, truth and justice: A contextualisation of the uses of photographs of the victims of state terrorism in Argentina, 1972-2012: Communicating an intersection of art, politics and history

Richard Askam

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By

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Submitted August 2014
ABSTRACT

Photographs of the victims of Argentine state terrorism from 1972 to 1983, and most prominently those of the *detained-disappeared* victims of the *Proceso de Reorganización Nacional* dictatorship (1976-1983), have had a significant role in elucidating the demands of human rights activists since the aftermath of the *Trelew Massacre* in 1972. In this thesis I examine the role of photographs of victims of state terrorism in the construction of unofficial, or counter, narratives critical of those produced by two dictatorships and by elected democratic administrations in the demand for truth and justice, and in the construction of social memory. I discuss how the photographs have operated during distinct historical periods and the threads that have emerged in response to the longer timeframe of state terrorism (1972-1983), in terms of what sociologist Daniel Feierstein (2011) calls explanatory frameworks. Feierstein’s term looks at how state terrorism has been approached in distinct political periods. Those explanations include war and genocide.

In order to answer the questions; how do bodies of photographs articulate and at times drive political and social debates regarding state repression in Argentina, and how are they used to frame an understanding of state violence during changing political conditions?, the study embeds the use of photographs by artists and activists within an extensive historical narrative constructed from the data retrieved from a number of key publications from the 1970s and 1980s and archival documents and photographs held by human rights organisations in Argentina.

The study addresses significant gaps in existing scholarship. Much existing literature focuses on the *Mothers of the Plaza de Mayo*’s use of photographs of the *detained-disappeared* victims of the *Proceso de Reorganización Nacional* during that dictatorship. These analyses are dominated by the application of Barthesian
photographic theory that rests on photography’s capacity to simultaneously represent absence and presence (Barthes, 1981; Longoni, 2010; Tandeciarz, 2006; Taylor, 2002). That period is one significant part of a longitudinal campaign conducted in Argentina from 1972. This thesis furthers the discussion, particularly in the examination of the continued use of photographs by one of the two factions of the organisation; the Mothers of the Plaza de Mayo: Founding Line, following the organisation’s 1986 split, and by an examination of the role of a small number of photographs of victims taken in a Clandestine Detention Centre (CDC).

From the Proceso the use of photographs has been informed by the imposition of limits with respect to information on the fate of victims and by the demand for information on the victims. The small number of state produced photographs or repressive photographs (Sekula, 1986) emerged into the public realm in 1984 and formed part of the records produced for all victims held in Clandestine Detention Centres.

Allan Sekula’s honorific and repressive photographic poles underpins my analysis of the importance of photographs during distinct political periods and their uses in art works, the legal arena, and in demonstrations. I examine how those repressive and honorific (Sekula, 1986) and disciplinary photographs (Tandeciarz, 2006) which originated in the family realm or non repressive state agencies have underpinned the pursuit of truth and justice. Only through an extensive examination do core aspects of the uses of photographs of victims of state terrorism emerge with clarity.
I certify that this thesis does not, to the best of my knowledge and belief:

i. incorporate without acknowledgment any material previously submitted for a degree or diploma in any institution of higher education;

ii. contain any material previously published or written by another person except where due reference is made in the text of this thesis; or

iii. contain any defamatory material;
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I would also like to thank Las Madres de Plaza de Mayo: Línea Fundadora and organisations within Encuentro, Memoria Verdad y Justicia including the Association of Ex Detained-Disappeared for restoring my faith in the validity of oppositional politics particularly Adriana Calvo and other survivors, and Myriam Bregman of PTS and Justicia YA! in their pursuit of a specific type of legal justice for Proceso crimes.

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ABBREVIATIONS AND ACRONYMS

AAA Alianza Anticomunista Argentina Argentine Anti-Communist Alliance
AAJ Asociacion Americana de Juristas American Association of Jurists
ABO Atlético-Banco-Olimpo
Abuelas de Plaza de Mayo Grandmothers of Plaza de Mayo
AEDD Asociación de Ex Detenidos Desaparecidos/ Association of Ex Detained and Disappeared
AFyAPPA Asociación de Familiares y Amigos de los Presos Políticos de la Argentina Association of Families and Friends of Argentine Political Prisoners
AISC Argentine Information Service Centre
AMN Archivo Nacional de la Memoria National Memory Archive
ANC Acción Nacional Católica National Catholic Action
ANCLA Agencia de Noticias Clandestina Clandestine News Agency
APDH Asociacion Permanente por los Derechos Humanos /Permanent Assembly for Human Rights
ARA Bureau for American Republic Affairs
ARGRA Asociación de Reporteros Gráficos de la República Argentina Photojournalists Association of the Argentine Republic
Asamblea de San Telmo San Telmo Assembly
Asociacion de Abogados por la Justicia y la Concordia Association of Lawyers for Justice and Harmony
Asociación Gremial de Abogados de Buenos Aires Guild Association of Lawyers of Buenos Aires
Asociación Madres de Plaza de Mayo Mothers Association of Plaza de Mayo
AUNAR Asociación Unidad Argentina Unity Association Argentina
AVTA Asociación de Víctimas del Terrorismo de la Argentina Association of Victims of Terrorism of Argentina
BMAC Buena Memoria Asociación Civil Good Memory Civil Association
C.A.D.H.U Comisión Argentina de Derechos Humanos Argentine Commission for Human Rights
CAYC Centro de Arte y Comunicacion Centre of Art and Communication
CCDTyE Centro Clandestino de Detención, Tortura y Exterminio Clandestine Centre of Detention, Torture and Extermination
CCxMTw Centro Cultural por la Memoria de Trelew Cultural Centre for the Memory of Trelew
CDC Clandestine Detention Centre
CeDInCI Centro de Documentación e Investigación de la Cultura de Izquierdas en Argentina Centre of Documentation and Research of the Culture of Leftists in Argentina
CELS Centro de Estudios Legales y Sociales Centre of Legal and Social Studies
CENBA Centro de Estudiantes del Colegio Nacional de Buenos Aires
CeProDH El Centro de Profesionales por los Derechos Humanos Professional Centre for Human Rights
CGT Confederación General del Trabajo de la República Argentina General Confederation of Labour of the Argentine Republic
CGTA Confederación General del Trabajo de los Argentinos General Confederation of Labour of the Argentines
CIDH/IACHR Comisión Interamericana de Derechos Humanos Inter-American Commission of Human Rights
Comisión de Familiares de Patriotas Fusilados en Trelew Commission of Relatives of Patriots shot in Trelew
Comisión Provincial por la Memoria Provincial Commission for Memory
CONADEP Comisión Nacional sobre la Desaparición de Personas National Commission on the Disappearance of Persons
Convergencia Socialista Socialist Convergence
CORREPI Coordinadora Contra la Represión Policial E Institucional Coordination against Police and Institutional Repression
CO.SO.FAM Comision de Solidaridad de Familiares de Presos Políticos y Desaparecidos en Argentina Commission of Solidarity of Political Prisoners and Desaparecidos in Argentina
CNBA Colegio Nacional de Buenos Aires National School of Buenos Aires
CNCP Cámara Nacional de Casación Penal National Chamber of Criminal Appeals
CNU Concentración Nacional Universitaria National University Concentration
CTERA Central de Trabajadores de la Educación de la República Argentina
DINA Dirección de Inteligencia Nacional Directorate of National Intelligence
DIPBA/DIPPBA Dirección de Inteligencia de la Policía de la Provincia de Buenos Aires Intelligence Directorate of the Police of the Province of Buenos Aires
EAAF Equipo Argentino de Antropología Forense Argentine Forensic Anthropology Team
EMVyJ Encuentro Memoria Verdad y Justicia Memory Truth and Justice Meeting
ESCCP Escuela Superior de Comercio Carlos Pellegrini/ Superior School of Commerce Carlos Pellegrini
ESMA Escuela de Mecánica de la Armada Naval Mechanics School
Familiares de Desaparecidos y Detenidos por Razones Políticas Relatives of the Disappeared and Detained for Political Reasons
FAP Fuerzas Armadas Peronistas Peronist Armed Forces
FAR Fuerzas Armadas Revolucionarias Revolutionary Armed Forces
FBI Frente Brasileira de Informação Brazilian Information Front
FEDEFAM Federación Latinoamericana de Asociaciones de Familiares de Detenidos-Desaparecidos Latin American Federation of Associations of Families of Detained-Disappeared
FLS Frente de Lucha de los Secundarios Front of Struggle of the Secondary Students
FMHSA Fundación Memoria Histórica y Social Argentina Argentine Historical and Social Memory Foundation
FREJULI Frente Justicialista de Liberacion Justicialist Front for Liberation
FREPASO Frente por un País Solidario Front for a Country in Solidarity
FUA Facultad de Urbanismo y Arquitectura Faculty of Urbanism and Architecture
GAC Grupo de Arte Callejero Street Art Group
GOR Grupo Obrero Revolucionario Revolutionary Workers Group
H.I.J.O.S Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio Children for Identity and Justice, Against Oblivion and Silence
HRO Human Rights Organisation
HRW Human Rights Watch
ICTJ International Centre for Transitional Justice
INDEC Instituto Nacional de Estadística y Censos National Institute of Statistics and Censuses
IPS Instituto del Pensamiento Socialista Institute of Socialist Thought
IUNA Instituto Universitario Nacional del Arte National University Institute of Art
IU Izquierda Unida United Left
JP Juventud Peronista Peronist Youth
JUP Juventud Universitaria Peronista Peronist University Youth
MACLA Museo Arte Contemporánea Latina America Latin American Contemporary Art Museum
Madres de Plaza de Mayo: Línea Fundadora Mothers of Plaza de Mayo: Founding Line
MEDH Movimiento Ecuménico por los Derechos Humanos Ecumenical Movement for Human Rights
Memoria Abierta Open Memory
MICLA Movimiento por la Independencia Cultural de Latino Americano Cultural Independence Movement of Latin America
MIR Movimiento de Izquierda Revolucionaria Movement of the Revolutionary Left
MJDH Movimiento Judío por los Derechos Humanos Jewish Movement for Human Rights
MPA Movimiento Peronista Auténtico Authentic Peronist Movement
MST Movimiento Socialista de los Trabajadores Socialist Workers Movement
MTD Movimiento de Trabajadores Desocupados Movement of Unemployed Workers
PCA Partido Comunista de Argentina Communist Party of Argentina
PCML Partido Comunista Marxista-Leninista Marxist-Leninist Communist Party
PCR Partido Comunista Revolucionario de la Argentina Revolutionary Communist Party of Argentina
Peronismo de Base Peronist Base
PJ Partido Justicialista Justicialist Party
PO Partido Obrero Worker Party
PRT-ERP Partido Revolucionario de los Trabajadores-Ejército Revolucionario del Pueblo Revolutionary Workers Party-People’s Revolutionary Army
PST Partido Socialista de los Trabajadores Socialist Party of the Workers
PTS Partido de los Trabajadores Socialistas Socialist Workers Party
ReFeSIM Red Federal de Sitios de Memoria Federal Network of Sites of Memory
UBA Universidad de Buenos Aires University of Buenos Aires
UCR Unión Cívica Radical Radical Civic Union
UEJN Unión de Empleados de la Justicia de la Nación Union of Justice Employees of the Nation
UES Unión de Estudiantes Secundarios Union of Secondary School Students
UNC Universidad Nacional de Córdoba National University of Cordoba
GLOSSARY

**Capucha** Hood Sensory deprivation used during the *Proceso* in clandestine detention centres including on the third floor of the ESMA. The practice made identification of repressors and victims by survivors much more difficult

**Centro Clandestino de Detencion (CCD)** Clandestine Detention Centre (CDC). The CDC’s are also known as *Centro Clandestino de Detencion, Tortura y Exterminio (CCDTyE)* or Clandestine Centre of Detention, Torture and Extermination. I use CDC for brevity

**Detenida/o-Desaparecida/o** Detained-Disappeared victim. Those kidnapped by the armed and security forces. Detained-Disappeared is the term used by HROs in order that the disappearances are understood to be enforced acts

**Enfrentamiento** Confrontation (i) armed violence between guerrillas and armed forces (ii) most well known as a military explanation for the appearance of corpses in public places after detainees had been held in CDCs

**Guerra Sucia** Dirty War Euphemistic term used by the military to justify illegal repressive mechanisms

**Ley de fuga** Law of Escape Second explanation provided for the public appearance of corpses. It means the victims were killed when trying to escape from detention

**N.N Ningun nombre** victims buried in cemeteries without identification

**El Proceso de Reorganizacion Nacional** The Process of National Reorganisation The name the 1976-1983 military-civilian dictatorship gave to its project I refer to the dictatorship as a military dictatorship for brevity I discuss civilian involvement throughout the thesis

**Proceso de recuperacion** recuperation process. A project initiated in the ESMA in 1977. Detainees thought to no longer pose a threat were forced to work in the production of documentary material for ESMA staff during their detention. Inclusion in the project was not a guarantee of survival

**Traslado** Transfer of detainees between CDCs. More commonly used by the armed forces as a euphemism for death
PREAMBLE

Two press photographs taken in Argentina in 2010 articulate the continuing importance of photographs of the *detained-disappeared* in the pursuit of truth and justice, and their role in social memory. These photographs were taken during the trials of former members of the armed forces for crimes committed during *The Process of National Reorganisation* (the *Proceso*) of 1976 to 1983.

The first photograph (Figure P.1) was taken at the trial of Reynaldo Bignone, Argentina’s last military leader. In 2010, Bignone was sentenced to twenty-five years imprisonment. Five other operatives were sentenced to varying terms for crimes committed from 1976 to 1978 at the *Campo de Mayo* army base (*Argentina’s last, 2010*). The image shows the photographs of six of the fifty-six victims in the trial. Photographs of those victims were placed on the courtroom seats by their relatives and Human Rights Organisations (*HROs*). It is estimated that around five thousand people passed through the *Clandestine Detention Centre (CDC)* (*Dandan, 2007b*).

Figure P.1 www.redeco.com.ar
From left to right: Pablo García, Pablo Albarracín, Carlos Roggerone, Marta Eiroa Martiniano, Stella Maris Dorado, Valeria Belaustegui Herrera (see also Calloni, 2010b).
The second photograph (Figure P.2) was taken in November 2010. It shows Nora Cortiñas holding a picture of her son Carlos Gustavo Cortiñas who was *detained-disappeared* in April 1977. There is no information on his fate. Nora Cortiñas is shown standing outside the Buenos Aires court building after testifying at the trial of eighteen people accused of committing crimes at the *Escuela Superior de Mecanica de la Armada* or the *Naval Mechanics School (ESMA)*. The trial focused on the fate of eighty-six victims known to have been held at the *CDC*. Twenty-eight victims remain missing. It is estimated that five thousand people passed through the *ESMA*, though this has not been confirmed by documentary evidence. Around two hundred detainees survived.¹

![Figure P.2 (Yohai, 2010) Cortiñas after testifying](image)

Nora Cortiñas is a member of *Las Madres de Plaza de Mayo: Línea Fundadora* or *The Mothers of Plaza de Mayo: Founding Line*, one of two factions of *Las Madres*. Since 1977, the *Founding Line* has been dedicated to finding information on their *detained-disappeared* children, to pursuing the prosecutions of the perpetrators of *Proceso* crimes and conducting memory activities. Nora’s testimony at the trial focused on the kidnapping and murder of three members of *Las Madres* and nine supporters in December 1977. Nora inserted the circumstances of her son’s *detention-disappearance* ¹

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¹ The number of survivors of specific *CDCs* is not stable. Some detainees were unaware of their place of detention. In 2008 graffiti was found in the *ESMA* that determined where Ernesto de Marco was held. He wrote his name on a wall of the *CDC* in 1978. De Marco believed he was held by police (Meyer, 2008c).
into her testimony (Dandan, 2010c). This move can be considered emblematic of the position or more accurately, the lack of position, allotted to the victims not acknowledged by the current trials, and the importance of photographs of the *detained-disappeared* to her organisation. Many victims were not seen in *CDCs* by the survivors who have provided invaluable but limited information on where some victims were held.
INTRODUCTION

This investigation focuses on the ways in which photographs of the victims of what has been broadly termed Argentine state terrorism (Duhalde, 1999), and more specifically those of the detained-disappeared victims of the Process of National Reorganisation dictatorship of 1976-1983 (the Proceso), have been used to elucidate the demands of social and political activists in Argentina during the forty year period from the 1972 Trelew Massacre.

In December 2013, Argentina marked thirty years of uninterrupted democracy since the end of the Proceso, following oscillations between democratic and dictatorial administrations in the twentieth century. This study well situated to analysis the uses of photographs of victims of state terrorism and the political developments with respect to historical human rights violations, including the recent trials conducted during the Kirchnerist administrations (2003 -). Justice appears to be nearing a close following the April 2013 comments of Martin Fresnada, the National Human Rights Secretary, who announced the government’s aim to end trials which began in 2006, by 2015. That date marks the end of the consecutive Kirchner and Kirchner de Fernández administrations (Con el, 2013). This extensive study examines how photographs have been used in approaches to state terrorism in legal cases, demonstrations, and in artworks. This thesis takes account of Daniel Feierstein’s (2011) term explanatory frameworks for understanding how state terrorism has been approached by human rights activists and governments during distinct political periods.

The narratives produced by relatives of victims, HROs and artists rest on the articulation and constant questioning of the calculated limits imposed by the military on access to information pertaining to the repression through the concealment or destruction of documentation, and operate as critical engagements with the official
narratives of successive governments in the periods prior to, during, and post the Proceso. Complete military records of repression have not emerged in the post-dictatorship period. Fragments of the bureaucratically produced records on CDC victims are in the public realm, including a small number of photographs of victims taken whilst they were held in clandestine detention.

The limited access to information has had and continues to have a profound impact on the meaning of the demands for truth and justice, and on the construction and consolidation of social memory (Mignone, 1989). I discuss the meaning of the demand for truth throughout this chapter and in the methodology chapter. That demand focuses on the fate of victims and the identities of those responsible. The total number of victims has not been established. With respect to justice, it would be more accurate to say that the demand for justice means not just that justice is enacted but refers to the extent and quality of justice sought.

With respect to social memory, I employ the term used in the 1980s by Emilio Mignone, a prominent human rights activist, who broadly defined social memory in terms of cultural products following the release of two films in the mid 1980s, and by Pierre Bourdieu (1990) who discussed photography in terms of social memory. I discuss Bourdieu’s work in the following chapter. I use the term social memory as opposed to other similar terms like Maurice Halbwachs’s collective memory (1950). I avoid imposing that term because there is no reference Halbwachs’s work in the Argentine context in Mignone’s work. However, the terms share common ground and overlap. Hutton (1993) argues that Halbwachs’s defined collective memory in terms of places and images (Hutton, 1993, p.73). Ruchatz (2008) examines photography’s role in collective memory and refers to Bourdieu’s work (Ruchatz, 2008, p.372). The use of photographs
in the construction of social memory had a key stage in the mid 1990s. I discuss one
prominent act in which photographs were used at a school in the last part of this chapter.

In order to analyse the ways in which photographs from state sources and those
from family collections, like that of Carlos Cortiñas, which I referred to in the preamble
have been used, I provide a detailed critical examination of what I determine to be the
key historical and political events from 1972 to 2012. The period prior to the start of the
Proceso provides an insight into the ways in which official and unofficial, or critical
narratives, regarding state repression, have been constructed and to the importance of
photographs of victims to narrative construction.

In Political Violence and Trauma in Argentina (2005), Antonius Robben states
with respect to identifying 1945 as his starting point that “I have resisted the temptation
to begin this book in 1976 when state terror hit Argentina with full force. The dirty war
did not come about all of a sudden” (Robben, 2005, p.xi). Similarly, I avoided
beginning with the Proceso. The impact of the Trelew Massacre is the logical starting
point for this examination. Photographs of the Trelew victims had a central role in the
unofficial narratives opposed to state violence and the official attempts at forgetting
state perpetrated crimes, and thus to the meaning of the democratic period from May
1973. The photographs were integrated into a sophisticated and effectively articulated
response in 1973 in artworks and political protests.

The examination of historical and political events works to contextualise the
durational role of photographs. Much of the existing literature does not locate the use of
photographs in the context of significant political developments, or does not elaborate
on the relationship between photographs and politics. This dominant approach has the
result that an investigation focusing on the historical development in the use of
photographs, as a product of specific political changes, has not been conducted.
The research questions are: in what ways do bodies of photographs articulate, elucidate, and at times drive political and social debates regarding state repression in Argentina, and how are they used to frame an understanding of state violence? The second part of the question focuses on the effectiveness of the uses of photographs as a response to changing repressive methodologies and the consequences of those methodologies.

This study is informed by Ana Longoni’s 2010 paper *Photographs and Silhouettes*. Longoni examines a significant event in April 1983 during the last year of the *Proceso* when *Las Madres de Plaza de Mayo* (*Las Madres* hereafter) used enlarged photographs of their *detained-disappeared* children. Longoni states “we might not remember most of the names, we might remain unaware of specific biographies, but in certain contexts those faces take us inexorably back to a historical time, to a feat and to a tragedy” (Longoni, 2010b, p.9). Only an extensive study of the type undertaken here can engage fully with the developments with regard to “specific biographies” Longoni mentions. Although Longoni indicates the passage to collective uses of photographs, this current study has a restorative function that accounts for continuing uses of photographs of individual victims by certain *HROs* and artists.

Much of the focus has been on the use of photographs by *Las Madres* during the *Proceso*, through applications of the Barthesian absence/presence duality, or the *evidential force* of photographs (Longoni, 2010, p.6; Taylor, 2002). Barthes argues every photograph is a certificate of presence and ratifies what it represents (Barthes, 1984, pp.85-89). Silvia Tandeciarz (2006) provides a strong summary of the theoretical arguments and their relevance to Argentina, including that of Barthes (Tandeciarz, 2006, pp.138-139). Tandeciarz focuses on distinct photographic uses in artworks and in
protests through an examination of the re-circulation of photographs between registers. I discuss the importance of Tandeciarz’s work for this thesis in the following chapter.

I take the initial uses by Las Madres as my point of departure. As I outlined above, the political use of photographs of victims predates the Proceso and the presence/absence duality alone cannot sustain a durational examination, which is not to diminish Barthes’ importance, but to accept his analysis as implicit to the photographic medium.

Not all mothers of victims joined Las Madres. Relatives of victims used photographs in their individual searches at police stations and military installations and as Longoni argues “very soon” after the original members first went to the Plaza de Mayo in April 1977, Las Madres began using small photographs of their children in demonstrations (Longoni, 2010b, p.6). As Hebe Bonafini, the President of Asociación Madres de Plaza de Mayo (AM hereafter), the other Las Madres group, has stated there are 30,000 detained-disappeared but not 30,000 Madres (Galante, 2009, p.124). The number of members of Las Madres who participated in a prominent demonstration in April 1983, which Longoni referred to above, was estimated at between 700 and 1000. Navarro (2001) argues that at its height, the organisation had 2500 members. Robben argues that in August 1979, Las Madres had 150 members (CO.SO.FAM, 1983, pp.51-52; Navarro, 2001, p.251; Robben, 2005, p.410).

Bonafini’s comments have implications for this study. There are not 30,000 photographed victims. Some of the named victims are not represented photographically. I outline this in more detail when I discuss the HROs on which I focus in this thesis. The

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2 There are problems with identifying Las Madres first public use of photographs. One of which is the belated reporting of their protests by the Argentine and International press. The first report was published in an Argentine newspaper in August 1977 (Gorini, 2006, pp.97-99). I discuss press restrictions in chapter two. Gorini (2006) refers to Las Madres use of photographs in an October 1977 demonstration. He states the organisation used a poster with photographs of their children. The demonstration was not reported in newspapers (Gorini, 2006, p.118).
photographic memorial at the former Atlético CDC in Buenos Aires (Figure I.1 p.6), which I discuss further in Chapter six, is one example. There are a number of identified victims on that memorial, albeit a fraction of the 1500 persons thought to have been held at the CDC. Most of the identified victims are represented by their photograph. A number are represented by a blank space. I therefore focus my investigation on a small number of those who have photographs in the public realm, with the awareness of the problems of determining exact victim numbers, which I also discuss later in the introduction.

![Figure I.1 Atlético Askam 2011](image)

I also examine the repressive Proceso project. Whilst Las Madres were using small family photographs or identity photographs of their children in public demonstrations, before the move to enlarged photographs\(^3\), the most repressive phase of the dictatorship’s project was part way through. The majority of the detention-disappearances occurred in 1976 and 1977, though the practice continued until 1983. An ESMA survivor has stated 4700 people had passed through the centre to early 1978 (Karababakian, 2007, p.637).

\(^3\) I present one example in the methodology chapter (Figure M.3 p.70).
The Proceso was comprised of interlocking acts of barbarity: kidnapping, registering victims including photographing them, torture, then murder or release, archiving the victims’ fate and the accompanying denial, and then the concealment or control of the archive. The final barbarous act is the continuing control of information. Relatives of the victims are effectively held hostage because of the lack of information. In 1979, Las Madres argued that 20,000 to 30,000 people were detained-disappeared. They estimated those affected, including the families of victims, numbered 100,000 (Las Madres, 1979).

Access to information: the Archive

Jacques Derrida (1995) outlined the importance of access to information contained in archives for democracy to function in a meaningful way. His comments are particularly significant in the context of the circumscribed access to information pertaining to detained-disappeared victims. Derrida asserts that “there is no political power without control of the archive, if not of memory. Effective democratization can always be measured by this essential criterion: the participation in and the access to the archive, its constitution, and its interpretation” (Derrida, 1995, p.11).

Allan Sekula’s The Body and the Archive (1986) is central to understanding both Las Madres use of photographs and the military’s project: the creation of the archive and its concealment. In his discussion of the development of uses of photographs in Europe and the United States in the late nineteenth century, Sekula refers to photography as a double system capable of functioning “both honorifically and repressively” (Sekula, 1986, p.6). Sekula subordinates uses of repressive photography to a function within a larger framework of control: the archive. Sekula argues “The central artefact of this system is not the camera but the filing cabinet” (Sekula, 1986, p.16).
John Tagg (1987) analyses similar terrain to Sekula; state uses of photography in Europe and the U.S. in the late nineteenth century. Like Sekula, Tagg locates state uses of photographs within a broader framework of control. He argues that photography “engendered new effects of power [...] which was preserved in a proliferating system of documentation—of which photographic records were only a part” (Tagg, 1987, p.63). Tagg further argues “Photography as such has no identity. Its status as a technology varies with the power relations which invest it. Its nature as a practice depends on the institutions and agents which define it and set it to work.” (Tagg, 1987, pp.63)

Both works operate as extensions of Michel Foucault’s analyses of power and knowledge. In The Subject and Power (1982), Foucault discusses recent opposition struggles and their characteristics in attempts at overcoming “dividing practices” (1982, pp.777-778). Foucault argues that “in order to understand what power relations are about, perhaps we should investigate the forms of resistance and attempts made to dissociate these relations.” The fifth characteristic Foucault identifies in terms of power relations and domination is the resistance to the effects of power. One effect is the privilege of knowledge and secrecy (1982, pp.780-781).

Repressive photography and the archive were central to the military’s clandestine Proceso project. The Proceso is reducible to the control of the lives of the detained-disappeared, their remains, and bureaucratically produced records pertaining to victims on the one hand, and on the other the demand for information on the detained-disappeared. That demand was and is still supported by the use of photographs. This is further reducible to an ongoing struggle for control of repressive archives containing information on the fate of victims.4

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4 I discuss nineteenth century developments in Argentine police uses of photography in the following chapter
In the post-dictatorship period, the military’s control of *Proceso* information has been ruptured. The archives which have emerged into the public realm, both partial and more extensive, have underpinned the continuing demands of certain *HROs* to know the fates of all the *detained-disappeared* and have been used as legal evidence in court cases.

**The ESMA archive**

One partial but invaluable collection of documents and photographs of the *detained-disappeared* was secretly removed from the *ESMA* by one of the survivors. The acquisition, interpretation and dissemination of that archival material, perhaps more than others subsequently uncovered\(^5\), has informed the approach of *HROs* and artists to the *detained-disappeared* in the post *Proceso* period.

Víctor Basterra secretly removed the photographs from the *ESMA*. Basterra was detained at the *ESMA* from August 1979 to December 1983. He was included in an instituted recuperation process (*proceso de recuperación*) in the *ESMA* which was comprised of victims thought to no longer exhibit dangerous qualities, and who were forced to work in the production of documents. According to those released before Basterra’s detention, the *recuperation process* was instituted in the *ESMA* in early 1977 at the behest of then head of the navy Emilio Massera (Feld, 2010a p.29; Robben, 2005, p.253; Daleo, 1985). Detainees were forced to work both in the construction of the *ESMA* victim archive and in the production of false identity documents for *ESMA* navy operatives. Basterra was allowed to leave the *CDC* for short periods from 1981 to visit his family. Before those visits, Basterra concealed documents on his person and then hid them at his home. Inclusion in the recuperation project was not a guarantee of survival.

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\(^5\) I discuss a further archive later in the introduction
Many of those in the program at the same time as Basterra were later assassinated including some of those whose photographs Basterra later removed from the ESMA.

Basterra gave the photographs to HROs in May 1984. The photographs were then presented at a press conference in August of that year. The photographs were simultaneously presented to the investigation opened in 1983 by President Alfonsín, and to the courts in 1984, with Basterra’s photographs of ESMA operatives.

Basterra’s documents included his photograph of a record produced in the ESMA registering a detainee who was kidnapped in 1977, and who was released in 1979. The Ficha de información de personal capturada, was numbered, and included; the person’s photograph in the top right corner, the detainee’s name, organisation, alias, identity card number, address, profession, family relationships, date and place of kidnapping, and the name of the kidnapper(s). (Figure I.2)

![Figure I.2 ESMA file (redacted)](http://www.cels.org.ar/common/documentos/ficha_personas_capturadas.pdf)
Sekula’s *honorific* and *repressive* poles inform my approach to photographs in this examination. I discuss the importance of Sekula’s discussion in the following chapter. I apply his terminology to my discussion of the Trelew photographs and the *ESMA* archive specifically in terms of the emergence of archival photographs. In the Seven chapters of the thesis I discuss the type of photographs used (honorific or repressive or both) in different contexts including protests, artworks, commemorations and in the legal arena. These contexts correspond to the imposed political conditions in which militants and then *HROs* operated.

**Continuing problems**

On 24\textsuperscript{th} March 2011, Estela Carlotto, the President of *Las Abuelas de Plaza de Mayo* (*Grandmothers of the Plaza de Mayo*) called on the government to release all *Proceso* files. Carlotto stated the files were the evidence *HROs* lacked (*Esa marcha, 2011*). Carlotto’s position is informed by the incremental acquisition of documentation during the democratic period. The archives produced by the Argentine state and other actors have enabled an increasing level of understanding about state terrorism. As Carlotto indicates, other archives may still exist that would permit a more incisive understanding.

Members of *Las Abuelas* are *Madres* with daughters who were pregnant at the time of their kidnapping, or whose grandchildren were abducted. Mirta Barravalle, for example, was one of the original mothers and a founding member of *Las Abuelas*. Both organisations formed in 1977. Barravalle is now a member of *Madres: LF* (*Fisher, 1989,* p.103).

To August 2013, *Las Abuelas* has found 109 children, either killed, or appropriated during the *Proceso* and given to families aligned with or directly involved

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\textsuperscript{7} In 2010, the state released an extensive list of people, including civilians, who worked for the army intelligence service *Batallion 601* during the *Proceso* (*Santoro, 2010; Los nombres, 2011*).
with the regime. Many of the recovered children and those still missing were born in CDCs. The identity of the most recently recovered grandchild was announced at a press conference. Pablo Athanasiú Laschan was born in 1975 to Chilean parents who were detained–disappeared in Argentina with their child in 1976 (El nieto, 2013; Abuelas restituyó, 2013). (Figures I.3 and I.4)

Figure I.3 *Las Abuelas* press conference 8th August 2013 (Telam)

Figure I.4 *Las Abuelas* website October 2013

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Carlotto is searching for the son of her murdered daughter, Laura. Carlotto was one of the few mothers of *detained-disappeared* victims to have her child’s remains returned during the *Proceso*. The military argued Laura’s death was as the result of a confrontation (*enfrentamiento*) with the armed forces (Fisher, 1989, p.20). However, a survivor of the *CDC* in which Laura was held stated she gave birth to a son in June 1978 and called him Guido. Guido was taken from his mother hours after his birth. Laura was killed in August 1978 (Dandan, 2011f; Fisher, 1989, p.107).

*Las Abuelas* have located children without state documentation produced during the *Proceso* through the DNA given by surviving relatives and matched with adults who have come forward due to doubts about their identity. To aid with the identification of appropriated children, the *National Genetic Data Bank (BNDG)* was established in 1987 (Law 23,511/87).[^9]

*Las Abuelas* holds photographs of those children kidnapped with their parents, like that of Pablo Laschan, but not of children born in captivity (Figure I.5 p.15). *Las Abuelas* have used photographs in strategies aimed at overcoming the problem of persons not coming forward. These have fore-grounded the now adult child’s resemblance to his or her *detained-disappeared* parents. In Chapter four, I discuss one 1998 example in which *Las Abuelas* collaborated with Argentine artists in an exhibition which used photographs of the *detained-disappeared* parents and the available photographs of appropriated children. In the cases of those born in captivity, mirrors were placed.

The Armed Forces: non co-operation, institutional silence and the problem of identifying the total number of victims

In the post Proceso period former members of the armed and security forces have adopted a number of positions that are characterised by a lack of co-operation with investigations. The continuing lack of co-operation is exemplified by the statement of one of the ESMA perpetrators. In March, 2011, it was reported that one of the defendants in the 2009 ESMA trial stated he and his fellow accused were scapegoats. Adolfo Donda refused to name his superiors but acknowledged 2500 people were above him and all remained free (Dandan, 2011k).

Institutional silence has been broken in the post-dictatorship period. The most significant example, in terms of its impact, occurred in 1995 when former ESMA operative, Adolfo Scilingo, sought journalist Horacio Verbitsky to recount his involvement in the flights of death conducted from the CDC in which victims were sedated and thrown alive into the sea. A further example relied on the continuing absence of documentation.

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In a 2001 interview with Argentine newspaper *La Nación*, a former ESMA operative, Ricardo Cavallo, stated that a list of ESMA detainees had circulated until 1986. Cavallo disputed the figure of five thousand victims to argue only five hundred people entered the ESMA and that three hundred were killed (Pérez Andrade, 2001). His reduction of the number of ESMA victims was enabled by the continuing lack of documentation mentioned by ex detainees and to which the photographs removed from the CDC belong. Cavallo’s reduction of the number of ESMA victims is part of the continuing debate over the number of those *detained-disappeared*. The majority of Human Rights activists use the figure of 30,000 victims. President Néstor Kirchner’s administration adopted that number from 2003 (*Kirchner respondió*, 2003).

Before taking office, Kirchner referred to that number in a rebuttal of former President Carlos Menem’s comments. Menem accused Kirchner of belonging to the Montoneros during the 1970s (*Kirchner respondió*, 2003). The Montoneros was one of the two major guerrilla organisations operating in Argentina during the period to and including the Proceso. Kirchner’s adoption of that number and his implementation of a number of mechanisms marked a shift in the governmental approach to events.

Former members of the military have recently used a number closer to eight thousand victims. An example of the use of that figure was by Jorge Videla, de facto President of Argentina during the Proceso’s most violent period (1976-1978). In 2012, Videla referred to the figure used by activist Graciela Fernández Meijide (8960), the number established in 1984 by the official investigation set up by President Alfonsín to establish the fate of victims: *The National Commission on the Disappearance of Persons (CONADEP)*. Videla argued that according to reliable statistics, the number of victims was between seven and eight thousand (De Vedia, 2012).

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11 Bignone used that number in 2003 and during the 2010 *Campo de Mayo* trial (Verbitsky 2003; Strange, 2010)
Graciela Fernández Meijide’s 2009 statements locate the ongoing debate about the number of victims. Fernández Meijide is the mother of Pablo Fernández Meijide. He was detained-disappeared in 1976. Fernández Meijide worked on CONADEP’s investigation.

In 1994, Alison Brysk argued CONADEP’s report on its investigations, Nunca Más, was problematic because of both the lack of documentation and the small number of survivors who could name those with whom they were held. Brysk argued that despite the report’s shortcomings, the number of 8960 “has been widely adopted by researchers and domestic political forces in Argentina” (Brysk, 1994, p.684). Fifteen years after Brysk’s appraisal, Fernández Meijide reignited the debate.

Whilst promoting her 2009 monograph, Fernández Meijide referred to the figure of 30,000 victims as a myth and a lie (Braslavsky, 2009). A day after the comments, Fernández Meijide referred to the registered number in an interview (Erb, 2009a). Human Rights activists including Carlotto, and Eduardo Luis Duhalde, the National Secretary for Human Rights, condemned the comments (Erb, 2009b). In a letter of response to Fernández Meijide, Duhalde explained why the 30,000 number was not arbitrarily arrived at. Duhalde raised concerns about how Fernández Meijide’s comments would be used by those who “justified the work of state terrorism” because they had originated from the human rights community. Duhalde argued Fernández Meijide’s comments were based on a fundamental error: the belief that there was a reliable record of the crimes. Duhalde argued the detainees who passed through the largest CDCs: the ESMA with five thousand victims, Campo de Mayo with five thousand victims, La Perla in Córdoba with two thousand two hundred victims and Atlético in the Federal Capital with fifteen hundred victims, exceeded CONADEP’s figure. He further referred to the July 1978 report of the Chilean secret police (DINA)
which stated from 1975 to that time there were 22000 Argentine victims. The intelligence section of the Argentine army, Battalion 601, provided DINA with that number (Duhalde, 2009; Dinges, 2004, pp.139-140; Ginzberg, 2000a; Appendix p.561). I discuss the problems with establishing truth in the Methodology chapter.

HROs

The approach I adopt towards HROs emphasises the collaborative outlook and the multiple memberships of certain activists. This collaborative framework extends to artists and art collectives. This collaborative framework has significance in terms of the uses of repressive and honorific photographs.

Most of the eleven continuing Argentine HROs began operating during the Proceso. The Peace and Justice Service (SERPAJ) began in 1974 and the Permanent Association for Human Rights (APDH) began in 1975. The Asociación de Ex Detenidos Desaparecidos or the Association of Ex Detained Disappeared (AEDD) and H.I.J.O.S. or Hijos e Hijas por la Identidad y la Justicia contra el Olvido y el Silencio (Sons and Daughters for Identity and Justice against Forgetting and Silence) formed in 1984 and 1995 respectively. The former is comprised of CDC survivors and the latter is mainly comprised of the children of victims.

In addition to the two organisations I have referred to thus far; Las Madres de Plaza de Mayo: Línea Fundadora and Las Abuelas de Plaza de Mayo (Madres: LF and Abuelas hereafter), I focus on CELS (Centre for Legal and Social Studies) APDH, AEDD and H.I.J.O.S. I also refer to Asociación Madres (AM hereafter).

Elizabeth Jelin (1994) identified organisations as belonging to one of two categories: affected and non-affected. Jelin broadly divided organisations according to the relationship of the members of organisations to the victims of repression. Those placed in the affected category are those comprised of family members of the victims.
Those in the *non affected* category are those comprised of public figures including intellectuals and politicians (Jelin, 1994, p.41). The categorisation has also been applied by members of the human rights community. Taty Almeida of *Madres: LF* used the term *affected* in 2001 to differentiate family organisations from the remaining organisations that operated during the *Proceso* (Almeida, 2001, p.10).

Jelin’s paper is an important historical marker of the collaborative engagements and at distinct points, the discord within the human rights community to 1994. Further, Jelin astutely identifies the nature of the work organisations would conduct after 1994. Of specific importance is her discussion of the motivations for their emphasis on memory work. Jelin argues that work was conducted in the context of the narratives constructed by those she terms ‘the adversaries of *HROs*’. Adversarial positions have re-emerged since the assumption of Kirchner to the presidency, and strengthened since 2006. I discuss the adversarial positions with respect to justice in the final two chapters. Jelin argues,

> Its adversaries belong to two political streams with alternative ideological projects: there are those who want to glorify the behaviour of the military as heroes of a war that had some inevitable “excesses” and those who seek to heal society’s wounds and conflicts through forgetfulness and reconciliation (Jelin, 1994, p.51).

Generally, Jelin’s categorisation works well. However, as Jelin herself stresses, *HROs* in the *non affected* category include individuals who were directly *affected*. A more effective method of understanding the internal politics of the human rights community is through an analysis of the overlapping memberships of individuals in *HROs* and their collaborations, in the post *Proceso* period between these organisations and other actors, whilst remaining mindful of the specific focuses of organisations, and their differences.
One problem with Jelin’s categorisation of organisations into affected and non-affected, concerns CELS. The seven founding members were all directly affected by the repression and in six of the cases by the detention-disappearance of their children. Luis Bruschttein (2002) analysed CELS origins. He points out that four of the five founding male lawyers: Emilio Mignone, Boris Pasik, Augusto Conte and Alfredo Galleti had a detained-disappeared child. Federico Westerkamp’s son was a legally registered political prisoner and the only child of the founding members to be released. Monica Mignone and Gustavo Pasik were kidnapped in separate incidents in May 1976. Liliana Galletti was detained-disappeared in 1977. Augusto Conte Mac Donell, was detained-disappeared in 1976 (CELS, 1982, p.11; Ginzburg, 2001; Ginzberg 1999e).

The two female founding CELS members were Carmen Aguiar de Lapacó, Alejandra Lapacó’s mother, and Angelica Mignone, Monica Mignone’s mother and Emilio’s wife. Carmen was taken with her daughter and her daughter’s boyfriend Marcelo Butti Arana to the Atlético CDC in March 1977. Carmen was released after three days. Alejandra and Marcelo were not released. Carmen Lapacó and Angelica Mignone were members of Las Madres and then Madres: LF.

Some of the founding members of CELS; Lapacó, Pasik and the Mignones’ later employed diverse methods as part of the fluidity of memberships and collaborations between organisations. In November 1987, Pasik, his wife and the Mignone couple were among the 54 founding members of the Argentine Historical and Social Memory Foundation (FMHSA). In 1987, Emilio Mignone emphasised the need for an organisation that would disseminate information on the Proceso. Mignone stated the task of constructing and consolidating social memory was one without end. The head of CELS acknowledged the task facing HROs was markedly different to that which they had faced during the Proceso. Mignone’s call for the construction and dissemination of
information followed President Alfonsín’s implementation of amnesty legislation in 1986 and 1987, after the prosecution of a small number of high profile repressors (Mignone, 1989, pp.63-64).

Following Scilingo’s 1995 confession, Mignone and Lapacó asserted their status as parents of victims in the pursuit of information. The resulting legal cases were ultimately unsuccessful but formed part of the renewed pursuit of truth in the 1990s which eventually resulted in the Trials for Truth (Juicio por la Verdad) in the Province of Buenos Aires from 1998.

The use of honorific and repressive photographs concerning the Proceso era to 1996 with respect to truth, justice and social memory were principally the concerns of the above organisations and their collaborations. CELS were involved in the public emergence of the ESMA photographs in 1984. Some members of the AEDD were among those photographed in the ESMA and are included Basterra’s collection.

In the third and fourth chapters of this thesis I focus on the above organisations and their uses of honorific and repressive photographs. This discussion rests on CELS, Las Madres and then Madres: LF. The AEDD is most prominent in the discussion presented in chapter six.

**The 1986 split of Las Madres de Plaza de Mayo**

The conflicting approaches of AM and Madres: LF are instructive to understanding the interlocking and collaborative approaches in the post-dictatorship period that define the LF faction. After the split, AM stopped using photographs of their detained-disappeared children in public demonstrations.

In 2006, the President of AM, Hebe Bonafini, outlined some of the factors that influenced the decision. Bonafini described a number of strategies that the unified organisation used in attempts at representing all the victims of detention-disappearance.
She stated that process resulted in the realisation that some mothers did not have photographs of their children and that many mothers were unable to go to Plaza de Mayo. The use of photographs was perceived to be an ineffective way of identifying with unnamed victims (Di Marco, 2006, pp.1-2).

AM’s approach to photographs is part of their broader intransigent and isolated approach, when contrasted with Madres: LF. From 1986, the latter organisation has had a more holistic approach to victims and demands to know their ultimate fates. Madres: LF also holds commemorations to victims. One significant difference in the two organisations is their distinct approaches to the exhumation of the remains of victims secretly buried by the regime. In 2012, Bonafini refused to permit identification of the possible remains of Raúl Bonafini, one of her two detained-disappeared sons. In refusing to provide a DNA sample, Bonafini definitively closed the possibility of his identification (Ayerdi, 2012). In contrast, in 2012, Taty Almeida, of Madres: LF expressed her desire to have the remains of her detained-disappeared son, Alejandro, returned (Hernández, 2012).

Further to the founding members of CELS mentioned above, other members of Madres: LF were, and continue to be, members of CELS. The members of both organisations are Matilde Mellibovsky (until her death in 2011), Graciela Mellibovsky’s mother and Laura Conte, Augusto Conte’s widow and current CELS Vice President. Madres: LF’s collaborative outlook in part accounts for the collection of around 150 photographs of victims held by CELS in its documentation archive. Matilde and her husband Santiago Mellibovsky donated those photographs.

There has been a relative lack of attention to Las Madres in the post-dictatorship period and specifically the significance of the split into two organisations

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12 AM’s most significant recent use of photographs is at Espacio Cultural Nuestros Hijos, their building in the ESMA complex (Las Madres, 2008; Micheletto, 2011)
with divergent approaches. Fernando Bosco’s 2004 paper is one exception. Bosco provides a detailed examination of the strategies of both groups. However, Bosco’s paper is based on his 1999 and 2000 fieldwork and as a result does not discuss more recent developments.

The tendency is to not differentiate the two organisations satisfactorily. Burchianti (2004) conducted interviews with *Madres: LF* but does not discuss the meaning of the split. A prominent example of the dominant tendency is Diana Taylor’s 2002 paper. Taylor presents a strong analysis of *H.I.J.O.S.* use of photographs in her discussion of the continuities and generational changes in the use of photographs in demonstrations and artworks. However, Taylor makes no reference to the existence of two groups of *Madres*. Taylor states that “each Thursday afternoon for the past twenty five years the women have met in Plaza de Mayo to repeat their show of loss and political resolve” (Taylor, 2002, p.155). Both *HROs* do go to the Plaza each Thursday, but conduct separate acts. The two groups are presented as unified in the following passage, the first part of which applies only to *Madres: LF*.

The Madres continue to wear the small ID photo, encased in a plastic pocket, around their necks. The large images on placards, however, belong to the past. The Madres goal now is less to give evidence to the existence of the missing than to denounce the politics of impunity. “We know who the disappeared were,” the Madres said when they changed strategy in 1983. “Now let’s see who the disappearors are” (Taylor, 2002, p.164).

As a result of the dominant approach, not enough has been written about *Madres: LF* and even less about their use of photographs. Cecilia Sosa (2011) does discuss the two distinct groups and accounts for the split and their

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differentiated approaches but does not account for differences in terms of their photographic use. She argues

Two groups of women perform a silent ceremony around the Plaza de Mayo. It is a weird scene: old women slowly rotating around the same odd monument [...]. As always, they show the pictures of their disappeared children: beautiful, youthful faces smiling from a lost time (2011, p.67).

The absence of a detailed examination of Madres: LF’s continuing use of photographs is apparent in the lack of attention given to the Pancartas or banners constructed by the organisation from 1995 in memory of victims. Bosco (2004) presents a photograph of the Pancartas at an outdoor exhibition without referring to them in his article (Bosco, 2004, p.389).

Horacio García Gastelú

In the following section, I focus on the case of Horacio García Gastelú in order to outline the central concerns of the thesis and to summarise some important political developments. This case articulates the concerns of some HROs. They are: the lack of documentation; identification of remains, memory projects and justice. The first justice stage in Argentina was from 1984 to 1987. The second commenced tentatively in 2003.

In a 2010 interview, Horacio’s mother Haydeé García Gastelú of Madres: LF spoke about the Pancartas. At that time, they were incorporated into events marking the Argentine bicentennial.¹⁴ Haydeé’s Pancarta to her son was exhibited during a 1996 commemoration to former students of Colegio Nacional de Buenos Aires (CNBA).

Horacio’s mother was one of the fourteen original members of the group that went to Plaza de Mayo in April 1977, when individual searches for information on their detained-disappeared relatives had proven futile, due to the military’s denial of

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¹⁴ In 2010, Replicas of the Pancartas were part of the program Road to the Bicentennial...they want to tell us. The contents were digitised and placed on more durable material than the original cardboard.
responsibility. During the 2010 interview, Haydeé referred to one of eight photographs of Horacio she had included on one of the two Pancartas created in memory of her son. The photograph was taken of Horacio days before his 7th August 1976 *detention-disappearance*. On that date, Horacio and his girlfriend, Ada Porta, were taken from Ada’s residence. Haydeé related that it was the last photograph the family had taken of her son, and that her husband had photographed Horacio in his navy uniform as a joke. (Figures I.6, I.7 below and p.25) At the time of his *detention-disappearance*, Horacio was on compulsory military service (*Nuestra Cultura*, 2010, p.16).

![García Gastelú’s Pancarta](image)

Figure I.6 García Gastelú’s Pancarta
The family did not receive any information on Horacio’s fate until 2001, when the Argentine Forensic Anthropology Team (EAAF) informed them Horacio was one of the thirty victims of the August 1976 Fátima Massacre (Masacre de Fátima).

In the early hours of 20th August 1976, inhabitants of Fátima on the outskirts of Buenos Aires were woken by an explosion. Thirty corpses were discovered shortly after spread over a distance of 100 metres. It was established at the scene that twenty of the dynamited bodies were male and eight were female. The genders of two bodies could not be determined. Before the explosion, the victims had been shot in the head (Fueron halladas, 1976, p.1).

In one sense, the Fátima Massacre is not a representative example of the methods of detention-disappearance used by the military. The most common explanations provided by the military for the public appearance of corpses were the confrontation or efrentamiento between guerrillas and the armed forces. The second explanation provided by the military was that victims were killed in escape attempts known as the law of escape (Amnesty International, 1977, pp.24-26).
In another sense, the Fátima Massacre has the characteristics of the lasting impact of the detention-disappearance of victims, because of the attempted obliteration of evidence. At the time of writing, twenty-one of the thirty victims have been identified. The most recent identification, that of Ernesto Saravia, was in 2011 (Identifican a, 2011). The first five identifications occurred in 1982 and one in 1987. As the result of renewed attempts at identification from 1997, one victim was identified in 1999; eight victims were identified in 2000 and three in 2004. Among those identified in 2004 was Juan Vera, the husband of the victim identified in 1987, Marta Spagnoli (EAAF, 2005, pp.23-24). Of those identified, some victims are clustered by their familial relationships. They include a mother and daughter; Haydeé Cirullo de Carnaghi and Carmen Carnaghi; a married couple; José Bronzel and Susana Pedrini de Bronzel and José’s mother Cecilia Podolsky. Susana was pregnant at the time of her July 1976 kidnapping.

In November 2000, Horacio’s father Oscar García Buela testified at the Truth Trials in La Plata and outlined the attempts the family had made to obtain information on Horacio’s fate. García Buela assumed his son would be at the bottom of the Rio de la Plata in light of Scilingo’s comments (García Buela, 2000). In 2007, Haydeé referred to Horacio’s 2001 identification thus

Thanks to the advancement of science, and the extraordinary work of forensic anthropologists, we had the privilege and joy of recovering the remains of my son, to know his fate, his assassination, his date of death, a victim in the Slaughter of Fátima, and to carry him in our embraces and to bury him in his native town […] Today we still lack Justice (Madres: LF, 2007, p.68, my translation).

Horacio was twice included as a victim in trials. In 1985, the identified and unidentified victims were among the cases in the trial of the military commanders. In
2008, at the trial of three perpetrators of the *Fátima Massacre*, Horacio was one of the sixteen identified victims (Causa N° 16.441/02).

The construction of the *Pancartas* occurred when many families were without definite information on the fate of their children. The inclusion of the *Pancartas* at events marking the bicentenary, particularly at the former *CDC El Olimpo* in June 2010, is emblematic of the governmental focus on human rights from 2003, and to addressing the approaches of previous administrations (*Camino al*, 2010). However, Kirchner’s human rights policy and that of his successor and wife Cristina Fernández de Kirchner were criticised by some *HROs* including the *AEDD*. Those criticisms focused on the slow pace and scale of justice and the perceived misplaced focus on memorialisation (see chapter six).

García Gastelú is present in different types of commemorative engagements and contexts. He is one of the 68 *detained-disappeared* conscripts listed in CELS 1982 report *Conscriptos Detenidos-Desaparecidos*. The number has more recently been put at 129 (*CELS*, 1982, p.11; *Comodoro Rivadavia*, 2013; D’Andrea Mohr, 1998). He is among the victims of the *Faculty of Exact Sciences* at the *University of Buenos Aires* (*UBA*), and is one of 108 identified *CNBA* victims. Horacio is counted among the victims with Spanish heritage. Members of *Las Madres* met with Spanish Prime Minister Felipe González in February 1983, with a list of 265 victims. In 1997 Spanish authorities constructed a partial list of 576 victims with Spanish heritage¹⁵ (*Marirrodriga & Lafuente*, 2007; *Felipe González*, 1983).

**Marcelo Brodsky**

The works of photographic artist Marcelo Brodsky from 1996 are a central focus of the study. Brodsky’s works focus on the *detention-disappearance* of his

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brother, Fernando, and the death and disappearance of two of his former classmates. Fernando was taken to the ESMA in August 1979 and then killed or “transferred” in March 1980. Fernando is one of the photographed detainees in Víctor Basterra’s removed documents.

By using Fernando’s photographs that originated in the family realm in the work *Fernando, mi hermano* (1997) and photographs of Fernando taken in the ESMA, in *NEXO* (2001), the artist overcomes this fragmentation through a focus on the dissemination of documentary material, and as an engagement with the ongoing debate about the existence of military records, and those records relationship to memory, truth and justice.

Brodsky’s 1996 work *Los Compañeros* was originally exhibited at CNBA, the artist’s former school, and was then published in Brodsky’s monograph *Buena Memoria* (1997). The original work was an enlarged version of the artists’ 1967 CNBA class photograph. Brodsky inscribed biographical information on the photograph to each class member. Claudio Tisminetsky and Martin Bercovich were the victims of state repression. Tisminetsky was killed in 1975. Bercovich was *detained-disappeared* in 1976. The exhibition of the photograph was combined with other elements that included a roll call of 98 CNBA victims then identified and *Pancartas* to victims, including those to Horacio García Gastelú. Those identified were former or current students at the time of their death or *detention-disappearance* from 1970 to 1980.

During a talk in March 2010 with theorist Eduardo Cadava, Brodsky discussed the reasons for using photographs of his brother in approaching the issue of disappearance. Brodsky explained that each single case opens on to others and that the figure of 30,000 victims is too large to comprehend. The CNBA commemoration
followed the logic of that approach in its emphasis on the social and political bonds of victims (Brodsky, 2010).

**DIPBA and Helen Zout**

The second state collection of documents I consider in this thesis is the extensive archive of *The Intelligence Directorate of the Police of the Province of Buenos Aires* (*DIPBA*). A consideration of the *DIPBA* archive enables an examination of the impact of the 1998 discovery of the documentation and its public emergence in 1999. The size of the archive (410,000 files) contrasts with the fragment of the *ESMA* archive in the public realm. The *DIPBA* archive, which later underpinned the repression in the Province of Buenos Aires, has sections devoted to political organisations, student groups and individuals. The archive provided an insight into the potential location of Raúl Bonafini’s remains (Saralegui, 2001).

The work of artist Helen Zout is tied to the *DIPBA* collection and to developments in La Plata in the late 1990s to the mid 2000s. The work *Traces of Disappearance during the military dictatorship in Argentina, 1976-1983* is partly comprised of the photographs of survivors; among those photographed are Jorge Julio López, Víctor Basterra and Nilda Eloy. The photographs were taken during the truth trials in La Plata at which the above survivors testified, and before López’s 2006 disappearance.

The collection of portraits is an articulation of the issue of access to information, the invaluable role of survivors in providing information, and the dangers faced in the post-dictatorship period. The work is also an articulation of the path to justice from 1999 to 2005, and then from 2006. I approach López’s 2006 disappearance in chapter six of the thesis in terms of the opposition to justice. After his disappearance,
photographs of López, including Zout’s, were used to articulate his status as a victim of enforced disappearance and to underpin HROs differentiated commitments to justice.

Chapter Breakdown: Chapter One: The Trelew Massacre (1966-1974)

In the first chapter, I examine the use of photographs of the victims of the Trelew Massacre, as part of the crimes committed during the Revolución Argentina dictatorship (1966-1973). The uses of the victims’ photographs from May to October 1973 in Buenos Aires, during the democratic period that followed the dictatorship, formed part of the response to political violence from 1966. I provide an extensive examination of the work conducted by distinct actors before and after the massacre as part of their attempts at aiding with the process to critical consciousness (conscientization) of the Buenos Aires population. I examine the convergence of concerns of artists, lawyers and education institutions. The repressive origins of the photographs and the nature of their emergence are vital to understanding these uses.

I discuss how uses of photographs of the Trelew dead closely mirrored the fortunes of the left during changing political conditions. The projects initiated by the left included a failed investigation into the violence committed from 1955 to 1973, and commemorations and artworks. The use of photographs provides an insight into the political struggles before the Proceso. On the second anniversary of the massacre in 1974 commemorative events were prohibited. That time also saw demonstrations prohibited and the murder of militants.

Chapter Two: El Proceso de Reorganizacion Nacional (1975-1983)

In the second chapter, I discuss some of the defining repressive mechanisms in the military’s clandestine Proceso project. I begin with a brief analysis of the progression from assassinations in the years before the Proceso by the right-wing paramilitary organisation, the Argentine Anticommunist Alliance (AAA). I go on to
consider the implementation of CDCs in the Province of Tucumán in 1975, and then the state practice of detention-disappearances throughout Argentina from 1976. I focus on the control of information during the Proceso. I outline the ways in which the ESMA was differentiated from other centres through the information that emerged in the navy’s project of misinformation which included the dissemination of a photograph of two detained-disappeared victims.

**Chapter Three: Emergence of the ESMA documents (1983-1987)**

In chapter three I examine the uses of two collections of photographs. The first is the enlarged photographs used by Las Madres in April 1983. The second collection is the ESMA photographs. These collections operate as articulations of the demands of HROs in the final year of the Proceso and early years of democracy. Both sets of photographs are tied to the pursuit of truth and justice. I argue that the ESMA documents are a means through which to analyse President Alfonsín’s mechanisms. I discuss the significance of the ESMA documents from the time of their public emergence in August 1984, their relationship to CONADEP’s report and at the 1985 trial with respect to both truth and justice, and to the implementation of Amnesty legislation in 1986 and 1987.

**Chapter Four: Construction of memory and the pursuit of truth (1989-1999)**

In chapter four I examine the impact of the further impunity legislation that was implemented by Carlos Menem during his ten year Presidency (1989-1999). The implementation of pardons necessitated a shift to a focus on truth and memory. I analyse the impact of Scilingo’s confessions as a catalyst for the renewed demand for truth about the fate of the detained-disappeared. The demand at that time operated as an insight on the status of information on victims. I discuss Madres: LF’s pancartas as an articulation of the status of truth. I then examine the framing devices used in a number of photographic memory projects. The specific focus is the 1996 collaborative CNBA
commemoration. The CNBA event was informed by practices from the period before the Proceso.

Chapter Five: Documentation and the path from truth to justice (1999-2005)

In chapter five I examine how the artworks of Brodsky and Zout elucidated a transitional period from truth and memory to truth and justice during 1999-2005, following the discovery of military and security forces documentation, including the DIPBA archive and a further ESMA document. The acquisition of the documents formed part of incremental advances both outside and in Argentina with the attempts to overturn amnesty legislation that was finally, though only partially implemented by Néstor Kirchner in 2003.

Chapter Six: Genocide to Politicide: Julio Lopez and the justice process (2006-2011)

In chapter six, I discuss the continuing impunity, the path to justice and the type of justice sought, following the partial removal of amnesty legislation and Jorge Julio López’s 2006 disappearance. Some organisations including the AEDD framed his disappearance and continuing impunity as mutually dependent in their critical approach to Kirchner and then Fernández’s government. I argue that the use of photographs of López by two blocks of HROs elucidated the struggles for justice and the overcoming of adversarial positions. In the final part of chapter I examine the importance of Basterra’s photographs in the 2009 ESMA trial. The ESMA case was one of those affected by continuing impunity following its 2003 reopening.

Chapter Seven: The Trelew Massacre, 2005-2012

In the final chapter, I examine the political treatment of the Trelew Massacre from 2005. From that time, the massacre operated as referent for the continuation of violence from Revolución Argentina to the Proceso, and thus as an explanatory
framework (Feierstein, 2011) for understanding state terrorism. I examine the significance of the use of photographs of all nineteen victims, the sixteen killed in 1972 and the survivors killed during the _Proceso_ by the art collective _Street Art Group (GAC)_). The survivors had a central role in the construction of the critical narrative from 1972. Their testimonies were vitally important to both the 2012 convictions and a failed 2010 extradition petition.
LITERATURE REVIEW AND THEORETICAL FRAMEWORK

In this chapter I engage with three interconnected issues that underpin the thesis. They are (i) a critical use of Barthesian theory with respect to durational uses of photographs, (ii) the conventions of repressive and honorific photographs outlined by Allan Sekula (1986) which clarify certain problems with Barthes’s analysis of types of photographs; and (iii) the mobility (Rose, 2010), travelling (Noble, 2008), recirculation (Tandeciarz, 2006) or what I term the movement of photographs between realms, which in turn builds on Sekula’s analysis. Engagement with these aspects of photographic theory enables an extensive examination of the photographs addressed in this thesis.

I elaborate further on some of the significant issues discussed in the introduction; the prominence of Roland Barthes’ Camera Lucida and the importance of Sekula’s The Body and the Archive, to answer the research question: ‘How have bodies of photographs elucidated, articulated, and driven political and social debates in Argentina?’ I discuss how I define these terms in the thesis. This is particularly important with the use of the verb ‘to drive’. This third part of the research question is the most difficult to measure, as it deals with the impact of the uses of photographs and how this is discerned. This feeds into the second part of the question which looks at the effectiveness of the uses of photographs in responses to state terrorism.

In the introduction to this thesis I briefly discussed certain limitations with Roland Barthes’ discussion of absence/presence (‘that has been, he is dead, he is going to die’ p.77) which I argued was implicit to the medium and which, I stated, I did not wish to undermine. I also suggested that Barthes work cannot sustain a longitudinal examination such as that undertaken in this thesis. I develop a workable application of Sekula’s ‘dual poles’ (honorific/repressive) for use in the Argentine context. The archival intention is vital to understanding how, when and why photographs enter the
public realm. This is significant with state authored *repressive* photographs in Argentina, from the origins of the practice in the 1880s through to uses in the early 1970s, and then during the *Proceso*.

In the first section, I examine Barthesian *absence/presence* or the *evidential force* of photographs. I examine limitations to its application in *Camera Lucida* and discuss the ways that some of these limitations are overcome through the reiterated uses of photographs in different contexts as *HRO* demands changed according to imposed political conditions. I pose a number of questions with respect to Barthes’ approach, in order to locate this study. All the photographs Barthes’ discusses are approached from his own subjective perspective, and this necessarily avoids a close analysis of the importance of certain photographs at the time they were taken, why they were taken, and how they have been used in the intervening period up until the time of Barthes’ own engagement with them.

Sekula’s identification of the *honorific* and *repressive* poles is an important contribution to differentiating authorial (photographer) intention. This has significance in mitigating Barthes’ superficial reading. I use Sekula’s terminology to underpin the discussion of the movement of photographs between registers. A photograph’s meaning(s) comes from where it is used, by whom and when in the context of political and social conditions. In the Argentine context, this has relevance with respect to identifiable stages in the pursuit of *truth, memory* and *justice*. *Repressive* photographs have been used in demonstrations, in artworks, political newspapers and most significantly in trials. *Honorific* photographs have been used in marches, artworks, trials and have been published in political newspapers.

All the photographs examined in the thesis have undergone a *movement* or series of movements from the intentional purpose and use, or from the specific reason why the
photograph was created. This *movement* occurs to both poles identified by Allan Sekula who focused on the nineteenth century origins of the dual purposes of photography. *Repressive* photographs on the one hand, and *honorific*, or family photographs on the other. I approach family photographs as an extension of the *honorific* photographs in Sekula’s discussion as a complement to or substitute for professionally produced studio photographs.

Focusing on photographic *movement* helps focus the examination to how photographs have been used, and moves away from a sole focus on aesthetics. I maintain the argument that the *repressive* conventions do not substantially alter over time but rather are defined by the types of access to those photographs, and by the type of public emergence of documentation.

**Barthesian Evidential Force**

One problem with Barthes’ analysis lies with his engagement with Alexander Gardner’s photograph of Lewis Payne (Figure L1), who was later executed for the attempted murder of a politician. The crime took place within the broader context of Abraham Lincoln’s assassination plot. Payne’s photograph is now an iconic image aided most recently by Barthes.
Payne’s photograph appears in *Camera Lucida* with the caption “He is dead, he is going to die...” (Barthes, 1981, p.94) Barthes briefly discusses the case:

In 1865, young Lewis Payne tried to assassinate Secretary of State W. H Seward. Alexander Gardner photographed him in his cell, where he was waiting to be hanged. The photograph is handsome, as is the boy: that is the studium. But the punctum is: he is going to die and this has been; I observe with horror an anterior future of which death is the stake […]. What pricks me is the discovery of this equivalence. In front of the photograph of my mother as a child, I tell myself: she is going to die […]. Whether or not the subject is already dead, every photograph is this catastrophe. This punctum, more or less blurred beneath the abundance and the disparity of contemporary photographs, is vividly legible in historical photographs: there is always the defeat of Time in them: that is dead and that is going to die (Barthes, 1981, p.96).

The photographs Barthes discusses weren’t always historical, and the types of photographs are not adequately differentiated. His surface analysis does not permit an accounting for changing meaning. Gardner took other photographs of Payne and the other gang members who were arrested but not yet condemned to death or sentenced to imprisonment (Figure L2 p.38) (*Portraits of*, 2009). Gardner also photographed the hanging of the four gang members who were sentenced to death (Figure L3 p.38). Where did the photograph appear in 1865 and why is that photograph not intentionally future oriented? According to the *Metropolitan Museum of Art* in New York, the photograph was taken on 27th April 1865, three months before his hanging.\(^\text{16}\) Payne attempted to kill Seward on 14\(^\text{th}\) April.

Some authors apply a critical reading of Barthes’ treatment of Payne’s photograph. Rabate (2011) questions Barthes’ use of historical photographs. He states “Barthes appears to take no account of the fact that many of his examples depend on information external to them for their effect...The information, however, could always be false” (pp.88-89). Price (1994) focuses on the political events at the time and the photographer’s intention. Price states

His fate is complete. It is the acceptance of that completion, the knowledge that the image he acquiesces in will be his legacy, that contributes to the power in the photograph. His is alive then but will be hanged. Barthes says that “nothing can be refused or transformed” in the photograph. Yet the completion of that photograph is the historical knowledge of who Lewis Paine was and what he had done, as well as the death sentence that had been passed and that shortly thereafter was executed... Gardner’s photograph of Lewis Paine has intrinsic merit and interest so that Barthes’ gloss is less necessary, even though it is interesting as analysis and poignant as response. The photographer controlled the terms of the response because of his own conception of what the picture should convey (p.96).

The photograph, however, refers to Payne’s apprehension and not his death sentence which was delivered three months later, after a trial which concluded on 30th June 1865. His fate was not complete as Price argues. At the date of the photograph, 27th April 1865, Payne’s execution was likely, but not certain. What was the purpose of the photograph and where was it exhibited from the 1865 taking of the photograph to Barthes analysis in the twentieth century? Such questions inform my approach to the photographs included in this thesis.

The period before Payne’s apprehension is instructive. A newspaper article published after Payne’s arrest, but written before it, includes a description of the wanted man:
Height, six feet one inch; hair black, full and straight; no beard nor appearance of beard; cheeks red on the jaws; face moderately full; twenty-two or twenty three years of age; eyes large, not prominent, color unknown; brows not heavy but dark; face not large, but rather round; complexion healthy; nose straight and well formed and of medium size; mouth small; lips thin; the upper lip protrudes when he talks; chin pointed and prominent; head medium size; neck short; hands soft and small, fingers tapering, showing no signs of hard labor; broad shoulders; [...] strong looking man; manner not gentlemanly, but vulgar (Assassination of, 1865, p.1).

In 1959, the Library of Congress held an exhibition to mark 150 years of Lincoln’s birth which included Gardner’s photographs (Library of, 1959). An analysis of Gardner’s photographs provides an insight into the ways Payne’s photograph had been used before Barthes’ analysis. The description of exhibit 215 (Portraits of the defendants), reads “Eight persons were brought to trial for complicity in the assassination. Photographs by Alexander Gardner of four of the conspirators are shown here: Lewis Paine [sic], identified as Seward’s assailant (hanged); George Atzerodt, charged with conspiring to murder Vice President Andrew Johnson (hanged); David Herold, Booth’s companion (hanged); and Edward Spangler, who had held Booth’s horse (convicted and imprisoned). Of the remaining defendants Mrs. Mary Surratt was hanged; Samuel Arnold, Michael O’Laughlin, and Dr. Samuel Mudd received prison sentences” (Library of, 1959, p.77). Exhibit 217 is titled Four are executed. The text reads “On a July day in 1865, [...] Mary E. Surratt, Lewis Paine, David Herold, and George Atzerodt were hanged for their participation in the assassination conspiracy. Exhibited here is a photograph of the execution by Alexander Gardner (Library of, 1959, pp.77-78). The exhibits also included Gardner’s photographs of Lincoln (1959, p.61).
One example which helps to situate this point with respect to how bodies of photographs have operated in Argentina concerns a photograph of Graciela Mellibovsky. Graciela’s mother Matilde, most recently of *Madres: LF* and *CELS*, had an important role in the production and use of enlarged photographs of the *detained-disappeared*. Mellibovsky discusses the first use of the enlarged photographs in her 1997 monograph *Circle of love over death*. The enlarged photographs were first used during the *March of the Posters* in April 1983, before the demonstration in *Plaza de Mayo* on the day the Proceso regime’s *Documento Final* was released, which I discuss in Chapter three. Mellibovsky discusses the impact of those photographs on passersby, who she refers to as unsuspecting and surprised because of the visibility of the *detained-disappeared*. Mellibovsky states

> We were a whole bunch of mothers, each one carrying a poster with a hugely enlarged photograph of her disappeared child. ... And how did people passing by us react? At first, surprised, dumbfounded, they stopped. Their eyes remained fixed on the eyes in the photos; the posters remained immobile; immobile also the faces of the passersby. They looked at each other. Because the photos were not simply portraits. They demonstrated an unquestionable existence that had to be restored [...]. Once the first moments of consternation were over, people commented, pointed, questioned themselves aloud: “But these kids--are they the disappeared? How is this possible?” We were showing our countrymen the dreadful truth the dictatorship took pains to hide in thousands of ways. (Mellibovsky, 1997, 133-134)

Mellibovsky thus discusses the *evidential force* which underpins Barthes’ work, but there is another significant type of duration to consider: chronological time. It is this aspect of time which is required in order to overcome what Michael Roth describes as photography’s inability to conceive “extension through time” (Roth, 2009, p.83).
The same photograph of Graciela was used in the 1996 CNBA commemoration which I mentioned in the introduction. The realm in which this photograph was used moved from that of a space shared with an unsuspecting public during a protest at the time of the Proceso dictatorship, to a selected public at the school where Graciela had been a student when the intention was to inform, twenty years after the start of the Proceso. The political context also shifted from a demand for justice and truth in 1983, to a demand for documentation and the construction of social memory in 1996. As I discuss in chapter three, the first use of enlarged photographs took place when there was an understanding that most of the detained-disappeared had been killed but without the certainty of knowing who was still alive in CDCs.

By the mid 1990s, those detained-disappeared victims who had not been released were unquestionably dead. However, no information on victims’ fates was forthcoming from the military, necessitating a campaign which focused on the demand for truth, in the form of documentation regarding the detained-disappeared, in the context of legal protection of the perpetrators.

**Applications of Sekula’s Work**

In order to situate the continuing importance of Sekula’s discussion on the functions of photographic portraiture in late nineteenth century Europe and the United States, which requires further development and discussion for use in this thesis since it does not address nineteenth century developments in Argentina, it is useful to examine the political contexts in which Sekula’s work has been applied. Those works mainly focus on the repressive pole. I also discuss how I extend and define what I take to be the conventions of repressive and honorific photographs, and how the inability to conceive extension through time is overcome.
In her 2012 PhD thesis *Archiving the unspeakable: Silence and voice in Khmer Rouge mugshots*, Michelle Caswell applies both Tagg and Sekula’s work on repressive photographs to the archive of photographs discovered in one Khmer Rouge detention centre (S-21) soon after the fall of that regime in 1979 (pp.79-84). That archive contains 6000 photographs of victims. Most were murdered and remain unidentified. Caswell examines the processes through which the archive was produced and the use of the archive from the time of its emergence. The photographs are a central facet of the *Cambodian Genocide Museum* which is located in the former detention centre. Some of those photographs were recently used as legal evidence in the trials of Khmer Rouge operatives. The photographs have been digitised and are available at a *Yale University* website (Figures L4).

![Figures L4 Unidentified S-21 victims Yale University](http://cgp.research.yale.edu/photos/cts/t/t0623z01.gif)

The estimated number of victims killed at the centre ranges from 12,000 to 20,000 (Caswell, 2012, p.57). Pol Pot’s regime killed an estimated two million people from 1975 to late 1978. Caswell distinguishes the *Khmer Rouge repressive* photographs

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from other types of portraiture based on the subjects’ position in relation to the photographer. Caswell argues that those people photographed are “owned, spoken for and constructed as silent” (2012, p.82) and that such “archival rationalization enabled by mug shots, reveals the fundamentally transformative nature of record creation in that it turns people [...] into documents that can be managed” (Caswell, 2012, p.83).

Importantly, Caswell employs Gillian Rose’s term *mobility* to discuss how meaning has been constructed through the uses of the photographs from the time of the archive’s emergence (Caswell, 2012, p.24).

Strassler (2010) argues that in the Indonesian context, certain uses of *repressive* and *honorific* photographs are not clearly demarcated. Strassler considers both Sekula’s dual poles and the *movement* of photographs. Strassler employs the term *regimes of recognition* in her argument that with passport photographs in late-twentieth century Indonesia, *honorific* and *repressive* portraits were not clearly delineated

The New Order state’s fetish of documentation made the identity photograph the most widespread form of photographic portrait. Inexpensive and readily accessible, *pasfoto* were put to a wide variety of personal, “honorific” purposes, from memorial portraits to tokens of friendship. The same photograph required for ‘official’ purposes of identification, then, could be enlisted to display and sustain social ties and personal memory, tapping into different regimes of recognition. The social life of the Indonesian *pasfoto* demonstrates how state bureaucratic and sentimental, ‘repressive’ and ‘honorific,’ visual practices overlap and inform each other (2010, p.145).

Strassler therefore presents a nuanced understanding of *repressive* photographs which has significance in the Argentine context. Her analysis raises questions about certain types of *repressive* images: are they truly *repressive* or do they function in an intermediate fashion, which rests on access to those images?
It is important to avoid imposing Sekula’s analysis of developments in photographic practices in nineteenth century Europe and United States onto the developments in the use of repressive photography in Argentina. The development of practices in one national context does not necessarily translate to another country or continent with differentiated social problems and economic circumstances. It is therefore necessary to briefly outline the developments in Argentina in the late nineteenth century. Julia Rodríguez argues that

Argentina’s historic struggle for civilisation was part of a worldwide moment of ferment around state and nation building and transatlantic issues of immigration, travel, industrialization, labor and social strife. While Europe was grappling with similar social dynamics, in the Americas, and in Argentina especially, a new awareness of postcolonial revival emerged (Rodriguez, 2007, p.6).

**Origins of repressive photographs**

The 1887 monograph *Galeria de Ladrones de la Capital, 1880 –1887* by José Álvarez, is the starting point for an examination of the functions and circulation of repressive photographs in Argentina. A brief analysis of that work helps to account for shifts in uses over time, in the archival sense. The original book presented details of 200 Buenos Aires criminals. Copies of the archive were circulated to police stations in the Federal Capital in the years before the police department published the records, while under Álvarez’s command (Rogers, 2009, p.4). Each record features the photograph of the criminal, a list of crimes each had perpetrated, and biographical information.

In the introduction to the 2006 publication, which was reprinted from the original, the people whose images had been included are referred to as petty criminals, who are easy to identify and apprehend compared to those who were not featured: the “dangerous unknown criminals” (Alvarez, 2006). Álvarez identifies the need for more
resources so that the police could adapt to changes in crime in Buenos Aires. Álvarez states,

The current gallery is not complete due to the mildness of our penal laws, their deficiencies, or other circumstances, but the fact is that its benefits are incalculable and will be until it is duly organized the police surveillance is duly organised and the municipal services are raised which should strengthen the police action, providing the distribution of research resources it lacks (Álvarez, 2006, p.22).

This emphasises both the technological advances and the obstacles to that modernisation process. As García Ferrari argues, the archive’s origins are tied to the creation of the police of the Federal Capital (Garcia Ferrari, 2009, p.18).

Of the criminals in the original publication, thirty are presented in the 2006 edition. Those in the recent publication retain the numbering of the original. All those included in the collection are male. Nine are Argentine. The most heavily represented foreign nations are Spain and Italy (7 each). The most significant information presented along with the photograph of the criminal, for the purpose of this investigation, is the emphasis on the criminal’s foreign national origins (Figures L5 below and p.47).

Figures L5 number 135, Jose Vasquez, French Basque, 22 years old, Argentine resident for 9 years, can’t read. He is described as a dangerous man. *Relics and Selves*¹⁹

¹⁹ http://curlew.cch.kcl.ac.uk/cgi-bin/rands/q_img.pl?@s1566
Figures L5 Number 145 Manuel Rodríguez, Spanish, 33 years old. He is described as a terrible individual. Relics and Selves\textsuperscript{20}

Of the original two hundred persons later included in Alvarez’s Galeria, eighty-three are identified as Argentine. The majority are immigrants from Europe or other South American countries (García Ferrari, 2009, p.14). This otherness works to emphasise Rodríguez’s (2007) argument that:

Argentina’s national identity rested in large part on the identification and definition of the ‘other’ in its midst. Who that outsider was and how he or she was defined changed over the years according to transformations both slow and sudden in the larger social and economic context (Rodríguez, 2007, p.6).

How does the Argentine case compare and contrast with those cited by Sekula? It can be argued that a limited level of standardization is enforced in both the photographs and the records, but the Argentine examples are more primitive than those Sekula examined. Szir (2009) argues that the records were created and disseminated before the standardization of methods, when one of the developments discussed by Sekula, the Bertillonage system, which originated in France in 1882, was implemented in Argentina

\textsuperscript{20} http://curlew.cch.kcl.ac.uk/cgi-bin/rands/q_img.pl?@s1566
in 1889. In 1887, a Buenos Aires police employee was sent to view Bertillon’s Paris archival system (Garcia Ferrari, 2009, pp.15-16).

The **Bertillonage system** used front and profile photographs of the criminal and eleven anthropomorphic measurements (2009, pp.22-23) (Figure L6).

![Figure L6 Alphonse Bertillon's record](http://www.dnalc.org/view/11916-Anthropometry-card-of-Alphonse-Bertillon-who-originated-this-criminal-identification-system-of-profile-and-full-face-photos-and-key-body-measurements.html)

As Galeano and Garcia Ferrari (2011) discuss, the second *Galeria de Ladrones* (1888-1891) incorporated Bertillon’s system and included front and profile photographs of the criminal.

An identified foreignness based on adherence to certain political ideologies was a central facet in the construction of subversion by the *Proceso* dictatorship. In 1977 Jorge Videla, leader of the first junta, stated “I want to clarify that Argentine citizens are not victims of the repression, the repression is against a minority that we do not consider Argentine” (Marchak, 1999, p.151; Marchak, 2003, p.246).

Diana Taylor (1997) referred to the *Proceso* repression and the construction of a definition of subversives as a “radical undifferentiation” to underscore the scope of

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persons who were victims of the *Proceso* dictatorship (Taylor, 1997, p.150). Legal scholar Mark Osiel (2001) focused on what he termed the *Proceso* regime’s “idiosyncratic understanding of international Communism” (2001, p.132), which targeted cultural elites and university students as the perceived leaders of revolution, to account for the escalation of repression from early 1977, once guerrilla forces were defeated.

This is not to suggest there was leap from a focus on foreign nationals to a focus on foreign political ideologies or that notions of subversion were confined to the 1970s and 1980s. There is ample literature and legislation on both subversion and criminality in Argentina in the intervening years, along with accompanying implementation of disciplinary technologies. Most prominent among these technologies is the *National Identity Document (DNI)*. In 1934, Reyna Almados drafted a project for a national registry of identification, for the purposes of crime prevention. He does not mention photographs (Almados, 1934). In 1968, Ongania’s dictatorship implemented modifications to the document through Law 17.671. The legislation stipulated that the document would include both a photograph and the fingerprints of each person required to carry the *DNI*.

In a 1943 paper Karl Loewenstein discussed early proposals aimed at controlling perceived subversion with the attempted implementation of anti-subversive legislation in the context of the competing ideologies of World War Two (Communism and Fascism), within the broader context of developments in Latin America. Loewenstein focuses on those ideologies’ impact on Argentina’s putatively neutral position during that global conflict. Loewenstein discusses the treatment of Fascists and Communists in Argentina by the right-wing government and the dictatorship that ousted President Castillo’s administration in 1943. Loewenstein argues harsher controls were applied to
the Left. Castillo’s regime refused to break diplomatic ties with Axis powers, despite pressure in the region and from within Argentina from opposing political parties. Those parties formed a parliamentary commission to investigate Anti-Argentine Activities. The government repressed the left-wing press and implemented a state of siege to control the opposition (Loewenstein, 1943, p.1268).

Italo Luder’s 1962 paper looks at crime prevention in Argentina. His paper has a sociological focus on the problems of industrialisation and the breakdown of the traditional family unit with women incorporated into the workforce (Luder, 1962, p.301). Luder suggests that teachers monitored the behavioural traits of school children. Luder identified adolescence as a key time in the development of individual consciousness with people in that age group deemed to be susceptible to negative influences such as literature, films and company (Luder, 1962, pp.307-308).

**Honorific conventions**

Pierre Bourdieu’s 1965 work *Photography: a middle brow art*, elaborates the discussion of honorific photographs which is limited in Sekula’s paper, due to the latter author’s concern with the origins of the dual poles. Bourdieu approaches photographs as an object of sociological study and discusses the conventions of family photographs in terms of their limited subject matter. Bourdieu describes this as an ontological choice based on what is deemed worthy of being photographed (Bourdieu, 1990, p.6). Bourdieu voices surprise at how family photography conforms to a range of conventions. Bourdieu argues that:

> While everything would lead one to expect this activity, which has no traditions and makes no demands, would be delivered over to anarchy of individual improvisation, it appears that there is nothing more regulated and conventional than

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22 Luder served as temporary Argentine President in 1975, was the beaten Peronist Presidential candidate in 1983. He also served as Defense Minister during Menem’s first term.
photographic practice and amateur photographs, such as the objects, places and
people photographed or the very composition of the pictures, everything seems to
obey implicit canons which are very generally imposed (Bourdieu, 1990, p.7).

Bourdieu discusses the motivations for taking photographs, which he argues is the
result of the proliferation in camera ownership and emphasises that, with family
photographs, the intention and function are interlinked. Bourdieu argues that taking
photographs of certain events is as inevitable as the event itself. He refers to this as the
“intensification of photographic practice” which is dependent on the need for
community integration (Bourdieu, 1990, pp.26-27). Bourdieu does not discuss uses
outside the family realm or movement of photographs, even when discussing
photography’s role in social memory. His focus is on normal life circumstances and not
the uses of family photographs following traumatic events. For an elaboration of
Bourdieu’s analysis we have to turn to more recent works. Rose (2010) elaborates upon
Bourdieu’s discussion. I return to Rose’s work in what follows.

Bourdieu argues that family photographs function as “protection against time,
communication with others and the expression of feelings, self-realization, social
prestige, distraction or escape.” (1990, p.14) With respect to the first two of those
functions, Bourdieu states

photography has the function of helping one to overcome the sorrow of the passing
of time, either by providing a magical substitution for what time has destroyed, or
by making up for the failures of memory, acting as a mooring for the evocation of
associated memories, in short, by providing a sense of the conquest of time as a
destructive power; secondly, it encourages communication with others by enabling
people to relive past moments together, or to show others the interest or affections
that one has for them (1990, p.14).
One Bourdieu passage that seems to inform Marcelo Brodsky’s work talks about photography’s influence on how events are conducted. It reads “It is experienced as it will later be looked at, and the good moment will look even better for being revealed to itself as a ‘good memory’ by the photograph” (Bourdieu, 1990, p.27). As I briefly discussed in the introduction, Brodsky conducted a reading of family photographs of his brother Fernando in what operated as an extension of the *pancartas*. His reading of the photographs and his ambiguous use of the term *good memory* were an integral part of the construction of social memory. Tanderciarz (2006) discusses Brodsky’s ambiguous use of the term “good memory” (pp.142-143). I discuss her work in this chapter’s final section.

Bourdieu further states that the family album expresses the essence of social memory. There is nothing more unlike the introspective ‘search for lost time’ than those displays of family photographs with their commentaries, the ritual of integration that the family makes its new members undergo. The images of the past arranged in chronological order, the logical order of social memory, evoke and communicate the memory of events which deserve to be preserved because the group sees a factor of unification in the monuments of its past unity or [...] because it draws confirmation of its present unity from its past (Bourdieu, 1990, pp.30-31).

*Mobility, travelling, and the re-circulation of photographs*

A number of synonymous terms, which I refer to as the *movement* of photographs, have been employed in recent literature, both in the Argentine context and others. In *Doing family photography* (2010), Gillian Rose discusses the uses of family

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23 Da Orden (2004) analysed photographs taken by Italian and Spanish families from the time of large scale immigration to Argentina from the 1880s onwards. Da Orden argues that in the 1920s and 1930s family photography proliferated into the middle classes. Photographs were sent to family members in the country of origin (2004, p.8).
photographs in British contexts, and refers to the movement of photographs as
*mobility*\(^{24}\) and *travel*. Rose states:

> The mobility of family snaps is not new. Family photographs have always travelled between family members. As many historians of photography have noted, photographs have been made to travel ever since the technology began to develop in England and France in the 1830s (Rose, 2010, p.4).

Rose’s work has two focuses: the first examines how women use family photographs. Rose argues that women are charged with ordering and circulating family photographs to extended family members (2010, p.1). This analysis follows Bourdieu’s approach (1990, p.19), and reflects Rose’s role within her own family. The second focus analyses the impact of family photographs outside the *family* realm. In the second instance, Rose discusses how photographs were made to *travel* as a consequence of the 2005 London terrorist attacks. Rose focuses specifically on how the media used family photographs of the victims. Rose analyses how a photograph of one of the victims, Antony Fatayi-Williams, was used in public, days after the attacks at a time when he remained unaccounted for (pp.75-77). Rose argues that the use of family photographs by the British press is a relatively new development. The uses Rose discusses have acts of violence as a catalyst. This can also be applied to the present investigation. Rose argues

> While British newspapers have a long history of publishing formal studio portraits of soldiers killed in armed conflicts (Taylor 1991), the practice of publishing everyday photographs of ordinary people caught up in violent events is much more recent. The first time in the UK [that a paper] printed a family photograph of every victim of a terrorist attack was after the explosion in Omagh, NI, in 1998, when 29 people died (Rose, 2010, p.75).

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\(^{24}\) Rose discusses *mobility* in her 2012 work *Visual Methodologies*. 
Rose goes on to discuss how newspapers presented the images of victims of the 2005 London bombings, and thus created meaning. She states:

Those family snaps in the newspaper in July 2005 were cropped and captioned; obituaries were written; mock photo album spreads were created; readers were told those photos were ‘poignant’; Mrs Fatayi-Williams was shown and written about only as a grieving mother. And that allows the possibility of other work to be done, that would help a different feeling to congeal around those family photographs: not a grief based on similarity and familiarity, but a grief based on curiosity and not-knowing. This would be a grief based less on what those family photos might do as images, and more on what might have been done with them (Rose, 2010, pp.134-135).

Andrea Noble (2008) uses the term travelling in her discussion of the shift in realms of family photographs. Noble discusses photographs in the Argentine post-dictatorship context as well as her principal academic focus, Mexico, to which I will return in a discussion of a later Noble paper (2010) in which she considers a number of the concerns of this current study: durational uses, the movement of photographs, and how photographs drive political and social debate.25

In Travelling theories, Noble examines the use of family photographs in the Argentine context with respect to the case of Daniel Tarnopolsky. In 2004, Tarnopolsky sued Emilio Massera for financial damages. At that time, Massera was legally protected from prosecution for his role as head of the navy in the first of the Proceso juntas. Every member of Tarnopolsky’s immediate family were detained-disappeared. At a press conference with Las Abuelas, photographs of Tarnopolsky’s parents were used for specific political ends. Tarnopolsky donated the money awarded to him to Las Abuelas

25 Noble has written extensively on Mexican photography. See Photography and memory in Mexico (2011).
to aid their search for missing children. That press conference operated in similar conditions to the Abuelas press conference photograph I presented in the introduction (Figure I.1). In other ways the use was differentiated, it did not occur because of an announcement of the recovery of a missing child. It was, however, a part of the process in locating now adult grandchildren.

Claudia Feld (2012) analysed the ways one repressive Proceso photograph, perhaps the most well known repressive Proceso photograph to emerge during that dictatorship, has been used from its emergence into the public realm in 1977. Feld looks at how the photograph of two French nuns, which was taken in the ESMA in 1977 and issued by ESMA operatives in their attempt at apportioning blame to the Montoneros, has been used French contexts. The photograph of Alice Domon and Leonie Duquet, in which they were placed in front of a Montoneros banner also produced in the ESMA, is a repressive photograph but carries the conventions of the photographs issued by guerrillas of captives in the Argentine context, and in Europe. Those conventions include photographing victims in front of the organisations’ banner and sending the photograph to newspapers, usually in the pursuit of a ransom, or the release of political prisoners. One European example is the photograph of Italian politician Aldo Moro which was taken and issued by the Brigate Rosse (Red Brigade) in March 1978. The organisation killed Moro in May 1978. Selva and Marcucci discuss the dissemination of Moro’s photograph (Selva & Marcucci, 2003, p.18). (Figure 7 p.56)
Another European example is the photograph of Hans Schleyer who was kidnapped in Germany by the Red Army Faction (RAF) in September 1977. The RAF murdered Schleyer on 18th October 1977 after demands for the release of RAF prisoners was not met.²⁷ (Figure L8).

²⁶ [http://www.fotographiaonline.it/?p=5758](http://www.fotographiaonline.it/?p=5758)
²⁷ Colvin discusses Schleyer’s death (2009, p.xi).
I discuss the ESMA photograph of the nuns in chapter two. That photograph is what I refer to as the second stage of the creation, emergence and circulation of repressive photographs from 1972 onwards. The extensive examination presented in this thesis enables a contextualisation of the movement and the significance of a series of repressive photographs and their relationship to official narratives.

The manner of the emergence of bodies of repressive photographs is demonstrative of the type of repression conducted by the state at specific times. From the legal though highly criticised repression, which saw the emergence of the photographs of the Trelew Massacre victims which were issued by the state in order to support official version(s) of what occurred on 22nd August 1972. The dictatorship prohibited circulation of unofficial versions of events. From the time of their emergence, to their more frequent uses in 1973, the photographs were used in a number of contexts through a radical modification of the intended original purpose. In contrast, the construction, and emergence of the partial ESMA archive was tied to illegal clandestine repression and the intended absolute control over that archive. Importantly, the emergence of the partial archive was not through the action of the state.

In terms of integrating a diversity of photographs into a theoretical framework, Silvia Tandeciarz’s 2006 paper is useful. Tandeciarz analyses the use of a number of Argentine repressive, or what she terms disciplinary, photographs, in a range of contexts which include protests and artworks. Tandeciarz clearly delineates the types of photographs used and the contexts of their use. In discussing the movement of photographs and the impact of that movement, Tandeciarz argues “when photographs are re-circulated in strategic ways, reinserted in a new system of meaning, a new social contract, they are transformed” (2006, p.139).
Regarding the DIPBA archive, which emerged in the 1990s and parts of which were thereafter exhibited, Tandeciarz states

Like the ID photo that, removed from its originary context, calls attention to a state disciplinary project gone awry, images created as part of the apparatus of surveillance become icons signalling its perversity (2006, p.141).

Another way in which Tandeciarz’s examination permits further scrutiny, and which is linked to the above point with respect to artworks, is her emphasis on the continuities in the use of photographs of the detained-disappeared. She argues that uses all refer and reference back to the first usage by Las Madres in 1977 (2006, p.142). Tandeciarz’s paper enables elaboration and closer scrutiny through the posing of a series of questions: How is that 1977 use better understood through an extended examination which considers photographic use prior to the Proceso?, what does an expansive examination reveal about uses of photographs in the mid 1990s, and what is the impact of those uses as a driver of political and social debate in Argentina?

Tandeciarz’s examination permits this elaboration due her understanding that the victims included in the 1996 CNBA commemoration spanned the period from 1970 to 1980, not just the Proceso. I discuss problems with existing literature with respect to this issue in chapter four.

Andrea Noble’s Recognizing historical injustice through photography: Mexico 1968 (2010) looks at the impact of thirty-five repressive photographs when these emerged into the public realm through their publication in Mexican magazine Proceso, over 30 years after Mexico’s 1968 violent repressive events. Noble’s examination focuses on some of the principal concerns of this current thesis. Her analysis of durational uses is confined to the original intent of the photographs in 1968 and the photographs’ movement and function following their emergence into the public realm.

29 The photographs are at http://www.camacho.com.mx/tlatelolco68/principal.html
Significantly, Noble applies Tagg and Sekula’s work, which enables her to analyse how repressive photographs have driven political debate. She argues that the photographs in question “had catalysing potential to bring about investigation and clarification of human rights violations committed in the past” (2010, p.186). Noble critically analyses the political conditions in which those photographs have operated.

The ruling party at the time of the massacre was ousted from power after 71 years (Noble, 2010, p.190). In 2001, Mexican President Fox pledged to confront human rights violations. The publication of the photographs put pressure on Fox to deliver on his promise. 1970s and 1980s human rights violations had taken precedence over those from the 1960s (Tremlett & Tuckman, 2001). The most significant contribution Noble makes is situated in her analysis of the conditions of the emergence of the documents. In locating these photographs within the conventions of repressive photographs, Noble argues that:

The photographer’s real task commences: the production of images that conform – albeit loosely rather than precisely – to the formal conventions of the mug shot. As the influential work of Alan Sekula (1986) and John Tagg (1988) has demonstrated, photography has a long history of use in the practices of law enforcement and criminal identification. With its roots in 19th century portraiture which, from its inception, had both honorific and repressive functions (Sekula, 1986:6) [...] True, the circumstances under which the Tlatelolco photographs were produced militate against the tightly controlled conditions of the police mug shot described by Tagg. Its conventions are nevertheless at play in many of the images taken of those students (pp.197-199).

Noble later discusses how those photographs were put to distinct uses, which rests on both their intention and their movement:
An instrument in the apparatus of power, the photographs were subsequently deployed as evidence in the legal proceedings that followed, leading to the incarceration of significant numbers of students [...] from documents with legal status admissible in 1968 in a court of law [...], into documents that precisely provide evidence of the criminality of the state (pp.199-200).

The photographs Noble discusses had a different trajectory to the principal concerns of this thesis. In the Argentine context, some *repressive* photographs or *bodies* of photographs were present from early stages, and operated as key referents for the democratic periods under investigation. The closest parallels to the Mexican photographs in terms of the time from events are documents which emerged in 1999 and 2001. Those documents (the DIPBA archive and a further ESMA file) helped to re-energise the pursuit of justice in Argentina. I discuss the role of these documents in chapter five. Noble’s analysis provides a model to engage with the processes through which each collection of *repressive* photographs drove political and social debate and the nature of those debates at given times. Basterra’s ESMA photographs and further ESMA documentation to use Noble’s phrase “provide evidence of the criminality of the state”. Their intended function was not as legal evidence like the Mexican photographs but operated as “privileged knowledge” (Foucault, 1982) on the location and eventual fate of *detained-disappeared* victims.

I refer to some of the above works, and to others not covered in this chapter, in the body of the thesis.
METHODOLOGY AND SOURCES

In this chapter I outline a number of factors that influenced my research in the construction of this historical narrative. I discuss my use of photographs and use of primary and secondary material. Another important aspect of the research rested on my approach to archives. Archives were significant for two complementary reasons: the significance of HRO archives in the context of military control of information, and my use of those archives. Archival construction and my use of archives are both informed by imposed limitations, and operate as articulations of those limitations.30

Uses of photographs

In answering the research questions: in what ways do bodies of photographs articulate, elucidate, and at times drive political and social debates regarding state repression in Argentina and how are they used to frame an understanding of state violence? I analysed the role of photographs in a number of different contexts and their relationships to significant political developments with respect to truth, justice and memory. Those contexts included: political protests in 1973, 1983 and 2006, and 2007; press photographs like the one of Nora Cortiñas, referred to in the preamble; press conferences; art exhibitions; state documents and trials. Photographs of Julio López were one significant example. Taken before his 2006 disappearance during a trial, the photographs were later used to articulate the demand for his return and justice for Proceso crimes.

As I outlined in the previous chapter in my engagement with Barthes subjective approach to photographs, a number of important factors have to be considered when dealing with such source material. Tucker & Campt (2009) have argued similarly that photographs have to be scrutinised like any other type of source material. They state

30 See Worboys, 2006
Many of the same questions must be asked of photographs as of any other type of historical source: Who took the photograph? To whom is the photograph addressed? To whom was it given? How was it circulated, and with what effects? [...] By exposing the questions we ought to raise about all historical evidence, in other words, photographs reveal not simply the potential and limits of photography as a historical source, but the potential and limits of all historical sources (2009, p.5).

Gillian Rose (2012) has argued that similar questions should be posed of photographs (2012, pp.346-347) Rose also outlines a number ethical considerations that should influence how researchers treat photographic material (2012, p.330). Marion & Crowder (2013) raise a number of similar ethical considerations (pp.4-7).

Marion & Crowder’s considerations focus on much of the same area covered by notions of movement, dissemination or the re-circulation of photographs, specifically with their identification of the problem of representational authority, de-contextualisation and circulation of images (2013, p.6). All photographs included in the study are in the public realm including videos of protests in which the Trelew photographs were used and those taken by or published by the press. Those of Cortiñas and López which I have already discussed are prominent examples. Repressive photographs were published in newspapers in 1972, 1984 and 1985. Photographs included in archives and online archives are defined by need to disseminate information.

The idea of the public realm underpins my approach to photographic movement and the notion of archival openness. With the Pancartas most have been digitised. In the cases of those not digitised which I discuss in this thesis, the photographs included on them are presented on the Muro de memoria (see below)

**Imposed and selective delimitations**
I applied a number of delimitations, to focus the investigation. This thesis is not intended to be comprehensive. Other delimitations are intrinsic to the subject. The most prominent imposed delimitation is the lack of comprehensive state documents.

A delimitation I applied was to the geographical area investigated. I focus mainly on Buenos Aires and the Province of Buenos Aires and on the work of HROs in those areas. Most of the largest CDCs were located in the above areas, except La Perla in Córdoba. The ESMA is my dominant focus.

The Muro de Memoria (Wall of Memory) website was a starting point for engaging with some of the individual cases discussed in the thesis. The website has photographs of over 1900 victims. The pages to victims are linked to the Pancartas. Each victim’s page is dependent on information on their fate, the CDC if known and date of detention-disappearance (Figure M.1 below and p.64).

![Muro de Memoria](image)

Figure M.1 Muro de memoria

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I used audiovisual material, which was particularly important in the discussion presented in first chapter of the thesis with respect to the use of photographs of the Trelew victims. The archival footage of the use of photographs in a 1973 demonstration was taken from Mariana Arruti’s 2004 documentary film Trelew: La fuga que fue masacre and Raymundo Gleyzer’s 1973 film Ni olvido, ni perdón. I used a number of other videos of exhibitions, commemorations and demonstrations including Marcelo Brodsky’s Puente de la Memoria (1996), Abuelas exhibition Identidad (1998), and also legal cases. The most important of which was the allegation of Justicia YA! at the 2009 ESMA trial in which Basterra’s documents were a significant component. The allegation is available on the Socialist Workers’ Party (PTS) website.

Archival Research

I discuss repressive archives at the time of their emergence and HRO archives. I discuss the reasons why these archives were constructed and their importance at the time of their construction. Argentine archives are included in UNESCO’s Memory of the World Register. Their inclusion is an acknowledgment of their significance. UNESCO’s project includes the archives of Abuelas, AEDD, APDH, CELS, Madres: LF and
Memoria Abierta, state files produced during the Proceso, including DIPBA, and CONADEP’s investigation. Archives have to satisfy a number of criteria for inclusion: uniqueness, impossibility of replacement and their importance in terms of their dissemination (Cada carta, 2006; Ginzberg, 2006c; Ginzberg, 2007d; CELS, 2007, pp.66-68).

I conducted archival research both in physical HRO archives and those online. I undertook archival research at CELS and Madres: LF’s offices. I used photographs and documents held by those organisations, specifically Madres: LF’s Pancartas and CELS photograph archive, and its extensive archive of newspaper articles on the Proceso violence, including reports on the emergence of Basterra’s photographs in 1984. Those reports are a central focus of chapter three.

Though dated, Louis Bickford’s 1999 paper was a useful starting point for establishing what some organisations archives contain, including CELS, though not AEDD or Madres: LF. Without Bickford’s work I would not have known of the photographs of the detained-disappeared in CELS archive or its newspaper archive (Bickford, 1999, p.1112). Santiago Mellibovsky donated the other part of the photograph collection to Madres: LF. These photographs were also on the website Sinolvido.org, which is no longer operational. The photographs in CELS archive include the last photographs of victims.32 (Figure M.2 p.67)

32 Da Silva Catela (2009, p.346) discusses sinolvido.org
Restrictions are in place with respect to what is available to researchers in HRO archives. Survivor testimonies held by CELS are not accessible because of ongoing trials. Some survivor testimonies from trials in the 1980s and truth trials in the 1990s and 2000s are available for consultation. The former were published in 1985 and selected testimonies are online. Testimonies from the truth trials are online.

King (2011) argues that most archives are informed by control and by the limits to what is included. King focuses on the archive as an object for study. King argues that from the 1970s research has been conducted on the meaning of archives; as a result of Foucault’s work (King, 2011, p.17). The limits to inclusion is a central and prominent problem to the Argentine past. Archives are defined by the need to inform and by the awareness of limits.

In her 2008 article, Maria Guembe of Memoria Abierta discusses the work of her organisation and the relationships of HROs with different post Proceso governments, and the collaborations and disunity within the human rights community. In her discussion of HRO archives, Guembe argues

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33 See Schwartz & Cook (2002)
In Argentina human rights violations were not documented through photography; videos do not exist to testify to the repression; documents that could help to reconstruct the events that transpired have been destroyed or are carefully hidden. In most cases, the families of the 30,000 people who were disappeared still do not know what happened to those people after they were kidnapped. [...] Today CONADEP is still the primary source of information, despite the fact that most of their work was carried out in 1984 (Guembe, 2008, p.64).

Most of the information used in the thesis is in the public realm including the vast majority of the photographs I discuss. As I discussed in the previous chapter the public use of photographs is tied to the approach I take in the thesis. I did not conduct interviews with HRO members. Interviews with organisations are in the public realm. Fisher’s 1989 work contains interviews with members of Las Madres and Las Abuelas. That work was important for the discussion in chapter three.

**El Diario del Juicio**

One particular issue with my archival research concerned *El Diario del Juicio*, the weekly publication on the 1985 Trial of the Generals (*Juicio a las Juntas*). *El Diario* published a number of testimonies. It was the first time many were published in full. Prior to the trial some testimonies were partially presented in CONADEP’s 1984 report *Nunca Más*. A small number were published in two books in 1985 including Víctor Basterra’s. Importantly for the discussion in chapter three, Basterra’s *ESMA* photographs were published in the tenth edition *El Diario*.

At the time of my 2011 field work in Argentina, *El Diario* was not available online. The collection is held by certain libraries, including the British Library. *Memoria Abierta* has rectified the online absence. *Memoria Abierta* has scanned all editions. The scans are low quality. However, the availability of the publications makes research much easier for others.
The complete set of El Diario del Juicio is held in the newspaper archive at Biblioteca Nacional de Buenos Aires. Photocopying material published before 2006 is prohibited in that archive. The photographs included in chapter three from the publication are photographs taken in the library and are of a better quality than Memoria Abierta’s scans. My discussion in the last part of chapter three is reliant on those photographs and El Diario del Juicio.

Establishing Truth

What type of truth is at the centre of demands and how is truth established with partial information? How do we know ESMA had five thousand victims and not a lower figure like that used by Ricardo Cavallo in 2001? Cavallo was careful to include the ESMA survivors when he argued that of the five hundred people to have entered the ESMA, three hundred were killed. Cavallo thus also attempted to dismiss the testimony of survivors. There is no documentary evidence of five thousand ESMA victims in the public realm. The testimonies of ESMA survivors are included in CONADEP’s report. One of whom, Jamie Lazaro Gladstein, discussed the five thousand victims. It is also useful to refer again to Karababikian’s 2007 paper in which she quotes one brief passage included in CONADEP’s report. That passage is from Norma Burgos’ testimony. Burgos was detained in the ESMA from January 1977 to January 1979. Burgos stated 4700 people were held in the ESMA to March 1978 (Karababakian, 2007, p.637).

The veracity of survivor testimony has been proven in legal cases. In the 1985 trial, survivors were termed necessary witnesses (Speck, 1987, p.506). In that trial, one survivor referred to the ESMA archive of five thousand victims. The higher figure was established by the survivor’s access to the archive in late 1979.
Historical Accuracy and Interpretation

Historical accuracy is paramount to a contextualisation of the uses and meaning of photographs. One example is the date on which a use of enlarged photographs in April 1983 by Las Madres took place. There is disagreement on the date the photographs were used. It was either 28th April or 30th April 1983. Why is the difference important? 28th April was the date of the military’s official “explanation” of the fate of the detained-disappeared. The 30th was the sixth anniversary of Las Madres first visit to Plaza de Mayo. Gamarnik (2010) argues that it was 28th April., Ana Longoni (2010) states it took place on 30th April.

Numerous Argentine and French newspaper reports on the protest that were included in CO.SA.FAM’s 34 May 1983 bulletin, discuss the Thursday meeting in the rain. Marie-Christine Ayme’s report in the French newspaper Libération, of the weekend of 30th April and 1st May 1983, is one example. Ayme states,


The report mentions five important issues; the day: Thursday (Jeudi), Plaza de Mayo (Place de Mai), rain (déluge), imminent publication (l’imminence de la publication), banners of giant photographs (oriflammes des portraits geants).

The difference in dates changes the relationship between the military and Las Madres, and determines whether the protest and use of photographs was a demand or a response. The date affects how the protest is perceived and why it was performed in the context of the pursuit of truth in the final year of the Proceso. I discuss this relationship in chapter three.

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34 Commission de solidarite avec les Familles de Disparus, Tues et Prisonniers en Argentina
A similar problem occurs with a photograph of a Las Madres member with a photograph of her daughter. Photojournalist Eduardo Longoni, who took the photograph, dates it to 1981. It is part of his series Violencias, Argentina 1980-2003, which was exhibited and published in 2006 (Testimonios de, 2006). Feitlowitz dates Longoni’s photograph to 1989 (Feitlowitz, 2011, p.107). (Figure M.3)

Figure M.3 Longoni’s photograph of a member of Las Madres with a photograph of her daughter (1981).

**Declassified U.S. Embassy cables**

The research also draws upon the collection of 4677 United States embassy cables from 1975 to 1984. The cables were declassified in 2002 and passed to CELS, Abuelas and Madres: LF (Granovsky, 2000; Zommer, 2002; Osorio, 2003, p.11). For the purposes of this investigation, the collection is abstracted from the debate over the control of information that I apply to other types of Proceso documents. I use the cables at the point at which they were sent and not the time of declassification.

The cables permit a unique insight into the period, they are however also limited in what they reveal. They belong to a more comprehensive United States intelligence archive that is at the centre of continuing debate. In May 2011, the U.S. Congress voted on an amendment that would have required U.S. intelligence agencies to make available
classified documents on the *Proceso*. Democrat Hinchey’s Bill was narrowly defeated (*Congress Votes*, 2011, p.A10). In a letter to President Obama in November 2011, prior to Obama’s scheduled meeting with President Fernández (2007-present), Hinchey discussed *Abuelas* continuing struggle to locate appropriated children. Hinchey referred to the 2002 declassification as discretionary and argued that although the documents were significant, the declassification lacked “detailed documents from U.S. intelligence agencies that could shed light on unidentified children” (Hinchey, 2011). *Las Abuelas* called the decision a disgrace (*Abuelas manifestó*, 2011).

The cables originating from the United States embassy in Buenos Aires include information from a wide variety of sources such as the discussions conducted by US Ambassador Castro with the military junta, denunciations of detention-disappearances, evaluations of the political situation and of acts of violence committed by guerrilla organisations, the military and the right-wing paramilitary organisation, the *Argentine Anticommunist Alliance* (AAA). The cables are a significant source for the discussion of the *Proceso* in chapter two, and my discussion of the immediate post-dictatorship period. They are particularly important to understanding the project of misinformation and the status of victims, including those kidnapped in August 1979. Some of the victims mentioned are included in Basterra’s partial ESMA archive. The insight provided by these cables is not available elsewhere.

**Ruinas Digitales and Online Archives**

The website *Ruinas Digitales* was an invaluable resource for this thesis. *Ruinas Digitales* is the project of Political Science students at the *University of Buenos Aires* (Farias, 2013). *Ruinas Digitales* includes most of the major publications of the orthodox left, and the *Peronist* left and right, from the mid 1960s. Chapter one would not exist without the following: *Cristianismo y Revolución* (1966-1971), *El Descamisado* (1973-

The website also includes important historical documents: political speeches, human rights documents including those of CELS and CADHU (*Argentine Commission for Human Rights*), which I use in chapter three of this thesis, and also military documents including *Documento Final*; the military’s 1983 *Proceso* report.

The documents held by the *International Center for the Arts of the Americas* (ICAA) underpin my discussion of events prior to the use of the photographs of the *Trelew Massacre* victims in Chapter one. ICAA has an extensive archive of historical documents on Latin American art and newspaper articles on the relationship between art and violence in Argentina at that time.

Throughout the investigation I used the websites of HROs. *Las Madres: LF* had an excellent website that has recently been replaced by a less significant blog. CELS website includes the redacted document produced in the ESMA that was included in *Diario del Juicio*, to which I referred in the introduction, along with daily updates on current and completed trials. I also used the websites of *Asociación de Ex Detenidos-Desaparecidos, H.I.J.O.S-Capital, Abuelas and Memoria Abierta*. The latter archive contains digitised *Madres: LF Pancartas*.

The documentation on *Equipo Nizkor*’s website provided the foundation for my discussion of the 1985 trial of the generals. It is the only place where a list of victims and an extensive breakdown of the sentences is currently available.
The Argentine Press

I used the online archives of the Argentine newspapers Página/12, La Nación and Clarín. Página/12 is the Argentine newspaper most committed to human rights issues and is inextricably linked to the struggles of HROs. Relatives of detained-disappeared victims write for the paper, including Luis Bruschtein and Victoria Ginzberg. Bruschtein is the son of Laura Bonaparte of Madres: LF. Seven members of the Bruschtein family were detained-disappeared or killed. Ginzberg is the daughter of Irene Bruschtein Bonaparte de Ginzberg and Mario Ginzberg who were detained-disappeared in 1977, and is Laura Bonaparte’s granddaughter (Petrich, 2001).

Página/12’s prominence in the thesis does not reflect its circulation figures or influence. Página/12 is not audited in the same way as Clarín and La Nación by El Instituto Verificador de Circulaciones (IVC). Those papers have easily accessible circulation figures. Clarín has around 300,000 daily sales. La Nación sells 165,000 copies daily (Sexta caída, 2012; La Nación, 2013). In 2012, Página/12’s daily sales were 16,200 (Alfie, 2012; Cretazz, 2011). In 1998, the figure was also around 16,000 (Reinoso, 1998).

The newspaper’s 2012 circulation figures were established through government advertising spending figures. Government spending in Página/12 far exceeds the money spent in larger papers. Critics of the paper from both right and left, including both Clarín and La Nación, refer to it as the government’s official paper. Clarín’s opinion is the product of a dispute with President Fernández and her attempts at media law reform which was directed at Clarín’s media empire (Argentina court, 2013).

In 2012, Fernández delivered a speech at the ceremony at the ESMA marking the paper’s twenty-five year anniversary (Texto completo, 2012). Página/12’s founder, Jorge Lanata was not mentioned. Lanata was the editor until 1997 and is a prominent
Fernández critic. In his open letter to Fernández, following his erasure from Página/12’s history, Lanata referred the paper as a servile official bulletin (La carta, 2012; Wiñazki, 2012; Texto completo, 2012). The paper had a key role in human rights struggles from its founding. Página/12’s commitment to memory, truth and justice is perhaps most evidenced by the Recordatorios published to victims of state terrorism from 1988 (Gusman, 2005).35 (Figure M.4)

![Figure M.4 Página/12’s first Recordatorio (1988)](image)

Página/12’s role is more complex than Lanata suggests. The paper publishes articles critical of the government from HROs including AEDD, and political organisations including Partido de los Trabajadores Socialistas (PTS) and Movimiento Socialista de los Trabajadores (MST). Such articles are not as numerous, but became more prominent following López’s disappearance.

La Nación’s editorial line is strongly opposed to certain official approaches towards state perpetrated violence. The paper’s adversarial position is typified by one of its journalists Mariano Grondona, a prominent opponent of Kirchnerist human rights policies (Grondona, 2005). The clash of positions leading to and following a 2006 commemoration by adversarial actors, which I discuss in chapter six, was reflected in La Nación’s and Página/12’s reporting of an event held by those advocating an amnesty

35 I discuss the Recordatorios in chapter four.
for perpetrators, three weeks after López’s disappearance. *La Nación* put the number in attendance at 7000 (Polack, 2006). *Página/12* put the number at 2500 (See chapter six). Silvia Tandeciarz (2007) provides an excellent analysis of the framing devices used by *La Nación* and *Página/12* in their opposing reports on the 2004 turning of the ESMA into a *Space for Memory* (Tandeciarz, 2007, pp.164-166).

I used newspapers including *The Times*, *The Guardian* and the *New York Times* to circumvent the restrictions on reporting and on the circulation of information during both *Revolución Argentina* and the *Proceso*. I discuss the restrictions in chapter one and chapter two. I used those newspapers for balance in the democratic period that followed *Revolución Argentina*. My analysis of that period relies mainly on political newspapers, including those of guerrilla organisations.

For similar reasons I used the Spanish newspaper *El País*’s extensive online archive on the *Proceso*. As I indicated in the introduction, Spain is one of the countries most affected by *Proceso* violence after Argentina.

I used MST’s paper *Alternativa Socialista* and PTS’s paper *La Verdad Obrera*. They had an important role in my discussions of López’s photographs, left-wing opposition to Kirchner, and the justice process from 2006.
CHAPTER ONE: THE TRELEW MASSACRE

In the first chapter of this thesis, I examine the uses of photographs of the victims of the Trelew Massacre. The violent deaths of sixteen guerrillas and the wounding of three survivors occurred on 22nd August 1972, when the victims were detained at a naval base in southern Argentina. In the immediate aftermath of the event and at key points in the year following, photographs of those killed were used in commemorations and political demonstrations, and in artworks to underpin the unofficial critique of the official version(s) of the event circulated by Alejandro Lanusse’s dictatorship (23rd March 1971-25th May 1973), the third and democratising administration of the 1966-1973 dictatorship: Revolución Argentina (RA hereafter).

I focus on the ways in which political, social and cultural activists used the photographs to underscore the significance of the event, in the context of the repression perpetrated by state forces during profoundly changing political conditions. I critically examine the convergence of these engagements by actors in the education field, the legal arena and by artists during the immediate and longer-term aftermath of the massacre. The use of photographs of the faces of those killed in the Trelew Massacre from May to October 1973 formed part of a comprehensive engagement with state violence. The origin of those photographs is important.

The Trelew Massacre marked a significant turning point in the violence perpetrated by the state that to the time of the massacre included the torture, disappearance and murder of militants and political activists. The massacre was framed as the most overt case of state perpetrated violence during Ongania’s, Levingston’s and Lanusse’s dictatorships. The massacre helped to further elucidate a number of interconnected political demands. The demands focused on an end to state repression

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36 See O’Donnell (1988)
and an end to impunity for the perpetrators of crimes. The activists, whom I discuss in what follows, had the expressed aim of aiding with the conscientization or critical awareness of the political and social reality in Argentina during RA to the time of the massacre.

In one high profile case before the Trelew Massacre, Néstor Martins, a lawyer involved in denouncing the torture of political prisoners, disappeared in December 1970. According to witnesses, Martins was forced into a car and a police officer in the vicinity did not intervene (Wigg, 1971d, p.5; Nuevos casos, 1969, p.18).

Martins’ disappearance was denounced to the Inter-American Commission on Human Rights (IACHR) in early January 1971, which exerted pressure on the regime for answers. That followed the submission of a habeas corpus petition by Martins’ wife and her lawyer Atillo Librandi. The IACHR submitted a number of requests for information that were finally answered. The dictatorship stated it was unable to ascertain the whereabouts of Martins or Nildo Zenteno, the lawyer’s client, with whom he disappeared. In July 1971, the government outlined the steps it had taken to locate the two individuals. The government reported it had distributed Martins and Zenteno’s photographs, that Interpol and border security officials had been informed, that requests for information were disseminated, and that a search for the bodies was conducted at the site of the Buenos Aires disappearances (IACHR, 1972, pp.46-48).

No information emerged, despite the work of lawyers who established the Commission for the Life and Liberty of Martins and Zenteno (Librandi, 2006, p.84). The judicial investigation into the disappearances was closed in November 1973 (El juez, 1973, p.8).

Martins’ disappearance was a significant reason for the formation of the lawyers’ organisation The Guild Association of Lawyers (Asociación Gremial de...
Abogados) in September 1971. Members of the organisation committed to the defence of political prisoners with an awareness of the risks to their own safety (Kestelboim, 1973, p.87; Chama, 2000, pp.93-94).

This chapter is split into four parts. In the first part, I provide a description of events of 22\textsuperscript{nd} August 1972; an analysis of the responses in the immediate aftermath of the massacre, including the repressive mechanisms implemented by the regime to curtail the circulation of critical versions of the manner in which the guerrillas died; and finally an examination of the ways in which that was a determining factor in the construction of competing official and unofficial narratives. Official accounts argued the deaths occurred as the result of an attempted escape. The unofficial version argued the Trelew victims were killed in cold blood (\textit{Foro de Buenos Aires}, 1972).

The principal actors on whom I focus are lawyers from the Asociación Gremial; the families of the victims who later organised as the Comisión Nacional de Familiares de Patriotas Caídos en la Masacre de Trelew; and finally an art collective, Grupo de los Trece (Group of Thirteen) affiliated with the Centre of Art and Communication (CAyC). Some members of the group engaged with the massacre during an outdoor exhibition in Buenos Aires in September 1972. It was during the initial period of response that the photographs used by those affiliated with CAyC in 1973 were placed on the walls of buildings in Buenos Aires. (Figure C1.1 on p.79)
Emergence of the Trelew photographs

As Ana Longoni (2001) argues, many of the photographs are prison photographs or those issued by the navy to underpin the official version of events. However, a photograph of one of the victims, Angelica Sabelli, is not from those sources but from before her arrest. A photograph of Sabelli, published by left-wing newspaper Militancia after the transition to democracy, is from state sources (Longoni, 2001, p.14; Trelew: Investigacion, 1973, p.15). (Figure C1.2)

Figure C1.2 (Militancia 1, 1973 p.15). Sabelli’s photograph is the third from the left in Figure C1.1.  

Longoni’s analysis of the origins of the photographs is my starting point for the examination of the movement of repressive photographs. Most were in the public realm immediately after the massacre. This is borne out by Argentine newspaper *La Prensa*’s report of the Trelew deaths on 23rd August (Figure C1.3). Newspapers including *La Prensa* adhered to the official versions of events as the article’s headline attests; “15 terrorists were killed when trying to escape from the Trelew base”. Sabelli is noticeably absent along with three others killed. The report does include photographs of the injured guerrillas.

![Figure C1.3 Fuero muertos, 1972](image)

In the second part of the chapter, I discuss the strengthening of the opposition to the dictatorship from May to December 1971, and then in June 1972 prior to the massacre. This section operates as a contextualisation of those who engaged with the *Trelew Massacre* mentioned above. I discuss the prior engagements of those actors, except for the families of the victims who emerged post massacre, in response to acts of violence, assassinations and disappearances conducted by the state. The notion of
Conscientization or critical consciousness (Concientización in Spanish), which was developed by the Brazilian educator Paulo Freire during the innovative adult education programs he conducted in Brazil and then Chile, is crucial to understanding how the violence in the period before the massacre was approached by artists, activists and lawyers, who were at the forefront of resistance to the dictatorship with recently emerged guerrilla organisations.

The term conscientización has a specific sense in the Argentine context. One of Freire’s Chilean collaborators on his work *Pedagogy of the Oppressed* (1968)\(^3\) outlines the term’s significance, without discussing its use in Argentina in the early 1970s. Marcela Gajardo states

The term is inextricably linked to Freire and to the education movements and popular culture that in the 1960s, impelled the mobilisation and organisation of vast marginal sectors of the city and rural areas to claim, against the state, access to economic welfare, social services and for social and political participation in diverse degrees and instances (Gajardo, 1991, p.15, my translation).

In the third part of this chapter, I discuss three uses of the photographs during the democratic period that followed RA. The first use was during the release of the dictatorship’s political prisoners in May 1973. The Trelew survivors were among those released. The second use of the photographs occurred at the time of the first anniversary of the massacre. At that time, public commemorations and political acts were conducted as part of a comprehensive engagement with the massacre. One key aspect of that engagement was a proposed investigation into the deaths. Finally, I discuss exhibitions that were held at the *Museum of Modern Art in Buenos Aires* (MAMBA) with the work *Proceso a Nuestra Realidad* (Process to our reality), in August 1973, and at the *Faculty*

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\(^3\) Freire’s work was published in Argentina as *Pedagogia del Oprimido* in March 1971 (*Paulo Freire*, 1971, pp.14-16).
of Law at the University of Buenos Aires in October 1973. Both exhibitions contained the collective work of CAyC artists Juan Carlos Romero, Perla Benveniste, Luis Pazos, Edgardo Vigo and Eduardo Leonetti. The first exhibition took place before the first anniversary of the massacre. The UBA exhibition is instructive in that it marked the emergence of a developing political reality. The destruction of the work by right-wing Peronists occurred at a time of conflicting readings of Peronism and the meaning of the democratic era. The university was a significant site of the conflict. The period following the destruction saw the full emergence of right-wing paramilitary organisations. The Triple A or Alianza Anticomunista Argentina (AAA hereafter), being the most prominent (Chama & Canoso, 2011, p.324).

The period from May to October 1973 was defined by the pursuit of, and denial of, legal accountability of those responsible for the Trelew Massacre. The families of the victims and political actors were at that time driving the demand for an investigation into the deaths, and for the commemoration of the victims. In July 1973, the Comisión de Familiares released the statement: Trelew: Neither forget nor forgive. It reads,

> We went to the people of the Republic, to labor organizations, to students, to all the political parties, artists and all men and women with human sensitivity and love of justice, so that all support our action in claiming justice for the Trelew massacre and pay homage to their martyrs who already earned the hearts of the people. (My translation)

The Commission demanded that 22nd August be named the National Day of the Patriots of Trelew; that the name of Trelew be changed to Heroes of Trelew; that a monument be erected in Trelew, that an investigatory committee be set up to clarify the facts of the deaths and finally, that a central act be held on 22nd August 1973 in Buenos Aires, and that acts be held in each city of origin of the dead (Trelew: Ni, 1973, p.14).
The proposed parliamentary investigation was supported by thirty-four members of the Chamber of Deputies, the lower political house. Most of the adherents belonged to the governing FREJULI coalition. The proposed focuses of the investigation were the assassinations, kidnappings and tortures that had occurred from the proscription of Peronism in 1955, with a pronounced emphasis on the Trelew Massacre (Al Pueblo, 1973, pp.18-19). After the announcement of the investigation, it was revealed the perpetrators were posted outside Argentina (Se van, 1973, p.23).

I conclude the analysis in part four with an examination of the events marking the second anniversary of the massacre. The final section places the use of photographs in historical perspective. At the time of the second anniversary, commemorative activities were prohibited. The deaths and arrests of protestors on 22nd August 1974 marked a complete shift to the right. The impunity for the perpetrators of the Trelew Massacre, and for perpetrators of other state crimes, continued. At the time of the second anniversary, one of the survivors denounced impunity from prison. He was arrested and tortured in April 1974.

I resist reading the massacre and the period more broadly, as a prelude to the Proceso. I concentrate upon examining events in terms of how they were understood at the time, through an analysis of articles published in a number of left-wing newspapers. Further, I do not argue for equivalence in the acts of violence, deaths and disappearances during the period in which the Trelew Massacre occurred and the Proceso which was defined by the state policy of detention-disappearances and assassinations. There are, however, a number of events that inform the political and cultural responses to state repression post the Proceso, to which I will return in subsequent chapters.
In the fourth chapter, I discuss the framework employed in the approach to commemorating victims of state terrorism at Colegio Nacional de Buenos Aires (CNBA) in 1996. At the act, a number of important narratives intersected. One of which was an emphasis on the continuation of repression from RA to the Proceso. The commemorative event incorporated the dead and *detained-disappeared* from 1970 to 1980. The ninety-eight victims included some of the Trelew dead. Twelve CNBA victims were killed before the Proceso.

In chapter seven, I discuss the renewed focus on the massacre from 2005. I discuss the reiteration of the work conducted by actors during the period discussed in this chapter and the engagement of organisations formed during and after the Proceso. From 2010 to 2012 Juan Carlos Romero re-exhibited photographs of the Trelew dead to mark anniversaries of the massacre. In 2012, the art collective *Street Art Group (GAC)* used different photographs of the Trelew victims during an outdoor intervention at sites associated with the massacre. *GAC’s* 2012 work aids an understanding of how the massacre was approached from 2005. This is the most important reason that I resist reading events as a prelude to the Proceso in this chapter.

**Political administrations, 1971-1974**

1971 to 1974 incorporated Lanusse’s dictatorship and the democratically elected *Peronist* governments, presided in turn by Héctor Cámpora for forty-nine days from 25<sup>th</sup> May 1973, by Raúl Lastiri from 13<sup>th</sup> July to 11<sup>th</sup> October 1973, Juan Perón, from 12<sup>th</sup> October, 1973 until his death on 1<sup>st</sup> July 1974; and then by Perón’s widow Isabel Martínez de Perón until Proceso.

*RA* was followed by a brief left turn during the short Cámpora Presidency of the coalition *FREJULI (Frente Justicialista de Liberación)*. Cámpora’s first act was the release of political prisoners through an amnesty (Law 20,508/73). Those released
included the three Trelew Massacre survivors who were held in Devoto prison in Buenos Aires. The release of political prisoners was followed by handing the control of universities to left-wing actors. The 29th May decree stated eight universities including UBA “would be put at the service of the people through a reformulation of objectives and methods of teaching in which all sectors linked to university life would participate” (Decree 35/73, my translation).39

Cámpora’s administration was followed by an irreversible shift to the Peronist right under Lastiri and former President Perón. Alberto Ciria states “from July to early October 1973 the Lastiri administration began showing the real face of Justicialismo [Peronism] in power” (Ciria, 1974, p.34).40 During the period to March 1974 and then less so to September 1974, the universities were the left’s last remaining stronghold. The Juventud Universitaria Peronista or Peronist University Youth (JUP) claimed victories in eight of eleven faculties including the Faculty of Law in student elections at UBA in late 1973 (Sufragaron 54, 1973, p.11). During the time of the prominence of the left at UBA, a number of activities further to that which focused on the Trelew victims were conducted to commemorate those killed by the dictatorship. The erosion of the left’s strength at UBA started in October 1973 with the removal of Rector Rodolfo Puiggros (Kandell, 1974d, p.3; Law 20654/73).

I focus the discussion to Buenos Aires, although the massacre had a national impact that was due in part to the geographical origins of the victims. In April 1971, Rawson prison was converted into a maximum security unit to house guerrillas and

40 James states “any doubts as to whom Perón considered the infiltrados who had taken over his movement were soon dispelled. After repeated press reports of his dissatisfaction with Campora for allowing his government to drift too far to the left, the formula Perón Presidente was put forward by the combination of union bureaucracy and the party right wing” (James, 1976, pp.285-286).
unionists. Prisoners were taken to the remote prison to combat possible escape (Wigg, 1971a, p.6; Ramirez, 2006, pp.50-51; Garano & Pertot, 2007, p.38).

**Part one: the Trelew Massacre**

On 15th August 1972, one hundred and ten political prisoners attempted to escape from Rawson prison in Patagonia. Twenty-five prisoners broke out of the prison. During the escape, Gregorio Valenzuela, a prison guard, was murdered. Six of the leading members of the three major Argentine guerrilla organisations escaped to neighbouring Chile after boarding a plane at the nearby airport that had been hijacked by other guerrillas. The high ranking members were Mario Santucho, Enrique Gorriaran Merlo and Domingo Menna of the *Ejercito Revolucionaria del Pueblo* or *People’s Revolutionary Army* (*ERP*); Marcos Osatinsky and Roberto Quieto of the *Peronist Fuerzas Armadas Revolucionarias* or *Revolutionary Armed Forces* (*FAR*), and Fernando Vaca Navaja of the *Peronist Montoneros*. The other nineteen escapees were delayed en route to the airport and were unable to join the leaders. They surrendered their weapons to naval personnel in Trelew airport.

One condition of the surrender negotiated by the guerrillas was a press conference that was given to local media. A photograph of the surrender was taken by Emilser Perreyra of the Trelew newspaper *Diario Jornada*. The photograph shows the guerrillas relinquished weapons placed away from their feet. The leading member of each guerrilla organisation; Ruben Bonet (*ERP*), Mariano Pujadas (*Montoneros*) and Maria Antonia Berger (*FAR*) spoke to the press (Figures C1.4 and C1.5 p.87).
Bonet and Pujadas explained the position of their respective organisations. They justified the use of violence as a response to that of the dictatorship. Pujadas described the escape as the result of collaboration between the organisations that opened the way for future unified activities of the Peronist and non Peronist guerrillas. The spokespersons then outlined the reasons for the escape and for the surrender. Among the

41 http://argentina.indymedia.org/uploads/2012/08/elongoni_trelew_1_.jpg
reasons given for the escape were the continuation of the fight for clean and open elections and for both an end to the repression and the torture of political prisoners. They stated they surrendered to ensure the safety of civilians present at the airport and to ensure their own physical safety, and importantly, that they be returned to Rawson prison. The guerrillas called Judge Alejandro Godoy and lawyer Mario Amaya to attend proceedings in light of the deaths of militants and the use of torture by security forces (Foro de Buenos 6, 1972, pp.13-16).42

Despite assurances that they would be returned to Rawson prison, they were taken to Almirante Zar naval airbase. In the early hours of 22nd August, the detainees were taken from their cells, lined up in the corridor that connected the cells and shot. Sixteen of the nineteen died either at the scene or as a result of their injuries. The official version of events stated that the deaths occurred during the suppression of another escape attempt. The three survivors, Berger and Alberto Camps of FAR and Ricardo Haidar of the Montoneros later disputed that version.43

Eleven of those killed were members of the then Trotskyist ERP, three were members of FAR and two were members of the Montoneros. The ERP members were Ana Villarreal de Santucho, the pregnant wife of Mario Santucho, the leader of the organisation; Carlos del Rey, Clarisa Lea Place, Eduardo Capello, Humberto Suarez, Humberto Toschi, José Mena, Emilio Delfino, Miguel Polti and Bonet. The FAR victims were Angélica Sabelli, Carlos Astudillo and Alfredo Kohon. Finally, the Montoneros victims were Susana Lesgart and Pujadas.

42 The transcript is in Cheren, 1997, pp.59-67
43 The guerrillas were permitted to leave Chile for Cuba after Salvador Allende’s Socialist government refused to extradite them to Argentina
The day following the events at the naval airbase, Lanusse’s dictatorship prohibited reporting on guerrilla activities through an amendment to the Criminal Code. The law was intended to suppress the dissemination of material critical of the official versions. Article 212 that was added to the Código Penal stated “... any kind of publicity regarding communications or pictures originating from or attributed to illegal organizations, persons or groups notorious for their dedication to subversive activities or terrorism...” would be penalised (Bayitch, 1973, p.42). The penalty for failing to comply with the law was a prison sentence of between six months and three years (Law 19.797/72)

Versions of events

The first official version of events was issued on 23rd August 1972 by General Eduardo Betti and was corroborated by Admiral Hermes Quijada. The official version stated Pujadas had overpowered Navy Captain Luis Sosa and taken his weapon. The regime issued further versions in the following days. The later versions presented contradictory information on elements of the event including the nature of the attempted escape and the navy personnel involved. In the second official version a reported injury sustained by Sosa was removed from the report. In the third version Sosa was absented from events (Foro de Buenos 5, 1972 pp.16-18; Ante los; 1972, pp.4-5).

The unofficial version included a number of criticisms of those issued by authorities. That unofficial version was fully formed by the second week of September 1972. The survivors’ sworn testimony was the final component (Wigg, 1972d, p.5; “Virtual Execution”, 1972, p.2; Roper, 1972, p.11). Their written testimonies were presented at a press conference on 8th September with a ten point criticism of the official version by the guerrillas lawyers; Rodolfo Ortega Peña, Eduardo Luis Duhalde, Gustavo Roca, Mario Hernández, Roberto Sinigaglia and César Quirós. The testimonies and the
conference transcript were later published by the *Buenos Aires Forum for the Observance of Human Rights*. The lawyers framed the massacre in terms of the systematic violence that had preceded the Trelew deaths. They presented the names of twenty-six workers, students, militants, guerrillas and inhabitants of shantytowns killed by the regime from 1966, in what the lawyers termed “a tragic and growing list.”\(^{45}\) The lawyers described the official versions as false, that the victims were not killed during an escape attempt but were “coldly, deliberately and vilely massacred in a state of absolute defencelessness” (*Texto dado*, 1972, pp.15-16, my translation; Wigg, 1972a, p.5). \(^{46}\)

The testimonies circulated clandestinely and by word of mouth due to the press restrictions. The transcripts of the testimonies in the *Buenos Aires Forum* bulletin included instructions to copy and disseminate the information (Cox, 1972, p.E3). The public wake for three victims in Buenos Aires operated as a means to overcome censorship. The relatives of Capello, Sabelli and Villareal agreed to the wake after discussions with relatives of the other victims, the *Peronist Youth (JP)* and Mario Kestleboim of Asociación Gremial (*En nuestro*, 1974, p.16).

On 25\(^{th}\) August, Federal Police stormed the Buenos Aires *Peronist* headquarters. Officers used a tank to break into the building during the wake, which overran the agreed 5:00 pm finish. The wake was attended by around seven hundred people, many of whom suffered injuries. The coffins were removed from the building by police and quickly buried without autopsies being carried out. Sabelli’s and Capello’s coffins were opened before the wake. Their corpses exhibited injuries inconsistent with official versions of events. Sabelli’s skull showed signs of heavy blows. The newspaper

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\(^{45}\) Those named include Santiago Pampillon, Juan Cabral, Alberto Bello, Mena, Emilio Jauregui, Néstor Martins, Juan Maestre, Mirta Missetich, Marcelo Verd, Sara Palacio, and Alejandro Baldu.

\(^{46}\) In bulletin number 5, the lawyers argued that the dictatorship had contravened Argentina’s commitment to the *Universal Declaration of Human Rights* (*Foro de Buenos 5*, 1972, p.1)
Primera Plana was raided and copies of the publication seized when it mentioned Sabelli’s injuries. Most copies were already at newsstands (Guerrillas’ bodies, 1972, p.4; Argentine weekly, 1972, p.3 Wigg, 1972b, p.4; 600 arrested, 1972, p.1).

Chile

The first family photograph I discuss in this thesis was published in the Chilean newspaper Punto Final on 29th August 1972, and not in Argentina (Figure C1.6).

Figure C1.6 una horrenda, 1972, p.1

The photograph shows Mario Santucho, his wife Ana Villarreal and their two eldest daughters. The photograph was published when the escaped guerrillas were in Chile with their fates undecided. The guerrillas were permitted to leave Chile for Cuba after Salvador Allende’s Socialist Chilean government refused to extradite them to Argentina on the assumption that complying with the request would result in their deaths (Wigg, 1972e, p.5; Wigg, 1972c, p.3).

The photograph dates from the mid 1960s. It is possible to roughly date it in because at the time of the Trelew Massacre, one of the two pictured daughters, Marcela,

47 Punto Final was associated with MIR (Movement of the Revolutionary Left) which maintained a critical distance from Allende’s government (Marchesi, 2009).
was nine years old (Arnolfi, 2010). The movement of this photograph from the private realm to the public realm, and between countries with divergent political realities reflects the guerrillas’ choice of destination with Chile perceived to be a safe haven. The two neighbouring governments were on relatively cordial terms. All countries in Latin America, except Mexico, severed diplomatic relations with Cuba in 1964 at the behest of the Organization of American States (OAS) after an arms cache which originated in Cuba was discovered in Venezuela with the intention of overthrowing the Venezuelan government (Weisburd, 1997, p.186; Harmer, 2011, pp.31-33). Allende re-established relations with Fidel Castro’s Cuba in 1970. Castro visited Chile in 1971 (Esperando a, 1971, p.1).

The photographs significance lies in part in the context of the debates that ensued between Lanusse’s and Allende’s governments. At the time of the writing of the editorial, it was undecided whether the guerrillas would be returned to Argentina. Before the massacre, Allende distanced himself from the decision arguing that the Chilean Courts would decide. By the time of publication a decision had been made. In a televised address on 25th August, Allende confirmed the guerrillas would be sent to Havana (10 Argentine, 1972).

The death of prison guard Juan Valenzuela was notably absent from Argentina’s extradition demand. The extradition focused on the hijacking of the plane. Two of Valenzuela’s daughters were also nine years old at the time of his death (Guajardo, 2012). Villareal’s confirmed death and Santucho’s potential death if returned to Argentina focused on the family group which was in the process of potential total destruction. There was a shift in emphasis in Argentina during 1973, through uses of the

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48 Lanusse refused to back a 1970 CIA coup against Allende (Amato, 2009; Feinmann, 2009). Allende’s government was deposed by a military coup led by Augusto Pinochet in September 1973
state’s repressive Villareal photograph. In late 1972, Santucho secretly re-entered Argentina via Chile (Dowie, 1978, pp.40-41)

**CAyC al Aire Libre (CAyC to the Open Air)**

The exhibition *Arte e Ideología (Art and Ideology)* by the *Group of Thirteen* in *Plaza Roberto Arlt* in Buenos Aires was closed by authorities and armed police three days after it opened on 23rd September 1972. A number of works made reference to the massacre. *Monumento al prisionero político desaparecido (Monument to the disappeared political prisoner)* by Luis Pazos referred to the removal of the bodies of the Trelew dead from the *Peronist* headquarters. An earlier version of the work was exhibited in June 1972 as *Proyecto de monumento al prisionero político desaparecido (Project of monument to the disappeared political prisoner)*. (Figure C1.7) The earlier version depicted one coffin. In the September exhibition, three bodies of participants in the artwork were placed in front of three gravestones. (Figure C1.8 p.94)

![Figure C1.7 Pazos Proyecto de monumento 1972](image)
Part of the work *The subterranean reality*, also by Pazos, featured sixteen crosses painted on a wall in the plaza, one for each of the Trelew victims. (Figure C1.9)

That work was not included in the exhibition catalogue for the event, as noted by Natalia March (2010) and Pérez (2009). Pérez argues that the inclusion of the latter work was the reason for the exhibition’s closure (March, 2010; Pérez, 2009, p.34; ICAA-761701 Ficha de, 1972; ICAA-761671 Arte e, 1972).

**Part Two: Brazil and Buenos Aires**
In this second part of the chapter, I outline the convergent concerns of Duhalde and Ortega Peña, two of the members of *Asociación Gremial*, and some of the CAyC members, in response to the political and social reality in Argentina from May 1971 to June 1972. An examination of those convergences contextualises the use of the photographs of the Trelew victims in 1973 and particularly at *UBA* in October of that year.

On taking power in March 1971, Lanusse indicated democratic elections would be held within an unspecified time frame. In September 1971, the election date was set for March 1973 (De Onis, 1971b, p.3; *New election*, 1971, p.25). In May and June of 1971, Lanusse implemented repressive mechanisms. The first was an anti-subversion court dedicated to the sentencing of suspected guerrillas without trial or the right of appeal (law 19.053/71). Law 19.081 of June 1971 authorised the armed forces to confront subversion. That authorisation was directly linked to the functioning of Lanusse’s anti-subversion court *La Cámara Federal en lo Penal de la Nación* (19.081/71 Article 1).

One of the most significant ways Romero, Pazos and Benveniste and the above lawyers engaged with repression was through an attempted rectification of the lack of critical awareness and thus a lack of resistance to the dictatorship in the Federal Capital, relative to other Argentine cities. Both sets of actors also engaged with the repression in neighbouring Brazil. Through divergent applications these actors employed the notion of *concientización* in response to repression in Argentina.

In September 1971, Duhalde and Ortega Peña used the term *concientización* in an article in which they assessed Lanusse’s repressive mechanisms. The authors discussed a recent case that would both test the legitimacy of the legal changes and the lack of resistance to the dictatorship in the Federal Capital. On 13th July 1971, Juan
Maestre and his wife Mirta Misetich were kidnapped in Buenos Aires. Maestre’s bullet ridden corpse was found two days later. Misetich did not appear. It was reported that before the couple were seized by four men in civilian clothes, police visited Maestre’s workplace for information on his whereabouts (De Onis, 1971a, p.10). The suspected involvement of the police was framed by the authors as a case to which the Buenos Aires population must respond. Duhalde and Ortega Peña stated,

> The popular sensibility, the spectacularity of the case and its repercussion demonstrate however something unequivocally: the strong popular will to impede at all costs, the implantation of a Brazilian system of repression. We are in the presence of a "limit case." Time will confirm if the "Maestre case" was not the violent eruption of a consciousness of rejection in Buenos Aires, still slow and half asleep, but that seeks to attain conscientization that they already have, their brothers of the interior (Justicia del, 1971, p.23, my translation)

Romero and Pazos applied the term when identifying the role of the politically engaged artist in June 1972, before the opening of Grupo de los Trece’s exhibition *Towards a profile of Latin American art*. Their statement outlined the role of the committed artist and the function they believed art should have in informing the population of the political and social reality. Part of their statement reads,

> In Argentina in 1972, we define art as the conscientization of the present that signifies granting a strong ethical and yet political content. Because taking awareness of our reality means reflecting on dependency, underdevelopment and violence. All reflection leads, inevitably to action. That is to say, the taking of consciousness produces definitions. This is where art and the artist acquire meaning: each work, gesture or word uttered by an Argentine artist should tend to awaken and clarify the consciousness of other Argentines with respect to their own reality (*El arte*, 1972, my translation).
I discuss the political situation in Buenos Aires in the late 1960s and early 1970s in the following section. That section locates the convergent claims of the lawyers and artists discussed above.

**Resistance in Buenos Aires**

In the late 1960s and early 1970s, Buenos Aires was largely peripheral to the social and political protests against the dictatorship. Guerrilla violence was committed in the Federal Capital during that time. The majority of broader societal resistance occurred in Argentine provincial centres (O’Donnell, 1988, pp.292-293).

In May 1969 in Corrientes, Rosario and Córdoba, political conditions emerged in which the demands of workers and students converged (Laclau, 1970, pp.15-21). During protests in the above cities, police killed a number of students and workers. Juan Cabral’s death in Corrientes on 15th May sparked nationwide protests. Cabral’s death followed student protests in response to price increases at a university restaurant (Laclau, 1970, p.15). Cabral’s death was followed by, among others, those of Adolfo Bello in Rosario on 18th May, fifteen year old Luis Blanco, also in Rosario on 21st May, and Máximo Mena in Córdoba on 29th May, during the protest known as the Cordobazo. A second mass demonstration subsequently known as the Viborazo occurred in Córdoba in March 1971. The Viborazo hastened the end of Levingston’s administration as the 1969 events had led to the end of Ongania’s dictatorship (Petras, 1989, p.182; Wigg, 1971c, p.7 Roper, 1971, p.2; Argentine chief, 1970, p.1).

Writing in 1971, after the Viborazo, James Petras contrasted the political situations and the responses to dictatorial repression in Córdoba and Buenos Aires. Petras argued the protests of workers and students in Córdoba were the product of

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49 In Córdoba an effective reduction in salaries was implemented with the repeal of provincial law el sábado ingles of 1932. Under its terms, workers received forty-eight hours pay for a forty-four hour week (Law 11,640/32; Law 18,024/69; Otra ley, 1969, p.2; Informe especial, 1969, pp.6-7).

50 It was reported twenty protestors died throughout Argentina in May 1969. Sixteen died in Córdoba (Cox, 1969, p.2).
historical circumstances. Petras identified differences in the level of political commitment in Córdoba and in the Federal Capital as a political rather than economic issue. Petras placed emphasis on the development of political engagement in Córdoba as the product of the historical distrust of the Federal Capital which resulted in a more radical approach to traditional institutions.

Petras outlined the importance of the political and geographical isolation of students in the Federal Capital from the workers of the city. Students tended to live and work in middle class environments and were dispersed across the city, living and eating with their families. In Córdoba the experiences of students and workers were more integrated. Students lived in the same areas and shared some of the struggles in a city where working class culture dominated (Petras, 1971, p.30).\(^{51}\)

**La Noche de los Bastones Largos**

The strongest response in Buenos Aires to the repressive measures enacted during RA to the time of the *Trelew Massacre* occurred in September 1966, following *The Night of the Long Sticks* in July of that year. During the repression by Ongania’s dictatorship,\(^{52}\) UBA was purged of staff. The heaviest repression occurred at the *Faculty of Exact and Natural Sciences (FCEyN)*. Federal Police used tear gas grenades and sticks. One hundred and fifty students were arrested (*150 held*, 1966, p.2). Five hundred teaching staff and workers at *UBA’s* publishing house, *EUDEBA*, resigned in protest at the intervention. The number of teaching staff who resigned rose to over thirteen hundred (*Resignation of*, 1966, p.7; Maidenberg, 1966, p.7; Rovelli, 2009, p.134).

The student population in the capital responded to the intervention in September 1966 after the death of student Santiago Pampillón in Córdoba. A silent march by *UBA* students was repressed by government forces. The event turned into a violent exchange.

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\(^{51}\) Brennan & Gordillo discuss the worker-student dynamic in Córdoba (1994, p.485).

\(^{52}\) 29th June 1966 to 8th June 1970
with buildings and cars set alight and police again firing tear gas (Argentine Students, 1966, p.18).

The above protests followed the removal of the autonomy of universities. Law 16.912/66 prohibited student political activities. The tradition of students and teachers actively participating in the running of higher education institutions and the resultant academic freedom was established in 1918 with university reform. The autonomy of universities was the product of the demands of students at the University of Córdoba (UNC) (Milanesio, 2005, p.505; Lipset, 1964, pp.40-41; Walker, 1966, p.258).

In April 1967 further restrictions were placed on activities at universities with the enacting of law 17.245/67. Article Ten prohibited all activity with the characteristics of militancy and indoctrination on campuses. In 1970, teachers and students at the Faculty of Architecture and Urbanism (FAU) at UNC interpreted other parts of the law to underpin the implementation of the Taller Total (Total Workshop). Taller Total was an acknowledged product of the Cordobazo and aimed to change the traditional hierarchical relationship between teachers and students and to reformulate the function of the university from an expression of the dominant classes, and as a reproducer and consolidator of the state, to question social relations. Taller Total was a Marxist critique of domination. Kellner (2003) argues that a critique of education was not fully developed by Karl Marx (Facultad de, 1971, pp.7-10; Kellner, 2003, pp.162-163).

Nelson Rockefeller’s 1969 visit

53 Parts C, D and E of Article Two state universities should be committed to the investigation of truth and the building of knowledge(C), the preparation of professionals, technicians and researchers necessary for the country (D) the preservation, diffusion and transmission of the culture and the common national values (E).
54 In FAU’s explanation of the Taller Total in the journal Los Libros, there is no mention of a more recent elaboration of the Marxist theory of domination: Luis Althusser’s Ideological State Apparatus (ISA). In his work Ideology and Ideological State Apparatuses, Althusser examines the role of education institutions to which he refers to as the Educational Apparatus.
Protests did take place in the Federal Capital shortly after those in the Interior. One month after the Cordobazo, workers, students and artists demonstrated against the visit of Nelson Rockefeller, then governor of New York, as part of his Latin American fact finding mission on behalf of recently elected President Richard Nixon. The protests in Buenos Aires were differentiated from those in the Interior by the scale and impact of resistance. Protests took place before Rockefeller’s arrival and at the time of his visit on 29th June. Before visiting Argentina, Rockefeller met with General Costa e Silva in Brazil and General Stroessner in Paraguay. Those visits were met with demonstrations against United States-owned enterprises (Nixon, 1969; Green, 2010, pp.105-106; De Onis, 1969, p.E5; Mora & Cooney, 2007, p.187).

Despite attempts at framing the response to Rockefeller’s visit as an extension of the struggles in the Interior, the protests were minor in comparison, due to the security surrounding the visit, during which Rockefeller met with military leaders. The protestors included UBA students from the Faculty of Philosophy and Letters. One hundred were arrested (Wigg, 1969b, p.1).

The largest protest on 27th June was led by the CGT de los Argentinos (CGTA), headed by Raimundo Ongaro. The left-wing union, which was involved in the Cordobazo, partially immobilised industrial activity in the city (Browne, 1969, p.5). At the protest, Emilio Jauregui was shot dead by police who alleged the journalist fired a weapon and that an officer returned fire in self-defense. The left treated Jauregui’s death as a premeditated crime because the military had warned demonstrations would be

55 An art exhibition: Malvenido Mister Rockefeller repudiated Rockefeller’s visit (Malvenido Rockefeller, 1969, p.2).
56 Before Rockefeller’s Uruguay visit, the guerrilla organisation Movimiento de Liberacion Nacional–Tupamaros attacked a General Motors building (Gerrasi, 1970, p.22).
57 Rockefeller’s assessment of the Latin American situation, The Quality of Life in the Americas was delivered in broad terms. Argentina was not mentioned directly. Rockefeller referred to the threat of communism and subversion in the region and to the presence of guerrillas. The report included recommendations to protect U.S interests (Department of State Bulletin, LXI, 1589, 1969, pp.495-540; Langley, 2010, pp.230-231; Selser, 1971).
severely repressed (15,000 guard, 1969 p.4; Wigg, 1969a, p.4; Jauregui: una llama, 1969, p.3; Tur, 1999).

In the days before Rockefeller’s visit, a number of Minimax supermarkets owned by the Rockefellers that had been established in Argentina in 1962 were attacked. Six stores were destroyed and seven were damaged (FAECYS, 2011, p.11; Rockefeller stores, 1969, p.2; Wigg, 1969b, p.1).58 One week before the attacks, the CGTA called the “supermercados”, a term and concept introduced into Argentina by Rockefeller, a symbol of U.S. imperialism and referred to Rockefeller as the undesirable foreigner as owner of ESSO, Chase Manhattan and Minimax (El extranjero, 1969, p.3).

Brazil

The political violence in Brazil was a significant reference point for the legal community and artists in Argentina in 1971. The period from 1968 to 1971 evidenced a hardening of repression in Brazil, in response to increasing resistance to the military’s rule, which had begun in 1964. The earlier date saw the imprisonment and exile of political leaders and intellectuals. Paulo Freire, innovator in the education of illiterate adults at the University of Recife, was exiled to Chile in November 1964 (Kirkendall, 2004, pp.168-189; Holst, 2006, p.244). Repression worsened in December 1968 and underwent a further hardening in September 1969. In December 1968, the dictatorship issued Institutional Act 5(AI-5). AI-5 stripped the legal rights of Brazilians with the suspension of habeas corpus and marked a time of further arrests and exile of individuals who were opposed to the regime (Calirman, 2012, p.5; Bouças Coimbra, 2001, pp.13-14; Pereira, 1998, pp.53-58).

58 The attacks remained unattributed until 1971 when Carlos Olmedo of FAR stated the bombings were carried out by FAR’s precursor (Los de, 1971 p.59).
In 1969, Decree 898/69 introduced military tribunals under the terms of the National Security Law which had authority to implement the death penalty by firing squad (Brazil sets, 1969, p.6; de Barros, 2001, p.15). After the further hardening in 1969, reports emerged on deaths in custody as the result of the use torture by security forces. It was reported by those arrested with former student Chael Schreier that he died during torture following his November 1969 arrest. Maria Barcelos and Antonio Espinosa were arrested with Schreier and were tortured. Schreier’s death was not reported in the Brazilian press (Novitski, 1969, p.9).

There were significant similarities in the pattern of the development and the hardening of the repression in the two countries. Brazilian repression operated as a potential indicator of what was to occur during RA. From the restrictions placed on activities on university campuses to the deaths of students. The Brazilian regime implemented Law 4.464 in 1964. Article 14 prohibited demonstrations, political engagement and the distribution of political material, then with the mass response to state violence. In June 1968, one hundred thousand people demonstrated in Rio de Janeiro in response to the murder of student Edson de Lima Souta by police (Calirman, 2012, p.5).

In 1969, The Frente Brasileira de Informação (FBI) began distributing information in Europe and the United States from its bases in Paris, Algiers and Santiago de Chile on the torture of political prisoners. FBI’s denunciations were published by the Argentine paper Cristianismo y Revolución (CyR). In January 1970, FBI’s CyR article detailed the torture and deaths of Brazilian victims and named those responsible. The article underscored the veracity of information FBI received. The report stated “All the notices divulged are absolutely verified and objective. The

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combatants of the Brazilian resistance are not interested in divulging lies. Our weapon is the truth” (*Torturas y*, 1970, pp.51-52, my translation)

*FBI’s* denunciations were attributable to the release of political prisoners in response to the demands of guerrilla organisations. Organisations kidnapped foreign officials and demanded the release of prisoners. Santiago de Chile and Algiers were the two major destinations for released prisoners. In January 1971, seventy prisoners including Maria Barcelos were sent to Chile (*Brazil releases*, 1970, p.1; De Onis, 1971c, p.3; D’Souza, 1987, p.206).

The negotiation between the Brazilian dictatorship and guerrillas differentiates the Brazilian situation from that in Argentina. In Argentina, the military opted for a policy of non-negotiation. That policy contextualises the discussion of the first use of the photographs of the victims of the *Trelew Massacre* in the third part of this chapter. I discuss the kidnappings of foreign dignitaries, businessmen and military officers by Argentine guerrillas in the following chapter. I also discuss the most prominent *Montoneros* act to 1973: The 1970 assassination of former President Aramburu.

**The São Paulo Bienal 1971**

The eleventh *São Paulo Bienal* was held between September and November 1971. In May 1971, artists initiated a response to the event (Glueck, 1971, p.8). Those opposed to the *Bienal* included Buenos Aires artists. Juan Carlos Romero, Perla Benveniste and León Ferrari were part of a group of artists to protest in the form of the publication *Contrabienal*. *Contrabienal* was composed of works created in opposition to the repression conducted by the Medici dictatorship (1969-1974). The organisations behind the publication, *Museo Latinoamericana* and the splinter organisation *MICLA*

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61 Ferrari’s submission was a letter repudiating the Biennial. He states “if I had been invited to the Biennial, I would not go because Brazilian police excesses are even worse than the Argentines” (ICAA-743934 “Leon Ferrari”, 1971)
(Movimiento por la Independencia Cultural de Latino Americano) were comprised of Latin American artists living in New York (Camnitzer, 2009, pp.164-175).

Romero’s Contrabienal submission focused on the repression and recent disappearances in Argentina. His work was comprised of Argentine newspaper articles reporting the disappearances of Martins and Zenteno, the married couple Marcelo Verd and Sara Palacios, and the torture of a political prisoner; Carlos Della Nave of Fuerzas Armadas de Liberacion (FAL); and the disappearance of another FAL member, Alejandro Baldu. The Argentine authorities acknowledged Della Nave’s detention but not Baldu’s, following FAL’s kidnapping of Paraguayan consul Waldemar Sánchez. Sánchez was later released (Wigg, 1970b, p.4; Argentines free, 1970, p.27; ICAA-766181). Romero’s aim was underscore that state violence was not only a Brazilian problem but an emergent Argentine concern.

**Political Protest in Buenos Aires**

In late 1971, Romero and Benveniste supported the demands of art students. In September 1971, 139 students of two art schools in Buenos Aires; the Escuela Nacional de Bellas Artes Prilidiano Pueyrredón and the Escuela Nacional de Bellas Artes Manuel Belgrano were arrested and held without legal representation by Lanusse’s anti-subversion court, for the crime of usurpation. The arrests followed an intervention by the students in a prestigious art exhibition (Cámara Federal, 1971, pp.10-11; Indignatoria del, 1971).

The arrests followed a period of unrest in August 1971 at Prilidiano Pueyrredon during government intervention into the running of the school that saw the students demanding that a number of teachers be removed from their posts and that a Taller Total (Total Workshop) be implemented to give students greater influence on their education. They argued a Taller Total would erode the hierarchy between teachers and
students and would facilitate closer engagement with political and social concerns. The students were threatened with the involvement of police and courts by the school’s government appointed official (Monzón, 1971a; Monzón, 1971b). The Taller Total was directly influenced by the program implemented in 1970 at the Faculty of Architecture and Urbanism at UNC.

At the inauguration of the 60th Salon Nacional de Artes Plásticas in September 1971, the students disrupted proceedings through the dissemination of flyers outlining their demands. It appears the arrests that followed were principally for that occurrence. The students denied they had engaged in an occupation and argued the doors of the school remained open (Inauguróse ayer, 1971, p.18; Dos escuelas, 1971, p.2). After the eventual release of the students after demonstrations by their parents outside the court building where their adolescent children were questioned after being held in numerous police stations, a petition supporting the Taller Total was signed by Argentine artists including Ferrari, Romero and Benveniste (Procedimiento en, 1971, p.5; Los padres, 1971; Declaracion de, 1971).

Part three: photographs of the Trelew dead

In this section of the chapter, I analyse three uses of the photographs of those killed during the Trelew Massacre. The use of photographs by activists and artists from May to October 1973 elucidates three distinct stages of the democratic period following Revolución Argentina. This period marked the transition from the expectation to the disillusionment of leftist actors and family members of the victims, with respect to the level of political commitment to addressing state violence. UBA students were at the centre of events in contrast to their largely peripheral role during RA. Projects similar to the Taller Total at UNC, which operated until March 1976, and that proposed at Prilidiano Pueyrredon art school were implemented at UBA (Novillo, 2008, p.26).
At that time, the *Trelew Massacre* acted as a key reference point that enabled the development of explanatory frameworks for state repression during *RA* and for the continuation of violence during democracy. Further, the uses of photographs attest to the contested meaning and conflicting approaches of distinct actors in confronting *RA* repression, the continuing state perpetrated violence, and the meaning of the democratic opening.

The period was defined by a series of conflicts, both violent and ideological between prominent actors; the outgoing dictatorship; the incoming administration; the left and right-wings of *Peronism*; and non *Peronist* actors including the *ERP*. The violent conflict between the *Peronist* factions is reducible to their particular readings of *Peronism* and to the manipulation of opposing factions by the leader of the movement, Juan Perón. Daniel James (1976) refers to Perón’s phrase “I have two hands and I know how to use them both”, to signify his manipulation of the right and left of his movement. James further argues that the *Peronist* left did not have experiential knowledge of the reality of a *Peronist* administration that was last in government in 1955. Those organisations were the *Montoneros, FAR, JP, JUP*, and the *Union of Secondary Students (UES)*. In his 2011 monograph Michael Goebel examines left-wing *Peronism* or the “revolutionary tendency” from 1966 to 1976. Goebel discusses the contribution of Duhalde and Ortega Peña and others on the left during and after *RA*. The title of chapter four of Goebel’s monograph refers to the *Peronist* left’s project as “the apogee of revisionism” (Goebel, 2011, p.163; McSherry, 1997a, p.65; James, 1976, p.283).

The ideological conflict between the non *Peronist* and *Peronist* guerrilla organisations, the *ERP*, the *Montoneros* and *FAR* was the product of interpretive

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62 This term is Daniel Feierstein’s (see chapter seven)
understandings of the meaning of the democratic opening.63 The conflicts between left and right *Peronists* and between left-wing *Peronist* and non *Peronist* activists informs the debate about the approaches to uses of photographs of the victims and the proposed investigations into state perpetrated violence during RA and Cámpora’s administration.

The editorial of the 6th December 1973 edition of *Militancia*, Duhalde and Ortega Peña’s left-wing *Peronist* magazine, analysed the repression during RA to Perón’s administration, which commenced in October 1973. Following RA, *Militancia* was the most prominent publication denouncing state violence and campaigning for justice. The role was later fulfilled by the *Peronist* newspaper *Noticias* until its August 1974 closure.64

*Militancia*’s editorial addressed the lack of political will in prosecuting the perpetrators of state violence. The authors framed new cases of state violence as a continuation of those perpetrated from 1970 to 1972. Duhalde and Ortega Peña compared the Martins, Maestre and Missetich cases and the *Trelew Massacre* with recent examples. Significantly for what follows, the authors compared the *Trelew Massacre* with events at Ezeiza on 20th June 1973. The mass gathering on the outskirts of the Federal Capital was held to mark Perón’s final return to Argentina. The event was organised by the *Peronist* right with left-wing *Peronists* comprising a significant portion of those in attendance, conservatively estimated at one million people. The event descended into an armed battle between the organisers and guerrilla organisations. Early

63 The *Montoneros* and FAR unified in October 1973 as the *Montoneros*
64 The first edition was published in June 1973. The magazine was one of a proliferation of leftist newspapers from the democratic opening to the *Peronist* left’s demise. The first edition of *El Descamisado* was published in March 1973. Perón closed the publication in April 1974 (Kandell, 1974b, p.10) *Noticias* was first published in November 1973. *El Caudillo*, the right-wing *Peronist* response to *El Descamisado* was published from November 1973.
estimates put the dead at between thirteen and twenty. No official list was released\(^{65}\) (Reprimir nadie, 1973, p.3; Robben, 2005, pp.70-71; Malamud Goti, 1996, pp.36-37).

The attack by the right was condemned by the Juventud Peronista leadership. At a press conference, JP parliamentarians Armando Croatto and Carlos Kunkel cited the photographs of the weapons displayed by the Peronist right from the rostrum where Perón was to address the crowd, as proof of the origins of the violence. In addition to press photographs of the Peronist right with firearms that accompany the report of the incident in the Montoneros publication *El Descamisado*, another photograph shows a man being pulled onto the rostrum by his hair (*La voz*, 1973, pp.6-7; Crueldad sin, 1973 pp.16-17). (Figure C1.10)

![Figure C1.10 Crueldad sin, 1973, p.16](image)

The first use of these photographs occurred in May 1973 at the time of the release of political prisoners. The second use was by the CAyC artists at MAMBA in August 1973. The exhibition formed part of the proposed but unfulfilled comprehensive engagement with the state perpetrated violence, which centred on the Trelew Massacre and the continuation of violence at Ezeiza. *Proceso a Nuestra Realidad*, which is also

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\(^{65}\) See Izaguirre, 2009, p.86 for an unofficial list
known as *Ezeiza es Trelew* (*Ezeiza is Trelew*), articulated the continuation of violence. The link between the events was stressed after the Ezeiza violence. In an interview in July 1973, Trelew survivors Berger and Haidar outlined the progression in violence from the attack on guerrillas in Trelew to that on the *Peronist* left at Ezeiza (*Trelew y*, 1974, p.5).

The third use took place in October 1973, by the above artists at the *Faculty of Law* at *UBA*, which evidenced the further erosion of the left’s strength. The destruction of the work was a symbolic marker that led to the complete defeat of the *Peronist* left at the University in September 1974 (Chama & Canosa, 2011). An analysis of the last use brings together the engagements of actors discussed in the previous two sections of the chapter.

**El Devotazo**

The first use of the photographs occurred at the last of the anti-dictatorship mobilisations known as *los azos*. Azo is an augmentative term signifying intensity. In the context of the anti-dictatorship struggles, the term was attached as a suffix to the place where the event occurred. Ines Izaguirre lists fifteen from the *Cordobazo* in 1969 to the *Devotazo* on 25th May 1973 (Izaguirre, 2009, p.81). The final *azo* signalled the start of conflicting approaches to confronting the dictatorship’s repression and the continuation of violence during democracy.

The first use of the photographs was on the day of Héctor Cámpora’s inauguration. Multiple enlarged photographs of each of the sixteen Trelew dead were used by activists on banners and placards. The text on most of the placards read *Glory to the Heroes of Trelew* and *Punishment to the murderers*. The two complementary statements emphasised the role of the victims in the anti-dictatorship struggles and the demand for the prosecution of the perpetrators (Figures C1.11 to C1.15 pp.110-111).
Figure C1.11 *El Devotazo* From Gleyzer’s 1973 film *Ni Olvido*

Figure C1.12 *El Devotazo* From Arruti’s 2004 film *La fuga*

Figure C1.13 *El Devotazo* From Arruti’s 2004 film *La fuga*
The two parts of the events of 25th May were organised by the JP and consisted of meeting in Plaza de Mayo for Cámpora’s inauguration. That was followed by a march to Devoto prison on the outskirts of Buenos Aires.66 According to estimates at the time, between forty and fifty thousand people went to the prison to demand the release of political prisoners (*Libertad!*, 1973, p.5; Moyano, 1995, p.35). Estimates of the number of released prisoners ranged from four hundred and fifty to five hundred. Seventy-two ERP members and members of the Montoneros and FAR were among

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66 The agenda was published on 22nd May (*El 25*, 1973, pp.8-9).
those amnestied, including the Trelew survivors (Kandell, 1973b, p.65 Eidelman, 2009, p.31).

The health and safety of political prisoners in Devoto was a prominent concern from the March 1973 election result to the beginning of Cámpora’s administration in light of the 1972 murder of the Trelew prisoners. Weeks before Cámpora’s inauguration, Duhalde and Ortega Peña called on the future administration to release political prisoners in the initial stages of government. The authors referred to Cámpora’s victory as a plebiscite on the issue of amnesty and called on the population to watch over political prisoners until 25th May (Los presos, 1973, p.5; Seveso 2009, p.161).

The unpredictable reaction of the dictatorship to the proposed amnesty was further informed by the ERP announcing it would continue armed activities against the armed forces and foreign owned businesses, though not against the government or police, while they did not conduct operations against the public or guerrillas. The continuation of ERP activity was confirmed in its April 1973 response to Cámpora’s call for an end to guerrilla operations. The organisation criticised previous Peronist administrations’ failure to deliver on promises. The ERP was particularly critical of the proposed unity of the Armed Forces and civil society under the Peronist National Reconstruction and Liberation project. The ERP likened the proposal “to locking a wolf and sheep in the same enclosure and asking both to maintain good behaviour” (Porque el, 1973, pp.3-4).

The ERP’s response to Cámpora’s call for a truce was followed by an escalation of attacks against the military. Retired Admiral Quijada was assassinated on 30th April 1973. Quijada gave a televised address after the Trelew Massacre in which he outlined the official version of events.

The election campaign
Cámpora’s election campaign had two main focuses. The first concerned the political violence perpetrated during RA. The second was on the future of higher education in Argentina.

In January 1973, Cámpora outlined his promise to apply an amnesty to political prisoners in his campaign speech. The speech was co-drafted by the JP (Jauretche, 1997, p.182). In the section Matters Regarding Repressive Legislation and Political Prisoners, Cámpora emphasised the unconstitutional nature of Lanusse’s anti-subversion court and the problem of the armed forces fulfilling functions beyond their designated purpose. The second significant part of the address, to which I return, focused on the end the isolation of universities from national reality (Cámpora, 1973, pp.35-41 & pp.47-50).

The ERP was the first organisation to address the continuation of state perpetrated violence. In Estrella Roja of June 1973, the organisation focused on the deaths of two participants in the Devotazo. Carlos Sfeir and Horacio Lisak were killed by prison guards when crowds began to disperse. The ERP argued

We must add the investigation and punishment of this murder to the investigation and punishment of all the crimes of the dictatorship: Trelew, the death of Pujals, Maestre, Verd, Martins and Zenteno, and many others tortured and killed in the seven-year military dictatorship and before (El precio, 1973, p.6 My translation).

Mario Firmenich (Montoneros) and Roberto Quieto (FAR) downplayed that incident as an unfortunate mistake and abstracted the incident from the violence that preceded it, because it occurred in the initial stages of Peronist government. Firmenich and Quieto were also critical of the ERP’s position and ruled out the unity of guerrilla organisations, due to ideological differences. At that time, Firmenich and Quieto had

67 Cámpora was selected as candidate in December 1972. The Peronist right opposed Campora’s selection (Peronist Party, 1972, p.4).

68 see James, 1976, p.285 for JP’s prominence in Campora’s administration
access to and influence on the political leadership (*construir el*, 1973, pp.3-4)\(^{69}\). The differences informed the commemorative activities on the first anniversary of the massacre.

**Amnesty and accountability or amnesty and forgetting**

On 29\(^{th}\) July 1973 the *Comisión de Familiares* announced the proposal for an investigation into state perpetrated violence and their activities to mark the first anniversary of the massacre. Other demands were that Luis Sosa be extradited to Argentina to face trial. Sosa was sent to the United States in April 1973 by decree (*Trelew: Investigación* and *Por que*, 1973, p.30).

On 2\(^{nd}\) August, the recently formed *Investigative Peronist Commission into the Crimes against the Argentine People* held a press conference at the Chamber of Deputies. The Commission was composed of diverse *Peronist* actors including three parliamentary JP members, and the Trelew survivors. The Commission proposed to investigate the assassinations, kidnappings and torture cases from the time of the 1955 military coup that deposed Perón.

The majority of the adherents belonged to *FREJULI*. The non-*FREJULI* deputies belonged to political parties of the anti-Peronist coalition *Alianza Popular Revolucionaria (APR)*. The *Unión Cívica Radical (UCR)*, which secured the second highest vote in the election, was under-represented. Only one of fifty-one *UCR* deputies; Mario Amaya of Chubut, was a signatory. *APR* included the factional wing of the *UCR* that was previously known as *Unión Cívica Radical Intransigente (UCRI)* before changing its name to *Partido Intransigente (PI)*. Also within the *APR* coalition was *La Unión del Pueblo Argentino*, which was founded by former President Aramburu in 1962. The organisation on its founding was right-wing and anti-*Peronist*. At the time

\(^{69}\) A report on the incident is in the previous edition of *El Descamisado (Informe Especial*, 1973, pp.12-13).
of the proposed investigation the organisation included left-wing members. One such signatory was lawyer Hector Sandler who was later expelled from the party for his left-wing stance (Mcguire, 1997, pp.161-162; Mainwaring, 1995, p.214).

At that time, the political conflict over whether amnesty was the first stage in dealing with repression, or the only one, was pronounced. The bipartisan support for amnesty and the minority demand for an investigation underscored the split in the requirements of political actors. Following the amnesty, *UCR* Senator Fernando de la Rúa and Deputy Sandler articulated the disparate approaches to the political use of forgetting. De la Rúa argued that forgetting was necessary to achieve peace. Sandler argued nobody would forget (Garaño & Pertot, 2007, p.60). Antonio Troccoli (*UCR*) voiced his opposition to the investigation. It was reported in *Militancia* of September 1973 that Troccoli identified the amnesty awarded to political prisoners and forgetting as fundamental components in the democratisation process (*Cárcel del*, 1973, p.39).

Non-parliamentary actors focused on the demand to neither forget nor forgive. The demands underpinned the comprehensive engagement that included public commemorations, art exhibitions and commemorative publications which focused on the prosecution of the perpetrators. On the anniversary of the massacre, competing *Peronist* and non-*Peronist* acts were held in Buenos Aires and provincial centres. The non-*Peronist* act in Buenos Aires had twelve thousand participants’ including guerrilla organisations: *ERP, FAL*, and *Revolutionary Workers Group (GOR)*. The family members of the victims took part in the smaller events. Eleven of the Trelew victims belonged to the *ERP*. Their Buenos Aires demonstration was repressed by Federal Police, in contrast to that organised by the *JP* at Atlanta stadium. That event was

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70 As part of the national campaign, commemorations were conducted in Salta in Argentina’s northwest, in Córdoba and Rosario. A library was named in honour of Clarisa Lea Place in Tucumán (*El Pueblo*, 1973, p.18).
attended by sixty thousand people, including the three Trelew survivors (Un ejercito, 1973, pp.2-3).

**MAMBA: Ezeiza es Trelew**

*Proceso a Nuestra Realidad* or *Ezeiza es Trelew* opened on 9th August 1973, two weeks before the anniversary at the *IV Salón Premio Artistas con Acrílico Paolini* at MAMBA. The exhibition took place after the call by *La Comision de Familiares* to artists and after the announcement of the proposed investigation into state perpetrated violence. The CAyC collective constructed a wall in the gallery two metres tall by seven metres. The photographs of Trelew victims were placed on one side of the wall (Figures C1.16 below and p.117).

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**Figure C1.16 Proceso a nuestro realidad 1973**
On the other side of the wall the artists placed posters of the photograph of the man pulled onto the rostrum by his hair with the slogans *Gloria a los heroes de Ezeiza* and *Castigo a los asesinos. Ezeiza es Trelew* was written beneath those prints. In 2011 Romero stated he collaborated with the *Montoneros* at that time. The *PRT-ERP* gave the photographs of the Trelew victims to the artists (Yaccar, 2011; Longoni, 2001, p.8).

(Figures C1.17 below and p.118)
The use of the photographs of the two most violent episodes in recent Argentine history, articulates the progression in violent events outlined by Berger and Haidar in their July interview. The progression articulated that state perpetrated violence was not limited to dictatorship, but was central to the meaning of democracy under Peronism. Perón removed Cámpora from the presidency three weeks after the violence at Ezeiza. Cámpora was replaced by interim President Lastiri until the September 1973 election in which Perón was eligible to stand (See Giunta, 1998, pp.1-21).

**Estrella Roja: dissemination and contextualisation of the photographs**

The photographs of all sixteen Trelew victims were published in 15th August 1973 edition of *Estrella Roja* with their biographies. The edition was dedicated to the victims (22 de, 1973, pp.15-31). (Figures C1.18 pp.119-120).

The editorial of the same edition of the paper underscored the aims of the publication and its intended audiences. The publication (number twenty-three) was only the second edition to be published openly and one of the last. Number 23 aimed to reach
a wider readership than the previous clandestine editions of the paper. The ERP was prohibited in September 1973 (Decree 1454/73). The ERP was known as ‘organisation declared illegal’ (ODI) in legal publications which referred to the guerrilla organisation (Compañero lector, 1973, p.2).

Figure C1.18 Estrella Roja 23 1973 p.17

Figure C1.18 Estrella Roja 23 1973 p.29
An examination of the photographs and biographies provides insight into the how the *repressive* photographic conventions were used, modified and reframed. The surrender photograph is confirmed as the last photograph taken of the victims which dates the *repressive* photographs to an earlier time. I cannot discuss all victims presented in the paper due to space constraints. I discuss the cases which I have referred to previously in the chapter: Sabelli and Villareal, and that to Adriana Lesgart.

Each biography details and condemns the torture each had suffered after their initial arrests, not after attempted escape when none were tortured. Another common theme is the origins of the dead guerrillas’ political commitment.

The photograph of Sabelli is not the one used in demonstrations or by Romero et al. Her biography continues the role of played by her father in publicising the massacre. The biography is an excerpt from a newspaper article in which he discusses the origins of her militancy at the most prestigious school in Argentina; *Colegio Nacional de Buenos Aires*. Her father outlines her involvement with Carlos Olmedo of FAR. Her political engagement at *CNBA* is important for the discussion presented in part four of this chapter and in Chapter four when I discuss the emphasis on the political commitment of the dead and *detained-disappeared*. 
Sabelli’s father talks of the torture his daughter was subjected to with the help of a doctor who gave her pentotal (pentothal). In small doses the drug is a truth serum, in higher doses it is an anaesthetic. In even higher doses it is used as a lethal injection. Pentothal was first used in the United States as a lethal injection to kill death row prisoners in 1982 (Como actúa, 2010; Primera ejecución, 1982). The drug was used in the Proceso context in the flights of death to sedate victims (see chapter three).

Villarel’s biography does not make detailed mention of her children or pregnancy at the time of her execution, other than to state she was exemplary mother, which marked a shift from the photograph published in Punto Final one year earlier. The focus is on her importance as a woman of the people and her role as a guerrilla including in the prison escape.

Lesgart’s is the most significant of the photographs/biographies for this examination. Her biography engages with two photographs of Lesgart. This engagement gives a sense of how the photographs were perceived at the time and why they were used. The first is the surrender photograph in which she is smiling. The second is her prison photograph Estrella Roja comments on her facial expression in that photograph. Lesgart’s repressive photograph was not published by La Prensa on 23rd August 1972. The text states

In the last photograph taken of the Heroes of Trelew alive, there is a woman who smiles. This is Susana Lesgart…Smiling, full of life. The last picture in jail she was not smiling, but is calm, firm, taking the job by the horns and fulfilling it effectively (Estrella Roja, 1973, p.17).

**The Trelew Cross October 1973**

Two complementary functions were implemented at UBA following the return to democracy until the March 1974 implementation of the University Law which prohibited political activity on university campuses (Law 20654/74 Art. 5). The first
focused on changing teaching methods and course content. The second function was the commemorations to RA victims. The change in teaching methods and commemorations underscored the strength of the left and JUP at UBA. The University Law focused on JUP activity ten months after Cämpora’s university legislation (Kandell, 1974f, p.3).

In the Faculty of Law, dramatic changes were applied to teaching and to the content of courses. The Faculty established an introduction course in August 1973 titled the “Social Practice of the Lawyer”, with theoretical and practical components designed to instil a critical consciousness in the student and remove hierarchical learning structures. The theoretical classes included; The Social Structure, Dominant class-working class, and Ideology. The stated aim was to educate students with respect to the role of lawyers, through an understanding of the structures of repression and domination (Facultad de, 1973b, p.23).71

In one significant change, teachers linked to the legal system during RA, and specifically Lanusse’s anti-subversion court, were removed from their posts. As Chama and Canoso argue the forced resignations were designed to break with the past (Chama & Canoso, 2011, pp.317-319). In contrast, Mario Kestelboim, Duhalde and Ortega Peña were all employed at UBA following the disbanding of the Asociación Gremial (Facultad de, 1973c, p.8; Puiggros y, 1973, pp.16-20; Juventud Universitaria, 1973, pp.18-19).

In their 2011 work, Chama and Canoso examine the JUP’s and Dean Kestelboim’s roles at the Faculty of Law from June 1973 to September 1974. They argue “that the position of the JUP in Faculty of Law cannot be divorced from the fate of the Peronist left, from its dispute with Perón and, above all, from the direction taken by the political process after his death” (Chama & Canoso, 2011, p.308).

71 Goebel, 2011, pp.165-166 discusses the UBA changes.
The exhibition and then the destruction the work in October 1973 strongly reflected the position of the left. Photographs of the Trelew dead were placed in the form of a cross in the centre of the Faculty’s main hall. (Figures C1.19 and C1.20)

![Figure C1.19 Trelew Cross October 1973](image1)

The Faculty of Law was a microcosm of the ideological war between the Revolutionary Tendency and the Peronist right that had Perón’s full support. If Romero and Pazos’ expressed roles as artists was the conscientizacion of the Argentine population in 1972 and their works operated as engagements with the political and
violent reality, the destruction of their work in October 1973 was a product of that reality.

A significant marker of the ideological violence between left and right Peronists occurred in September 1973, and was reflected at the Faculty in October. The creation of the work and its subsequent destruction formed part of the disputed role of universities and commemorative functions at UBA and were an initial stage of the process to right-wing dominance (See part four).

Duhalde’s and Ortega Peña’s UBA contracts were not renewed in December 1973. Their removal was directly related to the violence on campus, which in turn was the product of Kestelboim’s refusal to permit a right-wing Peronist commemoration to José Rucci, a victim of guerrilla violence.

The murder of Rucci, of the right-wing union CGT and part of Peron’s inner circle on 25th September 1973, was followed by the retaliation assassination of Juventud Peronista member Enrique Grynberg. The Montoneros were responsible for Rucci’s murder but did not claim responsibility (Enrique Grynberg, 1973, pp.6-7; La ofensiva, 1973, pp.3-5; Lewis, 2002, pp.90-91; Un funcionario, 2013). On 1st October 1973, La Opinion published El Documento Reservado which outlined Perón’s decision to purge Marxists and subversives from the movement. Perón referred directly to Rucci’s murder (y esto qué, 1973, p.2).

The right-wing Peronist paper El Caudillo scrutinised UBA and other universities from November 1973. Duhalde and Ortega Peña were the focus of the paper’s attacks after the events of October 1973 (Peña y, 1974, p.13).

Militancia and El Caudillo

72 CGTA was formed in response to the CGT
Militancia and El Caudillo agree that Rucci’s commemoration was prohibited at UBA. That is the only point on which their respective reports on events, which resulted in the destruction of the Trelew Cross, converge. El Caudillo argued that shantytown inhabitants (villeros) were prohibited from commemorating Rucci by Mario Kestleboim because “they had no trace of being university students.” The report was an attempt to contradict the Peronist left’s inclusive project of not allowing universities to be cut off from national reality (Kestelboim no, 1973, p.14).

Militancia placed responsibility for the destruction of the Trelew Cross with right-wing Peronist university organisations, Concentración Nacional Universitaria (C.N.U), Comando de Organizacion and Comando Evita. Militancia’s report articulated the division in Peronism and the distinct power bases: the student body and the faculty authorities on one side, and on the other right-wing unionists and “those wanting to emulate Luis Sosa”, one of the Trelew Massacre perpetrators (Facultad de, 1973a, p.8).

Each faculty implemented programs to bridge the gap between the privileged elite at UBA and schools run by the university: CNBA and Escuela Superior de Comercio Carlos Pellegrini (ESCCP), and the underprivileged. To encourage participation, the only entry requirement was the completion of secondary education. UBA doubled its intake of students to one hundred and fifty thousand (Moderate to, 1974, p.2).

The clearest measure to ascertain the strength of UBA organisations to December 1973 is the November 1973 election result. JUP gained 20,719 votes of fifty-four thousand cast. The JUP attained double that of UCR’s organisation: Franja Morada. The JUP was strongest in Law, Philosophy, and Architecture (Sufragaron 54, 1973 p.11). After the elections, faculty representatives outlined their intended outreach programs. Carlos Fasano of Law stated students would establish legal consultancies for
neighbourhoods and unions. Roberto Corvaglia of Architecture outlined the faculty’s commitment to those living in shantytowns (Alpargatas si, 1973, p.25).

The intention of the Trelew Cross exhibition is significant when analysed in the context of other UBA commemorations to the dead of the dictatorship period. I am not arguing for equivalence with other engagements, but rather to underscore that the exhibition articulates the strength of the left at the university and the significance of the Trelew Massacre to artists, the legal community, particularly the former lawyers of political prisoners employed at the Faculty of Law; Kestleboim and Duhalde, students and the wider population.

The most significant difference with other UBA commemorations was that no former students of the Faculty were among the Trelew dead. Other commemorations were held at the faculty where victim’s had studied. Angelica Sabelli had studied at the Faculty of Exact and Natural Sciences (FCEyN). Eduardo Capello was a former Economic Sciences student (A 25 años, 2001, p.3).

In June 1973, a wake was held in the Architecture Faculty to an ERP member. José Castrogiovanni was killed a week before Cámpora’s inauguration when the ERP attacked a security forces headquarters. The JUP gained authorisation from the Faculty Dean to hold the wake (Kandell, 1973a, p.85; La Universidad, 1973, pp.9-10; Chama & Canosa, 2011, p.311). In July 1973, a commemoration was held at the Faculty of Philosophy and Letters to Mirta Misetich and Juan Maestre, to mark the two years of her disappearance and his assassination (Velorio de, 1973, p.5; Homenaje a, 1973, p.36).

A room in the Architecture Faculty was renamed Ramon Cesaris Hall in December 1973, in memory of a student killed by police in 1972, during a
commemoration to two founding members of the Montoneros (Vivís Ramón, p.24; see chapter two). (Figure C1.21)

The implementation of the University Law on 14th March 1974 was followed four days later by occupations of the Faculty of Law at UBA and buildings at UNLP by right-wing Peronists (Kandell, 1974c, p.11). Noticias and El Caudillo again published conflicting reports on the incidents. The occupiers, right-wing teachers, issued a press release that framed the occupation as an attempt to end the left’s intention to “Bolshevise” every student. El Caudillo argued the occupations were designed to put an end to “Marxist infamy” at universities (Copan dos, 1974, pp.12-13 Universidad: los, 1974, p.19).

Following the law’s implementation, 4000 UBA students marched to the Culture and Education Ministry. The 21st March demonstration was organised by the JUP, led by José Ventura, before the occupation of university faculties by the Peronist right. The
demonstration aimed to secure Ernesto Villanueva’s position as rector at a time of a perceived onslaught by the Peronist right. Villanueva and Kestelboim had tended their resignations following the University Law. Ventura referred to the prohibition of political activities as ideological discrimination (La JUP, 1974, p.11; Universidad: o, 1974, pp.22-24; Por que, 1974, p.24).

**Part four: The second anniversary of the Trelew Massacre**

The link between the shift to the Peronist right and the continuing impunity for state violence is apparent through an analysis of the events that culminated on the second anniversary of the Trelew Massacre. The events leading to and on 22nd August 1974, contrasted with the events one year earlier with competing commemorations.

At the time of the second anniversary, Alberto Camps was imprisoned in Devoto from where he was released in 1973. In a letter, Camps underscored the significance of 22nd August. He argued those “who failed to enact justice established the bases for oppression” and “the absence of justice for the Trelew Massacre was a sign of the continuation of repressive policies and that the government tolerated torture and violence.” Camps referred to the fact Alberto Villar, the officer responsible for the 1972 removal of the Trelew dead from the Peronist headquarters, was again conducting similar acts, and that Sosa and Bravo, two of the alleged perpetrators of the massacre, were still on the government payroll. Camps also referred to the circumstances of his April 1974 arrest (22 de Agosto, 1974, pp.18-19).73

The aborted parliamentary investigation into the repression was followed by the January 1974 resignations of eight left-wing parliamentary Peronists, in response to legislation to harden repression. The legislation followed an ERP attack on an army base to the south of Buenos Aires, which left three soldiers dead and five people

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73 Camps was released in 1975 (La Liberación, 1975, p.12)
injured. The Bill passed in the lower house. In a televised address on 20th January, the
day after the attack, Perón called for the annihilation of criminal terrorists (La nueva,

The deputies resigned in an open letter to Perón on 24th January, days after
meeting with the President. The letter condemned both the ERP attack and the
enemies of the Argentine people within the Peronist movement. The deputies voiced
concern about the potential for the measures to be implemented against the Peronist left.
Seven of the eight; Croatto, Vidagna, Vittar, Kunkel, Muñiz Barreto, Diaz Ortiz and
Iturrieta were signatories to the 1973 proposed investigation into state violence (Votan

The reinstatement of Alberto Villar and also Luis Margaride formed part of the
plan to curb guerrilla activities. In January 1974, the JP opposed the appointments of
Villar as Deputy Chief of the Federal Police and Margaride as head of the
Superintendence of Federal Security, on the grounds that both had served during RA (La

An investigation was proposed into the tortures suffered by Camps and in a
separate incident by Juan Maestre’s brother, Eusebio and his partner, after their arrests
in April 1974. Camps wife Rosa Pargas was also arrested. Their torture was denounced
by their families, the JP and politicians including then independent National Deputy
Ortega Peña, who was elected in March 1974 as a replacement for one of the two
Buenos Aires deputies who resigned in January. Ortega Peña was also one of fifteen
deputies to vote against the University Law (Hoy entran, 1974, p.12; Universidad,
1974, pp.11-12). In late April 1974, a draft resolution to investigate the tortures was
submitted to the Chamber of Deputies (Proyecto de, 1974, p.14). Raúl Alfonsín of the

74 A transcript of the meeting was published as Perón: aplastar, 1974, pp.12-13
75 see Cousins, 2008, p.71 for Margaride’s role
left-wing faction of the *UCR; Movement of Renovation and Change (MRC)*\(^{76}\) argued that all political parties agreed that the end of repression was an objective of the democratic opening (*Investigan Torturas*, 1974, p.24).

Days’ earlier, members of the *JP*, Haidar and Berger met with Perón in preparation for the 1\(^{st}\) May Labour Day gathering in Plaza de Mayo.\(^{77}\) The *Peronist* left denounced the tortures by the police led by Villar and Margaride. Perón downplayed criticism of the officers and the torture claim. He argued that the left had a history of constructing maltreatment stories (*La palabra*, 1974, p.12-13).

One week before the second anniversary of the massacre, *JP* representatives and deputy Miguel Zavala Rodríguez, also elected in March 1974, blamed the continuation of violence on Villar and José López Rega, the *Social Welfare Minister*. López Rega and Villar were identified as the culprits in what Zavala Rodríguez described as the attempt to silence the left through violence. Ortega Peña’s murder by the AAA in July 1974 was one cited example\(^{78}\) (*Camps, Maestre*, 1974, p.10).

The publication of Alberto Camps analysis of the political situation was accompanied by photographs of the repression on 22\(^{nd}\) August 1974. The *Peronist* left was prohibited from commemorating the *Trelew Massacre* at the Atlanta stadium in a repeat of their 1973 event, a few days before 22\(^{nd}\) August. (Figure C1.22 p.131) In a statement issued by the *Montoneros*, which the *JP, JUP* and *U.E.S* signed, the guerrillas argued that the decision was designed to demobilise the people (*El gobierno*, 1974, p.24; *Declaración de*, 1974, p.11).

\(^{76}\) Alfonsín was beaten by Ricardo Balbín in the *UCR* leadership contests for the 1973 elections.

\(^{77}\) That gathering in Plaza de Mayo resulted in a vocal confrontation between the *Peronist* left including the *Montoneros* in the crowd and Juan Perón on the balcony of the Casa Rosada where he addressed those gathered. The left withdrew from the plaza (Robben, 2005, pp.75-77).

\(^{78}\) The AAA sent death threats to Duhalde and others. Villar and López Rega were the intellectual authors of the organisation that operated from the Ministry of Social Welfare and Federal Police (*Un plan*, 1974, p.14; Heinz & Fruhling, 1999 p.706).
Noticias

In this section of the chapter, I analyse a number of editions of Noticias from the final week of its publication in August 1974. The papers’ closure was a direct consequence of its reporting of events following the second anniversary of the Trelew Massacre. The final edition (266) was published on 27th August (Kandell, 1974a, p.10). I discuss the ways in which the supplement issued with number 262 of 23rd August partly addressed the violence perpetrated by the state during RA and the Peronist governments that followed, and how the supplement when analysed alongside the 23rd August edition articulates the impact of the failed investigation and the significance of the Trelew Massacre as the symbolic act of state violence and impunity. Pereyra’s surrender photograph is on the front page (Figure C1.23 p.132).
The Special Edition operated as a substitute for the prohibited commemoration and the failed attempts at investigation, and underscores the significance of continuing violence. The publication articulates the left’s unrecoverable position that included Camps torture, its dismissal by the Peronist hierarchy, and the AAA’s emergence.


The commemorative issue was titled En el anniversario de Trelew: homenaje a los caídos 1955-1974. The first subsection of significance for this study examines the deaths of protesters from Santiago Pampillón’s 1966 murder. The report includes the
deaths of Cabral, Bello and Blanco in the 1969 *azos*, and Jauregui’s in Buenos Aires (*El pueblo*, 1974, pp.6-7). (Figure C1.24)

The subsection on the *Trelew Massacre: Trelew: La Patria Fusilada* operates as a summary of events: the prison escape and surrender at Trelew airport, the massacre, and the repression of the wake. The section presents photographs and biographies of the sixteen victims (1974, pp.8-9). (Figure C1.25 p.134)
The following section identifies 1970 as the time of the introduction of death squads. According to the analysis, from 1970 to 1972, thirty-five people were kidnapped and tortured and eleven people were disappeared or murdered, including Martins and Zenteno in 1970, and from 1971 Verd, Palacios, Misetich and Maestre (y empezaron, pp.10-11). (Figure C1.26 p.135)
In the following section, thirty-six people are named as having died as a result of armed violence. I refer to the most notorious: Carlos Ramus and Fernando Abal Medina, in the following chapter. Two others named in the section are ERP members who died when attempting to place explosives at military installations before RA ended: José Castrogiovanni and Julio Provenzano. Provenzano was navy conscript. He died in April 1973 (*Muchos cayeron*, 1974, pp.12-13).

The final section focuses on the deaths from the *Ezeiza Massacre*, including Grynberg and Ortega Peña (Figure C1.27). The final deaths are those of eighteen ERP members in confrontations with the military, and Carlos Pierini of the CGTA. Pierini was kidnapped on 7th August 1974, by men in police uniform. His corpse appeared in La Plata. The AAA later claimed responsibility (*Desde Ezeiza*, 1974, pp.14-15; *Feroz masacre*, 1974, pp.12-13; *La masacre*, 1974, p.10).

![Figure C1.27 Grynberg and Ortega Peña Noticias 262 Edicion Especial p.14](image)

The Special Edition of the paper identified all the victims of state violence and categorised them according to the manner of their deaths. The Special Edition is framed by the *Trelew Massacre* as the symbol of both violence and impunity. From 1973, the date of the massacre was strongly associated with the demand for reckoning with state violence. The inclusion of the August 1974 deaths articulates the failure of the state to investigate and punish perpetrators and should be seen in the context of the proposed investigation, which was to focus on deaths to 1973. The extending framework is
underscored in the daily edition of the paper, with which the above supplement was issued.

Number 262 briefly refers to the violence perpetrated against three members of Peronist left: Eduardo Bekerman of the U.E.S, Pablo Van Lierde of the Montoneros and Carlos Baglietto of Juventud Trabajadora Peronista (JTP). They were arrested by people identifying themselves as police officers during preparations for the second anniversary of the Trelew Massacre. The three were taken a refuse dump, placed in the back of a van and repeatedly shot. Beckerman and Van Lierde died. Baglietto survived. Noticias published Baglietto’s testimony on 26th and 27th August 1974. He stated that they were interrogated about Firmenich’s and Quieto’s whereabouts. Noticias was closed for reporting the incident (Kandell, 1974a, p.10).

Bekerman’s murder was condemned by Raúl Aragon, the rector of Colegio Nacional de Buenos Aires, where Bekerman studied and from where his funeral procession later commenced. The procession was attended by CNBA and ESCCP students. At the funeral, Pablo Sлемenson, the leader of the U.E.S in the Federal Capital, condemned the killing. Bekerman and Slemenson were U.E.S founding members (Habla el, 1974 p.1; Pero sigue, 1974, pp.8-9). (Figure C1.28 p.138)

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79 Quieto and Firmenich were arrested in February and March 1974 respectively. Both were released in March 1974. Quieto was arrested for possession of false identity documents (Quieto, preso, 1974, p.24; Firmenich esta, 1974, p.24; Quieto en, 1974, p.24; Firmenich fue, 1974, p.24; No puede, 1974, pp.4-7).

80 From 1975 the date of the Trelew Massacre was associated with violence against members of La Comisión de Familiares and escaped guerrillas. Pujadas’s family was massacred in August 1975. Marcos Osatinsky was murdered by police on the eve of the 1975 anniversary (Roper, 1975, p.2; La masacre, 1975, pp.25-26; Valerga, 2010).
Leading to the second anniversary of the Trelew Massacre and after Juan Perón’s death, Isabel Perón announced a new government cabinet. On 13th August, Jorge Taiana was removed as Education and Culture Minister. He was replaced by Oscar Ivanissevich of the Peronist right. Taiana’s removal was met with occupations of buildings at UBA and at CNBA. Ten UBA faculties were occupied in rejection of the potential appointment of right-wing Peronist Rodolfo Tercera del Franco as Rector. The CNBA occupation was in direct response to Taiana’s removal.

The day after Taiana’s removal, sixteen CNBA students were arrested at the school for possession of weapons, which the students argued belonged to the school’s firing range. According to Noticias, police made the students stand against a wall at the school for three hours. Once at the police station, officers referred to the Trelew
Massacre, due to the number of arrested students and the number of guerrillas killed in 1972. Officers reportedly stated the students would suffer the same fate (UBA: Sigue, 1974, p.24).

El Caudillo of 30th August (number 41) discussed two children photographed in CNBA. The children are hiding their faces from the camera. El Caudillo refers to them as little Montoneros and petty criminals. The piece was published one week after Bekermans’ wake at the school (Taiana no, 1974, pp.10-11; Decisiva semana, 1974, p.5; Un colegio, 1974, p.8; Hay nuovo, 1974 p.13; El coraje, 1974, p.19) (Figure C1.29)

![Figure C1.29 El Caudillo 41 p.19](image)

On 6th September 1974, the Montoneros announced its move to clandestine armed struggle because all legal avenues for engagement in the political process were exhausted. The move was framed as being conditional and would not eventuate if the repression ended, if a free press was restored and demonstrations were permitted (Robben, 2005, p.141; Gott, 1974a, p.4). Most of their publications had already closed. Noticias closure was directly attributable to all three concerns outlined by the organisation: the prohibition of Trelew commemorations, legal repression on 22nd August and the paramilitary violence committed against Bekerman, Van Lierde and Baglietto, and the government response to reports of that incident.
It was reported that the U.E.S and JUP supported the Montoneros decision and that the JUP considered a similar move. Robben (2005) argues that “this move underground left tens of thousands of ordinary members and sympathisers completely unprotected” (Robben, 2005, p.141). As one UBA Professor asked after the Montoneros move to clandestinity and with the JUP contemplating a similar move: how can twenty-five thousand students from the Philosophy Faculty go underground? (Gott, 1974a, p.4)

On 7th September 1974, a bomb exploded at the home of Raúl Laguzzi, the interim UBA rector. The bomb, which was placed by the AAA, killed Laguzzi’s baby son (Taiana no, 1974, pp.10-11; 500 students, 1974, p.8; Gott, 1974a, p.4).

**Conclusion**

The use of the photographs of the Trelew dead by activists was dependent on those repressive photographs being issued by the state. The impact of the massacre and attendant uses of photographs was underscored by the nature of the engagements with state violence before the massacre by lawyers and artists. After the movement of the repressive photographs into the public realm their meaning was radically modified to support critical versions of the events and to support the demand for justice. The uses of those photographs were integrated within the political developments in 1973 with Buenos Aires central to political events from a peripheral role to 1972. The use of those repressive photographs charted the demise of the left’s projects from a position of strength at the Devotazo.

In Noticias’s 1974 commemorative supplement all victims of state perpetrated violence were accounted for. Armed guerrillas and unarmed militants were clearly differentiated. Eduardo Bekerman’s death marked a turning point. The photograph of the two CNBA students was portentous of what was to come.
The commemorative publication was in contrast to the rounded engagement of the previous year, with demonstrations and commemorations of various types prescribed in 1974. Those at universities ended with the passing of the University Law. Those at schools ended in 1975. In chapter four I discuss the re-emergence of commemorations on campuses and the emphasis on the political commitment of victims. The commemoration at CNBA in 1996 followed the Sabelli’s father’s discussion of his daughter’s political commitment in Estrella Roja 23. Sabelli and other pre Proceso victims were commemorated at the school in 1996 with the Proceso era victims.

The Devotazo is acknowledged (Robben, 2005; Canelo, 2008, p.42) as a motivating factor in the move to detention-disappearances during the Proceso. Robben argues that

the released prisoners felt empowered for having defeated the military government in four year of armed struggle [...]. Yet within one year the political tide would turn against them and within three years more many of them would be dead...The euphoria among the revolutionary left contrasted with the dread among the military. The military felt violated in their sense of justice by the Devotazo [...] they decided that they would never make such a mistake again (Robben, 2005, pp.128-129)

This has significance in terms of the movement of repressive photographs during the Proceso with the dictatorship tightly controlling information on those held. The photographs used in demonstrations in 1983 were differentiated from those used at the Devotazo. Honorific and disciplinary photographs underpinned the demand for information until the emergence of the partial ESMA photographic archive in 1984. I discuss the control of information in the following chapter and the emergence of the ESMA archive in Chapter three.
CHAPTER TWO EL PROCESO DE REORGANIZACION NACIONAL

In this discussion of the Proceso, I focus on some of the defining characteristics of state repression. These include the transition from murders committed with impunity by the AAA to the state practice of detention-disappearance and use of Clandestine Detention Centres (CDCs) first in the Province of Tucumán in 1975 then nationally from March 1976, and the limits imposed on the circulation of information pertaining to victims. I then outline how the ESMA was differentiated from other CDCs by the information that emerged partly as a result of navy misinformation. This included the dissemination of a photograph of two detained-disappeared victims. I then discuss the military’s official 1983 explanation of the violence. This chapter provides the basis for the discussion in chapter three in which I return to the final year of the Proceso and then analyse the post-dictatorship period to 1987.

The Proceso saw the eradication of those identified as opponents of the dictatorship in its self-titled war against subversion and terrorism (Documento Final, 1983). The all encompassing designation saw the undertaking, justification and denial of a brutal and unprecedented level of repression directed at those holding views contrary to the regime’s conception of Argentina as a “Western Christian civilisation” (Strafford, 1978, p.12; Osiel, 2001, p.129; Mignone, 2006, p.49 and p.244; McSherry, 2009, p.25).

A potential military coup was discussed in July 1974 at the time of Juan Perón’s health problems and increasing violence. In November 1974, Isabel Perón implemented a State of Siege. The inevitability of the military taking power, which became a question of when not if, emerged in April 1975, less than two years after Revolución Argentina (Gott, 1975b; Gott, 1974b, p.2; De Onis, 1975b, p.1).
The first military Junta, led by de facto President Jorge Videla, (Army) Emilio Massera (Navy) and Orlando Agosti (Air Force) established CDCs throughout Argentina. The CDCs enabled the dictatorship to torture and murder detained victims and destroy or secretly bury their remains, whilst maintaining an official denial.

**Tucumán 1975**

The first CDC was established in the Province of Tucumán in 1975. The short lived Peronist left paper *El Autentico* of the Authentic Peronist Movement (MPA), which had strong links to the Montoneros, reported in its 29th October 1975 edition that Claudio Slemenson, a U.E.S delegate and an MPA member was seen in a CDC. A sugar worker reported that Slemenson and Raúl Trenchi, with whom he was kidnapped, were tortured. The sighting of the detainees followed the presentation of a habeas corpus petition ten days after the 4th October kidnapping at Trenchi’s home. The army and police denied holding them. Subsequent editions of *El Autentico* published updates on Slemenson’s case and on further kidnappings in Tucumán. The paper also presented a list of over 260 AAA victims from May 1974 to September 1975, including sixty unidentified incinerated and dynamited corpses (*Slemenson: denuncian*, 1975, p.1; *Raptan mas*, 1975 p.1; *Historia de*, 1975, p.5).

Slemenson and Trenchi were not the first victims taken to CDCs in Tucumán. However, *El Autentico*’s reporting articulates a shift in the repressive approach during Isabel’s administration to that pursued throughout Argentina from 24th March 1976. Eduardo Beckerman was one of the first twenty victims attributed to the AAA by *El Autentico*. Slemenson was one of 114 detached-disappeared Tucumán victims from February 1975 to the start of the Proceso (Kotler, 2006, p.32).

In February 1975, the U.E.S published a manifesto in the Montoneros clandestine paper *Evita Montonera*. The U.E.S and JUP were still operating openly after the
Montoneros move to clandestinity. The manifesto articulated an understanding of the role of education in the domination of the people, U.E.S's article underscored the crucial role of the secondary school in the formation of a person’s ideology and the duty of those engaged to resist its function as a producer of “useful idiots” (U.E.S estudiantes, 1975, pp.35-37).

On 22nd August 1975, school students linked to the U.E.S in La Plata commemorated Bekerman’s death (Estudiantes secundarios, 1975, p.7). Bekerman was elevated to a symbol of the repression conducted against those in secondary education. That position articulated layers to state violence and to the pre Proceso commemorations from the Trelew Massacre to the AAA violence.81

The existence of the CDC La Escuelita de Famaillá in Tucumán from 1975 and the decrees implemented by the Peronist government in February and October 1975, which authorised the armed forces to annihilate subversives, informs the ways in which the adversarial groups discussed by Jelin (1994) approach events of the Proceso. Secret decree 261/75 (Operativo Independencia) was implemented in the Province of Tucumán in February 1975 to confront the ERP, and then nationally in October 1975 (2772/75), following a Montoneros attack on a military barracks in Formosa (30 killed, 1975, p.6; La escuelita, 2011; Artese & Roffinelli, 2009, p.332; Robben, 2005, p.244; Hay rastrillajes, 1974, pp.8-9; CELS, 2011, p.165; Pion-Berlin & López, 1991, p.76)

Detention-disappearances from 1976

The denial and justification was designed to instil fear in the population. The repression was to be known about but not discussed. Victims were taken from their homes, from their place of work and from the street. One victim in the first category is

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81 In September 1975, the U.E.S published a further plan. The project aimed at the conscientizacion of students in every school (Organizar a, 1975 p.5).
Monica Mignone. In May 1976, Mignone was taken from her parent’s home. Her parents witnessed the military taking her for questioning. It was the last time they saw her (Guest, 1990, pp.10-11). Las Madres and their supporters were not immune to detention-disappearances. The organisation was infiltrated by an ESMA operative. Alfredo Astiz used the name Gustavo Niño to pose as the brother of a detained-disappeared victim (Goñi, 1998).

Press restrictions

In the initial stages of the Proceso, the military imposed mechanisms that underpinned the repression. Some measures were designed to limit the flow of information. Immediately after the coup, the military encouraged media self-censorship. A U.S. Embassy cable dated 24th March, 1976 reported that at a meeting at the Military Headquarters, Argentine newspaper editors were told to adhere to a list of directives. The cable states these were "defense of the family institution; strict respect for the dignity, honor and reputation of individuals and permanent and decisive action against vice and all its manifestations." In a meeting with foreign media it was made clear they were not under the same obligation. The only expectation was that they did not publish distorted versions of events. Captain Arigotti underlined the military position by stating that the only official information would be contained in Junta communiqués (Junta’s relations, 1976; Appendix pp.562-564).

On 22nd April 1976, Argentine newspapers were told not to mention the deaths of subversives or report detention-disappearances (Knudson, 1997, pp.100-101; Argentina bans, 1976, p.5). The press for the most part complied. The Buenos Aires Herald, La Opinion and Nueva Opinion were prominent exceptions and reported on detention-disappearances.
*La Opinion* was placed under government control following the April 1977 detention of Jacobo Timerman, the paper’s owner, on suspicion the paper was financed by the *Montoneros* (*Argentine paper*, 1977, p.4; Cabeza Miñarro, 1977, p.20). In the month that Timerman was detained, the editor of the *Buenos Aires Herald*, Robert Cox was arrested for reporting on a *Montoneros* Rome press conference. At that conference, the organisation called for the publication of lists of the *detained-disappeared*, and where they were held (*Argentine police*, 1977, p.5; Pisolesi, 1977, p.20). Other *detained-disappeared* journalists like Enrique Raab were not released. Raab was kidnapped on the day Timerman was detained. Eighty-two journalists were reported arrested, killed or *detained-disappeared* between 1974 and May 1977 (*AISC*, 1977).

On 25th March 1976, newspapers published twenty-eight military communiqués. Communiqué 2 notified the population that demonstrations would be severely repressed and warned people should not meet in public places. Communiqué 19 warned a ten year prison sentence would be applied for “the distribution of information damaging to the armed forces and that a prison sentence of undefined length would be applied for the circulation of material pertaining to organisations, or individuals, dedicated to subversion or terrorism” (*La reorganización*, 1976, p.12).

**Political organisations**

Following the coup, political parties were dissolved and twenty-two political organisations were prohibited. They included the *U.E.S.*, *JP* and the *JUP* (Law 21.322/76). Penalties for non-compliance with the laws were similar to those issued during *Revolución Argentina* that had prohibited propaganda on university campuses. Article 6 of the June 1976 law implemented a prison term from three to eight years for failure to adhere to the prohibitions. Article 7 outlawed communications or images linked to prohibited organisations. Political party organisation was punishable by up to
three years imprisonment (Law 21.323/76 Art.1). The military implemented legal mechanisms and clandestine practices as the cases of *detained-disappeared* adolescents and university students outlined below express.

In its 1982 report, *CELS* named 130 *detained-disappeared* adolescents. *CELS* report argued that most of the victims were taken from the family home and that the kidnapping was witnessed by the victims’ parents. A number of CNBA students are among those named: Magdalena Gallardo, Hugo Toso, Pablo Dubcovsky, Gabriel Dunayevich, Alejandro Goldar Parodi and Juan Marin (*CELS*, 1982, p.13).

Sociologist Ines Izaguirre puts the number of *detained-disappeared* university students at 3286 (Slepoy, 2009; Keve, 2005). In 2010, it was estimated that 1300 *detained-disappeared* university students were from UBA and 700 were from the *University of La Plata (UNLP)* (*Justicia YA!,* 2010).

**Habeas Corpus and the Supreme Court**

The clearest form of military denial was the treatment of Habeas Corpus petitions submitted by relatives of the *detained-disappeared*. It has been argued that the Supreme Court remained operational during the *Proceso* to maintain an appearance of legality, but that the judges were appointed by the Junta. This is also explicit in the March 1976 *Estatuto para el Proceso de Reorganizacion Nacional* which established the role of the branches of government. All judges had to adhere to the principles of the *Process of National Reorganisation (Estatuto para*, 1976, p.2). A 1979 report analyses the status of Habeas Corpus petitions and the treatment of lawyers. The *Association of the Bar of the City of New York’s* report states ten thousand petitions had a negative response. The report lists both legally detained lawyers and those *detained-disappeared* (*Documentos Basicos*, 1980, pp.7-8; *Association of*, 1979, p.34 Appendix pp.565-568; Pérez Guilhou,
Information/Misinformation

Information from CDCs emerged during the Proceso. The ESMA was differentiated from other centres by the quantity and type of information that came from survivors. Priests Francisco Jalics and Orlando Yorio provided information on Monica Mignone’s ESMA detention. The priests were released in October 1976 (Guest, 1990, pp.34-36).

In his Open letter to the Military Junta (Carta Abierta) of 24th March 1977, the day before he was killed by an ESMA task force, Rodolfo Walsh of the Montoneros Intelligence Department examined the first Proceso year. Walsh presented information on operations at the ESMA and on the repression throughout Argentina. Part of the letter reads “Fifteen thousand people missing without trace, ten thousand prisoners, four thousand dead and tens of thousands of exiles are the statistical bones of this terror”. Walsh discussed twenty-five bodies that appeared on the Uruguayan coast between March and October 1976, some of whom he argued were perhaps tortured at the ESMA and then dropped into the Rio de la Plata, which separates Buenos Aires and Uruguay. Walsh argued the refusal to publish the names of prisoners was a cover for systematic executions. He further referred to the murders of former politicians Mario Amaya and Diego Muñiz Barreto (Walsh, 1977; Lewis, 2002, p.151).

Walsh sent Carta Abierta to news agencies and to the military. The letter was based in part on information supplied by two ESMA conscripts. The informants; Mario Galli and Sergio Tarnopolsky were later murdered. Tarnopolsky was held at the ESMA
from July 1976. His entire family, except his brother Daniel, were murdered (Terror against, 1977, p.13; Bonasso, 1999; Pastoriza, 2013; Bocchino, 1999, p.37).

Information emerged from the navy in its project of misinformation. To underscore the complexity of the period and the impact of the production of misinformation, in this section I discuss newspaper reports on a confrontation between the military and the Montoneros, the last of the guerrilla organisations. The ERP effectively ceased to exist in July 1976 after the deaths or detention-disappearances of its high ranking members, during an army operation in Buenos Aires. It was reported that Mario Santucho was killed with other high ranking ERP members Benito Urteaga, Domingo Menna (Tarnowski, 1976, p.683).

An ERP attack on a military compound in Monte Chingolo on the outskirts of Buenos Aires in December 1975 was perceived to be an indication of ERPs desperation because of the ages of some of the guerrillas killed in the operation. The dead included sixteen and seventeen year olds (Monahan, 1975, p.3; Aftermath of, 1975, Appendix pp.569-570)

**Norma Arrostito**

In early December 1976, newspapers and magazines in Argentina and overseas reported Norma Arrostito’s death. The 9th December edition of the Argentine Gente magazine published details on its front cover (Figure C2.1 p.150). The Times and the Montoneros Evita Montonera based their reports on information communicated by the military (Argentina deports, 1976, p.4; Ejemplo de, 1977, pp.12-13).

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83 It was also reported Enrique Gorriaran Merlo was killed. He died in 2006 (Adios a, 2006; Robben, 2005, p.202)
Arrostito was part of the Montoneros leadership and participated in the organisation’s first violent act in 1970: the assassination of former President Aramburu. According to a Montoneros communiqué, Aramburu was to be killed in retribution for the 1956 executions of forty Peronist soldiers and civilians (No More, 1956, p.9).\textsuperscript{84} Those responsible for Aramburu’s murder, Fernando Abal Medina, Carlos Ramus, Carlos Martínez, Firmenich, and Arrostito became the subjects of a police hunt (Wigg, 1970a, p.5). (Figure C2.2) Abal Medina and Ramus were killed by police on 7\textsuperscript{th} May 1970.\textsuperscript{31}

\textsuperscript{84} Communiqué 3, 31\textsuperscript{st} May 1970.

The French Nuns

The first photograph of ESMA victims emerged in December 1977. From 8th to 10th December 1977, three members of Las Madres and nine of their supporters were detained-disappeared. On 8th December, members of Las Madres were raising funds at the Buenos Aires Church of the Holy Cross to pay for an advert in La Nación demanding to know if their children and husbands were alive or dead, where they were held, and that the military produce complete lists of detainees. The document listed the names of 800 mothers and partners of detained-disappeared victims. The advert appeared in the newspaper on 10th December. (Las Madres, 1977, Appendix p.571)

The victims included Azucena Villaflor, Esther Ballestrino and María Ponce all of Las Madres and two French nuns; Alice Domon and Leonie Duquet. Domon was

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85 That date was later commemorated as the Day of the Montonero. The 1972 commemoration was delayed until December. Ramon Cesaris died when police fired a gas grenade at him.
kidnapped at the church. Duquet was kidnapped two days later (*Two French*, 1977, p.1). On 17th December 1977, The *French Press Agency* received a letter from one of the nuns and a letter purportedly written by the *Montoneros*. The letter included a photograph of Domon and Duquet holding a copy of *La Nación* from 14th December. The nuns sat in front of a *Montoneros* banner (Figure C2.3).

![Image](image.png)

Figure C2.3 Duquet and Domon (Cerolini, 2006, p.100)

The practice of kidnapping and then photographing victims was used by the *Montoneros* and *ERP*. Those organisations kidnapped businessmen, foreign officials and members of the military and demanded ransom payments, or other requirements were met for the release of the kidnapped individual(s). The first time the *Montoneros* employed the strategy was with Aramburu. In that case the intention was to kill.
According to Firmenich and Arrostito, the camera broke when Abal Medina attempted to photograph Aramburu after his “trial” commenced (Mario Firmenich, 1974, p.29).

The photographs of the kidnapped victim were then printed in that organisation’s publications, sent to newspapers, or left in public places, as with the case of Stanley Sylvester, Honorary British Consul and head of a Rosario food company. Sylvester was kidnapped by the ERP in 1971 and later released (Wigg, 1971b, p.7; Food for, 1971, p.1). (Figure C2.4 p.154) Some high profile cases are as follows: in March 1972, The ERP kidnapped Oberdan Sallustro, the head of Fiat-Argentina. (Figure C2.5 p.154) In April 1972, Sallustro was killed in captivity (Wigg, 1972f, p.1; No concessions, 1972 p.17; Asesinos, torturadores, 1973, p.7). Two weeks after moving underground, the Montoneros kidnapped Juan and Jorge Born. The brothers were sentenced to a year in prison by the Montoneros that was reduced to nine months when the company met certain conditions. The sixty million dollar ransom later paid by the Bunge y Born Corporation was the highest payment to Latin American guerrillas (Barker, 1975, p.1).
Figure C2.4 *The Times* Sylvester’s photograph (Wigg, 1971b p.7)

Figure C2.5 Sallustro’s photograph was published in Estrella Roja 12 1972 p.7

*Escape from the ESMA*
In April 1978, Montonero Horacio Maggio sent a letter to numerous organisations stating he had escaped from the ESMA. Maggio named a number of the people mentioned above with whom he was in held from February 1977 to March 1978. Maggio also referred to a Swedish girl he had seen in the centre semi-paralysed by a bullet wound. Maggio stated that he spoke with Alice Domon around 12th December 1977 and that she related to him how she and Duquet were forced to write a letter under torture and had been photographed in an ESMA building. Maggio outlined that shortly after the conversation, the group was transferred from the ESMA amid rumours they had been killed. Maggio also related Arrostito was held alive until 15th January 1978.

Maggio detailed the methods used in the ESMA to murder victims and dispose of bodies. In the first method, prisoners were placed in vehicles and shot. The vehicles were then set on fire. That was later followed by hanging detainees and throwing the bodies into the river; to then sedating victims and throwing them from aircraft. Maggio then named a number of naval and police operatives who worked at the ESMA. Maggio related that “Daniel” (Hector Febres), visited his parents and threatened them and all those held in the ESMA at that time, estimated by Maggio at 150 people, should he make a public statement86 (Horacio Maggio, 1978, Appendix pp.572-577).

U.S. Embassy reaction

The U.S. Embassy in Buenos Aires was one of the recipients of Maggio’s letter.87 The Embassy’s initial response was that the letter had been written by the Navy to destabilise the Videla led junta. The embassy approached the letter with suspicion and argued it was too convenient that the most high profile cases; Arrostito, and the Madres group, were attributable to one task force (Letter accusing, 1978 Appendix pp.578-580).

86 Maggio was recaptured and killed.
87 It was sent to the French Ambassador, France Presse, Associated Press, the U.N., newspapers, politicians and the military
The way that the above letter is treated by the U.S. Embassy underscores the confusion of the period, of the difficulty in verifying information and ascertaining where the *detained-disappeared* were held. The U.S. Embassy had a unique position that enabled its staff to gain an overview of events through communications with distinct parties (Osorio, 2003, p.15).

In December 1977, the Embassy discounted the *Montoneros* involvement with the Mothers group kidnappings. A cable dated 19th December *Mothers of the Plaza*, placed responsibility with the Navy. The cable argued that *Montoneros* involvement was logistically impossible and further that such an operation would be politically damaging. The former editor of *Noticias* and then *Montoneros* press secretary, Miguel Bonasso, denied the organisations involvement (*Les Montoneros*, 1977; *Los Montoneros*, 1977).

Norma Burgos testified before Swedish authorities in December 1979 with respect to Dagmar Hagelin, the Swedish girl Maggio mentioned. After Burgos’s testimony, pressure was exerted on the Argentine regime for answers via the *IACHR*. Swedish journalists tracked Alfredo Astiz, the operative responsible for Hagelin’s shooting, to South Africa where he was assistant naval attaché. Astiz later returned to Argentina (*Norma Susana*, 1979; Meislin, 1982; Gravil, 1989, pp.28-30).

**IACHR and the Law of Absence 1979**

The *Law of Absence with Presumption of Death* (22.068/79) was implemented on 12th September 1979. Its implementation was coincidental to the *IACHR*’s visit to Argentina (6th to 20th September). The law reduced the length of time from three years to three months those *detained-disappeared* from the 1974 State of Siege to 6th September 1979 could be considered legally dead. The law has been referred to as the first attempt at implementing forgetting (Robben, 2000, p.97; Schirmer, 1989, p.9).
The IACHR visit is important for a number of reasons. Firstly, it was the result of James Carter becoming President of the United States in January 1977. The change of political administration resulted in a shift in United States’ foreign policy (Forsythe, 1991, p.85). The previous administration of Ford employed a strategy that provided the Argentine regime with at best mixed signals, at worst encouragement as one declassified cable that details a meeting between U.S. Secretary of State Kissinger and Argentine Foreign Minister Guzzetti in October 1976 makes clear. Kissinger advised that the Argentine military should complete the repression before January 1977. During his visit Guzzetti also met with Vice President Nelson Rockefeller who reportedly offered similar advice. According to the U.S. Embassy, Guzzetti returned to Argentina “euphoric” after expecting United States authorities to issue a rebuke for Proceso crimes (Grech, 2003, pp.1 & 12a; Santoro, 2003; Campbell, 2003; Foreign Minister, 1976, Appendix pp.581-582; Dinges, 2004, pp.202-205).

As Crahan points out, from 1977 the United States was the major financier of the IACHR. As Tom Farer, one member of the IACHR investigation team in Argentina has stated, Carter pressured the Argentine government to permit IACHR’s visit. Other countries in the region; Chile and Uruguay which were under similar scrutiny for human rights abuses resisted pressure to permit IACHR inspections (Schmidli, 2011, p.362; Gretch, 2003, p.1 & p.12A; Arnson, 2003; Crahan, 1986, p.439; Farer, 1997, p.531).

It is useful to consider the Law of Absence and IACHR visit together. The law was intended as a message that nobody would be found in clandestine detention. IACHR’s visit and 1980 report are credited with the decline in the number of detention-disappearances. The opposite view states that the military considered its project complete (Wiessbrodt, 1991, p.1020; Goldman, 2009, p.873).
In August 1979, immediately prior to the *IACHR* visit, *detention-disappearances* increased. The U.S. Embassy in Buenos Aires struggled to make sense of them. The confusion is outlined in a letter on 12th September 1979 to the U.S. Department of State. One explanation the Embassy considered was that the victims would be formally charged during *IACHR*’s visit, in a public relations exercise. That did not eventuate (Appendix pp.583-584).

In December 1978, the Argentine government invited the Commission to visit the country in May 1979. The *IACHR* delayed the visit until September 1979 due to the election of judges to the newly formed *Inter-American Court of Human Rights* (Bruschtein, 1999; *IACHR*, 1980; Sobers, 2013 p.464). The Commission met with members of the military including Videla (retired), Roberto Viola of the second Junta and *HROs* including *Las Madres*. The *IACHR* received 5580 denunciations of human rights abuses from the public. *IACHR*’s February 1980 report was suppressed in Argentina, though 500 copies circulated through the endeavours of *CELS* (Dandan, 2011b).

**CDC Inspections**

The commission negotiated access to a small number of prisons and *CDCs*, including the *ESMA*. Guest states “by 1979, the population of detainees at the *ESMA* had been reduced to one hundred. In the summer, sixty were taken by police launch to an island in the river estuary north of Buenos Aires.” (Guest, 1990, p.177)

Significantly for this study, Víctor Basterra and other survivors established the identities of those taken to the island of *El Silencio* and then returned to the *ESMA* after *IACHR*’s visit. Basterra states “fifteen or sixteen people” were taken to the island (*El Libro*, 1985, pp.183-184).
The IACHR did not find victims in CDCs. However, on inspecting prisons in Córdoba with a list of prisoners provided by the military, the Commission located two unregistered people (Buergenthal, Norris & Shelton, 1990, pp.291-301; Brody & Gonzalez, 1997, pp.368-369).

In November 1979, Las Madres issued their response to the Law of Absence, in which they referred to fourteen people detained-disappeared in August 1979 as proof that detention-disappearances were still occurring. Las Madres further argued that some detained-disappeared were still alive, without stating the above victims were not dead. The organisation stated in strong terms they would not allow the regime to forget the disappeared. The document states,

If as some think, the immense majority of the so called desaparecidos are dead, we are faced with a system of assassinations of prisoners, detained undefended in their homes, places of work or in public streets; the majority mere suspects. This assassination has been committed in a systematic and planned form during four years and continues today. [...] Both to save lives, and to condemn at the moment to sanction the crimes committed under impunity of clandestinity, we cannot forget the situation of the “desaparecidos”. It is not possible, as the Government wants, to turn the page and lay to rest in forgetting their action, as a fatal fact of war (Las Madres, 1979, pp.4-5, my translation)

Withdrawal of the regime

The defeat of Argentine forces by the British during the 1982 Falklands War signalled the inevitable end of the dictatorship. I argue with McSherry (1997) that the military controlled the democratic transition to the greatest extent possible (McSherry, 1997b, p.2). In February, 1983, the military announced elections would be held later that year. The UCR and the Peronists began to organise in 1981, under the umbrella organisation Multipartidaria (Elias 2008, p.595; Ceberio, 1981, Multipartidaria, 1981).
On 28th April 1983, the regime issued the *Final Document of the Military Junta regarding the war against subversion and terrorism (Documento Final).* The document stated, “An examination of newspapers for the years 1973 to 1979 reveals that there were 742 confrontations, resulting in the deaths of 2050 persons” (Loveman & Davies, 1989, p.206) *Documento Final* reiterated the deaths of the victims:

> It should be made definitively clear that those who figure in the lists of disappeared ones[…] are considered to be dead, in judicial and administrative terms, even when it has not been possible to determine either the cause or place or the site of burial (Loveman & Davies, 1989, p.210).

The regime attempted to draw a line under the repression by underscoring its future non-co-operation with investigations:

> the information and explanations furnished in this document represent the sum total of everything the armed forces have at their disposal to inform the nation about the results and consequences of the war against subversion and terrorism. (Loveman & Davies, 1989, p.211)

**Conclusion**

Information emerged from 1976 to 1979 through the released or escaped *Montoneros,* or their informants. Walsh’s numbers in his *Carta Abierta* are not necessarily accurate but give an idea of where the information/misinformation debate rested in the early years of the *Proceso* before the formation of most of the continuing *HROs* I discussed in the introduction. This is further underscored by the issuing of the nuns photograph by *ESMA* staff and the *Montoneros* denial of involvement.

As Feld (2012) argues with respect to the Nuns *ESMA* photograph (the second stage of repressive photographic emergence for the purposes of this thesis), its emergence contrasts with the third stage of the emergence of repressive photographs: Basterra’s partial *ESMA* archive, which I discuss in the following chapter. The
emergence of Domon and Duquet’s photograph also contrasts with the 1972 emergence and circulation of the Trelew victim photographs. Feld states,

It is a photo taken in order to “give proof of life” when they had already been murdered. This characteristic makes the photo of the nuns qualitatively different to [...] images smuggled out of ESMA [...] The photo of the nuns was taken with the express intention of being publicly shown and circulated even while was ESMA still functioning (2012, p.320).

CDC survivors had a determining impact on short and longer-term post-Proceso politics. The ESMA recuperation process is particularly important in terms of the emergence of Basterra’s ESMA documents which informed HRO demands for truth and justice from 1984, in the context of the lack of comprehensive military documentation.

In the following chapter, I discuss the significance of Documento Final and the measurable role of Las Madres in their use of enlarged photographs of their children during the final year of the Proceso, and then the significance of the emergence, or movement, and uses of the ESMA archive.

I discuss some of the victims named in this chapter in chapter four, in terms of the uses of their photographs during the 1990s in the construction of social memory. They include Bekerman, Slemenson, the CNBA students, and Claudio Tisenewtsky. He was one of those killed during the ERP attack at Monte Chingolo in 1975. The 1996 CNBA commemoration focused on the former and then current students who were killed during the extended period of repression, including those above and Abal Medina, Ramus and Trelew victim Sabelli. The commemoration marked an important and controversial moment in thinking about state terrorism. The more extensive framework than the Proceso violence was employed in the pursuit of justice from 2003, which I discuss in the final chapter. This marked a shift from the various official explanations or
explanatory frameworks (Feierstein, 2011) used by successive democratic administrations from Raul Alfonsín’s in 1983.
CHAPTER THREE THE ESMA PHOTOGRAPHS: PARTIAL TRUTH, JUSTICE AND IMPUNITY

In this chapter I examine the roles of bodies of *non-repressive* and the *ESMA repressive* photographs from 1983 to 1987. I discuss how those photographs underpinned the demands of *HROs* for truth and extensive justice during the last year of the *Proceso* and during the return to democracy. I argue that both bodies of photographs were vital opposition tools to both military control of information and the policies enacted by the democratically elected administration from December 1983. The emergence of the *ESMA* documents in August 1984 is particularly important in understanding their significance given the imposed political conditions and approaches to the *Proceso* crimes.

I begin with outlining the emergence of the *ESMA* documents, I then discuss the significance of the use of *non-repressive* photographs by *Las Madres* in the context of the mechanisms the *Proceso* dictatorship implemented in 1983 to safeguard against prosecution and which were also directed at the future democratic administration. April 1983 marked a significant moment in *Las Madres* use of photographs. I then discuss limits to truth articulated by the *ESMA* documents upon their emergence, the treatment of Basterra’s documents by the official investigations into the *Proceso* crimes and then finally those documents role in the trial conducted in 1985, the passage to impunity and to the necessity of the construction of social memory.

In late August 1984, *CELS* lawyers, including Emilio Mignone, Boris Pasik and Augosto Conte\(^88\) held a press conference with Víctor Basterra, a survivor of the *ESMA* detention centre. *CELS* and Basterra held the conference to present documentation produced at the centre, which the former detainee had secretly removed, and to

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\(^88\) and Luis Zamora, Marcelo Parrilli and Jorge Baños
announce legal proceedings against ESMA perpetrators, some of whom are named in La Voz’s 1st September report on the press conference: Miguel Donda, Jorge Acosta, and Raúl Scheller. Basterra had been under surveillance by ESMA operatives until a short time before the conference (Testimonio que, 1984, p.16).

The documents included photographs of some of the *detained-disappeared* victims who were held at the ESMA and then either killed, or released through a recuperation project implemented at the CDC, and a more extensive collection of photographs of operatives involved in kidnappings, tortures and murders, including those named above. At the conference, Basterra stated the entire archive of documents created for every victim to have entered the ESMA was microfilmed by operatives of an internal naval unit (COPECE), and from November 1983 the original documents were destroyed (La represión, 1984, p.15; Pasquini, 1997).

The press conference took place nine months into the democratically elected administration of Raúl Alfonsín of Unión Cívica Radical (UCR). The party defeated the Peronists, led by Italo Luder, in the October 1983 election. After assuming the Presidency in December 1983, Alfonsín implemented mechanisms to investigate the fates of the *detained-disappeared* and to enable the limited prosecution of the perpetrators of crimes committed in CDCs.

One of Alfonsín’s first mechanisms: the *National Commission on the Disappearance of Persons (CONADEP)* was in progress at the time of the press conference. CONADEP was established on 15th December 1983 and given nine months to complete its investigations into the fate of victims. In December 1983, Antonio Troccoli, Alfonsín’s Interior Minister, stated that the government had not located files of repression (Decree 187/83; Fin de, 1984, p.18).

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89 UCR won over fifty percent of the vote (Mcguire 1996, pp.178-180).
On 13th December 1983, Alfonsín ordered the arrests of the nine members of the first three juntas and the surviving leaders of the two major guerrilla organisations including Mario Firmenich and Fernando Vaca Navaja of the Montoneros, and Enrique Gorriaron Merlo of the ERP. They were charged with murder, illicit association and other crimes committed from 25th May 1973, the date of Cámpora’s amnesty (Decree 158/83 & Decree 157/83).90

The highest military court was given the responsibility for prosecuting the military leaders. The Supreme Council of the Armed Forces was permitted six months to complete its investigations, after which time the civilian court system would assume jurisdiction. The possibility of prosecution in the civilian system followed an amendment to the Code of Military Justice in February 1984. The amendment also determined categories of perpetrators of crimes and implemented a ‘following orders defense’91 (McSherry, 1997b, p.120). The timeframe for the Supreme Council investigation was extended following delays and the unwillingness of the court to condemn the former military leaders. In September 1984, the court argued it was unable to find objectionable conduct. The civilian system took control of the prosecution in October 1984. By mid 1984 all other legal proceedings were under the jurisdiction of the military court (Pion-Berlin 1991, p.561; Mendez, 1987, p.27).

A declassified U.S. Embassy cable: Current Status of Dirty War Judicial Proceedings, reports on a meeting with Emilio Mignone on 28th November 1984, the day CONADEP’s report Nunca Más was published. The cable outlines Mignone’s concern that an amnesty would be issued to lower ranking personnel, after the junta

90 Firmenich was extradited from Brazil in 1984. He was sentenced to thirty years prison in 1987 (Mallinder, 2009, p.50; Acuña & Smulovitz, 1991, p. 19; Brasil concede, 1984).
91 ...it shall be presumed, in absence of evidence to the contrary, that [the act] was committed with inevitable reliance upon the legitimacy of the order received, except when consisting in the commission of atrocious or aberrant acts (in Mignone, Estlund & Issacharof, 1984, p.128).
leaders were sentenced. Mignone identified the necessity of confronting the organisational structure of the repression that required the government to implement extensive prosecutions. He argued only those involved in kidnappings who did not know detainees would be killed should avoid prosecution. Mignone’s position was dismissed by Embassy staff because of his emotional proximity to events as the father of a *detained-disappeared* victim. Mignone was also reported to have voiced concerns about the hard-line approach of *Las Madres* and *Las Abuelas* to Alfonsín’s human rights policy. Mignone favoured a unified approach (Pion-Berlin, 1991, p.560; Acuña & Smulovitz, 1991, pp. 19-20; Mignone, 1984, p.119; Mendez, 1987, p.30; Chelala, 1984, p.A31; *Current Status*, 1984, Appendix pp.585-587).

A number of human rights activists declined invitations to serve on *CONADEP* including Pérez Esquivel of *SERPAJ* and Conte and Mignone of *CELS*, in criticism of military jurisdiction, though not of *CONADEP*. Those *HROs* and *Las Madres*, however, pursued the implementation of a joint Chamber of Deputies and Senate investigation with the power to subpoena witnesses. *Las Madres* refused to aid *CONADEP*’s investigation because of its limitations (*Las Madres*, 1983a; Fisher, 1989, pp.130-131).

The archives of *CELS* and *APDH* underpinned *CONADEP*’s investigation. Graciela Fernández Meijide of *APDH* was one of the thirteen members of the commission with three *UCR* politicians, journalists, lawyers, teachers and religious figures including Rabbi Meyer, founder of the Jewish *HRO Movimiento Judío por los Derechos Humanos (MJDH)* in 1982\(^{92}\). (Crenzel, 2008, pp.178-179; Schumacher, 1983a, p.12; Crenzel, 2008a, p.178; McSherry, 1997b, p.120; Mendez, 1987, p.20; Fisher, 1989, p.131).

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\(^{92}\) See Katz, 2011, for *MJDH*’s roles during the *Proceso*. 

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The press conference at which Basterra’s documentation emerged into the public realm marked a critical juncture in elucidating the demands of HROs. The documents operated as a tool for articulating the limitations of Alfonsín’s approach and the military’s attempts at controlling both the political response to the Proceso and impeding the demands of HROs. Las Madres focused on the prosecution of all perpetrators and the right to know the fate of every detained-disappeared victim. Osiel (1986) examined the “conceptual worlds” of three protagonists in Argentina; the military, Alfonsín and HROs. Osiel argued Alfonsín implemented his policy with minimal consultation with Congress and that HROs political influence was slight (Osiel, 1986, p.142).

Through an examination of the uses of both bodies of photographs, but principally the ESMA collection from the time of its emergence, it is possible to chart the passage to partial truth and justice. It is my contention that the merits and failings of Alfonsín’s approach to justice, with the prosecutions of the military leaders and some paradigmatic repressors, and truth with Nunca Más, can be gauged by an analysis of the uses of the ESMA documents; from the criticism in August 1984, their absence from Nunca Más, their use as legal evidence at the 1985 trial of the military commanders, and the process to impunity for the majority of military and security forces personnel from 1986.

The ESMA photographic documents are the clearest example of what Karababikian (2007) terms the boomerang effect in her discussion of repressive state archives that were later used to evidence the criminality of the state. The ESMA photographs identify some of those directly responsible for the repression and clarify, to a certain extent, where some victims were held (Karababikian, 2007, p.628). The public emergence or movement of the ESMA documents radically undermined the original
archival intention. They were meant to operate as privileged knowledge. As I discussed in the Theoretical Framework chapter, Noble (2010) makes a similar point with reference to the emergence of repressive Mexican photographs in 2001.

The first collection I examine is the collection of enlarged photographs Las Madres used from around the time of the sixth anniversary of their public struggle in April 1983. The use of photographs of their children at that time marked an important moment in that struggle. I examine the use of the photographs in terms that contextualise the significance of the shift from small to enlarged photographs as part of the conscientización process of the mothers with respect to their demand for full legal accountability and for truth on the fate of victims. I refer to El Devotazo ten years earlier, to contextualise those demands and the task facing Las Madres and other HROs.

Las Madres used the photographs of their children until their 1986 split into two organisations. Further to the differences I outlined in the introduction, the divergent approaches of Asociación Madres and Madres: LF, were in part the products of their relative stances taken toward the systematic acts of disappearance, and are inextricably connected to the position adopted with respect to government discourse. After the demand for comprehensive prosecutions was not met, members of the organisation perceived to be less combative were accused of being Alfonsínistas by Hebe Bonafini, the President of Las Madres. In response, Maria Antokoletz of the new organisation: Madres: LF argued that democracy was not dictatorship, indicating a necessary shift in the approach of HROs to a new political reality, whilst also criticising Alfonsín for not fulfilling his promises. The split should be seen in the context of Mignone’s 1984 appeal for unity and the increasing isolation of Las Madres from other HROs (Toro, 1986; Christian, 1987c, p.4; Gorini, 2008, pp.554-555).
The main focus of the chapter is the small number of photographs of the detained-disappeared that Basterra removed from the ESMA. For the purposes of clarity, I refer to the photographs of victims removed from the ESMA as the Basterra photographs.\footnote{Basterra did not photograph the victims. Basterra did photograph the armed forces as part of his role in documentation \textit{(El que}, 2009).} I refer to the complete, inaccessible collection constructed in the CDC and to which the Basterra photographs originally belonged, as the ESMA archive.

In the first part of the chapter, I analyse Eduardo Luis Duhalde’s work \textit{El Estado Terrorista Argentino} to contextualise HRO demands. I take April 1983 as the starting point for the examination, the time of the military’s \textit{Documento Final} (DF), and conclude with a consideration of the impact of measures implemented by Alfonsín to limit the prosecution of perpetrators in December 1986 with the law of \textit{Punto Final} (\textit{Full Stop}), which placed a sixty day time limit on the submission of legal cases against perpetrators. The law of \textit{Obediencia Debida (Due Obedience)} followed in June 1987. That law was implemented at a time of increasing military hostility and threats to the nascent democracy. \textit{Due Obedience} prevented prosecution of those without decision making responsibilities under the ‘following orders defense’. The mechanism protected those responsible for murder and torture but not the intellectual authors.

The presence of potential amnesty frames the political approach to justice. A law of \textit{Punto Final} was considered by Alfonsín in June 1985 and was discussed further in November 1985, before the sentencing of the military commanders. A military coup was threatened at the opening of the 1985 trial, and military uprisings and bombings accompanied the trial proceedings. In November 1985, a possible law of \textit{Punto Final} was ill defined. \textit{UCR} deputy Leopoldo Moreau argued that \textit{a punto final} law was not impunity because in addition to legal sanction for crimes, social sanction operated as a condemnation and that the Argentine public condemned the \textit{Proceso} crimes. In
emphasising other mechanisms, the UCR was in conflict with HROs (Prieto, 1985; Cabeza Miñarro, 1985b; Tweedale, 1985a, p.5, Tweedale, 1985b, p.8; Tweedale, 1985c, p.7; Amigo, 1997, p.4).

The military used the term *punto final* in *DF*. The document states the “attitude of the population shows, with clarity, that the desire of the whole nation is to put a full stop to a painful period of our history [and] to initiate a union and definitive freedom” (*DF*, 1983, p.13).

**The military’s 1983 mechanisms**

In the final year of the *Proceso*, the final junta enacted measures to safeguard against prosecution. The three part strategy consisted of *DF* in April 1983 that restated all the *detained-disappeared* were to be considered “juridically and administratively dead”, stated that no further information would be forthcoming; the destruction and/or concealment of documentation pertaining to victims, and finally, the *Law of National Pacification* in September 1983. The law provided immunity from prosecution to both the military and guerrilla leaders for crimes committed from 25th May 1973 to 17th June 1982 (*Law 22.924/83*).

The first and third measures were expected by opponents of the military (Thompson, 1983a, p.9; Thompson, 1983c, p.6). The impact of the second measure became apparent during *CONADEP’s* investigation. In September 1984, on completion of *CONADEP’s* investigations, newspapers reported that “all the documents have been incinerated and even buildings have been destroyed.” The reported destruction of *all* documents occurred three weeks after Basterra’s press conference when *CONADEP* handed Alfonsín its findings (*Military destroyed*, 1984, p.5).

The self-amnesty was expected in March 1983 and was protested in August by 25,000 people in a demonstration called by *HROs* (Chelala, 1983, p.A15; Schumacher,
1983b, p.14). The military’s amnesty informed the stances of Alfonsín and Luder during their election campaigns. Alfonsín focused on overturning the amnesty as part of a human rights platform that promised selective prosecution. Conversely, Luder stated that from a legal perspective the effects of the amnesty were irreversible (Ares, 1983a; Thompson, 1983c, p.6; Osiel, 1986; Cheresky, 1990, p.50; Moreno Ocampo, 1999, p.681; Lewis, 2002, pp.194-195). As indicated by the above passage outlining the 1983 arrests of the former military leaders, Alfonsín repealed the amnesty in December 1983 (Prieto, 1983a).

**The detained-disappeared as a political problem**

In February 1983, the military set the election date for 30th October 1983. The regime had announced in December 1982 that elections would take place before 6th November (Munck 1998, p.264; Ares, 1983d; *El presidente*, 1982). In 1982, the problem of the *detained-disappeared* was identified as the major political obstacle to the transition to democracy. The military position in late 1982 was much weaker following their Falklands defeat, the discovery of mass graves and increasing international pressure. In contrast, *HROs* were strengthened in their demand for answers. In October 1982, *Abuelas, CELS, Madres*, and other *HROs* held the *March for Life*. 4000 participants were prohibited from entering Plaza de Mayo (*Marcha por*, 1982). In December 1982, Bonafini argued "If our children are not alive it would mean that genocide was committed against thousands of Argentines. Genocidal crime cannot be prescribed; it will be useless to seek impunity and forgetting" (Gonzalez Yuste, 1982, my translation).

**El Estado Terrorista Argentino**

In October 1983, Duhalde published *El Estado Terrorista* in Madrid where he lived during the *Proceso*. He published the work in Argentina in December 1983. *El*
Estado Terrorista focuses on repression from the time of the AAA with Rodolfo Ortega Peña’s 1974 assassination to the unprecedented Proceso violence. Revolución Argentina violence is also briefly presented. Duhalde’s study operates as an extensive summary of the investigations conducted by HROs in Argentina to the latter part of 1983. The work underscores their demands for truth and justice, before the transition to democratic government. The work is a record of those unfulfilled demands. Duhalde wrote the introduction after DF’s publication. He argued,

the perspective of this work, is not other than the reaffirming of the demand of appearance with life of the disappeared [...] the rejection of all pacts of forgetting, repudiation of self amnesties for the crimes committed and to claim the most severe judgement for all perpetrated crimes through the establishment of an independent judicial power, within a democratic process (Duhalde, 1983, p.10, my translation).

The work was indebted to Argentine HROs and to the testimonies given in exile by survivors released from CDCs. Duhalde’s organisation: CADHU published those testimonies in 1980. They included those of survivors of La Perla in Córdoba, the ESMA and Campo de Mayo. In the first instance, CADHU published the testimonies as Informe del Campo de Concentración y Exterminio “La Perla”, and in the second, as Testimonios del Genocidio. The latter work included testimonies on the three CDCs.

El Estado Terrorista includes lengthy extracts from CELS 1982 reports Adolescentes Detenidos-Desaparecidos (pp.197-201) and El secuestro como método de detención. The second report was dependent on information collected by APDH. The text states,

The analysis of the APDH documentation permits us to deduce that seventy-four percent of the victims were kidnapped defenceless in their homes, places of work or in the street, in the presence of witnesses (Duhalde, 1983, p.148; CELS, 1982).
Duhalde’s work includes a detailed explanation of *Las Madres* and *Las Abuelas* demands. That is most effectively realised in his explanation of *Las Madres* slogan *Aparición con vida* (*Appearance with life*), which Duhalde argues is not contradictory in light of developments in the final years of the *Proceso*: the discovery of mass graves and the testimonies of survivors, which attested to assassinations conducted on a massive scale. Duhalde argued there was undeniable evidence that victims were alive in *CDCs*, but that it could not be ascertained with any certainty who they were, or the identities of those assassinated. He further argued that because the victims were taken alive, the military had to explain the fate of each person, to state who was responsible for the order and who the executioner was (Duhalde, 1983, p.217).

The work includes a list of 47 *CDCs* released by *CELS* in April 1983. Fifteen were located in the Federal Capital, including the *ESMA, Atlético, Superintendencia de Seguridad Federal* (formerly *Coordinación Federal*). Nineteen *CDCs* in the Province of Buenos Aires are named including *Campo de Mayo*. The remaining fifteen *CDCs* were in the Argentine Interior, including *La Perla*. The list was compiled from the testimonies of 50 survivors, all of whom are named in Duhalde’s work.94

Testifiers included Norma Burgos, Graciela Daleo, Ana Maria Marti, Maria Milia de Pirles and Sara Solarz de Osatinsky, who were all released from the *ESMA*; Carmen Lapacó and Ana María Careaga who were released from *Atlético* and Juan Scarpati who escaped from *Campo de Mayo* in 1977 (*Argentina Deports*, 1976, p.4; McGregor, 1977, p.6; Duhalde, 1983, p.126 note 51 & pp. 97-102; Thompson, 1983b, p.6; Martínez, 2009a).

*Testimonios del Genocidio* included the testimony of Milia de Pirles, Marti and Solarz de Osatinsky. They provided a list of twenty torturers identified by full name and

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94 To *CONADEP*’s investigation, *HROs* had around seventy survivor testimonies (Crenzel, 2008, pp.181-182).
others by alias, including the officers responsible for the kidnapping of the Mothers group and Norma Arrostito. Some of those named were Perren, Donda, Astiz and Schelling (Scheller). Donda was named with respect to the kidnapping and murder of his sister-in-law. Maria Pérez was killed after giving birth. The child was not given to Pérez’s family. In the French nun’s case, the testifiers described the taking of their ESMA photograph and the writing of the letter. They placed responsibility for both with Scheller. They also provided an explanation of the recuperation project initiated at the ESMA in 1977 (CADHU, 1980, pp.1-115; Feld, 2008, p.86).

An important section of Duhalde’s work; The investigation and punishment of the crimes, underscores HROs commitment to extensive prosecutions. Duhalde argued “no third way could exist in Argentina with respect to justice and that anything less than full punishment of the perpetrators would amount to complicity” (Duhalde, 1983, p.260).

Documento Final April-May 1983

Photographs of the detained-disappeared, which were originally identification and family photographs, including passport photographs, underpinned Las Madres demand for the return of their children (Figure C3.1).

Figure C3.1 Graciela Mellibovsky’s photograph in CELS archive. Askam 2011
In April 1983, *Las Madres* made a significant modification in their use of the photographs. Longoni (2010b) articulates the significance of the shift in her discussion of the project undertaken by Matilde and Santiago Mellibovsky, the parents of Graciela Mellibovsky. Graciela was kidnapped from a Buenos Aires street in September 1976.

Longoni states

In April 1983, the parents of a disappeared young woman, two committed human rights activists who had a small photography laboratory at home, came up with an idea, a mammoth task that they undertook and financed on their own: to gather all the photographs of the disappeared, to blow them up and to mount them on cardboard over a T-shaped wooden plank for public viewing. (Longoni, 2010b, p.6)

The enlarged photographs were the central element in a demonstration on Thursday 28th April 1983. Shortly after their earliest meetings in April 1977, *Las Madres* established Thursday as their day of protest in Plaza de Mayo (Fisher, 1989, pp.28-29). Photographer Daniel García photographed *Las Madres* in the Plaza with their enlarged photographs on that date (Figures C3.2 and C3.3 p.176).
Cora Gamarnik (2010) analyses the role of the Argentine and International press in publicising Las Madres struggle during the Proceso, and not the use of photographs of the detained-disappeared. Importantly however, Gamarnik discusses the photograph with García, who talks about the flooding of the plaza, which can be seen in his photograph, as part of the attempts to impede the demonstration, and with Nora Cortiñas.
now of Madres: LF, with respect to the Mellibovsky’s project. The use of large photographs is not placed in historical perspective.

The demonstration was held on the day that DF was issued, but before the broadcast of the military’s television program on the evening of 28th April, and publication of the document in newspapers on 29th April. After the military’s program finished on 28th April, the APDH issued a press release that rejected punto final and the Guerra Sucia (dirty war) thesis promoted by the military in its broadcast, by emphasising that people were kidnapped in their homes, work places and from streets (CO.SO.FAM, 1983, pp.48-49; La Junta, 1983; La Junta Militar, 1983).

DF was expected on that date after being delayed by one week. The use of enlarged photographs should be viewed in the context of the expected document and as part of the campaign for answers that preceded and followed DF (Prieto, 1983c; Prieto, 1983b). In mid April 1983, CELS held a press conference in which it released the list of the 47 CDC’s later included in El Estado Terrorista (Thompson, 1983b, p.6). On 16th April, Las Madres held a march with 10,000 participants, with the aim of submitting a petition with 200,000 signatures demanding to know the fate of the detained-disappeared. The military refused to accept the petition (Prieto, 1983d; Prieto, 1983e; Robben, 2005 p.ix; Human Rights, 1983, Appendix pp.588-590).

The 28th April demonstration was differentiated from the previous uses of photographs by Las Madres and from their previous Thursday protests. The approach was enabled in part by the shift in political conditions. Human Rights demonstrations and those by political parties were held in late 1982. The marches were not free from repression, but the deaths began to be repudiated by public figures95. DF’s publication did not mark an end to repression.

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95 In December 1982, Dalmiro Flores was killed by police during a Multipartidaria demonstration (Robben, 2005, p.316; Sartori, 2002a; Dos muertos, 1982, p.1)
The demonstration on 28th April was an act of defiance. Police attempted to stop the march through Buenos Aires, which had 700 to 1000 participants, from reaching the plaza. On reaching the plaza, Las Madres did not walk around the pyramid at its centre. That practice was central to their previous Thursday protests. In order to circumvent restrictions on public meetings, Las Madres usually walked in pairs round the plaza (Figure C3.4). The chief of the Federal Police Bautista Sasiain visited the plaza during the demonstration. He was recognised by the protestors and photojournalists who photographed him and was forced to make a retreat (CO.SO.FAM, 1983, p.54).

![Figure C3.4 Villoldo (1981) Las Madres (in Gamarnik 2010)](image)

**Plaza de Mayo May 1973 and April 1983**

It is useful to contrast two public uses of photographs almost ten years apart as articulations of the demands of militants, and then HROs. At the Devotazo in May 1973 photographs of the Trelew Massacre victims were used at a time of political promise and fear for the safety of political prisoners. Multiple photographs of each Trelew victim were used by militant sections of the Buenos Aires population, including guerrillas. The Devotazo participants demanded the punishment of the perpetrators and
the release of political prisoners. The march from Plaza de Mayo was to the known place of detention: Devoto prison.

García’s photograph attests to the absence of the physical presence of youth, except for a few young males stood behind Las Madres. Another significant difference is that multiple *detained-disappeared* victims are represented once, including Nora Cortiñas son, six years after his *detention-disappearance*, and Hebe Bonafini’s two sons and daughter-in-law. This difference both underscores the symbolic importance of the Trelew victims in 1973, and the very different task facing HROs in 1983.

The *concientización* process in Buenos Aires, which was encouraged by Duhalde and Ortega Peña in 1971, and artists Romero and Pazos in 1972, had its greatest manifestation at the point of transition from Revolución Argentina to Cámpora’s administration. Political and social awareness had a generational shift upwards from 1977 with Las Madres visibly opposing state terrorism. The coming to consciousness of Las Madres to 1983 was a multi-part process. The first step in their individual and then collective conscientization process can be understood as the shift from a concern for the safety of their own children to a concern for all the *detained-disappeared*. In April 1983, the organisation had a number of focuses; the safety of those still held, the truth about what had happened to those killed in CDCs, and the prosecution of all those responsible. The demands were framed by the awareness that most of the *detained-disappeared* were dead.

A reading of Las Madres recollections in Jo Fisher’s 1989 work shows that many of the forty mothers and grandmothers underscore their lack of political and social engagement before the *detention-disappearance* of their children. Many express they were worried about their children’s social and political activities. Those Mothers,

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96 See Burchianti, 2004, pp.142-143
including Mirta Baravalle, talk about the work their children were conducting in
shantytowns (Fisher, 1989, p.153). After meeting with other mothers who were
searching for their respective children, they understood that it was not only their own
children who were \textit{detained-disappeared}, but that it was a planned and systematic
annihilation. The lack of political awareness is strongly emphasised by Hebe Bonafini
(Fisher, 1989, pp.46-48 and pp.155-156). One prominent exception is Graciela de Jeger
in Tucumán. De Jeger’s case underscores the generational and geographical difference
in political awareness. Her thirty-six year old husband, Maurice, wrote for a Tucumán
newspaper. He was \textit{detained-disappeared} in July 1975. De Jeger expresses her
awareness of \textit{Operativo Independencia}, which was ostensibly conducted against the
\textit{ERP} but affected the entire population (Fisher, 1989, p.41; Sartori, 2002b).

If the \textit{Devotazo} underscored the fear for the safety of political prisoners and also
marked a time of political promise and of the potential for an investigation into state
crimes, the photograph of \textit{Las Madres} in Plaza de Mayo articulates a fear for those held,
not in prisons like Devoto, but those held in unknown locations. The use of enlarged
photographs was an amplification of their demands. Unlike the \textit{Devotazo}, the
demonstration was not on the day of transition from dictatorship to democracy, but
rather a key stage that enabled the military to control the fates of those still held,
information pertaining to the \textit{detained-disappeared}, and the quality of democracy
(Derrida, 1995, p.11).

It has been proven beyond reasonable doubt that some \textit{detained-disappeared}
victims were held by the military at the time of \textit{DF} and into the early stages of
Alfonsin’s administration, and not released. In July 1977, Cecilia Viñas Moreno de
Penino, who was seven months pregnant, was kidnapped with her husband and taken to
the \textit{ESMA}. Sara Solarz de Osatinsky witnessed the child’s birth. Their relatives did not
receive any information until December 1983, when, after Alfonsín’s inauguration, Cecilia phoned her parents. The telephone calls continued until March 1984. One was recorded by the family (Aranguren, 2011; Dandan, 2011c; Simpson, 1999).

One significant part of Las Madres conscientization process was the awareness of, and resistance to, unsatisfactory potential political solutions to the problem of detained-disappeared victims, to which Duhalde later referred in El Estado Terrorista. In 1981, Gard de Antokoletz articulated Las Madres awareness of the potential civilian-military pact, following the 1980 comments of then UCR leader Ricardo Balbín. Whilst visiting Spain, Balbín stated that all the detained-disappeared were dead (Van Drunen, 2010, p.54, Jelin, 1985, p.17; El Gobierno, 1980). Gard de Antokoletz argued

We are very concerned that politicians, as in the case of Ricardo Balbin, abet the strategy of a clean slate and of the mantle of forgetting about the problem for which we fight tenaciously (Fraguas, 1981).

In La Replica de las Madres, the mothers May 1983 written response to DF, they demanded truth and the full application of justice. The document was issued at the time of a march in repudiation of DF by 30,000 people (Ares, 1983c). The mothers argue,

[we] demand with life our children, we will never accept a death by enfrentamiento, we will never accept the aberration juridical and administrative death because for each one of the detained-disappeared we must know the truth and apply justice with all rigour to those responsible [...] There will be no corrupt laws, subterfuges or pacts that impede what the people represented in congress demand (La Replica, 1983, my translation).

A survey conducted by CELS one month after DF’s publication underscored the task facing HROs. The investigation was conducted to ascertain the extent of

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97 A search was conducted at a potential CDC in Patagonia for detained-disappeared victims after Alfonsín assumed the Presidency in December 1983 (Dicen que, 2011).
information supplied to relatives of *detained-disappeared* and murdered victims. The investigation was in response to the U.S. government’s *State Department Country Reports on Human Rights Practices for 1982* of February 1983 that erroneously claimed the Argentine military had provided information to the families of 1450 victims. *Americas Watch* later published the report as *The State Department Misinforms* (Appendix pp.591-596, Forsythe, 1988, p.199; *U.S. Rights*, 1983, p.7). From the 1100 households selected from *APDH*’s lists of the *detained-disappeared* and from *CELS*’ lists of the dead, *CELS* received 607 replies. Only eighteen respondents stated they had some information.

The eighteen cases included those said to have died in confrontations that the victim’s relatives read about in newspapers, a family told of their son’s death but without being given information on the circumstances. Finally, the report discusses the cases of two detainees who were allowed to visit their families during their *ESMA* detention. The visits were not officially acknowledged by the military. The last case involved two of those photographed in the *ESMA* who were *detained-disappeared* in August 1979. Elsa Martínez and Josefina Villaflor were killed in 1980 (*CELS*, 1983, pp.19-26).

Alfonsín issued his response to the military’s document in early May 1983. Alfonsín emphasised the role of justice in deciding who had the right to invoke due obedience, error or coercion, and the conduct that would be considered legitimate acts of service (*AAJ*, 1988, p.21).

An indication of the problems Alfonsín’s government would face if elected occurred two weeks after *DF’s* release. On 14th May, police assassinated two Peronists; Osvaldo Cambiasso and Eduardo Pereyra Rossi. A coup was threatened if the perpetrators were judged by civilian courts. The Chief of Police of the Province of

**The emergence of the ESMA photographs**

The emergence of the ESMA photographs is under analysed in existing literature. It is my opinion that the timing of the emergence of the collection aids an understanding of the requirements of HROs, and more importantly, the political treatment of the detained-disappeared. At the end of May 1984, thirteen months after *DF*, Basterra gave the photographs to *Las Madres*, CELS and CONADEP (Crenzel, 2009, p.11). The photographs were published after the Basterra/CELS press conference by the Argentine newspaper *La Voz*, over two editions in late August and early September 1984. The reports attest to the significance of Basterra’s information on the identities of some ESMA victims, and articulate the limits of available information. The first report published photographs of three unnamed victims and eighty photographs of ESMA personnel. (Figures C3.5 p.184 and C3.6 pp.184-185) The second report published photographs of eight identified victims. Basterra had contact with those people. They are Fernando Brodsky, Pablo Lepiscopo, Néstor Ardetti, Juan Chiaravalle, Irene Orlando (Tía Irene), Josefina Villaflor, Elsa Martínez and Graciela Alberti.  

(Figure C3.7 p.186)
Figure C3.5 Unnamed ESMA victims (La Voz 30th August 1984 p.17)

Figure C3.6 ESMA staff including Miguel Donda top row third from the left (La Voz 30th August p.16)
Figure C3.6 ESMA staff. Acosta’s photograph is in the top left corner. Cavallo’s photograph is centre on the bottom row (La Voz 30th August p.17)
Figure C3.7 Identified victims (La Voz 1st September p.15)

I approach Basterra’s photographs in terms of the information provided by survivors. Some became members of the Association of Ex Detained and Disappeared
(AEDD) on its founding in November 1984. Survivors have provided much of the information on CDCs, most pertinently with respect to detainees with whom they were held, and to the identities of repressors.

Vikki Bell (2010) analysed the uses of a photograph of Fernando Brodsky that Basterra removed from the ESMA from the time of the trial in 1985. Bell states Basterra “smuggled the negative out along with several others” and “When democracy was re-established, and the trials of the military were announced in 1985, Basterra handed these images to the authorities” (Bell, 2010, p.80).

There are two issues with Bell’s analysis, the first of which is the overlooking of the significance of the documentation prior to the trial. The second issue rests on Bell’s treatment of the ESMA collection. In focusing solely on Brodsky’s photograph, through a brief examination of its use as legal evidence in the 1985 trial, and more extensively in her examination of Marcelo Brodsky’s art, Bell does not engage with the significance of the role of Basterra’s photographs as a collection, in the context of the absent ESMA archive, or in terms of their greater importance; the fate and identities of all the photographed individuals. I return to this final point in my discussion of the 1985 trial. When she asks what does the picture want and where does it belong; in the legal arena or in artworks? Bell does not consider that Basterra’s collection is also a register of impunity that informs Marcelo Brodsky’s work (Bell, 2010, p.82).

A Contextualisation of Los Informes Especiales

During CONADEP’s investigation, journalists reported on the findings. In her analyses of newspaper articles to May 1984, Claudia Feld argues that the most prominent were those focusing on the exhumations of graves, the statements of repressors, and finally, the testimonies of those affected by state terrorism (Feld, 2010b, 98

98 Feitlowitz does not account for the role of the documents before the trial (Feitlowitz, 2011, p.251).
99 In January 1984, 482 corpses were exhumed from a La Plata cemetery (Fishlock, 1984, p.1).
pp.37-38; Feld, 2008, p.95). Feld does not mention a series of articles of significance to this study. In the following section, I analyse a small number of articles on the ESMA investigation that was conducted before Basterra gave his documents to CONADEP, and then U.S. Embassy cables relating to August 1979 detention-disappearances. The articles and cables contextualise the emergence of the photographs into the public realm.

On 22nd April 1984, La Prensa published details of CONADEP’s interim ESMA report which had been publicly released after it was submitted to the courts in March 1984. The newspaper states the report included the names of 123 people seen in detention. The report was based on the testimonies of Burgos, Muñoz, Marti, Milia de Pirles and Solarz de Osatinsky. The named victims included Azucena Villaflor of Las Madres; Enrique Rabb and Dagmar Hagelin. The submission included the names of forty-one ESMA perpetrators (La comisión, 1984).

On 15th May 1984, La Voz published an article in which the mother of Fernando Brodsky, a detained-disappeared twenty-one year old student, accused Admiral Massera of having knowledge of his disappearance and with telling her Fernando would be released. Brodsky was taken from his Buenos Aires home on 14th August, 1979.

Sara Silberg de Brodsky stated that through a shared acquaintance, Dr. Angel Robledo, a Peronist politician before the Proceso, she was able to discuss her son’s case with Massera in October 1979. Silberg de Brodsky stated in court that Massera was willing to co-operate at that time as long as legal measures theoretically available to those wanting to report a detention-disappearance were not initiated. Silberg de Brodsky stated Fernando made a number of phone calls to her and her husband telling them he was unaware of the place of his detention. The last was in February 1980.
Silberg de Brodsky stated that through a witness who saw Fernando in detention, she knew Fernando was held in the ESMA (Compareció Emilio, 1984).

A number of cables from the U.S. Embassy in Buenos Aires to the U.S. State Department contextualise Silberg de Brodsky’s comments. The cables were sent between August 1979 and March 1980. I address the ambiguity of the IACHR visit in 1979. The cables concern Brodsky’s detention-disappearance and other reported August 1979 disappearances, their potential reappearance, their perceived deaths and implicated members of the military (Appendix, pp.597-612).

An analysis of the cables shows that IACHR’s visit resulted in the ESMA being discounted as the place of detention of the August disappeared. The IACHR visit to the ESMA resulted in a calculated break in operations with the temporary transfer of detainees. The IACHR visit split activity at the ESMA into two periods, the first was known about through Horacio Maggio, the three testifiers at the French National Assembly and Norma Burgos, and the second known about at the end of the Proceso. The IACHR inspection of the ESMA enabled operations to re-attain a status of secrecy for four years. A point emphasised by both the U.S. Embassy cables Nuts and Bolts which is a discussion with an informant dated 7th August, and Embassy Buenos Aires cable of 21st August 1979 (Appendix pp.613-616), and by an October 1979 article in The Montreal Gazette which states,

The Navy Mechanics School in Buenos Aires, described in some detail in a number of testimonies, has been reconverted so that ‘even the ping-pong tables in the officers’ lounge are back in place’, according to one diplomatic source (Hoeffel & Montalvo, 1979, p.27).

La Voz

The content and timing of the reports published by La Voz had an exceptional character, not just in terms of the ESMA but with respect to the broader investigation. In
the first report on 30th August, *La Voz* published photographs of the three unidentified victims with the caption “Three of the desaparecidos who passed through the ESMA. Their identities and whereabouts are unknown”, and a list of 52 people named by Basterra with whom he had contact in the ESMA. Half that number are identified by full name and the rest by either first name, surname or nickname: *Pelado* (Bald), *La Nena* (The Baby), *El Topo* (The Mole). Some of those named were released, *Anteojito* and *Kuky* (Osvaldo Barros and Susana Leirecha de Barros), Lordkipanidse, Fukman, Muñoz, Roberto Ramirez. Others were missing: Brodsky, Lepiscopo, other August disappeared and Rene Haidar (*El campo*, 1984, p.17). The 1st September report published ESMA photographs of the identified detained-disappeared. All the victims, except for Brodsky and Alberti, are photographed facing the camera and in right or left profile. The photographs of Brodsky and Alberti are close ups (*Para no*, 1984, p.16).

As I stated in the *Theoretical Framework* chapter, repressive photographic conventions did not substantially alter in Argentina from the 1880s *Galeria de Ladrones*, and certainly not from 1972 to the *Proceso*. It is instructive to compare the photographs of the Trelew victims discussed in chapter one with the photographs of ESMA detainees. The significance of repressive photographs is determined by the original intentions of the photographs, by access to those photographs (Foucault’s privileged knowledge) and by the conditions in which those photographs moved between registers (the movement of those photographs).

The photographs in which the victim faces the camera photograph were used for the *fichas de informacion* which did not include anthropometric information but focused on political organisations.

The ESMA photographs were taken immediately after capture and before decisions were made on their fates (apart from Brodsky’s his photographs are from a
later time in the *CDC* which I discuss in chapter five). The meaning of the photographs resides in access to that archive, the nature of archival emergence and how they were used after their emergence. There is a strong contrast with the Trelew photographs which were not used in the legal arena but rather in the unofficial condemnation of the massacre and in the pursuit of justice. Both bodies of repressive photographs were taken for purposes other than those which they were to be eventually put and were tied to the type of repression the state was committing at those times.

The publication of repressive photographs in 1972 and 1984 points to the distinct roles of newspapers at those times. On 23rd August 1972 newspapers reported official versions of events. *La Prensa* published the photographs of the Trelew victims. The *Revolucion Argentina* dictatorship passed legislation prohibiting publication of critical versions. The publication of those photographs had unforeseen consequences most prominently at the *Devotazo*. In 1984, *La Voz* was at the service of HROs, which marked a shift from the censorship placed on reporting during the *Proceso*.

*La Voz’s* report on CELS press conference was permitted by the political conditions at that time. Basterra was not under surveillance by *ESMA* operatives as he had been until a short time before the press conference. Publishing those photographs was also a way of attempting to name the unidentified victims. *ESMA* survivors could not name them. The unidentified victims remained so after the photographs were given to HROs. Publication aimed at a wider public and not those closely involved in human rights struggles.

*La Voz* was the only paper to publish the photographs. *Clarín* reported on the conference on 30th August but only mentioned the photographs of *ESMA* repressors (*Grave denuncia*, 1984). Publication was one important stage in the movement of the
photographs (from creation in the *ESMA* to Basterra’s home then to *HROs/CONADEP*, the press conference and then the 1985 trial).

In response to Bell, I would argue that the 1984 publication of the photographs means they were always intended to be legal evidence from the time they were in the possession of *HROs*. A point underscored by the inclusion of photographs of some direct perpetrators. The publication and press conference worked to oppose potential amnesty and underscored the extent of justice sought. That motivation did not alter over time but was rather defined by what was possible, given the changing political approaches to the *Proceso* crimes. I discuss some other uses of the *ESMA* documents with reference to Bell in chapter six.

The significance of the photographs as a condemnation of Alfonsín’s human rights policy can be gauged by their treatment in *CONADEP*’s report. 

*Nunca Más*

Emilio Crenzel (2009) noted the absence of Basterra’s photographs and those used by *Las Madres* from *Nunca Más*. The images in *Nunca Más* were taken during *CDC* inspections in 1984. One was taken in the part of the *ESMA* building the *Casino de Oficiales* where detainees were kept hooded (the *Capucha*), before either being transferred (murdered), or like Basterra forced to work in the *ESMA* as part of their recuperation process (Figure C3.8 p.193). Crenzel does not discuss Basterra’s photographs in detail or the photographed victims. However, his analysis informs my approach. Crenzel states “This decision reveals that the Commission wanted to present their work within a framework of neutrality and impartiality before the facts and the parties involved” (Crenzel, 2009, p.293). In what follows I explore the impact of that neutrality.

100 At the time of the 1984 inspection, the *ESMA* complex was still operated by the navy. Civilians did not inspect the *ESMA* again until 1998 (*ESMA: la*, 1998).
Figure C3.8 Shore *La ESMA* (Cerolini, 2006, p.170)

The absence of more condemnatory photographs is apparent through a contrast with *El Estado Terrorista*. That work contains photographs of assassinated victims, of a mutilated corpse, and photographs of some victims: Liliana Galleti of *CADHU*, Mario Hernández, Rodolfo Ortega Peña, and Diego Muñiz Barreto. *El Estado Terrorista* also presents *Las Abuelas* photographs of appropriated children and *Las Madres* with their enlarged photographs (Figures C3.9 to C3.14 pp.194-198)
Figure C3.9 A mutilated corpse and assassinated victims.
Profesora Liliana Galletti, consejera directiva de la Cadhu, desaparecida desde el 13.6.1977.

El abogado y periodista Mario Hernández. Herido y secuestrado en su domicilio el 11.5.1976, y prontamente asesinado en Campo de Mayo.

El diputado Rodolfo Ortega-Peña, asesinado el 31 de julio de 1974. Primer crimen asumido por Las Tres A.

Figure C3.12 Muñiz Barreto and Ortega Peña
Figure C3.13 Las Abuelas Solicitada.
According to Mirta Baravalle, then of *Las Madres* and *Las Abuelas*, from 1983 newspapers published appeals with photographs of kidnapped children (Fisher, 1989, p.119). One of the published 1983 appeals presented in Duhalde’s work included a request for information on the son of Mirta’s daughter. Ana Maria was five months pregnant when she was kidnapped in 1976. (Figure C3.15 p.199)
C3.15 Baravalle’s appeal

In the following section, I analyse Nunca Más’s approach, the treatment of the ESMA in the report, and Basterra’s documents. I examine the meaning and impact of the neutrality through highlight the constraints placed on the report’s condemnation of the Proceso. All my references to the report are from the 1986 English language translation Never Again (NA).

What was the role of Nunca Más at that time? It can be argued it was to condemn and inform without inciting the military. This point is evidenced by the often cited passage in NA’s prologue that attributes blame to both “the extreme left and extreme right” for the repression that culminated with the Proceso. That approach is referred to as the theory of two demons (Grandin, 2005, p.53; Roniger & Sznajder, 2003, pp.233-234; NA, 1986, p.1).

Nunca Más also emphasises the role of justice. The prologue states “there can be no true reconciliation until the guilty repent and we have justice based on truth” (NA, 1986, p.5). Like El Estado Terrorista, Nunca Más is a record of unfulfilled demands. It should have operated as a companion to extensive prosecutions and is framed with that
intention, as one section that refers to Basterra’s documents makes, which I discuss below.

The commission resisted publishing the names of the perpetrators due to government pressure (Foster, 1985, p.37). However, some of those responsible are named, including Alfredo Astiz, for his role in the kidnapping of the Santa Cruz group (NA, 1986, pp.127-128).

NA operates further as official recognition of the veracity of survivor testimonies. This is clear with the inclusion of those given by the three survivors before the French National Assembly in 1979, given their links to the Montoneros to which they attested in Testimonios del Genocidio. Milia de Pirles was married to a Montonero leader; Roberto Pirles, who was arrested in Tucumán in 1975 and assassinated during a prison “escape” in 1977 (Mendez & Wentworth, 2011, p.19). Milia de Pirles states she was detained for being a Montonero. Solarz de Osatinsky was the wife of Marcos Osatinsky of FAR/Montoneros. Osatinsky escaped from Rawson prison in 1972 before the Trelew Massacre. He was assassinated two days before the third anniversary of the massacre. Marti states she was kidnapped for being a Montonero (El asesinato, 1975, p.13; Dos jefes, 1975, pp.22 & 24; Testimonio de, 1975, p.23).

Never Again published part of their testimony from Testimonios del Genocidio. In that testimony, they referred to the death flights and those responsible (CADHU, 1980, pp.78-82). NA states,

They were driven to Buenos Aires municipal Airport half asleep, put into a plane which flew southwards out to sea, and thrown in alive [...] Captain [Jorge] Acosta forbade any mention of the subject of ‘transfers’ from the start. In moments of hysteria he would say things like: ‘Anyone who makes trouble here gets given the pentothal and sent up aloft’ (NA, 1986, pp.221-222).
NA presents testimonies voluntarily given to CONADEP. Most are fragments. However, a number of lengthier accounts are presented including Adriana Calvo’s. Calvo, who founded AEDD in 1984, describes her experience in La Plata CDCs where she was held in 1977, and recounts the conditions under which she gave birth to her daughter during her transfer between CDCs (NA, 1986, pp.290-292).

Following from Crenzel’s analysis of the absence of the two collections of photographs from CONADEP’s report, in this section I examine the treatment of the production of ESMA documentation. This analysis shows the absence of the photographs is accompanied by an avoidance of explicitly referring to Basterra’s photographs of victims. The prologue emphasises the absence of military records: “we have had to piece together a shadowy jigsaw years after the events had taken place, when all the clues had been deliberately destroyed, all documentary evidence burned, and buildings demolished” (NA, 1986, p.5). The section Documentation states

The Commission [...] has established the existence of a considerable amount of documentation which has been destroyed or is being concealed by the perpetrators [...]. All the people kidnapped were identified and complete dossiers were made out for each of them, with copies distributed to each different security and intelligence organisation (NA, 1986, p.263).

Fragments of Basterra’s testimony are included in NA, but only with respect to the production of false identification material. In Documentation, Basterra describes the types of false documents he was involved in producing (NA, 1986, p.271). In Profits of Repression, Basterra states,

In the Navy Mechanics School [...] all sorts of personal documents were forged: identity cards, driving licences, passports and naval identity cards. If a member of a task force required a false document, a list of ‘doubles’ was consulted and the one
who most resembled him was chosen: a set of false papers was made up to suit the needs of the force member (p.273).

Norma Burgos, Carlos Muñoz and Lazaro Gladstein all briefly discuss the ESMA victims’ archive. Burgos states

An organized system of recording and filing all the information relating to prisoners, their families and people connected with the victims was kept in the Naval Mechanics School, backed up by a meticulous photographic register of every prisoner. Prisoners were numbered from 1-999 after which the series began again. By March 1978 over 4,700 had passed through the centre (Karababikian, 2007, p.637).

Muñoz states that, “All the cases were filed on microfilm containing descriptions of procedures used, past record and sentence. With the data on procedure were two final items: transfer-freedom...” Gladstein refers to five thousand victims recorded in a card index, and to a book in which the fate of each detainee was recorded. The book included the case number allotted to each victim in the order they entered the CDC (Muñoz & Gladstein, NA, 1986, pp.265-266).

Nothing further is mentioned with respect to the archive. After Basterra’s accounting for the production of false documents in Profits of Repression, a short paragraph states those documents were handed to a Federal Judge (NA, 1986, p.274).

As a result of CONADEP’s inability to subpoena witnesses, the information provided by the military is limited. In a statistical analysis of the testimonies in NA, Crenzel states only two percent were from military personnel (Crenzel, 2011, p.1069). One of those testimonies is that of Jorge Búsico, an ESMA operative who was not involved in the repression, after raising concerns about the clandestine methodology (NA, 1986, p.126).
The messages *NA* imparts are that those who raised concerns about the repression were removed from task forces or killed, and not all military personnel were guilty of crimes (*NA*, 1986, pp.241-242).

One section of *NA* underscores CONADEP’s limited powers. *Questionnaires sent to former officials of the de facto government*, describes one method used to ascertain the fate of the *detained-disappeared*. Questionnaires were sent to forty-four alleged perpetrators including the former Junta leaders, the heads of the five zones, including Guillermo Suarez Mason of Zone one (Federal Capital and Province of Buenos Aires), high ranking officials and well known repressors; Ramon Camps of the Police of the Province of Buenos Aires, Alfredo Astiz, Jorge Perren and Ruben Chamorro. The last three individuals fulfilled roles at the *ESMA*. All those named, except Perren and Astiz, had command responsibilities. *NA* states

...there were a few cases in which no answer was forthcoming, and none of the replies received by this Commission have been of use in clarifying the circumstances surrounding the disappearance of people or in helping to trace them (*NA*, 1986, pp.253-254).

*Juicio a las Juntas* (*Causa 13/84*)

In this part of the chapter, I discuss the trial of the former military commanders that began in February 1985, after the trial moved to the civilian legal system. I examine a number of testimonies from the 833 heard concerning the 700 victims selected by Julio Strasser’s prosecution team.

In selecting cases from across Argentina, the court aimed to establish the systematic character of the repression. *CONADEP* provisionally identified 340 *CDCs* (*NA*, 1986, p.51). The cases included the identified *Fátima Massacre* victims: Inés Nocetti, Ramón Vélez, Angel Leiva, Alberto Comas (Cases 42-45) and Conrado

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101 No evidence contradicts Búsico’s claims (Florit, 1998a).
Alzogaray (case 54), and the 25 unidentified victims (cases 46-53 & 55-71). Many of the ESMA detained-disappeared, assassinated victims, and survivors were included in the trial. Among those in the first two categories were Monica Mignone, Dagmar Hagelin, *Las Madres* and supporters, Rodolfo Walsh, and some of the August Disappeared: Lepiscopo (case 231), Hazan, Josefina Villaflor, Raimundo Villaflor, Elsa Martínez (233-236), Brodsky (238) and Chiaravalle (404). Graciela Alberti and Néstor Arleti were not included in the trial.

The trial operated within narrow confines as the result of the inability of the legal system to deal effectively with detention-disappearances. Dahl and Garro state,

Under the terms of Decree No. 158/83, the junta members were not charged with genocide or crimes against humanity. Those crimes are not specifically defined by Argentine criminal law. The decree ordered the prosecution of the former military leaders for criminal offenses such as unlawful deprivation of freedom, torture, and all other crimes which the former commanders [...] may have committed as ‘direct or indirect authors, instigators, or accessories’. (Dahl & Garro, 1987, p.320)

In the five months testimonies were heard (22nd April to 14th August), the defense tried to discredit those given by survivors. The lawyers of the nine accused argued that an objective account was impossible because many witnesses had belonged to subversive organisations. That move was rejected by the court because the testimonies of those held at the same CDCs displayed convincing similarities. The court referred to survivors as the necessary witnesses because of the lack of distanced observers. The defense lawyers employed a number of contradictory approaches to discredit testifiers. The lawyers attempted to discredit them for having a good memory (buena memoria), or for not having a good memory; because their testimony was similar to those given by others, or because it differed (Speck, 1987, p.506; *El cuestionamiento*, 1985, p.506; Pichel, 1985).
I examine the testimonies of Graciela Daleo, (case 401) who was detained at the ESMA from October 1977 to April 1979; Carlos Muñoz, (228) who was held at the ESMA from 21\textsuperscript{st} November 1978 to 11\textsuperscript{th} February 1980; Basterra, (237) who was held from 10\textsuperscript{th} August 1979 until 2\textsuperscript{nd} December 1983; and Osvaldo Barros (687) who was kidnapped with his wife, Susana Leiracha de Barros (686) on 21\textsuperscript{st} August 1979. They were released on 22\textsuperscript{nd} February 1980. Finally, I examine Sara Silberg de Brodsky’s testimony on her son’s case (238).

The above cases provide a framework for the discussion of the ESMA photographs and the production of the ESMA archive. The two most important testimonies are Basterra’s and Muñoz’s.

Basterra did not have access to the complete ESMA archive. Muñoz had access to the whole. Basterra attested to his limited but profoundly important involvement with the archive in his testimony. When asked how many people were included in the ESMA archive, Basterra responded that he did not see it in all its detail. The roles of Basterra and Muñoz at the ESMA were differentiated but their testimonies were interdependent. This is clear in Basterra’s explanation of how he took the photograph of the ficha de información de personas capturadas (information file of captured persons) created for Ana Maria Marti, which Basterra presented as evidence. When asked if they were created for other people in the ESMA, Basterra replied that he could not say with certainty (El diario de, 1985, pp.212-213).

The significance of Basterra’s photographs was in one sense established by the relationship between the identified victims and those that had to that point resisted identification. The photographs provided the focus of Basterra’s testimony and were also significant in the testimonies of those detained from late 1979 to early 1980. The testimonies given on the days before Basterra’s established the type of operations
conducted at the ESMA in the period prior to his detention and those of the August Disappeared.

Daleo testified on 18th July. She related the circumstances of her public kidnapping in October 1977. Daleo was taken straight to the ESMA and tortured. Daleo was questioned about her political activities as a member of the Peronist Youth and her involvement in criminal acts. On the day of her kidnapping, Daleo was subjected to a mock execution within the ESMA grounds. Daleo remained hooded in the ESMA until November 1978. She was then forced to work in documentation. Her role included typing an essay on a First World War battle for Jorge Acosta’s brother.

Daleo recalled the photographing of the French nuns in front of the Montoneros banner, the torture of the group, and their transfer, which she estimated took place seven to ten days after their kidnapping. Daleo named Pernia as having involvement in the transfer, and he and Astiz for torturing the group (El Diario 22, 1985, p.426).

**Basterra and El Diario del Juicio**

In his testimony on 22nd July, Basterra provided detailed information on the ESMA victims with whom he had contact. His testimony was tied to his documents. Throughout the trial, the weekly publication El Diario del Juicio printed testimonies and articles on the proceedings. The tenth edition published Basterra’s documents, including Marti’s ESMA record (Figure C3.16 p.207).

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102 El Libro de , 1985, pp.175-232
Figure C3.17 Basterra *El Diario del Juicio* 10 no page number

Figure C3.18 ESMA detainees *El Diario del Juicio* no page number
Figure C3.19 Brodsky *El Diario del Juicio* 10 no page number

Figure C3.20 Albertí *El Diario Del Juicio* 10 no page number
Enrique Ardeti, cuya fotografía también fue sacada de la ESMA por el detective de la ESMA, Víctor Basterra, aprovechó su trabajo obligatorio en la sección de denuncia de la Casa de Oficiales de la ESMA para que funcionó como centro clandestino de detención. La fotografía iba a integrar lo que conocía como Ficha de Información de un Capturado.

Elsa Martínez, mencionada por Basterra y otros ex liberados de la ESMA como vista en la casa de oficiales. Todos coinciden en señalar que la joven fue un día trasladada y nunca más apareció. Víctor Basterra también sustrajo el negativo de esta foto con el pensamiento de que algún día podría denunciar esta y otras desapariciones.
Basterra estimated that during his detention between sixty and seventy detainees entered the ESMA. Basterra’s extensive knowledge of the ESMA operations from 1979 to 1983 was illustrated by his description of Ricardo Haidar’s case, one of the last of the detained-disappeared. Haidar’s kidnapping occurred at the end of 1982 and thus was not included in the trial. Basterra’s lengthy enforced ESMA involvement also enabled his insight into COPECE. Basterra stated that members of the ESMA intelligence task force were redeployed to the naval unit that was set up in late 1982, or early 1983, and based at the Buenos Aires port area. Basterra named Scheller and Acosta with having involvement with COPECE (El Libro de, 1985, p.212).

When Basterra talked about his photographs of detainees, the limit of what Roland Barthes termed the evidential force of photographs, was apparent (Barthes, 1984, pp.88-89). After identifying those with whom he had contact, Basterra was shown the photographs of the unidentified detainees in La Voz’s report. Basterra’s inability to recognise them articulated the limitations of his evidence that required the qualifying information contained within the absent ESMA archive.
Basterra was shown the photographs in the following order; with two or more individuals presented per sheet of paper; Brodsky and Villaflor; Tía Irene and Chiaravalle; Martínez and Ardeti; Alberti and Lepiscopo; the photographs of those unknown to Basterra; Leiracha and Barros; and finally Nora, the married couple Hector Piccini and Norma Cozzi, and his own photograph. The last six victims were all released (El Libro de, 1985, p.198). (Figures C3.26-C3.30 pp.213-214)
When shown the photographs of the detainees unknown to him, Basterra stated,
This also corresponds to the group of negatives I took out, but I do not know the people present in the photographs (El Libro de, 1985, p.198, my translation).

(Figure C3.31)

Figure C3.31 unnamed victim and Alberto Donadio

One of the three unidentified victims in La Voz’s 1984 report remained so at the trial. He was not included in the trial as a victim. The only unidentified victims were those whose corpses had been left in public places. Further to the unidentified Fátima Massacre victims, three other unidentified victims were included (cases 184, 185 and 428). HROs had the victim’s ESMA photograph but no further information on his identity. The text accompanying his photograph in El Diario reads,

Eloquent photograph of a detainee not identified who was photographed in the ESMA. His two hands are connected by handcuffs. Presumably, he was part of a so-called transfer that was not anything other than the removal from the clandestine centre towards certain death (Las Fotos, My translation). (Figure C3.32 p.216)
The two other unnamed individuals in La Voz’s report were identified by the time of the trial. The male is Alberto Donadio (Case 222). Donadio was kidnapped twice. He was released in November 1978 after his September 1978 kidnapping. His second and fatal kidnapping occurred in December 1978. Alberto’s photograph was recognised by his sister (Causa 13/84, Los Casos).

The inability of recognising the unidentified ESMA detainee, not just by Basterra, articulates the restrictions placed on the work of HROs and CONADEP, which was dependent on the denunciations by family members and on survivor testimony.

Basterra talked about the hardening of the treatment of detainees in March 1980. Phone calls to family members were not permitted and some detainees were returned to the Capucha. Basterra stated those taken back to the third floor disappeared between 20th and 30th March. Those held in the Capucha were Ardeti, Hazan, Josefa Villaflor,
Anzorena, Chiaravalle, Brodsky, Lepiscopo, Elsa Martínez and Tía Irene. When questioned about their ultimate fate, Basterra replied he had no information. After the disappearance of those in the *Capucha*, Basterra witnessed further arrivals in the *ESMA*: Sara Ponti, Jorge Pared, Graciela Alberti and Ricardo Soria (*El Libro de*, 1985, p.190).

**Carlos Muñoz**

Carlos Muñoz testified the day after Basterra. Muñoz provided information that placed Basterra’s testimony and photographs in context. Muñoz testified to the multiple roles he had during his detention including photographing detainees, and to having access to the *ESMA* archive in late 1979. He commented on the vast numbers of those who were ‘transferred’ and the small number who were released, and the type of information held in each person’s record. Muñoz related,

> There was a sheet that opened the case, saying where they had been kidnapped, to what organization or political group they belonged, who had participated in the kidnapping operation, at what time, and finally the sentence, the sentence was summarized in a T or in an L, T represented transfer and L liberty. I had access to these microfilms in October or November 1979, after the declaration of the three released at the French Assembly [...] This meant that there was a great stir in the task force, and they committed, what for them was a mistake...I could see the scale of the slaughter that had been within ESMA, because there were approximately 5,000 cases, and L, representing liberty, were very, very few (*El Diario del 24*, 1985, p.457, my translation).

The defense lawyers scrutinised where Muñoz first saw Basterra’s photographs. Muñoz testified to first seeing the photographs in *La Voz*. Armando Lambruschini’s lawyer, Fernando Goldaracena, focused on the subject to discredit Muñoz. Lambruschini was head of the navy at the time of the August 1979 disappearances. Goldaracena argued Muñoz and Basterra exchanged information and that Muñoz was
shown the photographs by Basterra. CELS represented both survivors. The publication of the photographs in La Voz was the means by which many people first saw them (El Libro, 1985, p.15; El Diario del Juicio 24, 1985, p.461).

**Osvaldo Barros and Sara Silberg de Brodsky**

Barros was detained in August 1979 and released on 22nd February 1980. He was held in the *Capucha* for the first three months. Barros discussed the transfer of detainees to the island of *El Silencio* during his testimony, the first he gave to an official body. Barros was shown the Basterra photographs. He, his wife, Basterra and the Piccini’s were the surviving *August Disappeared* (*Diario del Juicio* 26, 1985, p.490).

Barros named some of those responsible for his kidnapping including Miguel Donda, and spoke of the death of Raimundo Villaflor under torture. Barros was given Villaflor’s clothes to wear after his death. Villaflor’s wife, Elsa Martínez, recognised her husband’s clothes. Barros stated those not released were returned to the *Capucha* after he, his wife and the Piccini’s were released (*Diario del Juicio* 26, 1985, pp.486-491).

On 25th July, Silberg de Brodsky reiterated the circumstances of the meeting she and her husband had with Massera in 1979, when he admitted Fernando was not a terrorist. Silberg outlined the work Fernando was engaged in prior to his disappearance after he returned from Brazilian exile. Fernando worked as a teacher, studied psychology and was working on a voluntary basis with Alcoholics Anonymous. In answer to the question whether she was aware if any of Fernando’s friends were deprived of their liberty around the same time, she responded that Lepiscopo, a good friend of her son, was *detained-disappeared*.

Fernando’s mother outlined the role of her eldest son Marcelo, who was living in Spanish exile, in speaking to the survivor willing to testify to seeing Fernando in the
ESMA. Roberto Ramirez was held at the ESMA from March 1979 to the end of that year. Las Madres provided the lead that resulted in the communication with Ramirez.

Fernando’s mother then described the measures the family had taken in trying to locate Fernando, including filing Habeas Corpus petitions once telephone communication ended. Habeas Corpus petitions were not filed during the period of communication, after Fernando and other victims asked their relatives not to submit them. Silberg de Brodsky produced supporting documentation that included a May 1982 letter from the Ministry of the Interior, which stated it had no information on Fernando (Diario del Juicio 26, 1985, pp.482-486).

In 2011, former Buenos Aires Herald journalist Robert Cox recounted the experiences faced by the Brodsky and Lepiscopo families. When communication with their sons ended, the families knew they were dead. In March 1980, the Brodsky’s sent a telegram to Cox in the United States that read “shout out loud Mr Cox, they have killed them” (Cox, 2011).

The sentences

The sentences were delivered in December 1985. Videla and Massera were sentenced to life imprisonment. Videla was found guilty of the commission of 66 murders, for four deaths, 93 tortures and 306 counts of illegal deprivation of liberty. Massera was held responsible for the commission of three murders, twelve counts of torture and 69 counts of illegal deprivation of liberty. Those proven to have been illegally deprived of their liberty included Monica Mignone, Las Madres and their supporters, Solarz de Osatinsky, Milia de Pirles and Marti. Those proven to have been tortured in the ESMA during Massera’s leadership were limited to survivors including Marti, Solarz de Osatinsky, Milia de Pirles, Daleo and Burgos.

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103 Ramirez was kidnapped in 1978. He was held at El Banco and El Olimpo before the ESMA.
Lambruschini was sentenced to eight years imprisonment for 35 counts of illegal deprivation of liberty and ten counts of torture. The proven cases in the first category included nine of those in Basterra’s photographs, Donadio, Lepiscopo, Josefina Villaflor, Martínez, Basterra, Brodsky, Chiaravalle, Susana Leiracha and Barros. The proven cases in the second category were the tortures of Enrique Fukman, Muñoz, Jara de Cabezas, Lepiscopo, José Hazan, Josefina Villaflor, Elsa Martínez, Basterra and the Barros couple. Lambruschini was absolved of the torture of 26 others including Donadio and Brodsky, and 32 charges of the reduction to servitude of those in the recuperation program.\footnote{A summary of the sentences is in El Libro, 1985, pp.523–542.}

Basterra’s photographs were a significant component of the arguments presented by the prosecution in their accusations that began in September 1985. However, it is not possible to determine the exact importance of the photographs in the sentencing because the accusation relied heavily on survivor testimony.

**Further prosecutions and impunity**

Following the December 1985 verdict, HROs expressed disbelief at the leniency of the sentences given to the junta leaders and at the acquittals of some members of the second and third juntas. Adriana Calvo of AEDD argued that because of the weakness of the sentences, justice could only be achieved through mobilization. Emilio Mignone criticised the sentences, given that it had been proven the repression was planned and systematic, but focused on the potential for further prosecutions. Mignone argued it was not an end point (*punto final*) in the pursuit of justice. As discussed earlier in the chapter, in November 1985 *a punto final* re-emerged as a political solution to continuing military unrest (*Opiniones disimiles*, 1985, pp.29-30).
The law of Punto Final was implemented in December 1986. No further legal submissions were accepted after 23rd February 1987 (Christian, 1987b, p.A3). According to Pion-Berlin (1991), by January 1987 cases had been brought against 130 members of the armed and security forces (Pion-Berlin, 1991, p.563).

The ESMA case (761) passed to the civilian system in February 1987, after military negligence in judging the case. In May 1987, following an April army uprising at Campo de Mayo which Alfonsín personally defused, the Chamber of Deputies and the Senate passed the Law of Due Obedience (Clarity, Roberts & Freudenheim, 1987; Christian, 1987a, p.2; Cué, 1987a, p.7; Cué, 1987b, p.7; Prieto, 1987a)

The ESMA trial, which was postponed by the Supreme Court in April 1987, and which was then due to begin in June 1987, had 34 defendants; including Acosta, Scheller, Cavallo, Donda and Astiz. Donda was accused of torturing the August Disappeared, Alberti, Basterra, Enrique Fukman and Carlos Lordkipanidse. Astiz was accused of kidnapping the Santa Cruz group and the torture of detainees. 286 victims were named from May 1976 to the December 1982 detention-disappearance of Trelew Massacre survivor Haidar. 164 were detained-disappeared, the rest were survivors (Cué, 1987c, p.7; Argentina extends, 1987, p.2; Causa 761, 1987).

On 24th June 1987 the Supreme Court upheld the constitutionality of Due Obedience. An appeal had been lodged by three officers who acted under Ramon Camps of the Police of the Province of Buenos Aires. Miguel Etchecolatz, police doctor Jorge Berges, and a low ranking officer, Norberto Cozzani, were released from prison. The three individuals were serving prison terms from four to twenty-three years. Etchecolatz was serving the longest sentence. As a result of the ruling, the ESMA trial was suspended. In response to the Supreme Court decision, CELS Marcelo Parrilli stated “This is a historic ruling, because from now on, Argentina is the only nation in

**Conclusion**

Following legalised impunity, **HROs** determined the form social condemnation of the *Proceso* outlined by Leopoldo Moreau (*UCR*) in November 1985 would take. In his November 1987 paper, Emilio Mignone outlined the two part response of *HROs*. The first was a project organisations were then working on which was published by **CELS** in 1987 as *Culpables para la sociedad, libres por la ley* and then as *Culpables para la sociedad, impunes por la ley* in 1988. The work included photographs of perpetrators, including some of Basterra’s *ESMA* photographs, lists of some of the crimes they were accused of, and categorised perpetrators according to the mechanism by which they were amnestied (*Culpables, 1988*). (Figures C3.33 and C3.34 p.223)

![Figure C3.33 Acosta Culpables para 1988, p.16](image_url)
The second aspect Mignone outlined was the ongoing project of the construction and consolidation of social memory. Mignone acknowledged the importance of Nunca Más, which had sold 250,000 copies to November 1987, but referred to it as a starting point. He identified the recent films; La Historia Oficial (1985) which focused on stolen children, and La Noche de los Lápices (1986) which focused on the 1976 detention-disappearance of seven La Plata high school students, as examples of engagements to be pursued. Mignone referred to the importance of the recently formed Argentine Historical and Social Memory Foundation (FMHSA) and its intended dissemination of information pertaining to what Mignone called a true holocaust (Mignone, 1989, p.64).

In this chapter, I identified the role of the photographs of the detained-disappeared during both the final year of the Proceso and during Alfonsín’s administration to 1987. I examined how Las Madres photographs of their children and Basterra’s photographs articulated specific points in the pursuit of truth and justice, and how Basterra’s ESMA photographs operated as a critical tool by which to analyse Alfonsín’s human rights policy. I highlighted the way in which the requirements of HROs were not acknowledged by the government due to the continued strength of the armed forces.
Photographs of the *detained-disappeared* were not adopted by the government in its project of aiding with the social condemnation of the *Proceso*, thus creating the necessity for uses outside official arenas. From 1987 Basterra’s photographs also operated as a register of impunity.

The closing down of legal avenues required a shift in focus of aligned *HROs*. The importance of the alignment was realised during Carlos Menem’s Presidency. In chapter four, I discuss the shift from a focus on truth and justice to a focus on truth and the construction of memory, after further state sanctioned impunity. From 1995, Basterra’s *ESMA* documents were the prominent referent in the demand for truth. The full impact of Basterra’s documentation in the legal arena for crimes committed at the *CDC* did not occur until the *ESMA* case reached trial in 2009. In chapter six, I discuss the path to the trial and the role of the documents.

Basterra’s photographs remained archived in the legal arena until the 2000s. The following chapter focuses on the use of honorific or disciplinary photographs in the construction of social memory in the mid 1990s.
In this chapter, I examine the ways in which HROs and artists used photographs of the detained-disappeared, and those of victims of state terrorism who were killed before the Proceso, during Carlos Menem’s Presidency (July 1989-December 1999). The use of photographs during the Década Menemista\textsuperscript{105} formed part of the adapted approach of HROs and activists to state repression. That adaptation was partly the result of an enforced shift away from the focus on justice that HROs pursued during the Proceso and during Alfonsin’s administration.

In 1989 and 1990, Menem pardoned those sentenced for Proceso crimes and those facing trial. As a result, aligned HROs developed a more pronounced focus on the pursuit of truth regarding the fate of the detained-disappeared and on the construction of social memory (Mignone, 1989). A central focus of some organisations, including Madres: LF was the creation of photographic memory projects. These included collaborative works with artists.

Menem’s imposed political conditions resulted in the consolidation of a broadly unified position that emerged after Las Madres split in 1986. Madres: LF expressed their desire for unity with other HROs in their 1986 founding document: Origen de Las Madres de Plaza de Mayo Línea Fundadora. That document also outlined differences in the outlook of members within the original organisation. The most important of the three differences, for the purposes of this discussion, was the desire to hold commemorations to detained-disappeared victims in schools, universities, and other institutions (Madres: LF, 1986).

\textsuperscript{105} Menem’s ten year presidency was enabled by the 1994 Constitutional reform that permitted two consecutive terms (Helmke, 2005, p.138).
The collaborative approach was confirmed by *Culpables para la sociedad*, following the law of *Due Obedience*. The publication was a collective repudiation of the mechanisms implemented by Alfonsín to limit prosecutions. The signatory organisations named in the publication’s prologue included *Abuelas, AEDD, APDH, CELS,* and *Madres: LF,* though not *Asociación Madres.* The work operated as a corrective to *Nunca Más. CONADEP’s* investigative team under pressure from the government omitted the names of over 1000 perpetrators (Brysk, 1994, p.72).

In order to contextualise the use of photographs and the meaning and significance of truth and memory in the construction of a critical response to the mechanisms implemented by successive governments, I analyse the impact of the 1995 confessions of former *CDC* operatives. The confession of a former *ESMA* operative, Adolfo Scilingo, and that of a former *Campo de Mayo* operative, Víctor Ibañez, acted as a catalyst for the focus on truth and memory, brought into sharp focus both the lack of information on the *detained-disappeared* and the state’s approach to human rights issues nineteen years after the start of the *Proceso.* During the *Década Menemista,* the state attempted to implement a policy of forgetting (Sims, 1995b, p.A10).

The chapter has two complementary focuses. The first is an analysis of the imposed limits to narrative construction with respect to individual victims. The second is an analysis of the overarching framing devices used in the construction of critical narratives. In the first part of the analysis, I argue that the photographic memory projects and the pursuit of truth are inextricably linked. The partial or complete absence of information on the fate of victims informs the memory projects. Further, I argue that the uses of photographs from 1995 articulate a historical moment. By historical moment, I mean as a record of the information available to that time on the fate of victims.
The main focus of the chapter is an October 1996 commemoration at the prestigious Colegio Nacional de Buenos Aires (CNBA). The commemoration was held by members of Madres: LF, former and current CNBA students, and other relatives of victims. It was one of the first of its type to be held in an education institution in the post Proceso period. The twentieth anniversary of The Night of the Pencils (La Noche de los Lápices) was commemorated in all schools in September 1996. As I discussed in the previous chapter, The Night of the Pencils was a symbolic act of repression against secondary school students in which seven adolescents were detained-disappeared. A commemorative plaque to those victims was placed at CNBA’s entrance on the twentieth anniversary. In September 1998, a similar commemoration to that at CNBA in October 1996 was held at Escuela Superior de Comercio de Carlos Pellegrini (ESCCP) to the school’s thirty-six detained-disappeared and murdered former students (Recordaran la, 1996; Evocaran hoy, 1996; Emotivo homenaje, 1998; Frias, 1998).

At CNBA on 22nd October 1996, a number of important narratives were articulated through three complementary uses of photographs. The first element was presented by a former CNBA student. Artist Marcelo Brodsky presented his photographic work Los Compañeros. The class photograph was taken in 1967 during Revolución Argentina. The enlarged photograph was overwritten with a brief sentence on each class member. Two members of the class were the victims of state violence. Alongside the crossed through image of Claudio Tisminetzky, Brodsky’s statement reads “Claudio was killed in a confrontation”. Tisminetzky was killed on 23rd December 1975 during ERP’s attack on the military base in Monte Chingolo. Next to the image of Martin Bercovich, who was detained-disappeared in 1976, the following is written

\[106\] In 1994, former students commemorated the dead and detained-disappeared of the Faculty of Architecture at the University of La Plata. The act was important to the formation of H.I.J.O.S (H.I.J.O.S, Historia; Capasso & Melina, 2012; Cueto Rua, 2010, p.139).
“Martin was the first they took. He did not get to meet his son, Pablo who today is 20 years old. He was my friend, the best” (Brodsky, 1996) (Figure C4.1 p.229)

The second commemorative component was the photographic portraits of each detained-disappeared or murdered former student. The photographs were held aloft as the victim’s name was read out. After each name, the audience responded with “Presente”. The third element was the Pancartas or banners created by relatives of CNBA victims. The Pancartas presented the photographic biography of one or more victims. The Pancartas were a recent Madres: LF initiative (Figure C4.2 pp.230-231).
Figure C4.1 Brodsky *Los Compañeros* 1996\(^{107}\)

Figure C4.2 Brodsky, 1996 *Pancartas* to Horacio García Gastelu

C4.2 Brodsky 1996 Pablo Lepiscopo’s pancarta
The comprehensive framework was one significant aspect of the CNBA commemoration. The framework included all identified former pupils who were victims of state repression from 1970 to 1980. At the time of the event, ninety-eight people were identified as **detained-disappeared** or killed by the state. The majority of the victims were **detained-disappeared** or assassinated during the Proceso. The Proceso victims included those who were students at the school at the time of their death or **detention**-
disappearance and a larger number of adults. Seven of those in the former category were identified in CELS Adolescentes Detenidos-Desaparecidos (1982). That publication presented the cases of 130 adolescents detached-disappeared from 1976. Many belonged to the U.E.S.

Twelve of the victims included in the 1996 commemoration were killed before Proceso. They included Angélica Sabelli, Ramón Cesaris, Fernando Abal Medina, Eduardo Bekerman and Claudio Slemenson. Sabelli was killed in the Trelew Massacre in 1972. As I discussed in chapter one, commemorations were conducted at the University of Buenos Aires and CNBA in 1973 and 1974. Those at the Law, Architecture and Philosophy faculties at UBA were in memory of those killed or disappeared during Lanusse’s administration, including the Trelew Massacre victims.

The roll call of names at the 1996 act had similarities to that commemorating the death of former CNBA student Ramón Cesaris at the Faculty of Architecture in December 1973. At that commemoration, a solitary photograph of Cesaris bearing the text “Presente” was held aloft. The difference in the number of victims underscored the impact of repression to the end of the Proceso. (Figures C4.3 and C4.4 pp.233-234)
C4.3 El Descamisado 30 1973 p.24

Figure C4.4 Brodsky 1996 Sign at the CNBA commemoration
The 1996 CNBA commemoration was held in the same hall that the funeral procession of U.E.S member Eduardo Bekerman commenced from in August 1974 following his murder on the second anniversary of the Trelew Massacre. That event involved CNBA and ESCCP students. A key part of the expansive framework was the emphasis on, and significance of, the continuation of state perpetrated violence.

Following an analysis of the mechanisms implemented by Menem and the developments in the 1990s with respect to Proceso crimes, a consideration of Madres: LF's Pancartas and a number of photographic artworks, I argue that the CNBA act marked a profound stage in the construction of historical memory. The non-selectivity of the commemoration was in contrast to the Federal government’s unwillingness to enter into the debate. I locate the CNBA commemoration in the context of further memorialisation projects in order to assess the significance and limitations of photographs as articulations of the impact of state terrorism.
Menem’s decade

Menem’s “Imperial Presidency” (McSherry, 1997a, p.68), or Delegative Democracy as Guillermo O’Donnell has described Menem’s approach, was motivated by his desire to “accomplish the definitive reconciliation” of Argentines (O’Donnell, 1994, pp.55-69; Christian, 1989, p.A10).

Shortly before the July 1989 change in political leadership, pardons were at the forefront of political debate.108 In June 1989, Italo Luder, the future Minister of Social Welfare, called on the outgoing administration to end trials. Twenty cases remained before the courts (Brooke, 1989). The desire of the incoming administration to not have to take the controversial decision was underscored by newspaper reports published prior to the pardons in which Peronists attempted to attribute responsibility to Alfonsín (Smith, 1989; Shapiro, 1989, p.11).

The first pardons were issued to thirty-nine persons in October 1989 (1002/89). Adriana Calvo of AEDD argued the pardons invited a repeat of the Proceso (Pardon of, 1989, p.A3). In the second set of pardons, of December 1990, the sentenced leaders of the first three juntas and high profile repressors including Ramon Camps of the Police of the Province of Buenos Aires were released from prison (Mendez, 1991, pp.65-69). The prosecution of the former Commander of the First Army Corps was closed. Carlos Guillermo Suarez Mason fled Argentina in 1984 and was the subject of an extradition petition lodged by Alfonsín’s government after his 1987 arrest in the United States (Morain, 1987). In April 1988, the decision was taken to extradite Suarez Mason to Argentina as the author of thirty-nine of the forty-three murders for which extradition was sought (Gibney, 1992, pp.186-187). Three individuals I discuss later in the chapter;

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108 The UCR ceded power to Menem before the appointed date in December 1989 so that the Peronists could attempt to arrest the economic problems which had seen Alfonsín impose a State of Siege (Argentina declares, 1989).
Leticia Akselman, Gabriel Dunayevich and Federico Martul were among the thirty-nine victims (*In the matter*, 1988, pp.676-705).

The second set of pardons was condemned by opposition political parties. Alfonsin stated it was “the saddest day in Argentine history” (Christian, 1990, p.9). According to surveys at that time, around seventy percent of Argentines opposed the pardons (*Argentine Defends*, 1990, p.4; Ares, 1991; Mendez, 1991, p.68).

**Confessions and files of repression**

In 1995, the work of *HROs* was reinvigorated. Menem tried to close down discussions. The re-emergence of human rights issues followed a period of relative quiet from the time of the pardons that had seen demonstrations from *HROs*. On 30th December 1990, 80,000 people demonstrated in Plaza de Mayo (Ares, 1990a; Mendez, 1991, p.68). Van Drunen (2010) argues that the revitalisation followed a period of demoralisation among *HROs* caused less by Menem’s pardons than the perception that Alfonsín had broken his promised commitment to human rights (2010, p.86)

Feitlowitz terms the catalyst for the reinvigoration the *Scilingo Effect*. Tandeciarz refers to Scilingo’s confession as a turning point in memory discourse (Feitlowitz, 2011, pp.225-297; Tandeciarz, 2007, p.152). 109 Gabriela Cerruti refers to the mid 1990s as the period of the *memory boom* (Cerruti, 2001, pp.21-22). The *memory boom* was not exclusively about the *Proceso* but also the victims, practices, and the places associated with commemorations prior to 1976, and thus to the meaning of social memory.

In March 1995, Scilingo admitted responsibility for the murders of thirty people in two death flights in which *ESMA* detainees were sedated and thrown from aeroplanes into the Atlantic Ocean. Scilingo stated every Wednesday, for two years, fifteen to

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109 *H.I.J.O.S* cites Scilingo’s admission as an influence on its activities (Historia, hijos-capital.org.ar)
twenty ESMA detainees were killed that way. Scilingo’s interviewer Horacio Verbitsky, a former member of The Montoneros intelligence department and Página/12 journalist, estimated between 1500 and 2000 detainees were killed during 1976 and 1977 in the death flights (Verbitsky, 1995, pp.2-3). Scilingo did not name any of the victims, nor was his statement an apology (Sims, 1995c, p.A1). However, the admission had an important impact with respect to the pursuit of truth.

Following Scilingo’s revelation, Menem attempted to close down dialogue. He argued people were tired of hearing about the Proceso and were trying to forget what happened (Sims, 1995b, p.A10). In response, Emilio Mignone argued “forgetting could not pacify the country and that a society eventually demands to know what has happened” (Sims, 1995a, p.A1 & p.A6).

After Scilingo’s confession, the mother of three detained-disappeared children and a member of Madres: LF articulated her organisation’s requirements. When asked in an interview on 24th March 1995, whether after nineteen years it was enough to have an insight into the fates of the detained-disappeared, Renee Epelbaum stated when relatives demanded to know their children’s fates it meant “knowing how the death occurred, who conducted the execution and who gave the order, and that it was not just to know that five thousand were thrown into the sea” (Los que, 1995).

Scilingo’s confession was followed on 24th April 1995 by that of a former Campo de Mayo operative. Víctor Ibañez stated those held at the CDC were thrown alive from aircraft after being sedated (Cashiered soldier, 1995, p.A8). The day after Ibañez’s confession, the army acknowledged its role in the repression for the first time. General Martín Balza issued a qualified televised address in which he referred to the victims as terrorists but highlighted the army’s illegitimate methods (For the, 1995, p. A13; Apology for, 1995; Long, 1995).
Balza reiterated the long-standing military position with respect to documentation. He stated,

Lists of missing persons do not exist in the force command. If it is true that they existed in the past, they have not come to our days. No list will bring the beloved face to the table. No list will enable the burying of the absent dead, nor help their relatives to find a place to pay tribute (Declaración del, 1995, My translation).

Balza’s statement articulated two conflicting points. The first emphasised the devastation to families and the impossibility of closure. The second played down the potential value of information that documentation might contain. His statement undermined the requirements voiced by Epelbaum and the position relatives had taken during the Proceso. Balza’s statement also articulated the continuing lack of places where commemorations could happen. This returns us to Madres: LF’s 1986 understanding of the problem and their desire to hold commemorations in schools and other institutions.

The Chief of the Navy, Admiral Molina Pico, issued a statement on 4th May 1995. Molina Pico defended the force’s actions against the “chaos created by subversives”. The Admiral denied that there “was a plan of extermination directed against innocent people.” He did not mention documentation (Molina Pico, 1995; McSherry, 1997a, p.81).

When the confessions are viewed in terms of the re-emergence of the debate with respect to military documents, almost twenty years after the start of the Proceso and eleven years after Basterra’s documents emerged into the public realm, which remained the most substantial collection known to be in existence, Emilio Mignone’s and Carmen Lapacó’s responses underscore the significance of the qualified opening in dialogue.
The right to truth

In response to the confessions, CELS supported two legal cases based on the right of families to know the truth about their relative’s fates. Mignone’s April 1995 submission focused on his daughter’s case. Monica Mignone was one of the 286 survivors and *detained-disappeared* victims named in the halted 1987 ESMA trial. Lapacó submitted the second case against Suarez Mason as the official responsible for CDCs in the Province of Buenos Aires and Federal Capital. Carmen last saw her daughter in a Buenos Aires CDC.

In 1996, CELS Martín Abregú analysed the contribution of the cases. Most significantly, Abregú argued the cases forced the state to partake in a debate that had hitherto been conducted by HROs and the armed forces hierarchy. Abregú further argued press coverage of the claims had helped to reinvigorate public consciousness of the *Proceso* (Abregú, 1996).

In the previous chapter, I discussed Mignone’s meeting with U.S. Embassy officials in 1984. Mignone outlined the reasons why he supported extensive prosecutions. His argument was dismissed because of his emotional connection to the issue as the father of a *detenida-desaparecida*. In pursuing the right to truth, Mignone’s status as the father of a victim underpinned the legal challenge. The case was selected because Monica’s 1976 detention-disappearance and sightings of her in the ESMA corresponded to the timeframe in Scilingo’s confession (Abregú, 1996, p.16).

The second case was presented in May 1995 by Carmen Lapacó of *Madres: LF* and *CELS*. On 17th March 1977, Carmen, Alejandra, Alejandra’s boyfriend Marcelo Butti Arana and Carmen’s nephew, Alejandro, were kidnapped and taken to Atlético.110

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110 *Atlético* operated until December 1977 (Tandeciarz; 2007, p.159).
Carmen and Alejandro were released three days later. Marcelo and Alejandra were later “transferred” (Florit, 1998b).

In Mignone’s case, the court ruled the navy had to give all relevant documentation in its possession. The navy responded that it did not possess documentation and further, that the court did not have jurisdiction in the matter. In July 1995, the court closed the case on the grounds that further investigation would amount to a retrial (Abregú, 1996, pp. 33-34).

Lapacó’s case had a more complex path. The case concluded with the 1998 decision of the Supreme Court to halt proceedings. In its ruling, the court stated the case was inadmissible because continuing with the request would have resulted in the reopening of legal action against protected individuals (La Corte, 1998; Brett, 2001, p.17).

Lapacó took the case to the IACHR which resulted in a 1999 friendly settlement between the plaintiff and Argentina, the defendant in the case. The agreement stipulated that Argentina would commit to the exhaustion of all means to obtain information on the whereabouts of the remains of the detained-disappeared. The ruling emphasised that the state had an obligation to attempt to uncover information, not an obligation for that attempt to be successful (Carmen Aguiar, 1998).

In the three years that the court took to decide its response, other legal submissions were made to ascertain the fates of victims. One was submitted to the courts in La Plata in April 1998 by APDH which cited the Mignone and Lapacó cases. The demand for clarity was accepted by the court on 21st April (Resolution 18/98), and resulted in the Juicio por la Verdad (Trial for the Truth), which began in La Plata that year (Reabrirán causas, 1998). I discuss the Truth Trial in chapter five.

Pancartas
*Madres: LF* began constructing *Pancartas* in 1995, after journalist Nora Anchart suggested the initiative (*Nuestra Cultura*, 2010, pp.16-17). The *Pancartas* operate as an articulation of the status of truth with respect to victims. The two legal cases discussed above were representative of the position of families who were without concrete information on the fate of their children, but had some information on where they had been held.

Most of the 400 *Pancartas* can be accessed at *Memoria Abierta*’s website. They can also be consulted at *Madres: LF*’s headquarters. From its inception in 1999, *Memoria Abierta* has operated as an umbrella organisation that incorporates some of the *HROs* committed to the construction and dissemination of information: APDH, CELS, FMHSA, *Madres: LF* and SERPAJ (Conte, 2010).

The *Pancartas* are dedicated to one or more victims of *detention-disappearance* or murder, and present photographs from a number of contexts including those with family and friends, and in work, education and political contexts. They also present school records, legal documents and further information that emphasise the victim’s familial and social bonds.

Many of the *Pancartas* include *Recordatorios* published by *Página/12* on the birthdate, date of *detention-disappearance*, or death of the victim(s). In certain cases, the *Recordatorios* establish the extent of information at the time of their publication. One *Pancarta* includes a 1995 *Recordatorio* to José Bronzel, Susana Pedrini de Bronzel and José’s mother Cecilia Podolsky. Susana’s family authored the *Recordatorio* which appeals for truth on their fates nineteen years after their July 1976 *detention-disappearances*. A *Recordatorio* from 2010 marks not the date of their *detention-disappearances*, but a date in August. They were all identified as victims of the *Fátima*
Massacre after the 1997 reopening of investigations (EAAF, 1998a, pp.10-11) (Figures C4.5).

Figure C4.5 Recordatorio to Pedrini, Bronzel and Podolosky 1995

The Recordatorio on the Pancarta to artist León Ferrari’s son, Ariel, which is dated 7th June 1995, demands information from the Navy and Church on Ariel’s fate and those like him who were held in the ESMA. Ariel was *detained-disappeared* in February 1977. 7th June 1995 marked what would have been Ariel’s forty-fourth
birthday. The *Recordatorio* refers to the death flights, to the information concealed from families, and to the importance of that information to *HROs; Las Madres* to know the truth about the fate of their children and *Las Abuelas* to find stolen children. As with Monica Mignone’s case, Ariel’s was within the timeframe established by Scilingo’s confession. (Figure C4.6) In his confession, Scilingo described how he visited an *ESMA* chaplain after his first death flight and was reassured the victims had received Christian deaths and had not suffered. Ferrari’s artworks criticised the role of the church and other institutions during the *Proceso*. In July 1995, after Scilingo’s confession, *Página/12* serialised *Nunca Más* with Ferrari collages. Some foreground Ferrari’s criticism of the relationship of the church and armed forces (Verbitsky, 1995; *Argentine bishop*, 1995, p.A7; Crenzel, 2006, p.88).111

![Figure C4.6 Ariel Ferrari’s Recordatorio](image)

**Figure C4.6 Ariel Ferrari’s Recordatorio**

**Work, education and politics**

Patricia Holland (1991) articulates the limits to the conventional family photograph album. Holland states,

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Family moments [...] are only part of lives made up of school, work, interests, political action and institutional commitments, each bringing its own network of friends, companions and obligations. These other networks and solidarities are not made visible in the conventional family album. The worlds of production, politics, economic activity and the institutional settings of modern life—school, hospital, - are only tangentially present (Holland, 1991, p.7).

Holland correctly assesses the types of photographs included in conventional family albums in much the same way as Bourdieu (1990). As I discussed in the Literature review and theoretical framework chapter, Bourdieu refers to family photographs as the essence of social memory. Bourdieu does not deal with political conditions or circumstances (the aftermath of large scale violence, impunity and lack of state involvement in this case) that results in the necessity of photographs being used in contexts other than conventional family albums. Photographic uses and the context in which they appear are dependent on the construction of a specific type of social memory that is required and rests on the movement of those photographs from the family realm into the public sphere. The Pancartas are radically unconventional in terms of Holland’s analysis. The Pancartas present information beyond the requirements of family albums that are not defined by the impact of detention-disappearance.

Work, school (the institutional settings of modern life) and politics or the political commitment of the victims are central to the Pancartas and are not only tangentially present. The Pancartas are defined by the aim of their production and by the framing through text of the photographs presented. They were conceived to be shown publically. In the examples I discuss below, the social and political bonds of victims are emphasised. As I discussed in the introduction, Marcelo Brodsky stated that each single case opens on to others when talking about his
reason for focusing on his brother’s *detention-disappearance* and that of one of his former classmates (Brodsy, 2010)

Due to the large number of *Pancartas*, it is not possible to discuss each in detail. I discuss a small number in terms of their thematic content and their dependence on the information available at the time of their construction.

Esteban Reimer’s *Pancarta* foregrounds his work history. Reimer is one of fourteen *detained-disappeared* Mercedes Benz workers. Reimer was a union delegate, to which his *Pancarta* refers, with the inclusion of Reimer’s union identity cards. He was *detained-disappeared* in January 1977. The names of a further eight *detained-disappeared* Mercedes Benz workers are listed on Reimer’s *Pancarta*. The *detention-disappearance* of the company’s employees and Mercedes Benz’s role in the *Proceso* crimes is subject to ongoing investigations (Ginzberg, 2001c; *Llega a*, 2013). (Figure C4.7 p.246)
School life including class photographs is presented on a number of *Pancartas* including those to Augusto Conte Mac Donnel, Claudio Tisminetsky, the joint *Pancarta*
to Claudio Slemenson and Eduardo Bekerman, Graciela Mellibovsky, and Fernando Brodsky. A large number of the Pancartas are to former CNBA students including the first five people named above. CNBA is the most heavily represented education institution in the collection. Most CNBA victims are identified by text on their individual or shared Pancarta. Some variations are: alumna de CNBA (Mellibovsky); Alumno Colegio Nacional Bs. As. (Horacio García Gastelú).

A number of Pancartas are to multiple CNBA victims. One Pancarta is to Dunyavich, Martul, Gustavo Juárez and Norma Matsuyama who were all CNBA students at the time of their detention-disappearance. The Pancarta includes a photograph of a U.E.S demonstration on 12th September 1973 in repudiation of the military coup in Chile which ousted Salvador Allende one day earlier. The U.E.S photographs inclusion indicates all were involved with the student organisation.

Another Pancarta is to the CNBA adolescents mentioned in CELS 1982 report. The Pancarta includes school photographs of Hugo Toso, Pablo Dubcovsky, Juan Marin and Alejandro Goldar Parodi and a family photograph of Magdalena Gallardo. The Pancarta’s central element is a 1976 letter by Dubcovsky’s father to then CNBA Rector Eduardo Maniglia denouncing the detention-disappearances and appealing for answers (La XXI, 2001). (Figure C4.8 p.248)
Figure C4.8 Pancarta to Dubcovsky, Gallardo, Toso, Marin and Goldar Parodi

Family
Family photographs on *Pancartas* have a profound meaning in the context of death and *detention-disappearance* of victims. *Pancartas* were created to Azucena Villaflor and Esther Ballestrino, two of the *detained-disappeared* members of *Las Madres*. Villaflor shares her *Pancarta* with her son. Néstor Villaflor was *detained-disappeared* with his wife in November 1976. Néstor’s *detention-disappearance* is tied to the origins of *Las Madres* struggle. Azucena Villaflor is recognised by the mothers as the driving force in their early stages of organisation. Her *detention-disappearance* was tied to that struggle. She was singled out as a victim in 1977 (Arrosagaray, 2006; Arrosagaray, 2007). One photograph on the *Pancarta* shows Néstor and his mother dancing together. (Figures C4.9 p.250)
Figure C4.9 Azucena and Néstor Villaflor’s Pancarta

Esther Ballestrino is shown with her daughter, Ana Maria Careaga, when she was a small child. Ana was held in Atlético from June to September 1977. Esther continued working with Las Madres after her daughter’s release and was detained-disappeared on 8th December 1977, following the infiltration of Las Madres. Her continuing work with Las Madres in the months before detention-disappearance, after her daughter release,
attests to Las Madres commitment to all the detained-disappeared. The Pancarta photograph subverts the common relationship established in family photographs of Las Madres with their children. The Pancartas created by members of Madres: LF: Renee Epelbaum; Taty Almeida, Nora Cortiñas, Marta Ocampo and Chela Mignone to their children are the few to include a photograph of the family group. In those cases, the child is the victim, or in the case of Renee Epelbaum’s sons and daughter, the children are the victims (La primera, 2007). (Figure C4.10)

In certain cases, Pancartas present the political affiliation of victims. Claudio Slemenson and Eduardo Bekerman’s joint Pancarta includes historical left-wing Peronist newspaper reports on their U.E.S activity. The Pancarta also includes photographs of Bekerman’s funeral that formed part of a commemoration to Bekerman and Pablo Van Lierde in La Causa Peronista of 27th August 1974, following their murders by the Triple A. An image of Slemenson is from a March 1974 U.E.S press conference. The report was originally published in El Descamisado on 12th March, at a
time when Congress was voting on prohibiting political engagement on university campuses. In that article, Slemenson outlined the role of secondary education in the ideological formation of the individual. Mechanisms were also implemented to prohibit the political activity of secondary students (Poner las, 1974, pp.20-21). (Figure C4.11)

Figure C4.11 Bekerman’s and Slemenson’s Pancarta

On the Pancarta to Elsa Martínez and Raimundo Villaflor, (Figure C4.12 p.254) two individuals held in the ESMA from August 1979, their political membership is
stated. Elsa’s ESMA photographs were removed from the centre by Víctor Basterra. Raimundo Villaflor died during torture in the ESMA. Alongside the photograph of Elsa with one of her daughters, her membership of the Uruguayan guerrilla organisation Movimiento de Liberación Nacional-Tupamaros is written. Next to the photograph of Raimundo with his two daughters, the initials P.B and F.A.P. for Peronismo de Base and Fuerzas Armadas Peronista are written. The Pancarta states only the date of the couples’ disappearance (4/8/79), which articulates the absence of concrete information on their deaths and the absence of their remains. According to Basterra, Elsa was “transferred” between 20th and 30th March 1980.
Most of the Pancartas include the date the individual was *detained-disappeared* and some include information on the CDC in which the victim was seen. In the small number of cases where the victim’s fate was known, definite information is presented.
This is most emphatic on eighteen year old Leticia Akselman’s *Pancarta*. The *Pancarta* includes two photographs taken of the murdered young woman in Del Viso, north of Buenos Aires, where the corpses of Akselman, Dunayevich and Martul were found in 1976. Suarez Mason was extradited to Argentina to face trial for their murders. The *Pancarta* includes a photograph of the 1986 return of Leticia’s remains to her family, and photographs of Leticia as a child and as a young adult. The second photograph includes the date on which it was taken (7/12/75). The text written by her mother, Poema Cardella, details Leiticia’s assassination, the recovery of her remains and the case against Suarez Mason. The text states Leticia was a *U.E.S* leader. (Figures C4.13 and C4.14 pp.256-257)
Figure C4.13 Askelman’s Pancarta
The **Pancarta** to Gabriel Dunayevich also presents definite information; the date of his kidnapping, the **CDC** where he was held, the date of his murder and the date his relatives were informed (Secuestrado el 29 de Mayo de 1976, Detenido en el Vesubio, Asesinado el 3 de Julio de 1976, Notificada la familia por el juez federal en Marzo de

1985). The information is presented with photographs of Gabriel at primary school and as an adolescent. (Figure C4.15)

![Image of Dunayevich’s Pancarta](image)

Figure C4.15 Dunayevich’s Pancarta

Other examples are those to Alberto Comas and Román Mentaberry. Comas was one of the five identified victims of the Fátima Massacre at the time of the 1985 trial. Mentaberry, a former CNBA student, was a journalist at the Communist newspaper Informe. He was found hanged at Informe’s office in November 1979. Mentaberry was investigating the detention-disappearances of two unionists at that time. According to Informe’s report that appears on Mentaberry’s Pancarta, his naked body was found with his hands tied behind his back. (Figure C.16 p.259)

Former CNBA student Claudio Tismenitsky’s Pancarta states he died during the ERP’s attack on the army base in Monte Chingolo in December 1975. (Figure C4.17 p.260)
Figure C4.16 Mentaberry’s Pancarta
Figure C4.17 Tismenitsky’s Pancarta
There is an immediate contrast between the definite information on the above examples, and those on which information is tentative and which are thus defined by the ongoing impact of detention-disappearance and control of information on their fates.

**The work of artists**

In the mid 1990s, artists engaged with the social and personal impacts of the Proceso, often in collaboration with HROs. Brodsky’s *Los Compañeros*, to which I return later in the chapter, was followed by other artworks using the photographs of detained-disappeared victims. One prominent work was the 1998 collaboration between Abuelas and artists, including Juan Carlos Romero and León Ferrari. *Identidad* focused on appropriated children (*Tras la*, 1998).

*Identidad* was first exhibited in November 1998 at the *Recoleta Cultural Centre* in Buenos Aires. The project was designed to instil questions in the viewer’s mind with respect to their own identity and to emphasise the societal uncertainty caused by the appropriation of children. *Identidad* presented 173 photographs of murdered or detained-disappeared couples and women known to have been pregnant at the time of their kidnapping (*Muestra sobre*, 1998). Mirrors were placed to separate the photographs of couples or individuals, in order that the viewer could ascertain a potential resemblance to the adult victims. In the cases where a child was taken from parents, a photograph of the child was placed next to those of parents.

To October 1998, the cases of fifty-nine children of detained-disappeared victims had some form of resolution. Thirty-three were returned to their parent’s families. Seventeen were adopted legally without the adoptive family knowing the circumstances that led to the child being parentless. Eight children were killed by the regime. One case was awaiting a court decision (Ruiz Guiñazú, 1998; Carbone, 1998a). Children of detained-disappeared individuals whose photographs were included in the
exhibition later recovered their identities, including Alicia Alfonsín and Damian Cabandié’s son. Juan Cabandié was born in the ESMA in 1978 and regained his identity in 2004. Alicia was killed after giving birth. Cabandié was the seventy-seventh recovered grandchild (Hauser, 2004; Ginzberg, 2004b). (Figure C4.18)

Figure C4.18 Identidad 1998 Alfonsín and Cabandié

The exhibition included a photograph of José Bronzel and Susana Pedrini. In August 1999, Susana was identified as a Fátima Massacre victim. She was pregnant at the time of her execution. It was the sixtieth resolved case (Ginzberg, 1999d; EAAF, 1999, pp.18-20; Ginzberg, 2000c). (Figure C4.19, p.263)
From 2000 to 2001, Lucila Quieto of H.I.J.O.S produced Arqueología de la Ausencia (Archaeology of Absence) with members of that organisation (Arqueología de, 2004, p.42). Quieto’s project occurred outside the timeframe of this chapter, but a consideration of the work is important because of its origins.

Arqueología (re)inserted the now adult child into the fundamentally ruptured family narrative through the projection of photographs of the parent and the placing of the child within the frame. Quieto’s project focused on members of H.I.J.O.S including Laura Villaflor, Raimundo Villaflor and Elsa Martínez’s daughter, and Juana Lucila Comas, Alberto Comas’s daughter and Leticia Akselman’s niece. (Figures C4.20 - C4.22 pp.264-265) Juana Lucila was born before her father’s July 1976 detention-disappearance. A photograph of Alberto and Juana appears on Alberto’s Pancarta (Yo me, 1997, Enriquez, 2011; Kolesnico, 2001). (Figure C4.23 p.266)
Figure C4.21 Quieto, 2000-2001 Juana Lucila Comas

Figure C4.22 Quieto 2000-2001 Laura Villaflor
In a 1996 interview, when she was eighteen years old, Lucila Quieto stated she did not have a photograph of her parents together, nor one of herself with her father Carlos Quieto. Her mother was five months pregnant at the time of Carlos’s August
1976 detention-disappearance. Carlos is the brother of Roberto Quieto (FAR/Montoneros). Roberto was detained-disappeared in December 1975 from a Buenos Aires beach (De Onis, 1975a, p.10).

In that interview, Quieto related the absence of photographs was an integral problem to her identity. Her mother and father were not married and her father’s name was not on her birth certificate. In this context, the photograph operates as an assertion of their relationship. Quieto’s relatives had to testify that her mother and father were together so that Lucila could take the Quieto name (Quistgard, 1996).

The Pancarta to Roberto and Carlos, one of two created for Carlos, contains text written by Lucila to her father and uncle. The text to her father reads “We remember with pride and day to day you are with us (your daughter: Lucila)”. To her uncle Lucila writes “Roberto Quieto (my uncle) detained-disappeared in front of his family in December 1975. I respect and admire you (your niece: Lucila)” (my translation). The Pancarta includes photographs of Roberto at a March 1974 press conference following his release from prison after his arrest in February 1974. The photograph originally appeared on the front page of Noticias on 9th March 1974. (Figure C4.24 p.268)
Figure C4.24 Pancarta to Carlos and Roberto Quieto
Carlos’ second *Pancarta* contains the photograph Lucila Quieto used for her *Arqueologia* project; his *Automovil Club Argentino* membership card photograph. (Figure C4.25) Lucila was part of a group of *H.I.J.O.S* members which submitted one hundred habeas corpus petitions at the exact hour of the 1976 coup on 24th March 1996 (Calvo & García, 1996).

Figure C4.25 Carlos Quieto

From its founding, *H.I.J.O.S* has vindicated the 1970s struggles and the political commitments of their parents, and in Lucila Quieto’s case, other relatives. An analysis of the 1970s is also a prominent concern of other groups, not as a vindication but as part of a necessary attempt at understanding (Van Drunen, 2010, pp.178-179).

In his discussion of a later Marcelo Brodsky work: *NEXO* (2001), which I discuss in chapter five, theorist Andreas Huyssen employs the notion of reinforcement to express how artworks complement other forms of memorialisation. Huyssen argues that reinforcement occurs through the diversity of elements that comprise public discourse (Huyssen, 2001, pp.7-11). The notion of reinforcement also applies to the use of photographs by artists and *HROs*. Those works are mutually reinforcing and also provided the template for future engagements. This reinforcement, which is also an elaboration or amplification, is important to understanding the event at *CNBA* and is
particularly significant in an analysis of Brodsky’s *Los Compañeros*. The presence of school photographs and identifying victims textually or by circling the victim is occurs on a number of *Pancartas*, including a *Pancarta* to Fernando Brodsky not digitised by *Memoria Abierta* (Figure C4.26).

Figure C4.26 Brodsky’s pancarta

Figure C4.26 detail
CNBA: a foundation for further engagements

CNBA is the former school of a number of the children of Madres: LF. Former students include two of Renee Epelbaum’s *detained-disappeared* children, Lila and Luis; Santiago and Matilde Melibovsky’s daughter, Graciela; Haydeé García Gastelú’s son, Horacio; Laura Conte’s son, Augusto Conte Mac Donell and Vera Jarach’s daughter, Franca. FMIHSA, the school’s student centre (CENBA), and alumni association were also involved in the event.

The founding members of FMIHSA in 1987 included Emilio and Chela Mignone, Fernando Brodsky’s parents; Renee Epelbaum; Jorge and Vera Jarach; and Gladys Castro de Lepiscopo and Angel Lepiscopo, Pablo Lepiscopo’s parents. Lepiscopo was a former CNBA pupil. Other founders included Poema Cardella, Leticia Akselman’s mother; and Julia Braun, Gabriel Dunayevich’s mother (*Fundacion Memoria*, 1987).

The CNBA exhibition was a significant step in the construction and dissemination of information pertaining to state perpetrated violence. The exhibition and the projects stemming from it, specifically Marcelo Brodsky’s 1997 publication *Buena Memoria*, which included photographic essays on Martin Bercovich and Fernando Brodsky, articulate a specific historical moment in the creation of works in the post Proceso period.

Most existing analyses of the event focus on *Los Compañeros*, in the context of Brodsky’s stated objective of the transmission of memory. This intention is reflected in the commemorations’ title: *Memory Bridge*. Existing works examine Brodsky’s photograph through an analysis of *Buena Memoria* (1997) which includes the comments of CNBA students who attended the event or later saw the exhibition (*BM*, 1997, pp.60-70). In contrast, I locate the work within the overarching framework to examine what was transmitted, how it was achieved and its impact. Brodsky’s video of the CNBA act,
which was shown with subsequent exhibitions of his work, aids an understanding of the role of the component parts. Carr (1999) discusses the video during an interview with Brodsky when the artist held an exhibition at the SABA Gallery in New York (Carr, 1999, p.49).

Of the existing literature, Silvia Tandeciarz’s Mnemonic Hauntings (2006) is the strongest in terms of historical accuracy and is the most extensive examination of the work. As I discussed in the theoretical framework chapter, Tandeciarz does not incorrectly locate the victims on Brodsky’s work within the Proceso context. Nerea Arruti (2007) and Andrew Rajca (2010) do not engage with the events’ extensive framework to which Brodsky’s work refers, or with what is being transmitted. The lack of attention to what was presented is a common problem, one which only Tandeciarz avoids. Another example of the dominant approach is Vicki Goldberg’s review of the 1999 SABA gallery exhibition. Goldberg, like Rajca, states that the two victims in Brodsky’s image: Tismenitsky and Bercovich were killed by the dictatorship (Goldberg, 1999, p.38).

Why these problems occur is a difficult question to answer. Those involved in the CNBA act undertook a complicated analysis of their shared past. The confrontation with the difficulties contrasted with the states refusal to engage. The non-selective engagement focused on unravelling the theory of two demons that was still the dominant state narrative.

In his discussion of Brodsky’s Los Compañeros, Rajca (2010) overlooks the fact that Tisminetsky’s death occurred in 1975. Tisminetsky and Bercovich are referred to throughout as Desaparecidos. Rajca states

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113 I discuss Arruti’s paper in chapter five. With respect to Los Compañeros, Arruti discusses Brodsky’s intended transmission of memory but not what is being transmitted. She does not discuss Tisminetsky’s death or Bercovich’s disappearance in detail or other components parts of the commemoration (Arruti, 2007, p.105).
Brodsky’s interventions about two students who were killed during the *dictatorship*, Claudio and Martin have a particularly strong impact for the spectators. Brodsky also drew a circle with a line going through the heads of these two “*disappeared*” students to emphasise their absence-presence in the image (Rajca, 2010, p.139).

Rajca later engages with Tisminetsky’s death in an *enfrentamiento*. Rajca argues that term leads the viewer to

...infer that Claudio was killed in an encounter with the *military regime*, and the use of the term “*enfrentamiento*” gives the impression that he participated in the activities of the militant left in Argentina during the *dictatorship*. However, the altered image does not explicitly refer to Claudio as a “militant,” nor does it attempt to appropriate Claudio’s death within a larger ideological discourse of "resistance" to the *dictatorship* [...] The representation of Claudio [...] hints at a criticism of the violence used by the *military regime* (Rajca, 2010, pp.141-142).

What was presented at *CNBA* underpinned the future engagements of *HROs* at other education institutions, and importantly, at *El Parque de la Memoria*. The *CNBA* project was a foundational work and although Brodsky’s work can be read as an examination of the impact on a generation as Tandeciarz argues (2006), the work was part of an act that could only have been conducted at *CNBA*. The event effectively mapped the history of violence in Argentina from 1970-1980.

Throughout the thesis, I have discussed the deaths and *detention-disappearances* of a number of people, many of whom were former *CNBA* students. In chapter one, I discussed the deaths and commemorative acts. The deaths were those of victims in the *Trelew Massacre*, that of Ramon Cesaris in 1972 and Eduardo Bekerman in 1974. In chapter two, I discussed the 1970 deaths of Carlos Ramus and Fernando Abal Medina and those in the attack at Monte Chingolo in 1975. I also discussed the *detention-
disappearances of Claudio Slemenson in Tucumán in 1975, and the CNBA adolescents named in CELS 1982 report. In chapter three, I discussed the removal of Pablo Lepiscopo’s removed from the ESMA including.

The initiatives presented at the event CNBA were the epitome photograph of the victims which were held aloft during the roll call of names (Figures C4.27 and C4.28 p.275). The photograph of Graciela Mellibovsky was the last taken of her before her 1976 detention-disappearance. It was the one enlarged by her parents in April 1983 and is in CELS photograph archive. Graciela’s Pancarta presents that photograph with the text Su ultima foto antes de ser secuestrada 1976. (Figures C4.29 and C4.30 pp.275-276)

Figure C4.27 Claudio Tismenitsky (back)
Figure C4.28 Brodsky 1996 Enrique Raab detained-disappeared in April 1977 (front) and Abal Medina (behind)

Figure C4.29 Brodsky1996 Matilde Mellibovsky with Graciela’s photograph
The roll call covered the period beginning in 1970 with the deaths of Abal Medina and Carlos Ramus, two founding members of the Montoneros and ended in
1980 with Horacio Campiglia’s detention-disappearance. Montonero Campiglia, was held at Campo de Mayo after being transferred from Brazil (Conversation with, 1980, Appendix pp.617-618; Pastoriza, 2000). 114 This timeframe locates the events of the Proceso within a contextualising historical framework that establishes a discursive arena for the viewer and the researcher.

The list of victims on which the roll call was based incorporated three interlocking narratives. At the time of the exhibition the list of victims was still being added to. This is still in progress. To date, 108 former students have been identified (Pertot, 2011). The second narrative, which is also still in progress, concerns the life narrative of each victim. The fates of very few individuals, particularly during the Proceso, were known at the time of the exhibition. Horacio García Gastelú and José Bronzel were both later identified as Fatima Massacre victims. The third narrative was the overarching framework in the construction of memory. The exhibition at CNBA operated both as a key moment in the process of memorialisation for those whose eventual fate was unknown and as re-memorialisation of the victims killed to 1976.

CNBA victims included José Ventura, the founder of the JUP. Ventura was killed in January 1977. Former students at the school included the U.E.S founders Slemenson and Bekerman, the founding members of the Montoneros mentioned above, Carlos Olmedo and Angelica Sabelli of the Fuerzas Armadas Revolucionarios (FAR) and Alberto Camps (FAR/Montoneros). Camps survived the Trelew Massacre. He was killed after his 1975 prison release (see chapter seven). CNBA was at the forefront of political engagement both in terms of guerrilla violence and the youth organisations established in 1973. The first U.E.S victim was Eduardo Bekerman. The prestige of the

114 The repressive cooperation between countries in the region; Operation Condor is beyond the scope of this investigation (see Dinges, 2004).
school is vitally important to understanding the political situation in Buenos Aires in the 1970s and privileged students’ commitment to social justice.115

The speech at the 1996 CNBA commemoration focused on those killed before and during the Proceso and on the ways of incorporating all victims into a framework which had to account for the guerrillas responsible for the 1970 murder of former President Aramburu: Carlos Ramus and Fernando Abal Medina. That framework also included those who graduated from the school before their deaths, like Graciela Mellibovsky, and those who were killed whilst students at the school. The youngest victim, Magdelena Gallardo, was fifteen years old. Gallardo was the example used by historian and former CNBA student Enrique Vazquez who read the text at the event. The 1973 democratic opening was used as the referent, both in terms of working toward democracy during Revolución Argentina and in terms of what was not realised from the time of the shift to the Peronist right in July 1973.

Vázquez argued that it was time to start thinking about the past. His text was also future oriented and located the aim of the transmission of memory, Vázquez states,

A bridge must be strong so that we can transit all, laden with some certainties and many questions and contradictions. The older ones neither can nor should be guides, just - and no small thing-we can help build ties that unite generations [...]. The owners of the times are the protagonists. The end of this century does not look good, but it should be all of us, on what makes good and bad. Also the little revolutions of the 70s are the property of no one. Appropriate, kids, from this past and recycle it as they darn well please, as best they can... We will be there to help (Chaves & Lewinger, 1998; pp.252-253).

115 Hector Tobar (2003) discusses violence at CNBA on the 30th anniversary of the graduation of the class of 1973 with relatives of the victims including Pablo Lepiscopo’s mother and Eduardo Bekerman’s classmates. Bekerman’s murder is cited as a turning point in violence against students at the school. Many students did not attend his funeral due to the fear. Others like García Gastelu did attend. Lepiscopo’s mother talks about her son’s concern for the underprivileged in the Federal Capital (Tobar, 2003).
Investigations into the school’s repressive role during the Proceso following the CNBA act turned Brodsky’s expressed intention of transmission from symbolic to an actuation. The 2002 monograph La otra Juvenilia by Werner Pertot and Santiago Garaño was one tangible product. The former CNBA students were present at 1996 act. La Otra Juvenilia investigated the political commitment of CNBA students and repression at the school (Czubaj, 2002; Pertot & Garano, 2002).

Fuller answers about the repression were revealed in 2008 with the discovery of documentation by then CNBA rector Virginia González Gass pertaining to information gathered on students during the period to and including the Proceso. Information was gathered on the political activity of some of those detained-disappeared including Magdalena Gallardo, by CNBA Rector Eduardo Maniglia from 1975 to 1978, and passed to authorities (Pertot, 2008; Calloni, 2008; Mercedes Pina & Masnaghetti, 2010, p.4). The approaches of two CNBA rectors articulated a shift in the project at the school from the repudiation of Eduardo Bekerman’s murder by Rector Aragon in 1974 (see chapter one), to Maniglia’s complicity with repression.

UBA

The more expansive framework is also employed at UBA faculties. The memorial at the Faculty of Economic Sciences lists seventy-five victims. They include Abal Medina, Ramus and Eduardo Capello who were all killed before 1976 and Augusto Conte Mac Donnell, Carlos Cortiñas and Graciela Mellibovsky, the detained-disappeared children of members of Madres: LF. The memorial was installed in 1998 (Pérez, 2011; A 25, 2001, p.3) (Figures C4.31 and C4.32 pp.280-281).

At the Faculty of Philosophy (FFyL), the 1971 murder of Juan Maestre and his wife Mirta Misetich’s disappearance is the starting point. At the Faculty of Architecture,
Design and Urbanism (FADU) the victims include Ramón Cesaris who died in 1972. One hundred and ten victims are included to 1980 (Acto por, 2006).

The project at the Faculty of Exact Sciences (FCEN) to its detained-disappeared and murdered students and teachers includes Angélica Sabelli and Horacio García Gastelú.\textsuperscript{116}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{Faculty_of_Economic_Sciences_2011.png}
\caption{Faculty of Economic Sciences 2011}
\end{figure}

\textsuperscript{116} For FCEN victims see: http://www.exactas.uba.ar/institucional/display.php?estructura=1&desarrollo=0&id_caja=121&nivel_caja=2
El Parque de la Memoria and Muro de la memoria: the limitations of photographic use

As with my discussion of Quieto’s Arqueología, it is necessary to break with the framework of this chapter (1989-1999) in order to contextualise the act at CNBA through an analysis of the limitations of more extensive photographic commemorations and to outline the implications of the framework employed at CNBA on the monument to victims of state terrorism at El Parque de la Memoria. I discuss two key stages in the construction of the monument: the 2001 opening of part of the park when photographs of victims were used and then the impact of the completion of the monument in 2007.

The monument in El Parque was influenced by the 1996 act at CNBA. In a 1999 interview when construction of the park began, Marcelo Brodsky stated the monument was the idea of former CNBA students (Monumento por, 1999). Members of Buena Memoria, Asociación Civil (BMAC), which formed in 1998, were among those involved in the CNBA commemoration. Former CNBA student Graciela Alegre is BMAC’s

117 http://centenariofce.com.ar/comision-de-la-memoria/
President. Alegre was the head of human rights for the *Legislature of the Autonomous City of Buenos Aires*, and the co-ordinator of the monument project from 1998 to 2000. Brodsky is a BMAC representative on *El Parque’s* Management Council\(^\text{118}\) (Ginzberg, 2000b).

In the introduction to this thesis I outlined problems in the uses of photographs with respect to *AM*. That organisation felt it was an inadequate way of identifying with all the *detained-disappeared* due to not all victims having photographs. This limitation is inextricably tied to the problem of accurately establishing the number of victims’ and operates as an articulation of the gaps in information as evidenced by Mignone’s and Lapaco’s 1995 court cases, and conversely, as a means by which adversaries of *HROs* criticised the use of the 30,000 number.

*Madres: LF* is strongly tied to uses of photographs because all members have photographs of their children. This was reflected in design of the *CNBA* act and in the construction of *Pancartas*. The extent to which photographs of victims can repudiate state terrorism rests on the existence and absence of photographs. This influences the effectiveness of small and large scale commemorations.

The limitations of photographic uses are apparent on the memorial to victims at *Atletico CCD*, which I mentioned in the introduction, and in other national contexts. One of which is the Chilean photographic memorial to the *detained-disappeared* (not assassinated victims)\(^\text{119}\) in that country during Augusto Pinochet’s dictatorship (1973-1990). In July 2001, the *Muro de la memoria* (*Wall of memory*) was placed on Bulnes Bridge in Santiago (Figure C4.33 p.283).

\(^{118}\) [http://www.buenosaires.gob.ar/areas/derechoshumanos/parquedelamemoria/autoridades/index.html](http://www.buenosaires.gob.ar/areas/derechoshumanos/parquedelamemoria/autoridades/index.html)

\(^{119}\) In 1993, a monument was erected to detained-disappeared and assassinated victims in the General cemetery in Santiago. In 1990, *AFDD* asked Alwyn to construct a monument (Lira & Loveman 1999, p.355).
156 of the 1,192 of identified victims do not have a photograph on the memorial (Richard, 2009, p.182). Photographs of the *detained-disappeared* in Chile had a prominent role from 1977. They were consistently used in demonstrations by the *Agrupación de Familiares de detenidos-desaparecidos (AFDD)* during Pinochet’s dictatorship and on the return to democracy, as *AFDD*’s 1997 publication reflects (*20 años de historia*). The *AFDD* had tentative origins in 1974. From 1976 the organisation was more concerted in its opposition to Pinochet and in its demand for information (Wright, 2007, p.73; *AFDD*, 1997, p.26 & p.60). *AFDD* first used small photographs of victims and then from around 1982 enlarged photographs with the question *¿Dónde Están?* (Figures C4.34 and C4.35 p.284)
In 2001, artist Claudio Pérez, one of the two artists responsible for the *Muro de la memoria*, discussed the work. He and Rodrigo Gómez painstakingly sourced the photographs from the *Vicaria de la Solidaridad*, a religious organisation which was the most vocal opponent of Pinochet’s regime in the early years of the dictatorship and compiled lists of victims; the *Rettig Commission*, the official investigation into the repression established in 1990 by then President Alwyn (Ensalaco, 1994), and from *AFDD*. Pérez discussed the reason why spaces were left for those without photographs on the memorial. He argued this permitted the opportunity to place photographs should they be given to the artists (González, 2001).
No gaps were left on the photographic memorial used at *El Parque* in 2001. The problem of photographic use in large scale commemorations were indicated by Mabel Gutiérrez of *Familiares de desaparecidos y detenidos por razones políticas*. At the opening of part of the park (*plaza de acceso*) in August 2001, when available photographs of the *detained-disappeared* were used (Figures C4.36 and C4.37 pp.285-286), Gutiérrez referred to the thousands of photographs, and thus victims not present

We meet today, with the presence of thousands of faces that are watching us and the thousands of missing and murdered whose photographs are not here to inaugurate this square which ends the first stage construction of the Memorial Park. (*Inauguración de*, 2001).

*Página/12* and *Clarín* both state 1600 photographs of victims were used (*El parque*, 2001; Colomb, 2001). *La Nación* put the number at 1500 (*Inauguraron la*, 2001). The design for the monument, which included names of victims and date of assassination or *detention-disappearance* but not whether the victim was assassinated or *detained-disappeared*, was already confirmed and a provisional list of victims had been established (Alegre & Ayerdi, 2010, p.62 & p.64).

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Figure C4.36 Foto DyN (*Inauguraron la*, 2001)
The banner used in 2001 similar to that used by Madres: LF and Abuelas on anniversaries of the start of the Proceso and their annual (from 1981) 24 hour long March of Resistance in Plaza de Mayo (Figure C4.38).

The 100 metre banner seems to have originated from 2001. In his report on the 2001 March of Resistance, Luis Bruschtein mentions that the CTA had recently helped

\[121\text{ http://www.memoriaabierta.org.ar/bases/consulta%20publica/sitiosdememoria.htm}\]
construct the banner (Bruschtein, 2001). The banner was used in subsequent years (Forster, 2008).

The National Monument to Victims of State Terrorism

In his analysis of the National Monument to Victims of State Terrorism, Vezzetti (2009) outlines some of the central issues in the discussions between legislators of the Autonomous City of Buenos Aires and the ten represented HROs, but not Asociación Madres and AEDD. Both organisations opposed the memorial because of the involvement of politicians belonging to political parties involved in sanctioned impunity (Peronists and UCR), despite clear differences in the approaches of the Federal and local Buenos Aires governments. This in part accounts for Brodsky’s above comments in which he stated the initiative was that of former CNBA students. One important issue considered by the Comisión Pro-Monumento a las Victimas del Terrorismo de Estado was whether to include only the detained-disappeared, or to include those killed in armed confrontations; whether to focus solely on the Proceso victims, or to incorporate a more expansive list (Vezzetti, 2009, pp.210-215). Vezzetti mentions the 1996 CNBA act as an early case that examined the meaning of state terrorism, without underscoring its importance to El Parque (Vezzetti, 2009, p.112).

1969 was decided upon as the starting point for a more expansive list of victims. The monument presents the victims in alphabetical order by year (Sion, 2008, p.27). Seven victims are listed for 1969 including those killed in the azos. The decision was taken in order to avoid beginning with Fernando Abal Medina’s death in 1970. Abal

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122 The banner was later used during an important stage in the recovery of the ESMA from the navy in 2004 (Ginzberg, 2004c). I discuss this in the following chapter.


124 In a 1999 letter to Comision Pro-Monumento, AM stated that they would exhaust all means to erase their children’s names from the monument because they were included without authorisation by the same actors that had pardoned murders (Carta a, 1999). AEDD’s response was also informed by impunity (Druliolle, 2011, p.30; No al, 1999).
Medina was responsible for former President Aramburu’s murder. The four listed victims killed or disappeared in 1970 are Abal Medina, Néstor Martins, Carlos Ramus and Nildo Zenteno (Figures C4.33 and C4.34).

Vezzetti argues that the inclusion of Ramus and Abal Medina and those killed in Monte Chingolo introduced conflict into the intention of the monument. All those

mentioned by Vezzetti are those who attended CNBA (Vezzetti, 2009, pp.210-215; 

Ceferino Reato (2013) refers to 30,000 victims as a falsehood and criticises the 
definition of victimhood. The 1500 to 1600 photographs used at El Parque in 2001 was 
a fraction of the number of names later included on the monument and was dwarfed by 
the 30,000 number. Smaller collective commemorations like that at CNBA are much 
more suited to photographic use and are based on the known existence of those 
photographs in the family realm and those from left–wing publications prior to the 
Proceso.

The expansive list of victims included on the monument in 2007 had identifiable 
consequences, which the act at CNBA did not encounter. Adversarial organisations 
opposed to Kirchnerist approach to justice which reflected the framework of inclusion 
on the monument, denounced the inclusion of certain individuals. One complaint 
focused on the inclusion of members of the ERP involved in the 1974 kidnapping and 
eventual 1975 death of soldier Argentino del Valle Larrabure (Denuncian que, 2008; 
Denuncian un, 2008). The inclusion of those involved in the ERP attack in Monte 
Chingolo in 1975 was a second focus. In 2010, the lawyer for the Centre for Legal 
Studies on Terrorism and its Victims (CELTyV), called for the names of the 52 
guerrillas, which included Claudio Tisminitsky, to be removed (Villarruel, 2010; De 
Vedia, 2011).

Conclusion

The 1990s photographic memory projects and particularly the collaborative event 
at CNBA had a fundamental role in confronting a difficult past, and provided a 
foundation for the more permanent commemoration. The narrative constructed by
HROs was an attempt at providing a measured refutation of the theory of two demons that informed Menem’s stated aim of reconciliation.

The Pancartas represented one significant part of the engagement with state perpetrated violence, not just to the Proceso victims. Those to the Proceso victims articulated the status of truth with respect to victims. The Pancartas provide an invaluable insight into the period when many families were without concrete information on the fate of relatives as the cases submitted by Mignone and Lapacó attest. The value of the Pancartas in part lies in their contrast with larger photographic commemorations and effective de-contextualisation on the monument at El Parque de la Memoria which does not include the manner of death of victims.127

There is a lack of engagement by authors with the meaning of the CNBA commemoration, which is not a reflection of HROs engagement with difficult aspects of the past. Those difficulties were a fundamental part of the construction of social memory, despite emerging discord within the Human Rights community at the end of the 1990s. I discuss the lasting impact in chapters six and seven, when I analyse how state crimes and those committed by guerrillas were approached. From 2003, some HROs strongly emphasised the political commitment of victims in their pursuit of a specific type of legal justice.

127 In 2012, 70 Pancartas were shown in Sala PAyS, one of El Parque’s exhibition rooms (Exposición de, 2012).
CHAPTER FIVE: DOCUMENTATION AND THE PATH FROM TRUTH TO JUSTICE

In November 1999 and November 2001, two distinct collections of state produced documents pertaining to the Proceso entered the public realm. The first collection was a substantial archive belonging to the Directorate of Intelligence of the Police of the Province of Buenos Aires (DIPBA).128 The second concerned an ESMA victim. The ESMA document was a record created by the navy soon after Fernando Brodsky’s detention-disappearance in August 1979.129 The Brodsky file, which included his photograph, was the first document to emerge into the public realm concerning the CDC since August 1984, when Víctor Basterra and CELS presented a small number of photographs of ESMA victims, including Brodsky.

As I discussed in the previous chapter, the search for state produced documents pertaining to the detained-disappeared from the 1984 press conference was a prominent concern of HROs. ESMA survivors testified to the production of files for each ESMA victim. Basterra photographed the file created in the ESMA for detainee Ana Maria Marti. In 1995, following Mignone’s legal challenge, the navy insisted it did not possess files.

It is important to state that the emergence of documents in 1999 and 2001 was not the result of cooperation by the armed or security forces with continuing investigations. Before the emergence of the DIPBA archive, unsuccessful attempts were made to locate military documents. The renewed focus related to documents reportedly removed from Argentina. According to reports in December 1983, documents were flown out of Argentina in an unauthorised aircraft. In 1997, appeals were lodged with Spanish authorities and the Swiss bank accounts of former military operatives were also

129 Brodsky’s record was one of a number handed in. The other records were not made public.

The acquisition, interpretation and dissemination of the collections that emerged in 1999 and 2001, marked significant points in the pursuit of truth and justice and built on the cases initiated by Mignone and Lapacó in 1995.

The recovery of documentation was one critical development at a time when incremental advances were made in a number of areas, both in Argentina and overseas. At the time of the emergence of the DIPBA and ESMA files, the prominent concerns, truth and justice were interwoven and not easily demarcated. That period was a transitional stage from the pursuit of truth to the second stage of prosecutions in Argentina. In 2006, the first trials of perpetrators of *Proceso* crimes took place.

In October 1997, Adolfo Scilingo was arrested in Spain during his visit to the country (*Algañara*, 1997; *Argentine arrested*, 1997, p.A4; Gooch, 1997, p.13; Yoldi, 1997; *Spanish Court*, 1997, p.A3). In 1999, Scilingo was indicted by Spanish authorities for the crimes of genocide, terrorism and torture under the terms of Universal Jurisdiction. That provision of Spanish Law was defined in *Ley orgánica 6* of 1985. It asserted Spanish jurisdiction to try crimes committed by Spanish or Foreign nationals outside Spain’s territorial borders. Following Scilingo’s arrest and testimony at the National Court in Madrid in 1997, Spanish judge Baltasar Garzón lodged multiple extradition petitions with the Argentine government with respect to alleged *Proceso* perpetrators. One lodged in 1999 requested the extradition of ninety-eight former members of armed and security forces (*Argentine officer*, 1999, p.20; *Scilingo iría*).

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130 Congress restricted Article 23.4 in 2009 with law 17492 to only include perpetrators in Spain, crimes affecting Spanish nationals and those with relevant link to Spanish interests. The last restriction is open to interpretation (*Márquez Carrasco & Martin Martínez*, 2011: Brody, 2009).

131 Scilingo was sentenced to 640 years imprisonment by the Spanish court in 2005. Twenty-one years for each of the 30 death flight victims. Scilingo’s sentence was raised to 1084 years by the Spanish Supreme Court. Scilingo was further charged with being an accomplice to kidnappings in 255 cases (*Gil Gil*, 2005; *Marraco*, 2005; *La fiscal*, 2005; Yoldi, 2007).
In March 1998, Argentine Congress repealed Punto Final and Due Obedience (Law 24.952/98). The symbolic repeal did not affect the immunity to prosecution of the perpetrators of Proceso crimes in Argentina (Derogan por, 1998). The repeal signified the minimal commitment of Menem’s Peronist administration and the UCR, with respect to the Proceso. The repeal was the result of the January 1998 project of Frepaso deputies to annul the amnesties. 132 Juan Cafiero, Diana Conti, Alfredo Bravo, Adriana Puiggrós, Alfredo Villalba and Jorge Rivas were part of the opposition to Menem’s government with the UCR in the Alliance for Work, Justice and Education. Their proposal was first discussed in the Argentine lower political house on 4th February without resolution. The political nature of the problem was identified by former President Alfonsín, the author of the 1986 and 1987 legislation. Alfonsín argued it was necessary to place fundamental issues, such as human rights, above the disputes of the two dominant parliamentary forces (Vida, 1998; Medeo, 1998; Relea, 1998; Guembe, 2005, p.119).

It is important to underscore the symbolic nature of the repeal and to not simplify the process to prosecution, as is the case with Bell and di Paolantonio’s 2009 paper, The Haunted Nomos. The authors state that “in 1998, the Argentine Congress repealed the Full Stop and Due Obedience laws, thus allowing prosecutions once again” (2009, p.173). The protracted process from Frepaso’s project to the prosecution of perpetrators is indicative of the incremental advances. The opposition of the UCR and the Peronists to the removal of Alfonsín’s amnesties and Menem’s pardons is important

132 Frente por un Pais Solidario

In this chapter, I examine the ways in which artists and activists used the two collections of documents to probe the persistent Federal Government approaches to Proceso crimes. I focus specifically on the ways in which artists Marcelo Brodsky and Helen Zout used the collections to elucidate developments with respect to the right to the truth and to the renewed pursuit of justice. Brodsky’s published photographic essay NEXO (2001) and two complementary works that involved La Plata photographer Zout; Huellas de desapariciones durante la última dictadura militar en Argentina, 1976-1983 conducted between 1999 and 2005, and the 2004 exhibition curated by Zout; Imágenes Robadas, Imágenes Recuperadas, articulate and amplify specific points in the process of challenging official approaches at the Provincial and Federal government levels, and with respect to Argentina’s international legal obligations. Zout’s projects elucidated the inextricably linked developments in the Province of Buenos Aires. Brodsky’s work articulated potential and Zout engaged with the passage from truth to justice.

The chapter has three interrelated focuses. In the first instance, I examine the political conditions in Argentina during the period in which the ESMA and DIPBA documents emerged. In order to underscore the significance of developments at that time, I analyse the mechanisms implemented by Peronist Néstor Kirchner after he assumed the Presidency in May 2003. Kirchner is credited with implementing a profound shift in the Federal Government approach to Proceso. A close examination of Kirchner’s mechanisms, which included the annulling of Punto Final and Due Obedience in August 2003, contextualises the developments during the time of the

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133 Traces of disappearances during the last military dictatorship in Argentina
engagements of the two artists. In September 2003, the ESMA case (case 761), with Suarez Mason (case 450) was reopened. In March 2004 the Camps case, which focused on repression in the Province of Buenos Aires, was reopened (Alconada Mon, 2003; Ginzberg, 2004d). The cases were pending until a 2005 Supreme Court decision (Ventura, 2005). I then discuss the work of HROs at that time, and finally the role of Brodsky’s and Zout’s work in elucidating the interwoven concerns of truth and justice.

With respect to the first concern, I outline the impact of contemporary political developments on the work of HROs. Until Kirchner’s March 2003 election victory, Argentina suffered a period of economic and political turmoil that resulted in high profile cases of state violence, which was markedly different from that of the Proceso. The contemporary political instability and violence informed the work of human rights activists. In 2002, the perceived illegitimacy of successive Federal administrations enabled the emergence of a combined challenge to the amnesties and pardons by the marginal left-wing political alliance Izquierda Unida (United Left)\textsuperscript{134}. That the challenge emerged from outside the traditional political system dominated by the UCR and Peronists is instructive to the debate in this chapter and is a central concern of the discussion presented in chapter six, following the 2006 disappearance of a key witness and survivor of CDCs in the Province of Buenos Aires. This chapter provides the foundation for the discussion in the following chapter with respect to the pursuit of justice.

With respect to the third concern, I set out the reasons why I examine the works of the artists together. I then examine the significance of those works in the context of the incremental advances outlined above, and the official approach to truth and justice to 2003. The most significant reason is that the works of the two artists engage with

\textsuperscript{134} The Alliance of Partido Comunista de Argentina (PCA) and Movimiento Socialista de los Trabajadores (MST) formed in 1997.
distinct points in the interpretation and dissemination of material. The former at the point of emergence of each collection and Zout’s works at the time when HROs in the Province of Buenos Aires attained control of the archive, following a period of protracted developments from 1999 to 2003, which resulted in the formation of the Provincial Commission for Memory of La Plata in July 1999 (Law 12, 483), and the transfer of the archive and the building to the organisation in December 2000 through Provincial Law 12, 642. The archive was opened for public consultation in October 2003 (Carlotta, 2003; Ginzberg, 2003a).\(^{135}\) Most importantly, Zout’s projects were exhibited following the reopening of the Camps case in 2004 (Imágenes) and in August 2005 (Huellas), after the Supreme Court’s decision in June 2005 with respect to Alfonsín’s amnesties (Medio siglo, 2004; Un reclamo, 2005, p.18).\(^ {136}\)

The second reason for the dual consideration is that the developments with respect to the ESMA and to the repression in La Plata are inextricably linked. I discuss a number of the points at which developments converge.

In order to situate that section of the chapter, I analyse Nerea Arruti’s 2007 paper, Tracing the past. Through the examination of Arruti’s paper, I underscore the significance of the use of documentation at the time, and the interplay between the two collections. I use Arruti’s reading of the role of Brodsky’s work to emphasise how the work articulates a key historical moment in Argentina with respect to the Proceso repression. Before I discuss the first concern, I outline the emergences of the two collections.

The existence of the DIPBA archive was announced at a press conference in January 1999 by Simon Lazara of APDH; Leopoldo Schiffrin of the Cámara Federal de

\(^{135}\) Victim’s records can only be accessed by close relatives under data protection legislation (Law 25,326/00). Some documents have been made public including the extensive file on Jacobo Timerman (see Proyecto Timerman http://www.comisionporlamemoria.org/timerman/).

\(^{136}\) Zout exhibited some of the Huellas photographs at the Museum of Fine Art in Houston in 2004, including López’s (Una artista, 2004, p.15).
La Plata, and Leon Arslanian, the Minister of Justice and Security of the Province of Buenos Aires. The archive was kept secret until then so as not to interfere with the Truth Trial proceedings. At the press conference, Lazara stated the archive only contained traces (huellas) of crimes. Arslanian stated that the investigation into the contents was conducted with the awareness that information that may have referred to the detained-disappeared was destroyed and that the APDH and the EAAF, were using the traces to investigate further (Vales, 1999b).  

On 6th November 2001, Página/12 reported an anonymous donation of material pertaining to detained-disappeared victims to CeDiNCi (Centre of Documentation and Investigation of the Culture of Leftists in Argentina). The organisation is an important documentation centre for left-wing political thought in Argentina (Kiernan, 2004). The article stated that the family of one of the victims had agreed to make that document public (Documentos Secretos, 2001). In Página/12 on 7th November, the details of the record of Fernando Brodsky were made public. In that article Marcelo Brodsky, who was informed of the existence of the document three weeks before the public announcement, stated he felt the paradoxical joy of continuing to tell stories of the concentration camps and to show the photographs, that doing so was a form of speaking the truth, and was a way of ensuring Fernando’s death was not in vain. At that time, CELS handed the document to the Federal Court (Ginzberg, 2001b).  

NEXO

As the title NEXO (Nexus) indicates, Brodsky’s photographic essay establishes connections between the three aspects of the work conducted by HROs: memory, truth and justice, in terms that emphasise the personal, national and international contexts of those concerns, and in terms of the historical and contemporary political debates in

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137 See EAAF’s Dario Olmo on the value of the DIPBA archive (Olmo, 2002, 179-192).
Argentina from the *Proceso*. Part of Brodsky’s project established connections between the *detention-disappearances* and murders in Argentine *CDCs*, and the annihilation of European Jews in the death camps operated by the German *National Socialists* during World War Two. Brodsky maps out the connection in the work *Los Campos I* and *Los Campos II* (*The Camps I and II*). The published work presents photographs of two public memorials. Each presents a partial list of camps. *Los Campos I* is a photograph of the memorial that was created in 1967 and placed in Berlin’s Wittenbergplatz by the *German League of Human Rights*. The second is a photograph of a Brodsky installation that is aesthetically informed by the 1967 work. *Los Campos I* lists twelve Nazi concentration camps. *Los Campos II* lists twelve former Argentine *CDCs* (Figures C5.1 and C5.2 p.299). Some of the *CDCs* listed Brodsky’s work; *ESMA*, *La Perla* and *El Campito* (in *Campo de Mayo*), are the most notorious to have operated in Argentina, in terms of the number of victims. A number of the centres listed by Brodsky, including *Atlético*, were demolished during the *Proceso*. The *ESMA* stands despite the plan announced by Menem in January 1998 to demolish the complex. The decree ordering the demolition was signed one day after *Frepaso* lodged its project to annul *Punto Final* and *Due Obedience* (Decree 8/98). The decision to demolish the centre was resisted by, among others, *Madres: LF* and the Legislature of the Autonomous City of Buenos Aires. In late January, a judge ruled Menem’s decree unconstitutional after the same *Frepaso* deputies brought the matter to court (Verbitsky, 1998; *ESMA: la*, 1998; Ginzberg, 2000d). *Los Campos II* was temporarily installed opposite the *ESMA* on Avenida Libertador when the navy still occupied part of the complex following the partial relocation of navy units. The relocation was outlined in Menem’s 1998 decree (*Un traslado*, 1998). Brodsky’s work was relocated to an outdoor patio of the *Recoleta*.

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138 The Navy retained partial control of the site until 2007 when the remaining installations including the Naval War College moved to Puerto Belgrano. The *ESMA* complex was then opened to the public (*Cedieron la*, 2007; *Traslado de*, 2007; Hidalgo, 2012, pp.191-200).
Cultural Centre for NEXO’s exhibition in November and December 2001. (Figure C5.3, p.300) 139

To 2011 the work was still at the cultural centre

139 To 2011 the work was still at the cultural centre
The list of centres on Brodsky’s memorial begins with the ESMA and concludes with El Silencio. As I discussed in chapters two and three, El Silencio was the destination of those held at the ESMA at the time of the IACHR’s 1979 visit to Argentina. Those moved from the ESMA included Fernando Brodsky and others kidnapped in August 1979. After the IACHR left Argentina, the “fifteen or sixteen detainees” were returned to the ESMA (Víctor Basterra, El Libro, 1985, pp.183-185).

Brodsky modifies the original focus of the Wittenbergplatz memorial that reads “Places of terror we must never forget” to read “Places of Memory that we must never forget.” Through the creation of the memorial, Brodsky articulates the particular requirements at that stage in Argentina, twenty-five years after the start of the Proceso, with respect to the emergent debates over sites formerly used as CDCs. A number of the conflicting proposals for uses of the ESMA submitted by HROs are included in Brodsky’s 2005 publication Memoria en Construcción.

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140 See Young 1993, pp.53-54 for a discussion of the Berlin memorial. Sion refers to the memorial as an early example of German Holocaust memorials (2008, pp.96-97). See also Nolan (2001).
A consideration of the totality of NEXO is beyond the scope of this discussion.\textsuperscript{141} However, the above consideration of Los Campos I and II underscores some of the interconnected concerns; the personal, the national and international which are present throughout the work. I focus my examination upon the legal arena and on Brodsky’s contextualisation of the significance of the documentation from DIPBA and the ESMA, at the time when the archives entered the public realm. Those collections are located within the context of those created in the 1980s with respect to the legal cases and investigations.

The sections of NEXO on which I focus are: Entremanos (Hand to Hand) (pp.49-51); Fernando’s ESMA file that details his involvement with a number of political organisations, his education and employment history, his religion and his familial relationships (pp.54-55); Los Archivos or The Archives (pp.59-65) including Los Campos III, and his brother’s file created for Causa 13/84, and awaiting use in the 1987 ESMA trial (Expediente de Nando); and finally, the photographs of Fernando taken in the ESMA; Fernando in the ESMA I and II.

Entremanos are photographs of DIPBA’s files that were circulated during a meeting of members of HROs, including Estela Carlotto of Abuelas, and artists, to finalise the works to be included in Parque de la Memoria. That meeting followed the first permitted brief access to the DIPBA archive in November 1999. Carlotto and Adelina Alaye of Las Madres: La Plata briefly examined the archive. The file on Alaye’s son: Carlos Alaye, who was detained-disappeared in 1977, referred to a protest at his school in 1973 (Obras y, 1999; Vales, 1999a; Brodsky, 2001, p.44). (Figures C5.4, C5.5 and C5.6 pp.302-303)

\textsuperscript{141} See Fortuny 2011a, pp.31-43 for other aspects NEXO.
Figure C5.4 Brodsky *Expediente de Nando* NEXO, 2001, p.61

Figure C5.5 Brodsky, 2001 *Entremanos*
In the section of _NEXO_ dedicated to the documentation produced in the _ESMA_, Brodsky places two Fernando photographs, the first removed by Basterra and the latter handed in during 2001, on consecutive pages (pp.56-57). The most recently acquired photograph of Fernando, _Fernando en la ESMA II_, predates _Fernando en la ESMA I_. Both photographs are dated 1979 by Marcelo Brodsky. _Fernando en la ESMA II_ shows Fernando in good health, impeccably attired, and with noticeably shorter hair than in Basterra’s photograph. _Fernando en la ESMA I_ clearly evidences Fernando’s physical deterioration. The most recently acquired document, a late inclusion in the project given the date of its discovery (October 2001), the date of the exhibition and _NEXO_’s publication, informs other aspects of the work that results in a fundamental shift in meaning, not just of memory, but of future potential. Fernando’s photographs are separated by months (they were taken in 1979), and by seventeen years (their dates of emergence 1984 and 2001). (Figures C5.7 and C5.8, pp.304-305)
Figure C5.7 Brodsky, 2001 *Fernando en la ESMA II* 1979/2001
Huellas de desapariciones and Imágenes Robadas

Zout’s Huellas de desapariciones...focuses on the developments in the Province of Buenos Aires. As I discussed in the previous chapter, in 1998 the APDH successfully petitioned for the re-opening of investigations into Proceso repression. The pursuit of truth in La Plata that resulted in the Truth Trials from September 1998 focused prominently, though not exclusively, on the role of the Police of the Province of Buenos Aires (La Bonaerense) during the Proceso, with respect to 2000 detained-disappeared victims from the province. Some victims were taken to the ESMA, including
approximately half of the August 1979 *detained-disappeared*: Basterra; Enrique Ardeti; José Hazan and Josefina Villaflor; Raimundo Villaflor and Elsa Martínez (Maculan, 2012, pp.112; *APDH*, 1998; *Resolución 18/98; Comenzó el*, 1998; Ginzberg, 1999b).

Testifiers at the *Truth Trial* included suspected *Proceso* perpetrators, though the court did not have prosecution powers, *CDC* survivors, and family members of the victims. Some of those testifying did so for the first time. Enrique Ardeti’s wife was among those in the third category who testified for the first time. Consuelo Eufemia Orellano was denied the opportunity to testify about Ardeti’s *detention-disappearance* in court until October 2000. Ardeti’s widow testified about the circumstances of her husband’s disappearance, his brief reappearance in circumstances similar to other *ESMA* captives at that time, and with regards to the significance of Basterra’s photographs. Orellano had first seen the photographs in 1984, when they were published by *La Voz*. The photographs of her husband were taken before his visit to his family, at which time he had lost a significant amount of weight. Orellano also spoke about the last communication the family had with Ardeti. She estimated it was in April 1980. Orellano then outlined the impact of the law of *Due Obedience*. She was called to testify in the *ESMA* trial on 4th May 1987. Ardeti was not among the victims in that case. After the implementation of *Due Obedience* in June 1987, the case was closed (Orellano, 2000).

*Huellas* is a series of thirty-one photographs. A substantial number are portraits of *CDC* survivors and witnesses to *detention-disappearances* who testified at the trial. Some of those photographed by Zout; including Jorge Julio López and Nilda Eloy, testified for the first time in 1999. Other photographed individuals, most notably Basterra, testified at the 1985 trial. Basterra testified at the *Truth Trial* in August 2002 (Basterra, 2002; Ginzberg, 2002a). (Figures C5.9-C5.11 pp.307-309)
Figure C5.9 Zout, 2000 Julio López
Figure C5.10 Zout, Nilda Eloy
Zout’s 2000 photograph of López, and that of Eloy, reflected the importance of their testimonies at the Truth Trials. As Eloy and López had not previously testified, the crimes they each described were not covered by Alfonsín’s legislation. The potential prosecution of Miguel Etchecolatz, the former director of investigations of La Bonaerense, was discussed in 1999 and in 2000. Etchecolatz was imprisoned in 1986 before being released by the Law of Due Obedience (Ginzberg, 1999a; Podrian procesar, 2000; Etchecolatz muy, 2000, p.30; CELS, 1989, p.21). López testified in July 1999 after being asked by Alfonso Dell’ Orto’s family. López witnessed the 1976 murders of Alfonso’s daughter Patricia Dell’ Orto and her husband Ambrosio de Marco in the Pozo de Arana CDC. López promised Patricia he would pass a message to her daughter. Mariana de Marco was twenty-five days old at the time of her parents’ detention-disappearances (Primer testimonio, 1999). Zout’s photograph of López became much more significant following his disappearance in September 2006. I discuss photographs of López in chapter six.
Imágenes robadas, Imágenes recuperadas (Images stolen, Images recovered) was an exhibition of forty photographs that Zout curated at the Comisión Provincial por la Memoria in September 2004. Imágenes robadas contained photographs discovered in the DIPBA archive (Un crudo, 2004, p.17). The exhibition included surveillance photographs of the leaders of Juventud Peronista, surveillance photographs of Las Madres in La Plata during the Proceso, and photographs of banners removed from the organisation in 1982 (Ginzberg, 2006a) (Figures C5.12 to C5.14 below to pp.312).142

Figure C5.12 Zout, 2004 JP leaders circled and named

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142 see Fortuny, 2011b for a discussion of the photographs
C5.13 Zout, 2004 surveillance photograph of Las Madres

Figure C5.13 Zout 2004 “Without identification”
The *Truth Trial* proceedings were informed by the *DIPBA* archive. In some cases the archive and survivor testimony operated together. One example was the case of Raúl Bonafini, one of Hebe Bonafini’s two *detained-disappeared* sons. Bonafini was kidnapped in December 1977 and was seen by survivors in La Plata *CDCs*. Alcira Rios, Cristina Gioglio and Maria Bretal all testified at the *Truth Trial* to seeing Bonafini in detention until September 1978 (Bretal, 1999).

A report in *DIPBA* dated 8th September 1978, states police were attacked by three assailants, one of whom was later found dead through having ingested toxic substances. A report dated 19th September 1978 identified Bonafini as the victim. The report mentions his place of burial. His cause of death is stated as cyanide intake.

The *Montoneros* issued cyanide capsules to its members as a way of avoiding giving information to the military when tortured. The practice began in early 1976 following Roberto Quieto’s 1975 *detention-disappearance*. The *Montoneros* hierarchy
accused Quieto of giving information under torture. The Montoneros sentenced Quieto to death for not adhering to clandestinity, for desertion and for only passively resisting kidnapping (Roberto Quieto, 2011; Guerrilla leader, 1975, p.4; Juicio Revolucionario, 1976, pp.13-14).

Hebe Bonafini refused to allow the exhumation of the possible remains of her son. The cause of death was unverifiable. If it was through cyanide intake, it is unlikely it would have been through choice, given he was held in CDCs for nine months before his death (Saralegui, 2001).

**Political administrations 1999 to 2006**

Following his inauguration on 25th May 2003, President Kirchner enacted a shift in the official approach to the Proceso.143 The shift was in part the product of political problems at the Provincial and Federal levels. From 1999 to 2002, violent acts committed by La Bonaerense and the Federal Police deepened a crisis of political legitimacy, with the consequence that two Federal administrations had their terms of office curtailed.

The first was Fernando de la Rúa’s Alliance for Work administration in December 2001. De la Rúa resigned at the midpoint of his term of office. His resignation came at a time of economic turmoil that had been building during Menem’s second term (see chapter seven). At the height of the civil unrest in response to the economic problems, security forces killed thirty-nine protestors. Five people were killed in and around Plaza de Mayo on 20th December (Cinco muertos, 2001; Granovsky, 2001).144 On 19th December de la Rúa had decreed a state of siege (Decree 1678/01; CELS, 2002).

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143 At the 2003 Presidential election, Peronism presented three candidates (El congreso, 2003; Peronismo argentino, 2003).
144 The victims were Gustavo Benedetto, Diego Lamagna, Gastón Riva, Alberto Márquez and Carlos Almirón (Sanda, 2006; Meyer, 2002).
The civilian unrest that culminated in December 2001 followed a period of increasing unemployment and employment insecurity. In December 2000, the Argentine statistics agency, INDEC, put the number of unemployed at two million people or 14.7% of the population. The number of unemployed and underemployed was put at four million. According to INDEC’s July 2001 figures, the number of unemployed was 2.3 million people, with 4.4 million people either unemployed or underemployed (La Alianza, 2000; Olivera, 2001).

The October 2001 legislative election result reflected the increasing economic problems. Over forty percent of voters registered the voto bronca, the anger or protest vote (Estenssoro, 2001; Unceta, 2001).\(^{145}\) That vote displayed dissatisfaction with the UCR as part of the Alianza, and the Peronists. Significantly, the voto bronca provided an opportunity for the orthodox or non Peronist left to re-enter and influence the political debate, with the result that HROs had a voice dedicated to prompting discussion in Parliament.

The victories of Patricia Walsh and Luis Zamora\(^{146}\) in 2001 was the first time orthodox left-wing politicians won seats at a Federal election since Zamora’s 1989 victory (Rodríguez Yebra, 2001; Rodríguez, 2001; La izquierda, 2001).\(^{147}\) While the victories of Walsh and Zamora can by no means be understood as a profound swing to the orthodox left, Walsh of Izquierda Unida (IU), in particular, had a significant impact with respect to Alfonsín’s amnesties and Menem’s pardons. Through Walsh’s work, the issue developed into a political problem that the two dominant parties were unwilling to confront. After the October 2001 election, Walsh stated,

\(^{145}\) In the Argentine electoral system, the 257 national deputies are appointed for four years. Every two years, half the national deputies are renewed. In 1999, 130 deputies were elected until 2003 (Jones, 2001, p.153).
\(^{146}\) Zamora was elected as deputy for the Autodeterminacion y Libertad party.
\(^{147}\) see Complejo escenario (2001) for the number each party had from December 2001
In Congress, my first project is going to be asking for the absolute nullity of the laws of impunity and pardon. Because I am a human rights activist, this is my most important commitment (Piqué, 2001, my translation).

The negative political impact of the protest vote is the focus of some analyses. Epstein and Pion-Berlin argue,

By those afraid of violating the legal requirement to vote, a spoiled vote is a considerably more negative act, suggesting a high degree of political alienation from the democratic system itself (Epstein & Pion-Berlin, 2006, pp.10-11).

The importance of the victories of those elected in October is discussed by Daniel Pereyra, a member of the left in the 1970s. Pereyra focuses on the increased votes gained by the left that underscores that minor political organisations benefitted from the distrust of the UCR and the Peronists. According to Pereyra, at the 1999 Legislative election IU attained 157,976 votes. In 2001, IU gained over half a million (Pereyra, 2003, p.90).

The second presidential term to be cut short was that of former governor of Buenos Aires Province; Peronist Eduardo A. Duhalde (not Eduardo Luis Duhalde). In January 2002, Duhalde was given the mandate of completing de la Rúa’s term. In July 2002, Duhalde brought forward the 2003 election from October to March, following the June 2002 murders of Maximiliano Kosteki and Darío Santillán, two protesters of the Movement of Unemployed Workers (MTD), on the outskirts of the Federal Capital, by La Bonaerense officers. Protestors received prior warning the demonstration would be heavily repressed (Caminos, 2012a; “Avisamos”, 2002; Levitsky & Murillo, 2008, p.20 Sain, 2006, p.52; Bonasso, 2002; Ginzberg, 2002b). By July 2002, the unemployment figure was three million people (Stang, 2002).

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148 The event is referred to as La Masacre de Avellaneda after the train station where the victims were killed. MTD was involved in the piqueteros protests that focused on blocking roads. At the June demonstration, protesters made the Pueryredon Bridge impassable (Bonner, 2009, pp.227-245).
In December 1997, during his tenure as governor of Buenos Aires Province (1991-1999), Duhalde instigated civilian intervention into *La Bonaerense* (*Duhalde disolvió*, 1997).\(^{149}\) The intervention into the force of forty-six thousand officers was the result of cases of police violence. The most prominent was the January 1997 assassination of photojournalist José Cabezas, the year after he photographed Alfredo Yabrán, a reclusive businessman with links to organised crime and to former *ESMA* repressors.\(^{150}\) The photograph was the first taken of Yabrán by a journalist.\(^{151}\) Following an investigation, it was determined Cabezas was murdered by people recruited from La Plata and by police officer Gustavo Prezello. When he was arrested, Prezello was found in possession of Yabrán’s business card (Davidson, 1997). Yabrán committed suicide in 1998 when police attempted to arrest him (Eaton, 2008, p.15; Pérez Andrade, 1998).

The period of reform and counter-reform that followed during the governorship of the Province by Carlos Ruckauf, a hard-line *Peronist* who was a prominent member of the last government before the *Proceso*,\(^{152}\) is of key importance to understanding the developments in the province and the control of the *DIPBA* archive. As Eaton argues, the force had not been subject to purges following the *Proceso* (Eaton, 2008, p.15).

Intervention into the force led to the discovery of the *DIPBA* archive and the public announcement of its existence in November 1999. *HROs* worried about the safety of the archive because Ruckauf appointed Aldo Rico as *Minister for Security*. Rico was the leader of the 1987 army uprising at *Campo de Mayo*, which led to the implementation


\(^{150}\) Former *ESMA* operative Adolfo Donda worked for Yabran’s security company at Ezeiza airport (Obarrio, 1998; O’Donnell, 1999; Waisbord, 2000, pp.36-37).

\(^{151}\) See Caminos, 2012b

\(^{152}\) In 2002, Ruckauf was investigated in connection with the 1977 *detention-disappearances* of Mercedes Benz workers including Esteban Reimer (see previous chapter). In 1975, then Minister of Employment Ruckauf advocated removing subversion from factories (*Acusaron a*, 2002, p.9). Ruckauf also signed the February 1975 annihilation decree. In 1999, Ruckauf stated he was proud to have done so (Yapur, 1999).
of *Due Obedience* (Piden los, 1999; Rico prometió, 1999; Vales, 1999a; Cué, 1987d, p.1; Pion-Berlin, 1997, p.71).

**What Kirchner did**

In this section, I analyse the political approach to *Proceso* crimes before and after Kirchner’s 2003 election victory. An analysis of the periods from December 2001 to 2002, and then from May 2003, locates Brodsky’s and Zout’s works in political context.

In May 2003, Kirchner implemented a number of mechanisms to address some of those implemented by his predecessors. Some of Kirchner’s mechanisms; the annulling of Alfonsín’s amnesties, the ratification of the *UN Convention on the Non Applicability of Statutory Limitations to War Crimes and Crimes against Humanity*, which meant *Proceso* crimes were not subject to extinction and were legally punishable, were the products of the pressure by *HROs* and politicians of minor left-wing parties and as a direct consequence of the 2001 to 2003 political crisis (Rodríguez Yebra, 2003a; Calloni, 2003).

Up until Kirchner’s inauguration, the government approach to the prosecution of perpetrators had not substantially changed from Menem’s position. The reaction to the challenges by the major parties of the two party political system, each of which was responsible for one aspect of the protection afforded to the armed forces, is instructive to understanding the period, and the significance of Brodsky’s and Zout’s works.

During de la Rúa’s administration, pressure was exerted on Argentina to fulfil its international legal responsibilities with respect to an extradition petition lodged by Spanish judge Baltasar Garzón. In November 2001, Garzón lodged a petition with the Argentine Government under the conditions set out in the 1987 Spain-Argentina extradition treaty (*Tratado de*, 1987; Prieto, 1987b, Slepoy, 2001). One of de la Rúa’s
final acts before his exit was the implementation of Decree 1581, which prohibited cooperation with Spanish authorities. The decree, which was signed on the day of the swearing in ceremony of the deputies elected in October, asserted Argentina’s sovereignty (Decree 1581/01; Ginzberg, 2001a).  

De la Rúa’s decree outlined the political conditions that had necessitated amnesty legislation, and the alternative mechanisms to justice the state had implemented. Those mechanisms included the steps taken to recover appropriated children. Significantly, the decree outlined Argentina’s record of abiding by extraterritorial rulings. One of these was the IACHR ruling with respect to the settlement between Argentina and Carmen Lapacó. The decree did not mention the state’s resistance to Lapacó’s right to know the truth about Alejandra’s fate. In April 2000, de la Rúa’s government had stated that it would not extradite forty-eight individuals named in another Garzón petition (Iragaray, 2000, p.28; Mendez & Tinajero-Esquivel, 2001, pp.5-8).

In August 2000, the true identity of one of the members of the ESMA task forces was uncovered by journalist José Vales (Vales, 2000; Vales, 2003). The arrest of Ricardo Cavallo who was known to ESMA survivors as Miguel Angel Cavallo in Mexico through an international arrest warrant brought into effect Garzón’s extradition request. That request had been denied by Menem’s administration on the grounds the measures implemented by the President and his predecessor had constitutional legitimacy. Cavallo’s arrest on the suspicion of using a false identity, whilst trying to enter Argentina where he had immunity, meant Due Obedience was ineffective beyond Argentina’s territorial borders (Detenido en, 2000, p.8; Mendez, 2001, p.6).

153 Menem’s refusal of Garzón’s extradition request (decrees 111/98) was challenged by Frepaso in 1999 (Meyer, 1999; Texto de la, 1999).
154 Basterra referred to him as “Ricardo or Miguel Angel Cavallo” at the 1985 trial (El Libro, 1985, p.175). Cavallo is identified in CELS 1988 Culpables as Miguel Angel
Cavallo’s case was outside Argentina’s control. The extradition petition was between Spain and Mexico (Mas, 1998; Granovsky, 1999). In September 2000, de la Rúa stated Argentina would not impede Cavallo’s extradition (De la Rúa, 2000). The Mexican Supreme Court agreed to extradite Cavallo to Spain in February 2001. Cavallo was extradited from Mexico in 2003 (Lazaro, 2003; Wilkinson, 2004). 155

After his inauguration, Kirchner removed some of the legal obstacles that had prevented the prosecution of Proceso perpetrators. 156 The shift in approach was indicated when Kirchner responded to Menem’s comments, who later pulled out of the run-off contest with Kirchner when his defeat was probable. Menem accused Kirchner of belonging to the Montoneros when he was a student at the University of La Plata (UNLP) in the early 1970s. In statements denying the allegation, Kirchner underscored the inappropriate nature of the comments by referring to 30,000 detained-disappeared victims. Further, Kirchner referred to Menem’s support of the Montoneros before shifting his allegiance to the Peronist right 157 (Kirchner respondió, 2003; Kirchner aclaro, 2003).

After assuming the Presidency, Kirchner renovated the legal system, specifically the automatic majority in the Supreme Court that outlasted Menem’s Presidency, despite attempts at removing members of the court during Menem’s and Duhalde’s administrations. In 1990, Menem expanded the Court from five to nine members. The appointment of additional judges resulted in decisions favouring Menem (Fair, 2009,

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155 Cavallo was extradited from Spain to Argentina in 2008 (México da, 2008).
156 Menem’s pardons remained untouched.
157 Menem is on record in his support of FAR and Montoneros. In March 1973, El Descamisado interviewed Menem. In answer to the question “Perón has defined the youth as reassurance of the process [of national liberation and reconstruction]. What do you think of them? Menem responded “I fully share what Perón thinks. The revolution of 25th May has it deepest meaning in the defense that the youth, FAR and Montoneros will make. There are still many conservatives in the movement, [...] and this is a fight to the death” (Nuestro reasegura, 1973, p.8, my translation).
In August 1998, the APDH and Frepaso deputies proposed the impeachment of the five members who opposed Lapacó’s right to truth, including the President of the Supreme Court, Julio Nazareno (Meyer, 1998; Desaparecidos, 2003). The court’s renovation followed Nazareno’s June 2003 resignation. Nazareno was a strong Menem ally (Bonnet, 2007, p.56; Amato & Young, 2003). Kirchner’s reform was an attempt at legitimising the legal system amid societal distrust. (Equipo de, 2008, pp.48-58; Walker, 2006, p.749; O’Donnell, 2002; Renunció Julio, 2003; Baig, 2003; Morales Sola, 2004).

In July 2003, Kirchner’s administration overturned decree 1581 that prohibited international cooperation on sovereignty grounds. Kirchner thus increased pressure on politicians to overturn amnesty legislation. The issue would be dealt with either in Argentina or overseas, with Spain the most likely nation to pursue prosecutions. An assertion of sovereignty meant instigating prosecutions in Argentina (Decree 420/2003; Obarrio, 2003; Rodríguez Yebra, 2003b).

In the same parliamentary session as the annulling of Alfonsín’s legislation on 12th August 2003 (Tagliaferro & Yapur, 2003), Congress unanimously voted to overturn the statute of limitations with respect to human rights violations. The government subsequently ratified the U.N. Convention on the Non-Applicability of Statutory limitations (Law 25.778/03). The Argentine Senate approved the invalidity of the amnesty laws and approved the removal of the statute of limitations with respect to war crimes and crimes against humanity (El Senado, 2003). The amnesty decision was upheld by the reformed Supreme Court in June 2005 (Ventura, 2005; Hennigan, 2005, p.35; Hauser, 2005; Guembe, 2005, pp.127).
UCR deputies abstained from the August 2003 amnesty vote. The UCR’s leader Horacio Pernasetti argued that annulling the amnesties without dealing with Menem’s pardons would result in an absurd situation with the perpetrators of crimes imprisoned but the intellectual authors at liberty. While seemingly a logical argument, the UCR did not vote for the project initiated by Patricia Walsh in March 2002 which included Alfonsin’s and Menem’s mechanisms (Rosemberg, 2003; Pernasetti, 2003; Debate por, 2003).

Most analyses focus on Kirchner’s mechanisms (Levitsky & Murillo; Epstein & Pion-Berlin, 2006, p.14; Svampa, 2008). Levitsky and Murillo refer to the political crisis of 2001, but not to the work of HROs, nor to Walsh. They state,

Kirchner pushed successfully for the annulment of laws limiting prosecution for human rights violations during the 1976-1983 dictatorship- namely, the 1986 Final Point Law [sic] establishing a deadline after which new human rights cases could not be launched, the 1987 Due Obedience laws protecting junior officers from prosecution, and the 1990 pardon of top generals responsible for the Dirty War.

(Levitsky & Murillo 2008, pp.17-18)

The second mechanism mentioned above was reintroduced into Parliament by Walsh in March 2005, and again following Guillermo Suarez Mason’s death in June 2005 (0612-D-2005; Vales, 2005; Ginzberg, 2005e). On the second occasion, only twenty deputies attended the session in the Cámara de Diputados thus prohibiting consideration of Walsh’s project that was dependant on an absolute majority of politicians attending the session. In March 2005, Federal Judge Torres ruled that Suarez Mason’s pardon was unconstitutional (Ares, 1990b; Un juez, 2005; Sin quórum, 2005; Reglamento de, Art.15, 1996).
The Socialist Workers’ Movement (MST), viewed the removal of the amnesties as the result of years of mobilization, the work of HROs, and Walsh in parliament (¡Triunfo Popular!, 2003, pp.1-2).\textsuperscript{158}

Walsh was sworn in on 5\textsuperscript{th} December 2001 and disregarded the four oaths permitted by the Chamber of Deputies to state,

With the memory of the 30,000 detained-disappeared, with the conscience of the fourteen million Argentines in poverty, with the conscience of the four million Argentines without work, I swear by the country to put my seat at the service of the worker, popular and picketers struggles [...], with the pride of being of the left (La izquierda, 2001; Las nuevas, 2001, p.5; Reglamento de, Art. 10, 1996, pp.2-3).

What Kirchner did was to placate members of the Peronist movement, but not those loyal to Menem, who abstained from the vote\textsuperscript{159}. In order to annul Alfonsín’s legislation, Kirchner removed Menem’s pardons from the discussion, in what was effectively a compromise. UCR members also abstained. Due to the 2001 crisis, the UCR had only sixty deputies.

In March 2002, forty-five members of the Chamber of Deputies backed the project from the required one hundred and thirty (Proyecto contra, 2002; Fracasó un, 2002; Tagliaferro, 2002; Ginzberg, 2002c). In her Congress address on 19\textsuperscript{th} March, Walsh appealed to the fact that Peronist and UCR politicians were among the victims of state violence. Walsh referred to the violence committed against politicians by the AAA, (Rodolfo Ortega Peña), and then during the Proceso (Mario Amaya UCR), to articulate the meaning of the lack of political support for her project (Walsh, 2002).

\textit{Punto Final} in 1986 was determined along party lines. Following the 1985 legislative election, the UCR had a majority in the lower house with one hundred and

\textsuperscript{158} See the interview with lawyer Myriam Bregman in The Socialist Workers’ Party newspaper in which she calls the Peronists and UCR the parties of impunity (Entrevista: Myriam, 2003).

\textsuperscript{159} Menemist deputies separated from the rest of the Peronist Deputies in November 2002. The twelve remained outside the movement until June 2003 (Schurman, 2002; Yapur, 2003; Los menemistas, 2003).
thirty of the two hundred and fifty-four seats. One hundred and twenty-six deputies voted in favour. Sixteen deputies voted against, including four UCR deputies. Seven UCR deputies were absent from the vote with ninety-three Peronist deputies (Alfonsín gains, 1985, p.8; Morgan, 1986, p.6; Cué, 1986, p.8; Christian, 1987b, p.A3).

Obediencia Debida of 1987 was not reliant on the Peronists in the lower house. The law passed with 115 votes to 59. In the 1987 Senate vote, the Peronists had a majority and favoured a complete amnesty for operatives who had supposedly acted under orders (Malestar en, 1987; La Cámara, 1987, p.5; Christian, 1987a, p.2; Vidal, 1998).

Tracing the Past: A multilayered misreading

Nerea Arruti’s 2007 paper Tracing the past, inadvertently underscores the complexity of some of the advances in the discovery of documentation and Marcelo Brodsky’s use of the material, but not the impact or the significance of the documentation at that time. Arruti’s reading is the result of a conflation of the elements presented in Brodsky’s work. This occurs because of a lack of engagement with the political conditions and origins of the distinct documents. The parts Arruti conflates are the photographs of the DIPBA archive titled Entremanos, Fernando Brodsky’s file and Los Archivos.

Clarín’s November 2001 review of the NEXO exhibition at the Recoleta Cultural Centre from 15th November to 2nd December 2001 clearly differentiated the two collections of documents presented in Brodsky’s work. It states “Entremanos shows the action that happens between the families of the detained-disappeared when the archive of the records of their kin passes through their hands”. The review then quotes Brodsky “It is the same as happened to me when I received the tabs of the report prepared by a task force of the Navy about my brother Fernando, detained and
disappeared in August 1979.” The review then states Fernando’s file was submitted to the courts (Ferreyra, 2001).

Arruti discusses the contrasting photographic representations of Fernando in two Brodsky projects; Buena Memoria (1997) and NEXO (2001), to argue the shift from the use of family photographs in Buena Memoria to the use of state records outlining Fernando’s biographical and “subversive” information in NEXO articulates a broader shift in the representation of the detached-disappeared, which turns to the search for a heroic narrative. Fernando’s file was included in the NEXO exhibition, one week after the public announcement of its existence (Fotos que, 2001).

Arruti argues that Fernando’s file was discovered in the DIPBA archive and then confuses the photographs of the DIPBA archive taken by HROs in November 1999 (Entremanos I and Entremanos II); with the photographs of files Brodsky took in 2001.

Arruti argues that after photographs of the DIPBA file were circulated Brodsky decided to photograph the files himself. Arruti states,

In the same mode of political resistance against oblivion, Brodsky created the series ’The Archives’ (2001). In 1999, the existence of archives kept by the Province of Buenos Aires Intelligence Department was made public. Human Rights activists were allowed access and photographs were taken of the archives. Brodsky, having seen this photographic evidence, decided to photograph the files himself. His brother’s file takes centre stage in this series. Brodsky's digital images of decaying official records [...] serve to emphasise the existence of documents but without bodies (Arruti, 2007, p.115).

Brodsky was inspired to photograph files not the DIPBA archive. He was permitted access to those created from 1983 to 1987, beginning with CONADEP’s investigation and the subsequent files created during the attempts at holding perpetrators accountable. I am being careful in this explanation because as well as the files created
for *Causa 13/84*, to which Brodsky refers, he also included photographs of the files (not the content) produced for Suarez Mason’s extradition in 1987 (*Extradición*, p.65).

(Figure C5.15) In *NEXO*, Brodsky outlines the reason for engaging with the files. He states

> After seeing the pictures of the police files passed from hand to hand I wanted to photograph actual files myself. With the help of the Human Rights Organizations’ lawyers, who had spent years going through them in search of evidence, I was able to request and receive permission [...] to photograph the files of the trial of the military rulers (Brodsky, 2001, p.59).

Figure C5.15 Brodsky, 2001 Suarez Mason extradition file, *Los Campos III* files created for crimes committed at the *Banco* and *Olimpo CDC*’s, CONADEP files and files for the 1986 Camps, Etchecolatz, Berges and Cozzani trial
A further error occurs with Arruti’s assertion that the file included in NEXO regarding Fernando’s political involvement was discovered in the DIPBA archive, when the record was anonymously given to CeDInCI. Arruti argues “all the material included on Nando originates from the secret police files where all his ‘subversive’ activities were detailed” (Arruti, 2007, p.118). It will be recalled HROs had only brief access to the archive in 1999. The photographs Brodsky titles Entremanos were a record of that access, at a time of uncertainty over the future of the files with Rico’s appointment (Vales, 1999a).

The inclusion of the document within NEXO was dependent on both the discovery of the file and Brodsky’s decision to make to material public. The question is what is the significance of the newly discovered Brodsky file in the context of files already in the possession of HROs?

Cavallo’s detention in Mexico is particularly important with respect to the August disappeared. Cavallo was involved in the production of ESMA documentation and accompanied the following detained-disappeared on visits to their families: Villaflor, Martinez and Ardeti. In 2003, after Cavallo’s extradition to Spain, Osvaldo Barros argued that Cavallo directly influenced who lived and who died. Causa 761 was used as evidence in Cavallo’s extradition to Spain, in connection with crimes committed against 227 ESMA victims, including Fernando Brodsky (Acta de, 1987; Escrito de, 2000).

Fernando’s file: what is the heroic narrative?

CELS Horacio Verbitsky contextualised the file on Brodsky on 7th November 2001, in a Página/12 article. Verbitsky underscored what the Brodsky document and those not publicly released revealed about the military’s Proceso project which focused on the annihilation of those organisations. A number of those victims were assassinated.

Fernando Brodsky’s file detailed his political involvement from 1973 to the date of his detention-disappearance. In 1973, Fernando belonged to the secondary student organisation *Frente de lucha de los estudiantes secundarios* (FLS), whilst a student at National College 7. In 1974 he belonged to *Peronismo de Base*, working with unions. In 1975 Fernando worked with *Partido Revolucionario de los Trabajadores* (PRT). In 1976, Fernando worked in the propaganda department of PRT before breaking with the organisation. In 1977 and 1978, Fernando was in Brazilian exile before returning to Argentina and to his death (Silberg de Brodsky, 1985, pp.482-486). His final political involvement was in 1979 when he attended GOR meetings.

Those involved with GOR at that time were the remnants of the organisation. GOR members detained at the ESMA were Juan Chiaravalle, Osvaldo Barros and Roberto Ramirez, who first informed the Brodsky’s of Fernando’s place of detention. Brodsky and Chiaravalle were assassinated in the ESMA.

According to Cortina Orero in his analysis of GOR (2011), the organisation ended with the detentions of Barros, Brodsky and Chiaravalle, Most GOR members were in exile (Cortina Orero, 2011, pp.79-82). At its height GOR principally worked in disseminating propaganda, engaging in sabotage and in kidnappings. From the Proceso the organisation focuses on organising clandestine worker resistance in factories. GOR was heavily involved in repudiating the Trelew Massacre and disseminating unofficial versions of events and took part in the smaller of the two demonstrations in Buenos Aires on 22nd August 1973. GOR’s minor status is reflected by the little written about
the organisation except by Cortina Orero and Pereyra. I discuss former GOR member Pereyra’s work below. GOR’s highest profile act was the kidnapping of the head of psychiatric services at Devoto prison in 1973, to highlight prison conditions before the Devotazo. Doctor D’Aquila was later released. His interrogation was published in 1973 as Maxima Peligrosidad (Moyano, 1995, p.58; El psiquiatra, 1973, p.47). Weeks before the Proceso, GOR stated it would only use violence as self-defense (La construcción, 1976; Las tareas, 1976).

Daniel Pereyra lists the eight GOR members killed during the Proceso. The final two victims were Brodsky and Chiaravalle. Ramirez is also listed. Ramirez survived detention. Pereyra attributes his 1987 death to the torture he was subjected to. In 2008, Osvaldo Barros discussed his GOR membership from 1972 (Pereyra, 2006, p.95; Meyer, 2008d).

Even if a search for a “heroic narrative” was Brodsky’s motivation then pinpointing the economic problems is not dealt with convincingly by Arruti. The vindication of the 1970s struggles and emphasising victims’ political involvement was already underway. Van Drunen (2010) argues this underpinned H.I.J.O.S’s approach from its founding (pp.179-180). This was also reflected in the Pancartas. However, Arruti is correct to place emphasis on the political commitment of victims. This had implications in the trials conducted from 2006 in the explanatory framework (Feierstein, 2011) used by lawyers aligned with certain HROs including AEDD.

What is the significance of the photographs of files in Brodsky’s Los Archivos: Causa 44/86 (Camps), Causa 761 (ESMA); Causa 450 (Suarez Mason) and files for Suarez Mason’s extradition? Those cases were not completed as they should have been, as Brodsky himself argues. The files were decaying as Arruti argues. A photograph of the files created for Causa 13/84, published in El Diario del Juicio in 1985, attests to
their deterioration. However, the files did not operate just as a record of past failings and impunity, but of potential (Cabeza Miñarro, 1985a, p.352). (Figure C5.16)

The end of 2001 was a time of importance to those cases. The newly acquired ESMA material, *Fernando en la ESMA II*, fits with this constant search for proof for a specific goal: prosecution. Two processes were in operation at that time, the first in Argentina with Walsh’s declaration in October 2001 to overturn amnesty legislation, and the second outside Argentina with Garzón’s extradition petition.

**Conclusion**

The political period I discuss in this chapter was defined by contemporary political uncertainty, state violence and a number of incremental advances with respect to *Proceso* crimes. Pressure was exerted on the dominant political parties in Argentina from 1998 to 2002. Garzón exerted continuing pressure on Argentina to comply with its international legal obligations. Kirchner dealt with the interlocking aspects of that
pressure in 2003, deftly in some respects, particularly in the removal of Decree 1581, which meant the cases would be opened somewhere. Some organisations on the left felt Kirchner capitalised on the popular mood and that his mechanisms did not go far enough. Carlos Menem’s pardons remained untouched until 2007.

Brodsky’s *NEXO* operated within the context of the incremental advances to the end of 2001. The discovery of and then dissemination of Brodsky’s *ESMA* file articulated that although justice had been partially closed in 1987, and more firmly in 1990, the legal files produced for those trials had not been put to full use. In the following chapter, I analyse the two continuing concerns outlined in this chapter. Miguel Etchecolatz’s trial in 2006 was the first to commence. That trial relied heavily on information provided by Julio López. Zout’s *Huellas* project, which included López’s photograph, underscored the passage from the *Truth Trials* and the potential prosecution of Etchecolatz to the time of the reopening of the case in 2004. The *ESMA* trial did not start until 2009. Emphasis was placed on the political commitment of victims in those trials.
CHAPTER SIX GENOCIDE TO POLITICIDE: JULIO LOPEZ AND JUSTICE

On 18th September 2006, Jorge Julio López disappeared. López had testified as both a witness and a victim in the trial of Miguel Etchecolatz, the former Director of Investigations of La Bonaerense during 1976 and 1977. On 19th September, Etchecolatz was found guilty of the murders of Ambrosio de Marco and Patricia Dell’Orto, the murders of four other victims, and the torture of López and Nilda Eloy. The presiding judge in the case, Carlos Rozanski, ruled the crimes were committed in the context of genocide (Pertot, 2006c; Pertot, 2006d).

In the allegation of Justicia YA!, the organisation representing López, Eloy and the AEDD, lawyer Myriam Bregman argued the state committed political genocide during Proceso. Bregman stated the crimes were the product of an intentional and systematic destruction of a substantial part of a national group that had certain forms of political participation. Bregman further argued that the aim of the violence was to erase the struggles of a generation so that they would not be imitated by following generations (Perpetua, 2006, p.15). In an interview with the newspaper of the Trotskyist political party Partido de los Trabajadores Socialistas (PTS), Bregman outlined the purpose in emphasising genocide. She stated that it worked to contradict President Kirchner’s approach to justice, which focused on a small number of emblematic repressors (Un paso, 2006, p15).

In the six years since López’s disappearance there has been no concrete information on his fate or on those responsible. The most recent search for López’s remains was conducted in February 2011, following information provided by an anonymous witness who stated he was buried in a La Plata park (Lucesole, 2011).^160^

^160^ A number of leads were investigated to 2011, including phone calls made from the prison where Etchecolatz was held before his conviction, investigations into Etchecolatz’s known associates which revealed López was followed before his disappearance, and the appearance of López’s house key in his...
The emphasis on genocide underpins the work of certain HROs in their commitment to justice and in explaining how and why López disappeared. Organisations have focused on ensuring his disappearance remains on the political agenda through the argument that the impunity of the perpetrators of his disappearance, and that of those who perpetrated genocide, is inextricably linked. In March 2007, in the lead up to the National Week of Struggle to mark the first six months of López’s disappearance and the thirty-first anniversary of the 1976 coup, Bregman stated that López disappeared because ninety-five percent of the perpetrators of genocide were unpunished (Bregman, 2007b, p.2).

The speeches given at the opening of Congress in March 2007 by President Kirchner, and in March 2008 by his successor and wife Cristina Fernández, are instructive to López’s position in the political debate five and a half months and seventeen and a half months after his disappearance, and, further, to the reasons why the disappearance and prosecutions were framed by certain activists as mutually reinforcing. At the opening of Congress in 2007, López had a position of prominence in Kirchner’s address that focused on the commitment to justice. López was referred to by name. At the opening of parliament in 2008, López was not mentioned. In the same speech Fernández outlined her governments’ approach to justice. Fernández put the total number of perpetrators to be brought to trial at 992. Justicia YA! responded with criticism of that figure. In a written response, Bregman argued that the number presented by Fernández and the number of CDCs in operation during Proceso, which Bregman put at 651, did not make mathematical sense. Bregman argued that Fernández’s number meant every three repressors had operated two CDCs, and, further, that Fernández’s number was irrefutable proof the government intended to implement a garden months after his disappearance and after the garden had been searched (Dicen que, 2006; Meyer, 2007d; Meyer, 2007c).

In this chapter, I examine the ways in which HROs and artists used photographs of López to articulate the societal, political, judicial and more personal impacts of his disappearance. The use of López’s photographs in demonstrations articulated the fear for his safety, emphasised his status as a victim of enforced disappearance, and operated as an assertion of the unwavering commitment to justice. A key part of this latter concern, in the short term, was overcoming identified obstacles hindering the prosecution process from the 2005 decision of the Supreme Court to remove Alfonsín’s amnesty laws. In a profound sense, López’s disappearance and the responses to it inform an understanding of the path to justice from 2006 to 2011, which was underpinned by the use of the term genocide in protests and in trials.

As CELS 2012 Annual Report states, “Far from disarticulating the process, the disappearance of López became a banner for justice and punishment and that truly never again would these atrocities occur” (*CELS*, 2012, p.64). In the eight months following López’s disappearance, there were two significant moments in which his photographs were used. These moments are instructive to understanding how he was positioned in the struggle for justice, and in terms of the quality of justice sought. In October 2006, two weeks after his disappearance, the use of López’s photographs helped to position him as a symbol of *justicia y castigo* or *justice and punishment*.

In the first part of this chapter, following a discussion of the definition of genocide and the justice process to 2007, I examine some of the photographs and visual representations of López that were used from 2006. The origins of the images and who used them, is instructive to the framing devices I examine in the second part of the chapter.
In the second part of the chapter, I examine the ways in which during the first eight months of his disappearance two blocks of HROs positioned López as a symbol of justice through the construction of complementary approaches when faced with the re-emergence of adversarial narratives constructed by activists opposed to prosecutions, and in light of continuing impunity. The emergence of distinct approaches by HROs marked a shift from the concerted collaboration of organisations prior to, and inclusive of, the first year of Kirchner’s Presidency. One of the approaches, briefly discussed above with reference to Justicia YA!, was highly critical of the government’s human rights policy. The second approach was initially supportive.

The analysis of the ways in which HROs approached the first eight months of López’s disappearance provides an important insight into their struggles in overcoming continuing impunity during the second justice stage. This has not been examined in detail, nor has the complexity of the political period post López’s disappearance been elucidated. Through an examination of the uses of López’s photographs, it is possible to map out the process to the ESMA trial.

I conclude this chapter with an examination of the trial concerning some of the crimes committed at the ESMA. The trial began in December 2009 and concluded in October 2011. Perpetrators of crimes committed at the CDC were immune to prosecution from 1987. Case 761 (ESMA) was reopened in September 2003, but in October 2003 an appeal was lodged by the legal team of one the accused, which paralysed the case. In April 2007, photographs of López were used at a demonstration to protest at the continuing impunity.

Basterra’s photographs of the August Disappeared underpinned Justicia YA!’s allegation at the eventual 2009 ESMA trial, which focused on securing convictions for

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161 see Robben’s 2012 analysis of the use of the term genocide
genocide. The photographs informed the verdict in the case which stated that the eighty-six victims were politically persecuted. In an interview shortly after the verdict, one of the judges in the case referred to Basterra’s photographs of Fernando Brodsky and Graciela Alberti, and to the meaning of the court’s decision. The photographs of the two victims clearly evidenced their torture (Dandan, 2011d).

**The definition of Genocide: the removal of politically motivated crimes**

Etchecolatz’s trial, at which López provided vital evidence on the fates of Dell’Orto and de Marco, marked the commencement of the second justice stage. The trial was the first to begin and the second completed after the Supreme Court upheld the decisions of the Chamber of Deputies and Senate with respect to Alfonsín’s amnesties.¹⁶² The presiding judge in Etchecolatz’s trial, Carlos Rozanski, applied a Foucauldian reading to the application of the term genocide. Rozanski argued the term was not just significant in terms of the punishment of the guilty but also in terms of the role of “Law as a producer of truth” for collective engagements with the meaning of the Proceso (O’Donnell, 2009, p.364; Los fundamentos, 2006). Sociologist Daniel Feierstein has discussed the application of the term genocide with respect to the violence in Argentina from 1974 to 1983. In a 2003 interview, and in depth in his 2006 paper Political Violence in Argentina and its Genocidal Characteristics, Feierstein argued the term has relevance in the Argentine context due to the targeting of a national group, in part or in whole, as outlined in Article II of the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, and for the lasting impact on social relations¹⁶³ (Ginzberg, 2003b; Feierstein, 2006, pp.153-166).

¹⁶² The first person convicted was Julio Simon. Simon was sentenced to twenty-five years in prison in August 2006 (Rodríguez Niell, 2006)

¹⁶³ Article II states “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical
Feierstein noted the absence of political groups from the *UN Convention*, but argued that by excluding political groups, the definition of genocide became arbitrarily restrictive. Feierstein stated “Why, we must ask, should religious ideology carry more weight than political ideology when both constitute systems of belief?” (2006, p.154)\textsuperscript{164}

The insistence on the term genocide underpins the work of *Justicia YA!*, the organisation that represents the *AEDD, H.I.J.O.S-La Plata* and associated organisations in trials. *Justicia YA!* used the term in 2007 at the trial of Cristian Von Wernich, and at that of Hector Febres, for *ESMA* crimes. The term was further employed at the trial for crimes committed in the network of three *CDCs: Atlético, Banco and Olimpo (ABO)* that began in November 2009, and then in the 2009 *ESMA* trial.

*Justicia YA!‘s*! allegation in the *ABO* trial referred to the thirty-two political organisations represented by 181 victims in the case\textsuperscript{165} and a further 100 victims named in testimonies but not included in the trial. Among them were secondary school and university organisations *U.E.S, JUP*, political organisations including *PRT, PST (Socialist Workers’ Party), Partido Comunista, GOR* and the guerrilla organisation, the *Montoneros*.\textsuperscript{166} In its allegation, *Justicia YA!* argued fifty percent of the *ABO* victims were students. Carmen Lapacó’s daughter Alejandra, and Alejandra’s boyfriend Marcelo Butti Arana, were included in the list of victims. Alejandra was one of five former *UBA Anthropological Sciences* students kidnapped within days of one another in March 1977. Three of the other victims; Estela Lamaison, Maria del Carmen Reyes and Laura Perez Rey were also taken to *Atlético (Compañeros detenidos-desaparecidos)*\textsuperscript{167}.

\[\text{\footnotesize destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group (United Nations, 1948).}\]

\textsuperscript{164} Feierstein’s updated article examines the application of the term in Etchecolatz’s trial (Feierstein, 2010, pp.53-54).

\textsuperscript{165} See IEM, 2010, pp.6-7 for the victims.

\textsuperscript{166} The full list is at \texttt{http://casapueblos-alegatos.blogspot.com.au/2010/11/alegato-querella-justicia-ya-causa-abo.html}

\textsuperscript{167} \texttt{http://www.exccdytclubatletico.com.ar/pag6.html}

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Alejandra, Marcelo, and Lamaison were all JUP members (CELS, 2009a; Madres: LF, 2007, p.17). There was no mention of the political activism of the victims in the verdict. In 2010, fifteen perpetrators were sentenced for committing crimes against humanity (Alegato de, 2010; Una defensa, 2010; Dandan, 2010b; Dandan, 2010a; IEM, 2010, p.9). (Figure C6.1)

Figure C6.1 UBA Anthropological Science students, staff and graduates murdered or detained-disappeared.

There has been much debate about the definition of genocide in the 1948 UN Convention on the Prevention and Punishment of Genocide (Chalk & Jonassohn, 1990, pp.9-11). In some senses, the document is tied to the time of its implementation and is

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problematic for dealing with state perpetrated violence in the second half of the twentieth century. Much of the debate focuses on the absence of political groups from the definition. Political groups were included in Resolution 96(I) The Crime of Genocide submitted to the United Nations in 1946 and unanimously approved. Political groups were then removed from the definition of genocide in the 1948 UN Convention for both political reasons and for political groups’ perceived lack of stability (Abtahi & Webb, 2008, p.1324, p.1354 & p.1360; UN/GA, 1946, pp. 188-189; Leblanc, 1988, pp.274-278). \(^{170}\)

The limitations of the definition were articulated during the discussions that resulted in the 1948 removal of political groups. Van Schaak refers to the arguments of one Latin American delegate thus,

The Brazilian delegate claimed that genocide against political groups was foreign to the countries of Latin America since in those countries there did not exist that deep-rooted hatred which in due course led to genocide. Political struggle in Latin America was sometimes violent, sometimes emotional, but it was above all ephemeral. It was impossible in that part of the world to envisage such an intensification of political animosity as would lead to movements of a pogrom-like character (Van Schaaack, 1997, pp.2264-2265).

The delegate Van Schaak refers to, Gilberto Amado, further argued the inclusion of political groups would constitute a dangerous extension of the definition (Abtahi & Webb, 2008, pp.1354-1355). The British representative, Hartley Shawcross, made reference to the arbitrary definition that would result with the exclusion of political groups. Shawcross argued that there were as many cases of political persecution as racial persecution. He asked whether a “Fascist state should be allowed to destroy the

\(^{170}\) See the work of Raphael Lemkin the originator of the term genocide and the discussions surrounding the definition that led to the removal of political groups from the definition in the 1948 UN Convention (Lemkin, 1944; Lemkin, 1947; Korey, 2010, p.91).
lives of individuals because they were Communists or that a Communist State be allowed to destroy the lives of Fascists” (Abtahi & Webb, 2008, pp.1359-60).\footnote{171}

Some scholars have developed definitions of politically motivated destruction, which are informed by the absence of political groups from the UN Convention, Harff and Gurr (1988) define politicide thus

The difference between genocide and politicide is in the characteristics by which members of the group are identified by the state. In genocides the victimised group are defined primarily in terms of their communal characteristics, ie, ethnicity, religion or nationality. In politicides the victim groups are defined primarily in terms of their hierarchical position or political opposition to the regime and dominant groups. In our definition, geno/politicide is an act of the state (Harff & Gurr, 1988, p.360).

Harff and Gurr examined a number of violent episodes and categorised them according to the political conditions in which mass killings took place. The authors argued Proceso was a repressive politicide (Harff & Gurr, 1988, pp-368-369).\footnote{172}

Other scholars apply a restrictive interpretation of genocide. In The Crime of Genocide (2003), William Schabas criticised Spanish Judge Garzón’s argument that genocide was committed in Argentina in his attempts at extraditing Proceso perpetrators from Argentina, and in the arrest and prosecution of Adolfo Scilingo in Spain (Garzón concluye, 2001). Schabas acknowledged that a number of countries incorporated political groups in definitions of genocide in their national criminal codes and named six countries to have done so. Schabas argued, however, that most countries applied the more restrictive understanding.

\footnote{171}{The above discussions took place on 7th October 1948 (UN Doc A/C.6/SR.69, Abtahi & Webb, 2008, pp.1354-1362).}

\footnote{172}{See Paust (1986, pp.304-305).}
In his 2012 work *Unimaginable Atrocities*, Schabas referred to surviving *Proceso* victims, who at the 2011 *Biennial Conference of the International Association of Genocide Scholars* in Buenos Aires, expressed dissatisfaction when convictions for crimes against humanity were recorded and not genocide because, according to Schabas, they felt “that only genocide will describe their suffering appropriately”. Schabas was also critical of academics and lawyers for trying to “brand” the *Proceso* repression genocide (Schabas, 2012b, p.122). There is no reference in his work to legal cases in Argentina when (qualified) genocide sentences were handed down.

By terming the *Proceso* genocide, left-wing organisations returned to the approach of *HROs* during Alfonsin’s administration. In his 1986 analysis of the “conceptual worlds” of three political actors at that time; Alfonsin’s government, the armed forces, and *HROs*, Mark Osiel uses the term retributive justice (Osiel, 1986, pp.163-166). In pursuing genocide convictions, organisations focused on the questions of who should be punished, and why some perpetrators were still employed in the armed and security forces. By only pursuing perpetrators for crimes against humanity, the intention of the systematic and institutionalised destruction was absent (Slepoy, 2009). In March 2007, Bregman argued that during the *Proceso* the armed forces had a combined seventy-five thousand operatives (Bregman, 2007a, p.7).

An attempt at incorporating genocide into the Argentine criminal code was resisted by the *HROs* pursuing genocide convictions. The Bill introduced by *Peronists* in July 2007, to also include the crime of enforced disappearance, was met with strong opposition. According to activists, the project, which employed an expansive definition of genocide to include political groups, also extended the interpretation to include non-state actors. The criminal code was amended to include the crime of enforced
disappearance in November 2007, but not genocide.\(^{173}\) To the time of writing, genocide, in a more expansive form, has not been incorporated into the Argentine criminal code.\(^{174}\) Organisations opposed the Bill on the grounds that individuals were included in the definition of prosecutable perpetrators of the crime of genocide and crimes against humanity. *H.I.J.O.S-La Plata*, and *AEDD* argued crimes against humanity and genocide could only be committed by the state. The above organisations viewed the proposed amendment in the context of anti-terror legislation and the criminalization of protest legislation passed in June 2007\(^{175}\) (*no al proyecto*, 2007; Jorquera, 2007b; Jorquera, 2007a; *CELS*, 2007b).

**Impunity 2006-2007**

One paper that examines López’s disappearance and the second justice stage situates the discussion presented in the first part of this chapter. In their 2009 article, Bell and di Paolantonio discuss an act in Buenos Aires in September 2007 to mark the first anniversary of López’s disappearance. There are a number of questions arising from their discussion which are the product of their lack of engagement with the events in the year from his disappearance. The authors argue that “demonstrators” marched through Buenos Aires with banners with the slogans “Julio López: Aparición con vida ya!” and “no a la impunidad de ayer y de hoy” (2009, p.151). The reader is not informed about the identity of the demonstrators. *No a la impunidad...* is used by one of two distinct blocks of *HROs* (Meyer, 2007b). The most significant issue however, is the

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\(^{173}\) Members of *Las Madres* were heavily involved in the UN’s 2006 recognition of the crime of enforced disappearance. In 1982, *FEDEFAM*, to which some members of *Las Madres* belonged, produced a draft convention on enforced disappearance. Marta Ocampo of *Madres: LF* and *FEDEFAM* accompanied then Senator Cristina Fernández to ratify the UN Convention in 2007 (Ruchansky, 2006b; Febbro, 2007).

\(^{174}\) In November 2012, *Peronist* Albrieu presented a Bill to incorporate genocide into the Criminal Code to include political groups (*Quieren Penar*, 2013; 8354-D-2012).

\(^{175}\) The arguments of *HROs* opposed to the laws have been proven. Protests have been infiltrated and filmed by state forces. Members of *HROs* have been the subject of surveillance under *Proyecto X*. Elia Espen of *Madres: LF* and recovered grandchild Victoria Moyano were photographed by state forces at a Kraft workers protest (Jastreblansky, 2012; Irigaray, 2012).
interpretation of the meaning of *Justicia y Castigo* at that time. Bell and di Paolantonio argue

The demonstration also calls up another spectre of the past, insofar as it repeats a challenge to impunity, voicing an appeal to justice that at first blush belongs to a different temporal context, as if the demonstrators had “forgotten” that legal procedures long denied were now in place. That is, the impunity to which they say “no,” which had been given to participants in the dictatorship’s practices by Presidents Alfonsín and Menem, was already removed. The pardons and the Punto Final and Obediencia Debida laws [...] have been revoked; indeed, it was these removals that had finally allowed Etchecolatz to be brought to justice. So to whom are the demonstrators speaking? The demonstrators revive a long standing call for “castigo y justicia” [sic] that the current administration might have thought it had already dealt with (Bell & di Paolantonio, 2009, pp.151-152).

While Bell and di Paolantonio are correct in saying the amnesties and pardons were annulled and cancelled, what followed was not the simple enacting of justice. To that time, only two individuals, including Etchecolatz, were convicted. I argue that the slogan is not a revived temporal relic but one with continuing significance, which had relevance not only with respect to López, but also to the emergence and prominence of adversarial actors, the process of overcoming obstacles on the path to justice and, the extent and quality of justice. Each of the two sets of “demonstrators” had a crucial role in ensuring the above mechanisms remained at the forefront of the political debate prior to, and during, Kirchner’s and Fernández’s Presidencies.

One trial with multiple defendants was ongoing at the time of the first anniversary of López’s disappearance. That trial included the former head of the army, Emilio Massera. The Federal court removed Menem’s pardons in April 2007. The Supreme Court ratified the decision in August 2010 (Heili, 2007; *Son nulos*, 2010). By that time, one of the prominent beneficiaries of the 1990 pardons, Emilio Massera, had been declared mentally unfit to stand trial. Massera died in 2010 (*Massera sin, 2009, Murió Emilio, 2010*).
Cristino Nicolaides. The defendants were sentenced in December 2007. The second trial in progress was that of Cristian Von Wernich. The former La Plata police chaplain was sentenced to life imprisonment in October 2007 for crimes against humanity committed in the context of genocide, by Rozanski’s La Plata court. Bregman again pursued a genocide conviction (CELS, 2011, p.32; Los condenados, 2009; Comenzo el, 2007; Primer juicio, 2007; Ginzberg, 2007c; Ginzberg, 2007a; Schumacher, 1983c, p.1; New army, 1982, p. A12; Seitz, 2007; Morosi, 2007).

**MACLA exhibition: AEDD and EMVyJ**

On 14th September 2012, the AEDD opened the small exhibition *Impunidad de ayer y de hoy* (*Impunity of yesterday and of today*). The exhibition at Museo de Arte Contemporáneo Latina Americana (MACLA) in La Plata marked the sixth anniversary of López’s disappearance. As the title of the exhibition suggests, his disappearance was framed in the context of the struggles against impunity (*Muestra sobre*, 2012).

The AEDD had a prominent role in the response to López’s disappearance from 2006 onwards. Together with HROs including H.I.J.O.S-La Plata, the legal organisation Centro de Profesionales por los Derechos Humanos (Ce.Pro.D.H.)177 headed by Myriam Bregman, and left-wing political parties, the Trotskyist Partido de los Trabajadores Socialistas (PTS)178 of which Bregman is a member, Partido Obrera (PO)179 and Movimiento Socialista de los Trabajadores (MST)180 which operated within the alliance Encuentro Memoria, Verdad y Justicia (EMVyJ)181, AEDD adopted a position that was critical of the government of the Province of Buenos Aires and the Federal Kirchner and Fernández administrations.

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177 Centre of Professionals for Human Rights
178 Socialist Workers Party
179 Workers Party
180 Socialist Workers Movement
181 Memory, Truth and Justice Meeting
The organisations operating under the *EMVyJ* banner, which were represented by *Justicia YA!* in trials, used the slogan *no a la impunidad de ayer y de hoy*, or variations of it, in the years before the exhibition. For the demonstration in 2008 to mark the thirty-second anniversary of the 1976 coup, *EMVyJ* used the slogan *no to the impunity of yesterday and of today, enough of repression and gangs against those that struggle.* (Figure C6.2 below and p.345)

![EMVyJ poster 24th March 2008](image)
Helen Zout’s 2000 photograph of López that had been taken during the Truth Trial proceedings was displayed with other images and posters at the Impunidad de ayer exhibition (Figure C6.3 p.346). Zout’s photograph marked an early important stage in what López’s family later referred to as his passage from anonymity to recognition (Los argentinos, 2006). The impact of Zout’s Huellas de Desapariciones project was

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182 Both posters are at http://encuentromvyj.org/documentos/
183 The first exhibition of Zout’s López photograph after his disappearance was in October 2006 (Las huellas, 2006)
unknown at the time of its undertaking, beyond its intended role as a record of the developments in the Province of Buenos Aires with respect to the *Truth Trials* and to the importance of the testimonies of victims.

Other photographs and visual representations of López were used in the years following his second disappearance. Many of the visual representations relied on the recognition of his face. *EMVyJ* initiated a number of the most prominent examples. One was designed by the art collective *Artistas Plásticos Solidarios*. Members of the collective, including León Ferrari and Juan Carlos Romero, were involved in human rights struggles from the early 1970s (see chapter one). During the two month campaign that culminated on the second anniversary of López’s disappearance, the work was

![Zout's photograph at the Impunidad de Ayer exhibition 2012](http://www.youtube.com/watch?feature=player_embedded&v=RDL3E5lVOoM#)

Figure C6.3 Zout’s photograph at the *Impunidad de Ayer* exhibition 2012

distributed in the form of a stencil that could also be worn as a mask. The work consisted of the outline of López’s head with the question *And Julio López?* (*Campaña del, 2008*). (Figure C6.4)

The stencil provided the foundation for a public art intervention by Australia-based Argentine artist Jorge Pujol in September 2008. The work was constructed from thousands of candles placed outside the government building in La Plata (*El reclamo, 2008; Dos años, 2008, p.7*). (Figure C6.5 p.348)
The recognition of López’s face, on which the above works relied, was attained through the circulation of photographs of the seventy-six year old taken in the months before his disappearance, when he was a protagonist in Etchecolatz’s trial. One prominent example was a press photograph taken by Horacio Paone during the inspection of Comisaria Quinta (Fifth Police Station) in La Plata on 14th August 2006. López and Adriana Calvo, the other survivor present at the inspection and co-founder of the AEDD, were both held at the CDC at different times. (Figure C6.6 p.349) Paone’s photograph was published in the New York Times in October 2006, with an article on López’s disappearance (Rohter, 2006b).\(^{185}\) Other prominent photographs that were later used were those taken of López during his testimony on 28th June 2006 at Etchecolatz’s trial.\(^{186}\) Newspapers including Página/12 published those photographs at the time of his

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\(^{185}\) The photograph was included in the 18th annual photojournalism exhibition of photographs taken in 2006 (Respighi, 2007).

\(^{186}\) The testimony and the inspection were filmed. The footage is in the documentary Un Claro dia ... (Dandan, 2006).
testimony (Pertot, 2006e). (Figures C6.7 and C6.8 p.350) At the Etchecolatz trial verdict on 19th September 2006, activists including Nilda Eloy brought a photograph taken during López’s testimony into the court room. (Figure C6.9 p.350)

Figure C6.6 Paone, 2006  López Comisaria Quinta August 2006

Figure C6.7 López’s testimony at Etchecolatz’s trial June 2006 (Pertot, 2006e)

Another Paone photograph of the inspection was used in Rohter’s August 2006 article (Rohter, 2006a, p.3).
Para terminar con la impunidad, luchemos por la nulidad inmediata y efectiva de los indultos. El desmantelamiento total del aparato represivo. Y la separación deshonrosa y procesamiento penal de todos los genocidas de la dictadura. Exijamos al gobierno de Kirchner acelerar el juzgamiento de todos los genocidas.

Todos somos Julio López
The 2012 MACLA exhibition included the work of Clarín photographer Gerardo Dell’ Oro. Dell’ Oro documented the demonstrations at which photographs and visual representations of López were used in the first five years of his disappearance. The images were published as the 2011 monograph Desaparecido en Democracia (Meyer, 2011a). (Figure C6.10) Dell’ Oro is Patricia Dell’ Orto’s brother 188, and brother-in-law of Ambrosio De Marco, two victims López witnessed being murdered in November 1976. 189 In April 2008, Dell’ Oro first exhibited his photographic family narrative Imágenes en Memoria. The narrative concluded with two 1999 photographs of López (Meyer, 2008g). (Figures C6.11 and C6.12 p.352)

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188 Gerardo Dell’Orto changed his name to Dell’ Oro.
189 The images are available at Desaparecido en democracia, 2012
Figure C6.11 Del Oro, 2008 de Marco and Dell’ Orto (Álbum de, 2008, p.57)

Figure C6.12 López 1999 (Del Oro, 2008, p.61)

Figure C6.12 Del Oro 2008
The profusion of visual representations created from 2008 formed part of the attempt to ensure López remained central to the political debate and operated as a corrective to President Fernández’s silence. The question ¿Y Julio López?, articulates that requirement. Fernández was criticised for not publicly referring to López (cuatro años, 2010 p.8).

López’s family did not participate in marches in order to avoid politicising their pain (Separan a, 2006, p.7). This had the result that HROs used López’s photographs without having a familial connection to the victim and as a result used of photographs of López already in the public realm. This is an important distinction from the previous uses of photographs of victims, particularly by Madres: LF. That organisation is closely tied to the use of the photographs of their children in demonstrations and commemorations. Madres: LF used López’s photographs with those of their detained-disappeared relatives.

The AEDD was not strongly associated with the use of photographs until López’s disappearance. Other EMVyJ organisations used photographs of those who belonged to the historical precursors of their contemporary organisations, who were assassinated by the Triple A (AAA) or detained-disappeared during the Proceso. Movimiento Socialista de los Trabajadores (MST), was predated by Partido Socialista de los Trabajadores (PST). The 13th March 2002 edition of MST’s newspaper Alternativa Socialista lists sixteen people killed by the AAA and 82 people detained-disappeared or assassinated during the Proceso. The violence culminated with Ana Martinez’s 1982 kidnapping and assassination (Maradona, 2012, p.10). That edition of Alternativa Socialista published photographs of MST’s march on 24th March 2001 at

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190 In 2012, Lopez’s son Ruben used a 1970s family photograph during his announcement of the events for the sixth anniversary of his father’s disappearance (Curone, 2012)
which posters with the faces of victims were used. The MST was part of Izquierda Unida headed by Patricia Walsh (Como miles, 2002, pp.6-7) (Figure C6.13)\footnote{PST raised concerns about political persecution during the Proceso (see U.S. Embassy cable GOA activities, 1977).}

Photographs were taken of some members of the AEDD, most recently by Zout, and significantly for the discussion in the last part of the chapter, photographs were taken of survivors who later formed the organisation, whilst they were held in CDCs. ESMA photographs of survivors emerged into the public realm in 1984, including that of Osvaldo Barros. Barros joined the AEDD.

Figure C6.13 MST with photographs of PST members killed by AAA and detained-disappeared or assassinated during the Proceso 2001 (Alternativa Socialista 325 2002 p.7)

**AEDD’s Prominence**

In the following section, I outline HROs ’ initial responses to López’s disappearance. EMVyJ’s recent history is a useful reference point for understanding the distinct approaches. I then introduce a number of the adversarial or opposing actors.

The positions adopted by AEDD, Madres: LF, H.I.J.O.S, Abuelas and Asociación Madres in response to López’s disappearance in the immediate and longer
term aftermath, were the products of those organisations’ established positions with respect to Kirchner’s human rights policy. Those positions were also informed by the strengthening of the adversarial organisations. October 2006 marked a significant moment in this last respect.

The major HROs were among the 209 signatories to EMVyJ’s 2004 document that was read on 24th March in Plaza de Mayo, to mark the twentieth-eighth anniversary of the start of Proceso. The list is as follows: Abuelas, AEDD, APDH, Asociación Madres, Ce.Pro.DH, CORREPI, H.I.J.O.S and Madres: LF.192 In 2005, three separate events were held to mark the anniversary of the 1976 coup (Ginzberg, 2005f). A number of the signatory organisations to the 2004 document were absent from that of 2005: Abuelas, Asociación Madres, Madres: LF and H.I.J.O.S-Capital. The 2005 EMVyJ statement, to which the AEDD adhered, contained an analysis of Kirchner’s Presidency. In the section of the statement: What is the situation after two years of Kirchner’s government? EMVyJ acknowledged the progress following the annulling of Alfonsín’s amnesties with the pre-trial detention of 150 repressors, but argued most of those responsible for crimes were either at liberty, were enjoying home detention, or were held in military prisons. The statement also addressed the approach taken by the majority of judges towards Proceso crimes. That criticism focused on their refusal to prosecute crimes as those committed as part of genocide; with the result that only the perpetrators identified by survivors were prosecuted, and not all those known to have operated in CDCs (Documento leido, 2005).

In the three weeks following López’s disappearance, organisations established their respective positions along the lines of EMVyJ’s 2005 document. The strongest condemnation came from the AEDD. On 21st September 2006, at the first of many

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192 Two events were held on that date. One was held at the ESMA and the other at Plaza de Mayo (Bruschtein, 2004). The statement is available at EMVyJ’s website (Documentos EMVyJ 24 de marzo, firmantes 2004).
marches for López in La Plata, Adriana Calvo argued that the disappearance was intended as a warning to those willing to testify in pending trials, and elements of La Bonaerense were responsible. Calvo argued that the repressive apparatus was still functioning, and Proceso operatives were still in active service (Robben, 2011, p.182; Ruchansky, 2006).

Calvo’s response was informed by previous cases in La Plata in which members of the force were involved in disappearances. In 1999, two officers were sentenced to life imprisonment for the 1993 torture, disappearance and murder of twenty-three year old Miguel Bru. Juan Ojeda, the officer in charge of the station, was given a two year sentence for facilitating the crime through negligence. During the Truth Trials in 2000, Ojeda was identified as a torturer by a CDC survivor (Carrasco Quintana, 1999; Cecchi & Videla, 1999; Alarcón, 2000).

Calvo’s position was further informed by a meeting with Leon Arslanian, the Minister of Security of the Province of Buenos Aires on 20th September 2006 (Pasan las, 2006). At that meeting Calvo, Eloy and Bregman were informed that sixty police officers who had worked in CDCs during Proceso were still in active service. That number included five officials who had served at Comisaria Quinta, the centre inspected by López and Calvo in August 2006. The sixty officers were passed into retirement one week after López disappeared (Sola jubilo, 2006, p.5).

The APDH, Abuelas, Madres: LF and H.I.J.O.S sent a joint letter to the Minister of the Interior, Aníbal Fernández, stating that López was disappeared because of his role in Etchecolatz’s conviction and called for an exhaustive investigation (Meyer, 2006d). On 22nd September the APDH sent a further letter to the United Nations Working Group on Enforced or Involuntary Disappearances (UNWGEID). The letter called on the UNWGEID to urge the Argentine Government to conduct an
“expeditious investigation” to ascertain the circumstances of López’s disappearance (APDH, 2006).

The Government initially refused to state categorically López was disappeared and instead considered three hypotheses, including emotional disorientation due to the burden of testifying. López’s family also refused to believe he was a victim of disappearance. They first referred to him as a disappeared victim in an open letter to Kirchner in December 2006. AEDD was certain he was a victim of enforced disappearance from the first hours. The presence of López’s photographs at the Etchecolatz verdict underscored that belief. HROs submitted a habeas corpus petition on 18th September when López failed to attend court (Hay tres, 2006; Por primera, 2006; El texto, 2006; Extraña ausencia, 2006).

One week after López’s disappearance, Hebe Bonafini of Asociación Madres (AM) argued that he was not a typical desaparecido because his brother had been a police officer. Bonafini argued the disappearance was an attack on Kirchner and that the information López provided was not key to the sentencing of Etchecolatz. Further, Bonafini stated López’s personal history should be investigated (Bonafini sembró, 2006; Braslavsky, 2006c).

AM had moved from a position that was critical of successive Federal Governments to one that supported Kirchner. In January 2006, Bonafini outlined AM’s position when stating the organisation no longer had enemies in the Casa Rosada (Bonafini dice, 2006; Boschi, 2006). Officials involved in Etchecolatz’s trial and HROs criticised Bonafini. Judge Rozanski likened her proposal to investigating a victim of sexual abuse. Madres: LF and Madres: La Plata criticised Bonafini in a joint statement (Lluvia de, 2006; La Línea, 2006).
In an interview on 30\textsuperscript{th} September 2006, Calvo contextualised Bonafini’s comments in terms of the AEDD’s historical struggle. Calvo stated the question of why certain detained-disappeared survived was a constant issue for the organisation and argued that Bonafini had fulfilled the repressors’ mandate.\textsuperscript{193} On their release, survivors faced societal distrust due to the perception they had collaborated with the regime in exchange for their own survival. Calvo referred to Bonafini’s formula that positioned survivors as collaborators and the disappeared as heroes as working on the assumption that detainees determined their own fate. According to Calvo, the repressors decided who would be liberated (\textit{Sobre las}, 2006). From 1984, the organisation focused on identifying where some of the victims were held, and identifying those responsible for crimes. Much of AEDD’s work focused on constructing lists of victims and perpetrators.\textsuperscript{194}

López’s case underscores how information provided by survivors bridged a gap in available information. In many cases family members of the victim witnessed the kidnapping. For the most part, military and security forces personnel refused to provide information. As the only surviving witness to the murders of the de Marco’s, López provided evidence that aided the pursuit of truth and justice. In his testimony at Etchecolatz’s trial in July 2006, Patricia’s father outlined his initial unwillingness to know the circumstances of his daughter’s death. On receiving López’s information in 1999, Alfonso Dell’ Orto stated he finally knew the truth after being mocked and lied to for twenty-three years (\textit{Juicio a}, 2006; \textit{Se llevaron}, 2006). The inclusion of López’s photographs in Dell Oro’s 2008 \textit{Imágenes en Memoria} articulates his importance to the

\textsuperscript{193} AEDD’s ¿Por que sobrevivimos? outlines how it has approached the question of survival. Being related to a member of the armed or security forces did not preclude assassination. The most prominent case and one I discussed briefly in chapter three concerned ESMA repressor Miguel Donda. His brother and sister-in-law were assassinated in the ESMA. Maria Perez was killed after giving birth. Her daughter, Víctoria Donda, recovered her identity in 2004 (Dillon, 2004).

\textsuperscript{194} Calvo committed to the project until her 2010 death (\textit{El recuerdo}, 2011). See AEDD’s Listado de compañeros.
family (Del Oro, 2008, p.61). Zout’s Huellas project also aimed at overcoming societal distrust within and outside the human rights community.

**Adversarial Actors**

The adversarial positions identified by Elizabeth Jelin (1994), re-emerged at the time of the prosecutions of perpetrators in 2006. Numerous aligned organisations composed of family members of those killed by guerrilla organisations, relatives of accused perpetrators and their sympathisers, opposed the trials. The Asociación Familiars y Amigos de los Presos Políticos de Argentina (AFyAPPA), headed by Cecilia Pando, is a prominent example in the second category (Braslavsky, 2006b).

Other adversarial actors were individuals identified by HROs as deliberately paralysing the justice process. One prominent person was Alfredo Bisordi, the President of the Court of Appeals or La Cámara Nacional de Casación Penal (C.N.C.P). Argentina’s most powerful court after the Supreme Court was established by Menem in September 1992. That year, CELS and other organisations raised concerns about seven members of the thirteen person court, including Bisordi. CELS letter to the Senate Committee in October 1992 argued Bisordi had not hidden his sympathies for the dictatorship (CELS, 1992).

Another prominent actor was Alfredo Solari, a lawyer and UBA academic. Solari represented the organisation led by lawyer José Sacheri: La Asociación de Víctimas del Terrorismo de la Argentina (AVTA), and acted as defence lawyer for six of the eighteen accused ESMA repressors. On behalf of Raúl Scheller, one of the defendants, Solari submitted an appeal questioning the removal of the amnesty laws. The appeal was lodged with the C.N.C.P in 2003 after the reopening of the ESMA case, on the grounds

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195 Law 24241/1992
196 The C.N.C.P has thirteen members divided into four rooms, each has three members. C.N.C.P’s President is the thirteenth member.
that Scheller had been exonerated. That appeal paralysed the case (Alconada Mon, 2004; CELS, 1989, p.27).

In his opposition to the trials, Solari appealed to United Nations bodies. He sent his first letter of appeal to the Office of the High Commissioner for Human Rights at the United Nations (OHCHR-UNOG) in June 2006, on AVTA’s behalf. The letter accused Kirchner of reviving hatreds and vengeances and silencing crimes against humanity, democracy and peace (AVTA, 2006). In October 2010, during the ESMA trial, Solari wrote to the UN Working Group on Arbitrary Detention stating:

The Argentine government, under the Kirchner administrations, from August 2003 has undertaken and continues a political persecution with the result that my clients are political prisoners and their detention is arbitrary (Denuncia por, 2010).

In October 2005, in seeking to accelerate the trials and after having a request for a meeting with Kirchner denied, Adriana Calvo identified Bisordi and the C.N.C.P as hindrances to justice. In an interview, Calvo pointed to Bisordi’s statements in which he called ESMA survivor Graciela Daleo a criminal terrorist. Daleo rejected Menem’s pardon in 1989 in protest at his attempt at continuing the theory of equivalence between the military repression and the violence conducted by the Montoneros, of which Daleo had been a member (Daleo, Graciela, 1993; Mendez, 1991, pp.66-67; Vazquez Rial, 1989). Calvo argued the court was a problem because every case would ultimately be resolved there. In reference to the ESMA case, Calvo stated the part that could be judged was paralysed (Ginzberg, 2005b).

In September 2004, EMVyJ had filed a complaint with the Magistrates Council. The complaint called for Bisordi’s dismissal, because his words were those of those responsible for genocide, and that he would not be objective. HROs including AEDD, Madres: LF, Abuelas and H.I.J.O.S signed the document (PTS, 2004, Solicitada; Ginzberg, 2004a; Bisordi, un, 2004).
López

On 27th September 2006, HROs took part in a demonstration that culminated in Plaza de Mayo. The act was instigated by the AEDD and other EMVyJ organisations. Nilda Eloy read the text containing the demands of the organisations. Página/12 published the text earlier that day with a list of over sixty signatory groups. The text made explicit the non-signatory status of Madres: LF, Abuelas and AM. The transcript referred to the meeting with Arslanian and questioned the number of police officers identified who had participated in the Proceso repression. The text also scrutinised the number of repressors still operating in other armed and security forces (Declaración del, 2006; Consignas y, 2006; Tosi, 2006; Pertot, 2006b).

At the march of 800 people on 27th September, the dominant photograph of López was that taken at Etchecolatz’s trial (Figure C6.14). Another photograph formed part of a flyer which operated as an appeal for information, and that held the government responsible for López’s return. The flyer was carried at the march by Adriana Calvo (Figure C6.15 p.362). That López photograph underpinned the work of Artistas Plasticos Solidarios in 2008. The march had more of a focus on López’s safety than a march on 2nd October, which I discuss in what follows, which acted as a turning point in López’s status as a symbol of justicia y castigo. (Figure C6.16 p.362)

Figure C6.14 El 95% de LVO 206 pp.8-9
Figure C6.15 Calvo with the López flyer (Sobre las, 2006, p.4)

Figure C6.16 Flyer used in the 27th September demonstration
A new Punto Final?

At the start of October 2006, the differences in the respective approaches to López’s disappearance by the two blocks of organisations strengthened. However, there was no criticism of the other’s approach. EMVyJ’s position was defined by its continuing independence from, and criticism of, the government, and the second by its collaboration with the government in the official act in response to López’s disappearance. The respect for the other’s position enabled the future interaction of members.197

Acts were conducted by the two distinct blocks prior to, and subsequent to, that conducted on 5th October by opponents of prosecutions. The first was held by EMVyJ on 2nd October. Each block of HROs held an act in Plaza de Mayo on 6th October. The estimated attendance at the official event on 6th October was one hundred thousand people. While it is possible to argue that the different approaches were not designed to be complementary and were the product of the respective position of each block with respect to Kirchner’s government, both approaches were necessary at that time.

At the 2nd October demonstration, the EMVyJ held the government responsible for López’s return. The main slogan demanded that the government find López. Three other statements accompanied that demand: “The repressive apparatus remains unpunished; Nullity of pardons; Imprisonment of the participants in the genocide ”.

(Figure C6.17 p.364)

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197 Members of Madres: LF joined EMVyJ’s critical position during Fernández’s Presidency. Elia Espen and Mirta Baravalle were prominent critics. Espen is the mother of Hugo Miedan who was detained-disappeared in February 1977. Baravalle is the mother of Ana Maria Baravalle who was detained-disappeared in August 1976 when pregnant.
The night before the 2\textsuperscript{nd} October demonstration, Sacheri and Solari appeared on \textit{Hora Clave}, the television program of \textit{La Nación} journalist Mariano Grondona, a prominent critic of the trials,\footnote{Before the verdict in Etchecolatz’s trial, Grondona referred to the government as the continuation of the \textit{Montoneros} and argued that Kirchner had deferred to justice to exact revenge (Grondona, 2006). In 1978 Grondona defended the military (Grondona, 1978, pp.3-16).} to discuss the forthcoming act in Plaza San Martin in the Federal Capital (Marin, 2006). On 2\textsuperscript{nd} October 2006, prior to the march in La Plata to demand López’s return, Marta Vedio of \textit{APDH-La Plata} contextualised his disappearance in terms of the pursuit of a new \textit{Punto Final} by those opposed to trials. Vedio argued Kirchner’s administration had underestimated the capabilities of groups opposed to justice (\textit{La APDH}, 2006; \textit{Multitudinaria marcha}, 2006).\footnote{From 1999, Vedio was a prominent voice in the debate over Etchecolatz’s prosecution. Vedio was \textit{APDH}’s representative in its role as plaintiff in the case for crimes not covered by \textit{Obediencia Debida} (Ginzberg, 1999b; Ginzberg, 1999a).}

The text on 2\textsuperscript{nd} October was read by Nilda Eloy, the closest person to López in the human rights movement. López and Eloy had similar experiences as victims, and...
trajectories as activists. Both had testified for the first time at the *Truth Trial* in 1999 (Meyer, 2008b). There was a marked difference in Eloy in the two above acts. On 27th September, Eloy was overcome with emotion at López’s disappearance and in fear for his safety. At the act on 2nd October in La Plata, Eloy exhibited greater resolve in her commitment to justice. At the culmination of the march to the government house, Eloy called on the government to end impunity (*Marcha por*, 2006; *Una nueva*, 2006; *Multitudinaria marcha*, 2006). The dominant photograph used by protestors on 2nd October, including *Las Madres: La Plata*, was one of López taken during his testimony at the Etchecolatz trial. (Figure C6.18)

![Figure C6.18 Madres: La Plata members with López’s Etchecolatz trial photographs 2nd October 2006 (*Multitudinaria Marcha*, 2006)](image)

*HROs* in the second block were in dialogue with Kirchner. Those organisations did not publicly attribute López’s disappearance to the government’s failure to purge the armed and security forces. Those organisations worked with Kirchner in the planning of the official act under the slogan: *We seek truth. We seek justice. We seek Julio* (*Otra marcha*, 2006). (Figure C6.19 p.366)
The position of the Madres: LF, Abuelas and H.I.J.O.S.-Capital block was informed by the historical struggle for the state to acknowledge and act on HRO demands and the required unity with Kirchner’s administration when faced with overt challenges to prosecutions (Piqué, 2006a).

Other EMVyJ organisations criticised the alignment of HROs and the Government. One criticism came from Peronism’s historical opponents. An article in La Verdad Obrera, PTS’s newspaper, criticised Estela Carlotto of Abuelas for “helping the government to cover its responsibility for López’s disappearance” (Aguirre, 2006, p.4). CORREPI voiced concerns after the event at the involvement of Taty Almeida of Madres: LF and Carlotto (CORREPI, 2006).

At that time, there was no viable political alternative to Kirchner. Some of those in EMVyJ, specifically former deputy Patricia Walsh, were attempting to build a mass working class opposition to Kirchnerism and impunity in time for the 2007 election. Even if successful it would not have had an immediate impact (Rodríguez, 2006). At

\[200\] Coordination Against Police and Institutional Repression
that crucial juncture in the struggle for justice, criticising Carlotto and Almeida was unhelpful, as that position was a more astute analysis of the requirements at that time with prosecutions perceived to be under threat. This is not to argue EMVyJ was wrong in its analysis of the required structural changes, or in its pressure on Kirchner for answers on López, and for comprehensive prosecutions. (Figure C6.20)

![Figure C6.20 Hacher (2006) Madres: LF 6th October](http://www.izquierda.info/modules.php?name=News&file=article&sid=2327)

Those critical of Kirchner argued that he focused on unresolved issues from the 1970s for political gain (Parrilli, 2007, p.2). The left criticised Kirchner’s focus on turning former CDCs into Spaces for Memory, at the time of continuing impunity. Justice was perceived to be the more urgent requirement. Opposition to Kirchner’s strategy strengthened following López disappearance. A key moment in the criticism occurred in March 2007, at the time of Kirchner’s act at La Perla. Sections of the left conducted a counter-act against Kirchner’s political use of human rights. As I discussed with respect to EMVyJ’s 2005 statement, organisations did not attempt to undermine
Kirchner’s contribution but to contextualise it in terms of the historical struggles against impunity.202

*Día Nacional de homenaje a las víctimas del terrorismo*

The first *Día nacional de homenaje* was planned to take place in Plaza San Martin on 5th October to commemorate those killed on that date in the 1975 *Montoneros* attack on the 29th Army Regiment in Formosa. Decree 2772/75 authorising the armed forces to annihilate subversives throughout Argentina, was signed one day after the attack (Kandell, 1975, p.13; Tagliaferro, 2006). Other 2006 commemorations by adversarial organisations marked *Proceso* guerrilla attacks. In July 2006, organisations commemorated those killed in the *Montoneros* attack on the *Federal Police Superintendence of Security* (formerly *Coordinación Federal*) on Calle Moreno, on 2nd July 1976. The *Fátima Massacre* victims were held in the building’s annex before their assassinations (*Nuevo homenaje*, 2006).

In the years preceding the October 2006 act, official military commemorations were conducted at the Formosa base (*Somos convocados*, 2000). The officer Kirchner appointed head of the army in May 2003, Roberto Bendini, sent a statement to be read at the 2003 October commemoration (*Cambios en*, 2003; Urbietta, 2003). Kirchner did not prohibit serving military officials from attending acts commemorating victims of guerrilla attacks. However, the involvement of serving personnel in acts perceived to be politically motivated was strongly treated. Further, Kirchner reacted strongly to criticism from people associated with serving members of the military. One officer, Rafael Mercado, was removed from his position in 2005 following his wife’s criticism of the treatment of military bishop Antonio Baseotto, who was removed by Kirchner, and Kirchner’s relationship with *HROs* (Decree 220/05). Mercado’s wife, Cecilia Pando

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202 See the interview with AEDD’s Enrique Fukman in which he states *Kirchnerism* capitalised on the popular mood (*Una triunfo*, 2011, pp.8-9).

The Plaza San Martin act was seen to be problematic due to the timing and nature of the event. Although planned before López’s disappearance the event, which was estimated by newspapers to have been attended by 2500 to 7000 people, capitalised on the resulting political climate in which deaths threats were also made against members of *HROs* and Carlos Rozanski’s court (Pertot, 2006a; *Dos Jueces*, 2006; *Amenazaron al*, 2006). The act of provocation was resisted by all *HROs* and political organisations except for a small section of the left from *Asamblea de San Telmo* and *Convergencia Socialista* who, due to a heavy police presence, protested the act at some distance away from the plaza (Fernández Moores, 2006b; Vales, 2006).

As Vedio predicted, speakers at the Plaza San Martin act referred to prosecutions. Sacheri stated, “We ask Congress for a referendum [in order] to reach the broad general amnesty and we offer our open hand, including to those who assassinated our parents” (Bruschtein, 2006 my translation; Polack, 2006). Sacheri was also the lawyer for five victims of the July 1976 *Montoneros* attack.

The day after the minor adversarial act, Government ministers responded to the call for an amnesty. Chief of Cabinet, Alberto Fernández, argued “such appeals

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203 The event was organised in May 2006. At that time Ana Lucioni of *Comisión de Homenaje Permanente a los Muertos por la Subversion* stated the renewed activity was not because of the reopened trials. She also stated that if trials against military officers were to continue then trials for guerrilla crimes should commence (*Los organizadores*, 2006).  
204 *Página/12* put the number at 2500 (Piqué, 2006b). *La Nación* put the attendance at 7000.  
205 In 2011, the *C.N.C.P* ruled that the attack was not a crime against humanity and so was proscribed, after an initial court ruling in 2007. Those imputed included Verbitsky, Rodolfo Walsh and Firmenich. Both decisions rested on the determination that crimes against humanity could only be committed by the state or dominant political force (*Deben ser*, 2007; *Confirmán sobreseimiento*, 2011).
belonged to the past and those campaigning for amnesty did not understand what had happened in Argentina” (*Para el*, 2006).

The public support evidenced at the official act on 6th October 2006 operated as a public referendum on the issue of amnesty. If *La Nación’s* estimated number of people in attendance at Sacheri’s act was accurate206, the number opposed to justice was dwarfed by the number in attendance on 6th October (Polack, 2006; *Reclamo por*, 2006 Fernández Moores, 2006a). *La Nación* reported the government’s own figure of 100,000 in its article on the day of the act. Kirchner was in Patagonia, but argued “we want that there is no more impunity” (*Kirchner volvió*, 2006). It will be recalled Menem’s pardons remained in place and only two perpetrators were imprisoned.

**March and April 2007**

March and April 2007 marked the second important stage in which, through the use of his photographs, López was integral to the struggle for justice. In March 2007, the government took action to remove a hindrance to prosecutions. The two blocks of *HROs, EMVyJ* and that of *Madres: LF* and *H.I.J.O.S-Capital* continued respectively to pressure and to support the government, whilst asserting the independence of their respective organisations.

The activities later that month focused on removing Bisordi from the Presidency of the *C.N.C.P*. At the opening of parliament in March, Kirchner called on the *C.N.C.P* to expedite the appeals process. The events culminated with a demonstration or *Escrache* by *H.I.J.O.S-Capital and Madres: LF* on 28th April, two days before the thirtieth anniversary of the first gathering of *Las Madres* in 1977, the significance of which was stressed by Alvaro Pierola of *H.I.J.O.S-Capital* in his speech at the event (*Discurso escrache*, 2007; Dandan, 2007a).

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206 The organisers argued 15,000 people attended (Braslavsky, 2006a).
The protest near Bisordi’s Buenos Aires home was the first time an *Escrache* was conducted against someone identified as being complicit with repression. To that date, *Escraches* or “bringing into the light that which has been hidden” focused on perpetrators of *Proceso* crimes, in addition to those conducted at former CDCs (*GAC*, 2009, p.57).

The attempt at removing Bisordi was enabled by the reform of the *Magistrates Council*, which came into effect in November 2006 (Law 26,080/06; *Kirchner promulgó*, 2006; Meyer 2006e). The council has the authority to appoint judges and remove those performing ineffectively. The reform was controversial due to the perceived interference into the independence of the judiciary. The reform decreased the number of members from twenty to thirteen. The number of politicians remained at three, thus increasing their influence. *CELS* and *Human Rights Watch* voiced concerns over the reforms. One of the three appointed Deputies, Carlos Kunkel, was one of the thirty-four deputies who backed the proposed investigation into state perpetrated crimes to 1973. Another of the Deputies, Diana Conti, was among the *Frepaso* politicians who attempted to annul Alfonsín’s legislation in 1998 (Tagliaferro, 2005; *CELS*, 2007, pp.139-150; Vivanco, 2006; Murillo & Levistsky, 2008, p.19; Svampa, 2007, p.58).

On 19th March 2007, sixty-one survivors, including Graciela Daleo, and relatives of victims, submitted a complaint to the *Magistrates Council*. The complaint focused on four members of the *C.N.C.P* with respect to the paralysation of the *ESMA* case and those of the *First Army Corps*, which included all other cases in the Federal Capital (*H.I.J.O.S.*, 2007b).

In his speech at *La Perla* on 24th March 2007, at the signing of the agreement to turn the site of the largest Cordobán CDC into a *Space for Memory*, Kirchner appealed to the *Magistrates Council* to take action against the *C.N.C.P*. 201 cases required a
decision. The day before the act at La Perla, the Cordobán branches of PTS and Ce.Pro.DH conducted a march in the city with the slogan: López desaparecido, Menéndez in his house, Human Rights will not be a museum piece. The slogan articulated the problems with Kirchner’s human rights policy and the perception that justice was not the priority. Luciano Menéndez was commander of the Third Army Corps from 1975 to 1979; La Perla was the most notorious CDC in that zone\(^{207}\) (López desaparecido, 2007, p.7; La izquierda, 2007). Following Kirchner’s appeal to the Magistrates Council, PTS argued four hundred judges from the Proceso were still employed. Myriam Bregman had identified that number after Kirchner appointed new Supreme Court judges in 2003\(^{208}\) (La Perla, 2007; Dillon, 2007; Câmara, 2007; En 40, 2007; No se, 2003).

In April 2007, Bisordi was questioned by Pablo Mosca, the President of the reformed Magistrates Council. Mosca stated Bisordi’s performance with respect to the delays in trials was ideologically motivated and thus potential grounds for removal (Mosca: dilaciones, 2007).

**Escrache a Alfredo Bisordi**

Cara Levey (2011) provides a detailed analysis of the H.I.J.O.S led Escraches from the inception of the practice in 1996,\(^{209}\) to the second justice stage. The Escraches focus on publically identifying repressors guilty of crimes committed during the Proceso to their neighbours or work colleagues. Levey maps out the shift in meaning and function of Escrache from the period of legal impunity under Menem to the period when justice of a limited type was being enacted. Levey argues Escraches are a form of radical justice that operate as a complement to formal justice and are focused on

\(^{207}\) In May 2008, Menendez was put on trial for the 1977 murders of four members of the PRT in La Perla. Causa Menéndez I was the first trial in the Province for Proceso crimes (Comenzó a, 2008; Comision Provincial, 2010, pp.46-49).

\(^{208}\) Bonafini identified a similar number in 1996 (Lobo, 1996).

\(^{209}\) See H.I.J.O.S, 2011
overcoming both cultural and legal impunity. In her examination of the role of Escraches during Kirchner’s administration, Levey discusses the Escrache at the former Coordinación Federal in June 2008, at the time of the trial of three Fátima Massacre perpetrators. Levey interviews an unnamed former member of the organisation who states H.I.J.O.S considered ending the practice following the 2003 overturning of Alfonsín’s amnesty legislation (2011, pp.301-318). The continuation of the practice, and the focus on obstacles to justice, reflects the political reality in Argentina and the state of justice at that time. The text read at the 2008 Escrache also articulated continuing problems. Only three people were imputed for the crime that logistically must have involved more people. The number of identified perpetrators also underscores Bregman’s position with respect to President Fernández’s number of perpetrators to be brought to justice (H.I.J.O.S, 2008; Martínez, 2008b).

**López as a symbol of justice, Bisordi as a symbol of impunity**

The Escrache against Bisordi marked a symbolic turning point in the second justice stage. Photographs of López were a prominent tool in the peaceful Escrache at which Bisordi was not present. The barrier erected by police to prevent activists reaching Bisordi’s home was symbolic of Bisordi’s role in blocking justice. Activists placed photographs of López on the barrier. In preparation for the event, H.I.J.O.S-Capital distributed leaflets in the neighbourhood where Bisordi lived, at the Faculty of Law at UBA, and at the court where Bisordi worked. During the escrache march, H.I.J.O.S placed photographs of two detained-disappeared brothers Rodolfo and Victor Minsburg outside their former home in Barrio Pueyrredon. The Escrache worked in the context of overcoming the cultural impunity outlined by Levey both in its focus on a perceived accomplice and in the placing of photographs of victims at the scene of their

Figure C6.21 Solo, 2007 Bisordi Escrache

Figure C6.22 Solo, 2007 Bisordi Escrache posters of López on the barrier preventing access to Bisordi’s home

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The involvement of Mirta Baravalle and Elia Espen of Madres: LF in Bisordi’s Escrache is instructive. Espen’s son Hugo Miedan is one of the known Atlético victims. His photograph is on permanent display at the excavated centre as one of 203 identified victims of an estimated fifteen hundred thought to have been held at the centre. (Figures C6.24 to C6.25 p.376) Espen’s son was not among the 181 victims in the 2009 ABO trial. The use of the photographs of López and those of their respective children by Baravalle and Espen articulates the continuity of impunity for historical crimes and López’s more recent disappearance (Figures C6.26 and C6.27 p.377). Pregnant Ana Maria Baravalle was detained-disappeared in 1976. Mirta Baravalle was one of the original fourteen members of Las Madres who went to Plaza de Mayo in April 1977.

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211 https://www.youtube.com/watch?v=yfpByZzPqOQ
Figure C6.24 photographs of identified Club Atlético victims. Askam 2011

Figure C6.25 Miedan is on the second row from the bottom fourth from the left and one to the left of Butti Arana. Below him is his Alejandra Lapaco. Askam 2011
The pressure on Bisordi to resign was the culmination of the work of HROs from 1992. In September 2007, Bisordi resigned as C.N.C.P President, but not from the
In October 2007, the Supreme Court ordered the C.N.C.P to speed up its ESMA decision. Scheller’s appeal was dismissed in November 2007 (La Corte, 2007; Corte ordena, 2007; Ginzberg, 2007b; Rodríguez Niell, 2007; Bisordi critico, 2007; Kirchner es, 2007; Renuncio Alfredo, 2007; Renuncia a, 2007).

In the 2009 ESMA trial, the adversarial position moved to the courtroom.

**ESMA MEGACAUSA**

The 2009 trial of eighteen ESMA perpetrators was the second concerning crimes at the CDC. The first focused on four crimes committed by Hector Febres. Febres died in custody without being sentenced on 10th December 2007, the day Fernández assumed the Presidency. The post mortem revealed a high level of cyanide. Febres was involved in the 1979 transfer of ESMA detainees to El Silencio (Goñi, 2007; Robben, 2011, pp.169-170). HROs denounced the four judges in the case to the Magistrates Council for allowing the death to occur. Febres was in navy custody, and not in common prison. He was freely receiving visitors. The complainants included Calvo, Bregman, and some members of Madres: LF; Nora Cortiñas and Mirta Baravalle, who signed the denunciation in personal capacities. The Council ruled judges were not responsible for detention conditions (Meyer, 2007a; Caso Febres, 2007; Febres: relevaron, 2007; Meyer, 2008e).

The second ESMA trial began in December 2009, twenty-two years after it was due to start, and six years after the reopening of the case. The Megacausa focused on eighty-six victims, including prominent cases discussed in this investigation. The trial unified five parts; Testimonios A, B, C, Donda, and finally, Montes and Capdevilla (CELS, 2009b).

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212 Bisordi resigned from C.N.C.P in 2008 (El definitivo, 2008)
In the 2011 epilogue to her updated 1998 work *A Lexicon of Terror*, which was published part way through the twenty-two month trial, Margarite Feitlowitz erroneously states the trial focused only on 1977 *ESMA* victims. A number of the prominent cases were from August 1979. It is those cases with which I am principally concerned. Feitlowitz refers to the testimony of Osvaldo Barros and Susana Leirecha who were taken to the *ESMA* in August 1979 and discusses with them their inclusion as victims in the trial, but does not refer to the dates they were held (Feitlowitz, 2011, pp.308-309 & pp.319-323). Feitlowitz states,

This case is referred to as the “ESMA-Mega-Trial,” even though it is limited to crimes committed in 1977. Elements of this case were ready for court early in the new democracy but got shut down in 1987 […]. “Testimonios A” has the largest number of victims and nine accused; “Testimonios B,” with thirteen accused, focuses on Astiz’s sting in the Santa Cruz church that resulted in the disappearance of two French nuns, three founding Madres..., and several of their supporters; “Testimonios C” charges eleven men in the murder of writer Rodolfo Walsh. There are two other cases, Donda and Montes and Capdevilla, with one and two defendants, respectively, on the trafficking of babies born in the ESMA (pp.308-309).

The 86 cases were from 1976 to 1980. The 1976 cases included priests Yorio and Jalics, who were freed in October 1976. They provided information on Monica Mignone’s *ESMA* detention (Guest, 1990, pp.34-36). Some prominent cases were from 1977 including those of Rodolfo Walsh and *Las Madres* and their supporters, as Feitlowitz correctly states, but other cases, including the *August Disappeared*, were after 1977. Graciela Alberti’s *detention-disappearance* occurred in 1980.

The Donda case focused on those *detained-disappeared* in August 1979 and 1980. Donda was charged with torturing Alberti, Basterra, Leirecha, Elsa Martínez, José
Hazan, Josefina Villaflor, Enrique Ardeti, Fernando Brodsky, Juan Anzorena, Juan Chiaravalle, Enrique Fukman and Thelma Jara de Cabezas and with Raimundo Villaflor’s murder. Villaflor’s death was one of a small number of alleged murders included in the trial. Testimonios B focused on the Santa Cruz church disappearances and proven deaths of the French nuns and members of Madres, following the exhumations of their remains in 2004 and 2005. The remains were those of Angela Aguad, Leonie Duquet and the three Madres; Azucena Villafor, Esther Ballestrino and Maria Ponce (Ginzberg, 2005d; EAAF, 2006, pp.32-38). Testimonios C focused on the murder of Rodolfo Walsh, Patricia Walsh’s father. The majority of cases were those of survivors and the continuing detained-disappeared.

AEDD identified problems with the ESMA trial in October 2008, specifically the small number of perpetrators and victims. At that time, only ten alleged perpetrators were arrested. The AEDD argued that the ESMA was the CDC with most evidence of operations, that it had hundreds of perpetrators and had the most victims. As part of their criticism, AEDD handed a list of 695 ESMA victims and a list of other repressors to Federal Judge Sergio Torres. To put their complaint into perspective, Causa 761 of 1987 had 286 victims and 33 defendants (Meyer, 2008a; Gran Juicio, 2008).

The members of AEDD represented by Justicia YA!; Carlos Lordkipanidse, Osvaldo Barros and Enrique Fukman, were prohibited by the court from acting as plaintiffs in the trial, because AEDD was perceived to be delaying justice (Unifican la, 2009). AEDD and Justicia YA! attributed the prohibition to their insistence on pursuing genocide convictions, and to their complaint to the Magistrates Council following Febres’ death. The judges in that case were also involved in the Megacausa. As a result of the prohibition, Justicia YA! represented only Patricia Walsh, Laura Villaflor and Celeste Hazan, the respective daughters of Raimundo Villaflor and Elsa Martínez and
Josefina Villaflor and José Hazan (Meyer, 2008f). *Justicia YA!* argued it was a politically motivated decision. *Asociación Madres* were also prohibited from acting as a plaintiff in the section of the trial that focused on the *detention-disappearances* of the Mothers and supporters. *Asociación Madres* also pursued genocide convictions.

In April 2009, *AEDD* received written support from all other plaintiffs in the case for the right to be represented at the trial. Activists including Elia Espen, Mirta Baravalle and Nora Cortiñas of *Madres: LF*, and members of *AEDD* including Nilda Eloy, held a silent demonstration in the Buenos Aires court district, to protest the decision. Espen again carried a photograph of López and wore her son’s photograph (Figure C6.28). The three members of *Madres: LF* underscored the vital role of survivors in providing information on *CDCs*; including López and *AEDD*’s ESMA survivors; Lordkipanidse, Barros and Fukman (*Actividad en*, 2009; *Documento, Justicia*, 2009; *Denuncian discriminación*, 2009; Bonomi, 2009, p.11).

Figure C6.28 Eloy and Espen at the 2009 demonstration.
The photographing and filming of testimonies at the ESMA trial was prohibited (Martínez, 2009c). However, the preliminary statements, the allegations, and the verdict were broadcast. The allegation of Bregman and Luis Bonomi of Justicia YA!, which I discuss in this final section, took place on 18th and 19th May 2011. The full allegation is on PTS’s online television station. Justicia YA!’s allegation is one of the principal means of discussing the trial.

The prohibition came as a result of a 2008 Supreme Court ruling to make trials widely available to interested parties, given the small capacity of courtrooms, whilst also guaranteeing the right of defendants to the presumption of innocence. The restrictions were in contrast to Etchecolatz’s trial. Photographs taken of Julio López during his testimony had a prominent role in the pursuit of justice (O’Donnell, 2009, p.352; La Acordada 29/08).

Madres: LF were not allowed to enter the courtroom with photographs of their children. Nora Cortiñas talked about her son’s 1977 kidnapping when testifying about the detention-disappearances of the mothers group in 1977. As I discussed in the preamble, Cortiñas was photographed outside the court after testifying, displaying Carlos Gustavo’s photograph. Importantly for what follows, a number of family photographs had a significant impact at the trial. A number of other photographs, which fulfilled a range of functions, emerged at the time of the trial. The photographs of the August Disappeared, which underpinned the work of HROs post Proceso had a prominent role, particularly in Justicia YA’s! allegation. The ESMA photograph of the French nuns was also prominent.

213 On the second day of Justicia’s YA’s allegation on 19th May 2011, the organisation used a photograph of Raimundo Villaflor with his daughter Laura. The photograph was included on Elsa Martinez and Raimundo Villaflor’s Pancarta. Laura Villaflor was 11 months old at the time of her parents kidnapping. Justicia YA’s! allegation, at which Laura was present, took place ten years after hearings to have Ricardo Cavallo extradited from Mexico to Spain. Cavallo accompanied Martinez on her family visits (Abejón, 2001; Ginzberg, 2003c).
Some of the testimonies concerning the *August Disappeared* were given in April 2010, thirty years after their “transfers” from the *ESMA*. Other testimonies concerning the latter period of operations at the *ESMA* were given in July, August and September 2010 and February 2011. On 22\(^{\text{nd}}\) April 2010, Laura Villaflor and Celeste Hazan discussed the visits of their respective mothers before communication by the *August Disappeared* ceased. On 28\(^{\text{th}}\) April, Carlos Muñoz talked about his involvement with the *ESMA* archive and of the torture he suffered at the hands of Miguel Donda. On 30\(^{\text{th}}\) April, Víctor Basterra testified to the tortures he had received, from among others Scheller and Febres, and to the documentation he was forced to produce in the *ESMA*. Basterra further talked about the documents he removed from the *CDC* (*Víctor Basterra*, 2010).

**Fernando Brodsky and Graciela Alberti**

The day before Basterra testified, Fernando Brodsky’s mother presented two photographs of her son; one taken prior to his kidnapping and one removed from the *ESMA* by Basterra, to underscore the treatment of Fernando after his kidnapping. There is no footage, or photographs of her testimony, nor of the photographs in question due to the restrictions outlined above. However, the dominant photograph of Fernando in adulthood used by his family appears on one of two *Pancartas* to Brodsky held by *Madres: LF*, to which I referred in chapter four (Figure C6.29 p.384).\(^{214}\) Even if the photograph used by Sara Silberg de Brodsky at the trial was not the prominent photograph of Fernando, the intended impact of the contrast remains.\(^{215}\)

\(^{214}\) The *Pancarta* with Brodsky’s adult photograph is not on *Memoria Abierta*’s website.

\(^{215}\) That photograph was used at CNBA in November 2011 and at the *ESMA* in September 2012 for the *Month of the Young-Participation and Human Rights*. Enlarged photographs of detained-disappeared victims were placed on the outside walls of *ESMA* buildings by the art collective *Street Art Group (GAC)* and relatives of the victims, including Marcelo Brodsky (*Septiembre, mes, 2012*).
Some ESMA victims are more prominent than others in post Proceso discourse. This prominence was achieved through the production of memory projects like Pancartas and artworks. Fernando Brodsky is one of the most prominent victims as the result of Marcelo Brodsky’s artworks, and his commitment to disseminating information which Vikki Bell (2010) discusses at length. Pablo Lepiscopo, and Raimundo Villaflor and Elsa Martínez have also attained prominence through commemorative acts, Pancartas and artworks.

Other ESMA victims whose ESMA photographs are in the public realm are less prominent, including Graciela Alberti. Until 2006, the dominant Alberti photographs were those taken in the ESMA. A photograph of Alberti from her time as a student is included on the memorial to victims of the Faculty of Architecture, Design and Urbanism at UBA that was unveiled on the 30th Anniversary of the 1976 coup. 113 former students and teachers are named as victims from 1972 to 1980. The project also

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216 http://www.desaparecidos.org/arg/victimas/brodsky/
217 Alberti’s ESMA photograph is in CELS victim’s photograph archive. All other photographs were taken whilst victims were at liberty.
takes the form of a webpage\textsuperscript{218} (Figures C6.30 and C6.31) (Ginzberg, 2005c; La FADU, 1999).

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure_c6_30.png}
\caption{Figure C6.30 Graciela Alberti FADU website}
\end{figure}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure_c6_31.png}
\caption{Figure C6.31 photographic memorial at FADU from 2006 \textsuperscript{219}}
\end{figure}

On the thirtieth anniversary of Alberti’s \textit{detention-disappearance} in March 2010, an appeal for information was posted on \textit{H.I.J.O.S-Capital’s} website that underscored the gaps in information about her kidnapping. The appeal; \textit{Para mis compañeros, Lalo y Negrita}, was authored by Carlos Zorzoli. Zorzoli was a member of \textit{Heroes Batallion Montoneros}, with both Alberti and Ricardo Soria, who were both

\textsuperscript{218} http://www.fadu.uba.ar/derechos_humanos/index_02.html?

\textsuperscript{219} http://argentina.indymedia.org/news/2006/03/390189.php
taken to the *CDC* in 1980. The appeal included a photograph of Alberti and Soria before their *detention-disappearances*. Zorzoli’s appeal concerned the place of Alberti’s kidnapping. It was known to be one of a number of beaches near Santa Teresita in the Province of Buenos Aires. In Basterra’s photograph Alberti was still wearing the clothes she was kidnapped in (*H.I.J.O.S*, 2010). In the first photograph included in Zorzoli’s appeal, Alberti is smiling directly at the camera and in the second she has blackened eyes and is staring at the camera. (Figures C6.32 and C6.33)

![Figure C6.32 Alberti and Soria (*Para mis*, 2010)](image)

![Figure C6.33 Basterra’s Alberti photograph (*para mis*, 2010)](image)
The recent online photograph album *Historia de vida y militancia*, by *Espacio Memoria y Derechos Humanos (Ex ESMA)* includes a photograph of Alberti on the day of her wedding to Santiago Murphy. He was killed in 1977. The complete set of photographs is available online (on file). The larger collection was posted by Santiago García of *H.I.J.O.S*. García is the son of Juan García, a friend of the couple. Juan García is in the photograph to the immediate right of Murphy. (Figure C6.34)

![Figure C6.34 Alberti and Murphy](image)

**Justicia YA!’s allegation**

On 18th May 2011, in the most effective part of *Justicia YA’s* ten hour allegation, a mere thirty second period, Myriam Bregman dismissed the *War against subversion* thesis that was propounded by a number of the defendants in their final statements at the

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222 Juan and Santiago were kidnapped in 1976. The father was murdered and his son was placed in an orphanage. He was recovered by his grandmother one month after his kidnapping (Bullentini, 2012a).
trial,\textsuperscript{223} and emphasised that the crimes were genocide. Her refutation of the war thesis and insistence on genocide was underpinned by slides of Basterra’s photographs of some of the August 1979 \textit{detained-disappeared}. The refutation ended with the showing of the slide of an \textit{ESMA} photograph of Tía Irene, a woman in her sixties, who was not included among the victims. Tía Irene’s photograph was followed by those of Juan Chiaravalle, Josefina Villaflor, Elsa Martínez and Fernando Brodsky. As the slide of Brodsky’s photograph zoomed to a close up, Bregman spoke the word genocide (Dandan, 2011j; Meyer, 2011b). (Figures C6.35 to C6.41)

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{image.png}
\caption{Tía Irene Justicia YA! allegation 18\textsuperscript{th} May 2011 10:10 AM 30 minutes into Bregman’s allegation\textsuperscript{224}}
\end{figure}

\textsuperscript{223} The war thesis that emphasised the authorisation given to the armed forces by \textit{Peronist} governments was mentioned by some defendants; Donda, Acosta, Astiz and Savio. Savio referred to the repressive legislation implemented by Perón and Isabel Perón after events in January 1974 and in Formosa in October 1975 (\textit{ESMA Sentence}, 2011, pp.201-203).

\textsuperscript{224} \url{http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa}
Figure C6.36 Chiaravalle Justicia YA! allegation 18th May 2011 10:10 AM

Figure C6.37 Martínez Justicia YA! Allegation 18th May 2011 10:10 AM
Figure C6.38 Villaflor Justicia YA! allegation 18th May 2011 10:10 AM

Figure C6.39 Brodsky Justicia YA! allegation 18th May 2011 10:10 AM
The lawyers of the other trial plaintiffs adopted a number of positions. Former national deputy and former CELS lawyer, Luis Zamora, represented the families of the murdered Madres, nuns and supporters. Zamora argued the ESMA crimes were committed in the context of genocide (*Con la*, 2011). Rodolfo Yanzón represented Basterra and pursued convictions for crimes against humanity. Yanzón argued the victims were politically persecuted, but referred to the absence of political groups from the 1948 *UN Convention* as a determining factor in his approach (Dandan, 2011i). CELS represented Fernando Brodsky’s parents and argued for convictions for crimes against humanity (*Allegations for*, 2011, pp.205-256).

In his statement in response to the allegations in September 2011 as the lawyer of Cavallo, Scheller and four further defendants, Alfredo Solari argued the terms genocide, state terrorism, and crimes against humanity were attempts at political persecution. Solari labelled the two former categorisations as “gross legal
mystifications”. Solari further objected to the judges’ use of the term dictatorship to describe the *Proceso* (Dandan, 2011e).

Solari questioned the reliability of the testimony of witnesses on two grounds; witnesses were trained to lie and had an interest in doing so; and that the passing of time had an impact on biological memory. A similar concern with respect to biological memory was voiced by the public defenders of Acosta, Radice, Donda and Capdevilla, who argued that the testimonies of survivors should be critically analysed (Solari, *ESMA sentence*, 2011, pp.299-304). The *ESMA* photographs of the *August Disappeared* and Alberti were not mentioned.

Based on the two thousand page ruling issued by the judges in the case two months after the 26th October verdict that sentenced twelve repressors including Donda to life imprisonment, and four others to terms of eighteen and twenty-five years, the most prominent cases were the *Santa Cruz Church* case and the *August 1979 Disappeared* (*Perpetua para*, 2011). The two cases had the most evidence. The *Santa Cruz* Case had twelve victims (Case 37, pp.962-1056). The *August Disappeared* had eight victims; Hazan, Josefina Villaflor, Raimundo Villaflor, Martínez, Ardeti, Anzorena, Brodsky and Chiaravalle (Case 49, pp.1118-1161). The first case focused on the circumstances of the taking of the photograph of the French nuns, on *ESMA* survivors’ involvement in the process, and also the results of the 2005 DNA tests that were conducted on the exhumed remains.225 In August 2010, *ESMA* survivor Ricardo Coquet, who fulfilled functions similar to Basterra and Muñoz at the *CDC* to December 1978, discussed his role at Hector Febres’s orders, in the creation of the *Montoneros* banner, in front of which Duquet and Domon were placed in 1977 (Morini, 2010; *ESMA sentence*, 2011, p.1046).

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225 HROs had information on the burials of bodies washed ashore in January 1978 near to where Alberti was kidnapped. Emilio Mignone lodged a habeas corpus petition in March 1978 (*Rumors of*, 1978, Appendix). Esther Ballestrino’s daughter referred to this in her testimony at the trial.
In their decision, Judges Obligado, Farias and Castelli ruled it was proven that there had been “action against a group of Argentines or Argentine residents who were susceptible to differentiation and who undoubtedly were differentiated by the architects of the persecution that consisted in deaths, and prolonged illegal detentions.” They further argued “In many cases it has not been possible to determine the fate of the detained extracted from their homes and suddenly expelled from society forever” (ESMA Sentence, 2011, p.1725, my translation).

In the section *Nuestras Conclusiones*, the judges outlined their approach with respect to the proven political persecution of the victims, in the context of the limitations of the genocide definition in the 1948 *UN Convention*. Following an analysis of the similarities between political and religious groups, which they argued were both defined by willingness to adhere to particular beliefs and which are differentiated from ethnicity or race, which have the characteristics of stability and permanence, they stated:

> History has shown that political groups have become the main target of many unprecedented massacres. Therefore, it is a contradiction to leave them without protection... the crime of genocide does not fulfil its function if not properly used for what it was created, which is ultimately the protection of vulnerable groups. While it is true that this offense protects national, ethnic, racial and religious groups, the most recent cases of this crime were not against these groups, but against political groups, as in the case of military dictatorships in Latin America, where atrocities were committed against certain people, for the simple fact of being supporters of a same political ideal (ESMA Sentence, 2011, pp.1794-1795).

At the time of their October 2011 verdict, the judges sent a copy of the judgement to the Supreme Court requesting political persecution as grounds for genocide convictions be included in the *UN Convention* (2011, p.1897).
Conclusion

After the October decision, Obligado explained the ruling in an interview with Página/12. Obligado argued that politicide applied as it was proven that victims were politically persecuted, not because they belonged to a particular organisation but for being social militants opposed to the regime. Obligado further referred to Sara Silberg’s testimony and her use of photographs of her son, as the case that had the biggest impact on him. Obligado made specific mention of her statement “look what they did to my son” when she showed the two photographs of Fernando (Dandan, 2011d).

On 1st November 2011, Página/12 published Marcelo Brodsky’s text La Camiseta and Basterra’s 1984 photograph of Fernando, from Brodsky’s Memoria en Construcccion (2005). (Figure C6.41)

![Figure C6.41 Brodsky La Camiseta 2005](image)

The text described the retrieval of the document from his brother’s file from the 1985 trial, and awaiting use in the 1987 ESMA trial. Brodsky photographed his brother’s file (Expediente de Nando), and those produced for other legal cases for NEXO (2001).

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226 Some of Basterra’s ESMA photographs were published in Memoria en Construcccion. The unnamed detainee at the time of the 1985 trial is identified by surname only, Sosa.
The retrieval of the photograph was an extension of NEXO and a logical next step in the process. Brodsky removed the photograph in 2005 with Basterra at the time of the paralysation of the ESMA case. As I discussed in chapter five, NEXO articulated a time of political promise at the end of 2001 with the potential removal of amnesties and the prosecution of Ricardo Cavallo in Spain. In 2011, Fernando’s photograph was instrumental in Myriam Bregman’s emphasis on genocide in her ESMA trial allegation (Brodsky, 2011; Brodsky, 2005, pp.31-32; Ginzberg, 2005a). It will be recalled that in 1985, Armando Lambruschini was absolved of his torture. In 2011, Adolfo Donda was found guilty of Brodsky’s torture and the tortures of all other detained-disappeared with which he was charged (ESMA sentence, 2011, p.7).

Justice was made possible through the mobilisation of HROs. In 1985, Adriana Calvo identified mobilisation as the only way to achieve justice, following the lenient sentences given to the military commanders (Opiniones disimiles, 1985, pp.29-30). Mobilisation from 2006 by both EMVyJ and the Madres: LF block of HROs focused on overcoming obstacles through their unwavering commitment to justice following López’s disappearance. Through the use of his photographs, López became a symbol of justice and punishment.
CHAPTER SEVEN: THE TRELEW MASSACRE, 2005 -2012

In this final chapter, I argue that the political treatment of the Trelew Massacre from 2005 to 2012 articulates a shift in the approach to state repression in which the events of 22\textsuperscript{nd} August 1972 became the officially recognised date for the commencement and continuation of state terrorism that culminated with the unprecedented Proceso violence.

The uses of photographs of the Trelew Massacre victims during this recent period have a significant role in articulating this shift and in emphasising the continuation of violence from 1972 to 1983. The photographs form part of the concerted engagement by actors in the legal arena, in the artistic sphere and by relatives of the victims with events of the period and with those leading to and including Proceso.

From May 1973, photographs of the Trelew victims helped to elucidate political demands in the context of ongoing state violence. The period of political expectation and relative strength of the left during President Cámpora’s administration was significantly eroded by the end of 1973, when the Peronist leadership enacted a shift to the right-wing of the movement. In the brief period before the shift to the right, photographs of the Trelew victims were used at the release of political detainees from Devoto prison in May 1973, at events marking the first anniversary of the massacre, and by artists aligned with the Centre of Art and Communication (CAyC); including Juan Carlos Romero.

At the time of the first anniversary of the massacre in 1973, the photographs formed part of what I referred to in the first chapter as the attempted comprehensive engagement with state violence by politicians, lawyers, relatives of the victims and artists. A central part of that engagement was a proposed but unsuccessful investigation
into the massacre and other acts of state violence that had occurred prior to and subsequent to the deaths of the guerrillas.

In order to examine this explanatory shift from 2005, I discuss the importance of the work conducted by political activists and artists in the period to 1976, the re-emergence of those actors and the role of more recently emerged actors in elucidations of the event. I draw on and extend the discussion of the massacre and the responses to it that I presented in chapter one, through an examination of the reiterated uses of the photographs by Romero, and the extension of that work by the art collective Grupo de Arte Callejero (GAC), which formed in 1997. CAyC’s political and social commitment during the 1970s directly influenced GAC’s work.

The examination presented in this chapter runs parallel to that in the preceding chapter in which I discussed the shift to an official recognition of state repression during Kirchner’s and Fernández’s governments. The Kirchner era marked the start and continuation of the second stage of prosecutions of the perpetrators of the Proceso crimes. The official recognition and limited prosecution of perpetrators resulted in the emergence of opposition to Kirchner’s approach by adversarial organisations, and the critical EMVyJ position. The examination in this chapter is informed by some of the key political debates and by the influence of some of the adversarial actors whom I discussed in the previous chapter. The use of photographs of the Trelew victims is also informed by the adversarial position.

**Origins of the shift**

Daniel Feierstein (2011) examines the “explanatory frameworks” that have been employed in approaches to state violence from the Proceso. Feierstein identified three dominant explanatory frameworks; war, genocide, and state terrorism or crimes against humanity, which he argued are not mutually exclusive or contradictory (Feierstein,
2011, p.573). Feierstein discussed the role of the 1999 publication *El Estado Terrorista Argentino: Quince Años Después* by Eduardo Luis Duhalde and identified the author of that work as the originator of the concept of the Argentine terrorist state. Feierstein did not analyse the application of the term with respect to the period before the *Proceso*, the significance of the *Trelew Massacre* in Duhalde’s discussion, nor the continuation of violence that Duhalde delineates. Duhalde was a proponent of the genocide thesis as an explanatory framework for analysing the *Proceso* violence. That explanatory framework was not pursued by Kirchner’s and Fernández’s governments in which Duhalde served as the *Secretary for Human Rights* from May 2003 until his death in April 2012 (Ginzberg, 2003d).

The 1999 work is an update of Duhalde’s 1983 *El Estado Terrorista Argentino*. The original publication had less of a focus on the genesis of state terrorism to 1976 (Duhalde, 1983, pp.46-51). The examination of state terrorism in *Quince Años Después* is a summary of the extensive work Duhalde, Rodolfo Ortega Peña and others conducted during and after *Revolución Argentina* that sought an end to repression and the prosecution of perpetrators.

In *Quince Años*, Duhalde outlines the continuation of repression that began with the death of Santiago Pampillon in 1966 to the commencement of right-wing *Peronist* violence in June 1973 with the *Ezeiza Massacre*. Significantly, Duhalde identifies a methodological shift in state repression from the third stage of *Revolución Argentina* during Lanusse’s dictatorship that commenced in March 1971. Duhalde and Ortega Peña analysed the emerging characteristics of that regime in their September 1971 article (see chapter one).

In his 1999 analysis of the 1970 and 1971 disappearances, Duhalde outlines the shift that differentiated the cases of Alejandro Baldu, Néstor Martins and Nildo Zenteno.
from those of Marcelo Verd and Sara Palacios, Juan Maestre and Mirta Misetich. He argues that the first three victims died as the result of torture and that evidence of their detentions was erased after the fact. Duhalde argues that the Verds and Maestres were kidnapped with the intention of extracting information before their pre-planned assassinations (Duhalde, 1999, pp.39-40).

Duhalde argues that the Trelew Massacre was an extension of the planned method of disappearance-assassination of guerrillas and that the massacre was the most palpable proof of the methodology of state terrorism which the armed forces used four years later. He further argues the massacre had four essential characteristics of the model imposed in 1976: the annihilation of militants; the attempt at re-establishing order through the pedagogy of terror; the dissemination of false information; and finally, the use of the “law of escape”, in which the deaths of militants and the public appearance of corpses were framed as the result of attempted escape. In reference to the Trelew Massacre survivors, Duhalde states, “the criminal work was completed after 24th March, 1976: the three were detained-disappeared” (Duhalde, 1999, pp.40-41).

Nunca Más

In 2006, the year of the thirtieth anniversary of the start of Proceso, Nunca Más was reissued with an additional prologue. The prologue was a corrective to the original prologue of CONADEP’s report. Ernesto Sabato’s 1984 prologue, which was not removed from the 2006 edition because Kirchner’s administration considered it a historical document, stated “during the 1970s, Argentina was convulsed by a terror that came from the extreme right and the extreme left” (Never Again, 1986, p.1). The new prologue argued against the theory of two demons or the equivalence in violence committed by state and non state actors. The 2006 prologue condemned state terrorism and argued it was “necessary to clearly establish that it was unacceptable to attempt to
justify state terrorism as a game of opposing violence or to search for symmetry”

(Nunca Más, 2006, p.7; Galak, 2006; Izaguirre, 2011, p.33).

Recent Developments

On Monday 7th May 2012, the trial of five of the seven former naval operatives identified as being directly or indirectly involved in the events of 22nd August 1972 commenced. Three of the defendants Luis Sosa, Emilio Del Real, and Carlos Marandino were accused of the murders of the sixteen guerrillas and the attempted murders of the survivors. The two other defendants in the case were accused of lesser crimes that were nonetheless integral to the official version of events circulated by Lanusse’s dictatorship. Jorge Bautista, the officer who led the military investigation into the massacre, was accused of concealing information. One of the alleged direct perpetrators, Guillermo Bravo was the subject of an unsuccessful extradition petition lodged by the Argentine government with the United States in 2010. Another of the alleged indirect perpetrators, Horacio Mayorga, was declared unfit to stand trial. Mayorga had ordered that the guerrillas be sent to Almirante Zar naval base (El Juicio, 2012; Almirante Mayorga, 2008)

In a Página/12 article on 14th May 2012, German Kexel, the lawyer representing the Human Rights Secretariat of the Nation addressed the issue of continuity that underpinned the prosecution. Kexel argued “the Argentine genocide of ’76 did not start overnight, but rather it was a process that had been working for some time.” To underscore the approach, Kexel referred to the pursuit of the three survivors of the massacre, Berger, Haidar and Camps during Proceso, and to the 1975 murders of Mariano Pujadas’s family. In the same interview, the prosecutor in the case, Fernando

227 Rodolfo Mattarollo, the Undersecretary of Human Rights likened the theory of two demons to the negation of Nazi crimes (Ginzberg, 2006b).
228 In October 2012, Sosa, Del Real and Marandino were found guilty of crimes against humanity. Ruben Paccagnini and Bautista were acquitted (Bullentini, 2012b).
229 CELS represented the families of victims.
Gelvez, referred to the fundamentals of the prosecution case that necessitated that the sixteen deaths were framed as crimes against humanity (Bullentini, 2012d). Lawyers of the accused pursued the argument that the massacre was prescribed by the statute of limitations. Under the terms of the statute in Argentine law, crimes punishable by life in prison expire after fifteen years. The statute of limitations is not applicable for crimes against humanity. In 2003, Kirchner ratified the UN Convention on the Non Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (Código Penal, Article 62:1; Urtubey, 2005).

It has proven more difficult to ascertain the state’s involvement in the disappearance and deaths of militants and guerrillas in 1970 and 1971, despite the proceedings initiated by lawyer Alberto Pedroncini. The situation with regard to the disappearances prior to Trelew underscored Duhalde’s reference to the massacre as the most palpable proof of state terrorism and to its status as the officially recognised origin.\(^{230}\) The crimes committed after the Trelew Massacre by the AAA are the subject of investigations and prosecutions. In 2008, a Federal Court ruled that the murders committed by the AAA were crimes against humanity (Los crímenes, 2008).

**Creation and erasure in May and July 2012**

An examination of two acts conducted in Argentina in May and July 2012 is instructive in delineating the conflict between the now dominant approach, and the adversarial position. The first of the two acts was conducted in Trelew and Rawson and both underscored the significance of the Trelew Massacre as the origin of state terrorism and the continuation of violence perpetrated by the state to the end of Proceso.

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\(^{230}\) The complaint was based on manuals signed by Lanusse in 1969, when head of the army. The manuals outlined the military’s approach to subversion. The hitherto unknown documents were produced by former General Riveros at a trial in 2009 in order to apportion responsibility for Proceso deaths to the military leaders. No probable connection was ascertained between the manuals and deaths and disappearances (Los orígenes, 2009).
The second act, which was conducted in Buenos Aires, attempted to de-contextualise violence.

Over the course of the weekend before the May 2012 trial commenced, representatives of HROs and surviving relatives of the victims, some of whom formed the Comisión de Familiares de Patriotas Fusilados en Trelew in 1973, conducted commemorations at sites associated with the massacre. The represented organisations included H.I.J.O.S., Madres: LF and the Kirchnerist youth organisation La Cámpora. Grupo de Arte Callejero (GAC) or Street Art Group, a political art collective and long-term collaborator of both H.I.J.O.S and Madres: LF, installed approximately 1.5 metre square photographic portraits of the nineteen Trelew victims at prominent locations in Trelew and Rawson. (Figures C7.1 to C7.6 to p.404)

Figure C7.1 GAC 2012 Emilio Delfino

231 All the photographs are available at http://grupodeartecallejero.blogspot.com.au/2012/05/fusilados-en-la-masacre-de-trelew-el.html
On the walls of the *Provincial Cultural Centre* in Rawson, *GAC* placed Emilser Perreyra’s photograph of the nineteen guerrillas at the time of their surrender at Trelew airport (Figure C7.7 p.405), and photographs of Ruben Bonet and Mariano Pujadas taken at the press conference after the surrender, when assurances were given to the *Montoneros, FAR* and *ERP* members over their safety (Figure C7.8 p.405). On a wall at the site of the 1972 surrender, at what is now the *Cultural Centre for the Memory of Trelew* or *CCxMTw*, *GAC* installed photographs of the survivors; Berger, Haidar and Camps (Figure C7.9 p.406). The survivors provided information that had a fundamental role in undermining the official version(s) of events circulated by Lanusse’s
dictatorship, and thus in the construction of the unofficial version that underpinned the responses to state violence in the immediate and longer-term aftermath of the massacre.

Figure C7.7 GAC 2012 Trelew surrender (Un mural, 2012)

Figure C7.8 GAC 2012 Pujadas and Bonet press conference 15th August 1972
The presence of the photographs of the Trelew survivors within the framework of the victims of the massacre, but also at the same time separated, is significant. In one sense, the inclusion of their photographs operated as an assertion of the credibility or veracity of their testimony with respect to what occurred on 22\textsuperscript{nd} August 1972. In another sense, the deaths of the Trelew survivors during Proceso supported the theory of the continuation of state violence.

The testimony of the survivors was invaluable to understandings of the event prior to the Proceso and was vital to both the framing of the event at the 2012 trial and to the unsuccessful extradition petition that I discuss later in the chapter. In the two legal cases, the testimonies had prominent though divergent roles. In 2007, Duhalde presented their original September 1972 testimonies to the trial Judge Hugo Sastre in Argentina. Those testimonies were dismissed as unreliable and unverifiable at the 2010 extradition hearing.
I discuss the photographs in the last section of the chapter in a contextualisation of the work of GAC, in which I establish the connections with the works of Juan Carlos Romero in 2010, 2011 and 2012 that were reiterations of the 1973 work (Luna, 2012). That work belongs to the historical period of its production and operates as an articulation of the role of the politically and socially committed artist prior to the full force of repression, and to the significance of the Trelew Massacre as the symbolic act of state violence and impunity at that time.

**The survivors**

Alberto Camps died in a confrontation with the military on 16th August 1977, five years after the Rawson prison escape. In 2000, his remains were identified and returned to his family. Camps was buried as a NN in Lomas de Zamora cemetery with another member of the Montoneros, and a still born child. Both adults exhibited multiple gunshot wounds (EAAF, 2000, pp.15-16).

Camps’ wife, Rosa Pargas was kidnapped on 16th August 1977 and held in the Vesubio CDC until at least March 1978. Both she and Alberto were the focus of discussions about the perpetuation of state violence following Revolución Argentina and in the attempts of activists and politicians to halt the repression committed against left-wing militants. This occurred following their arrests and Camps’ torture whilst he was in police custody in 1974. His torture was condemned at the time by political figures including future President Alfonsín. Camps’ torture was dismissed by President Juan Perón.

The circumstances of Berger’s death are uncertain. It has been argued that she died in a 1979 confrontation with the armed forces and that her corpse was displayed in the ESMA (Levenson & Jauretche, 1998, p.205). Berger was part of the Montoneros

\[232\] [www.Abuelas.org.ar/maternidades/vesubio/vanexovict.htm]
counter-offensive that returned to Argentina in 1979. Antonius Robben argues that the military was aware that the counter-offensive was going to take place (Robben, 2005, p.163). CELS report for October 1979 to October 1980 states Berger was kidnapped on 16th October 1979 (CELS, 1980, p.5).

What is more certain is that Dagmar Hagelin’s murder was attributable to the navy’s pursuit of Berger. In 1977, Hagelin was mistaken for Berger whilst visiting Norma Burgos’s home. On fleeing from the scene, Hagelin was shot, but not killed by Alfredo Astiz. Witnesses including Burgos testified to seeing the semi-paralysed Hagelin in the ESMA (CELS, 1982a, p.17; El caso, 2008).

Ricardo Haidar was seen alive in the ESMA by Víctor Basterra. Haidar was one of the last people kidnapped by the navy. Haidar was taken to the ESMA in late 1982. Haidar’s mother reported him missing in December 1982. CELS filed a habeas corpus petition in January 1983 on behalf of Haidar’s mother, then domiciled in Mexico. Neither Berger’s nor Haidar’s remains have been recovered (La Voz, p.15, 30th August, 1984; El Libro, 1985, p.205; Argentine mothers, 1983, Appendix pp.619-620).

A symbol of dictatorial justice

In July 2012, a commemorative plaque to Jorge Quiroga was removed. Quiroga worked at the court established by Lanusse in May 1971 to convict without trial, those suspected of subversive activities. The plaque was installed in 1979 in memory of Quiroga’s work and to commemorate his murder in 1974 by an ERP faction.

The Union of Justice Employees of the Nation (UEJN) instigated the removal of the plaque. Its removal was accompanied by a proposal for a replacement plaque commemorating the life and work of lawyer Guillermo Diaz Lestrem who was
appointed to investigate *El Camarón* in 1973, and who was later assassinated. CELS and *Abuelas* supported the proposed replacement (Hauser, 2012; Morini, 2012b). A press release issued by the UEJN in June outlined the reasons for the proposed removal. The communiqué stated Quiroga was complicit in the impunity provided to those responsible for the *Trelew Massacre* and that the plaque was *to a person symbolising dictatorial justice* (*Se bajó*, 2012; *Retiran placa*, 2012).

The proximity of the plaque marking the place of Quiroga’s shooting to the Federal Courts in the Buenos Aires barrio of Tribunales, has drawn commemorations to Quiroga on 28th April each year to Plaza Lavalle, facing the court building. The most recent commemorations have been conducted by the *Asociación de Abogados por la Justicia y la Concordia* (AAJC), a lawyers’ association established in 2009 in support of defendants in human rights trials. *AAJC* refers to the defendants as political prisoners who are subjected to persecution for acts of service in the fight against foreign-trained organisations seeking to impose Communism. AAJC, presided by Alberto Solanet, have held these acts with Cecilia Pando’s organisation: *AFyAPPA*.

*AAJC*’s website includes texts authored by Pando and, importantly for the discussion presented later in the chapter, the text of the argument presented by Alfredo Solari in the 2009 ESMA trial. I discuss Solari’s role in the extradition proceedings in what follows. Prior to the involvement of the two groups, Quiroga’s death was marked by *Asociación Unidad Argentina* (AUNAR). In 2004, AUNAR commemorated the thirtieth anniversary of Quiroga’s murder. The Vice President of the organisation at the time was Fernando Verplaetsen (*Homenajearon al*, 2004; *Nelson Corgo*, 2003). In April 233 In 1985, Graciela Daleo testified to having seen Diaz Lestrem in the ESMA (Diario del Juicio 22, 1985, p.426). His body was found on a Buenos Aires street after his apparent ESMA release (*Association of*, 1979, p.30).

234 Available at justiciayconcordia.org and see Solanet, 2011
2009, Verplaetsen was jailed for twenty-five years for crimes committed at *Campo de Mayo* (Martínez, 2009b; *El caso*, 2009).

In 1999, *AUNAR* published a monograph edited by Verplaetsen titled *Subversión: La Historia Olvidada*. The publication detailed the violence committed by guerrilla organisations prior to and during the *Proceso*. The section on events of 22nd August states only that the prisoners died (*AUNAR*, 1999, p.37-39; *El general*, 1998; Verbitsky, 2006).

During an act in July 2012 in repudiation of the removal of the plaque, Solanet read an open letter to the small crowd in Plaza Lavalle (Morini, 2012a; Télam, 2012). The letter was addressed to Ricardo Lorenzetti, the President of the Supreme Court, and one of the members who voted in favour of declaring the laws of *Obediencia Debida* and *Punto Final* unconstitutional (Ventura, 2005).235 Solanet argued that the prosecution of former members of the military amounted to the substitution of law by a human rights policy that was in turn described as a vicious entelechy.236 Solanet further argued that the removal of the plaque served to reactivate the past that aided the endurance of hatred. *La Nación*’s editorial on 13th July decried the removal, stating that the court had been an effective tool in combating guerrillas and that the dismantling of Lanusse’s court and the provision of amnesty in 1973 resulted in the continuation of guerrilla activity. The article did not mention the *Trelew Massacre*. The editorial concluded with the remark that the plaque’s removal was motivated by hate and the spirit of vengeance of those who were responsible for bloodshed and who now occupied power (*Agravio a*, 2012).237

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235 Lorenzetti was the last of four judges Kirchner appointed (Tagliaferro, 2004; Hauser, 2006).

236 Entelechy is a principle that guides the functioning of an organisation or is its motivating or foundational principle (OED)

237 Plaza Lavalle is a contested commemorative site. The plaza contains a memorial to 113 *detained-disappeared* lawyers. The memorial was placed in March 1996. The first victim is Nestor Martins.
The two recent acts, one of production and the other of erasure, or more specifically, the position of those opposed to the removal of the plaque, underscores the split in how events of the 1970s are approached. On the one hand civil society, HROs, artists, members of the judiciary and government now frame the Trelew Massacre as the beginning of the unprecedented period of state terrorism. On the other hand, the weaker position, which emphasises the virtue of the legal system during Revolución Argentina and avoids events of 22nd August 1972.

**A four point plan**

In the following section, I locate the more recent acts within the context of developments in the approach to the Trelew Massacre from 2005 when Kirchner met with families of those killed on 22nd August 1972. This consideration places the GAC act in the context of this shift to the official acknowledgement of the events as a massacre.

In August 2005, the surviving family members of some the victims; Alicia Bonet de Leichuk, Ruben Bonet’s widow; Chela Lemas, Maria Angelica Sabelli’s aunt, and Soledad Capello, Eduardo Capello’s mother, presented Kirchner with a petition outlining four demands: the reopening of criminal proceedings against the perpetrators of the Trelew Massacre and connected crimes, an investigation into the navy; that the Federal administration support the Chubut government in converting the airport into a Space for Memory, and finally, the creation of a monolith to the victims of the massacre and to the survivors killed during the Proceso (Familiares de, 2005).

Relatives had conducted commemorations to mark the anniversary prior to the meeting with Kirchner and had attempted to engage previous governments in dialogue. The most prominent attempt was Alicia Bonet’s open letter to President Menem, politicians and students, on the twenty-fifth anniversary of the massacre in 1997, in an
attempt at putting the massacre back into public consciousness. In the letter, she called on the government and media to publish the survivor testimonies, for Menem to open trial proceedings, and for the publication of the names of those responsible for the deaths. The letter emphasised the continuity of violence from 22\textsuperscript{nd} August 1972 including the murders of the family members of the Trelew victims and fifty lawyers killed between 1972 and 1975, all of whom defended political prisoners (\textit{Carta Abierta}, 1997; Bullentini, 2012c).

\textbf{Bravo’s extradition}

In this section of the chapter, I examine the extradition petition lodged by the Argentine government with the United States for the return of Roberto Bravo to face prosecution for his alleged participation in the massacre. I focus the analysis on the impact of the evidence given by two expert witnesses; Alfredo Solari and John Perdue at the hearing in August 2010. Their evidence was the most effective example of the use of the official version of events circulated in 1972. Their evidence and eventual ruling erased the historical context of the massacre and operated as a dismissal of the September 1972 survivor testimonies, which were of fundamental importance to the work of actors in 1973 and to the approach adopted by Kirchner’s administration. An analysis of the case contextualises the work of CAyC and GAC.

In August 2007, on behalf of the \textit{Ministry of Human Rights}, Duhalde submitted the first public survivor statements to judge Sastre. The submission formed part of the case for the detention of Luis Sosa, who was known to be in Argentina (Pertot, 2007b). The alleged perpetrators, except for Bravo, were arrested and held in pre-trial detention. Bravo, a U.S. citizen since 1987, was tracked down as the owner of a military supplies

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\textsuperscript{238} Menem’s response was an extension of law 24,411/95 in 1999 that provided reparations to families of the \textit{detained-disappeared} to include the families of the Trelew victims. Payment as a form of recognition of the state’s culpability was reserved for \textit{Proceso} victims. The exception was payment to Ortega Peña’s family (Ginzberg, 1999c).
company *RGB Group Inc.* in March 2008 (Martínez, 2008c). Bravo had remained in the United States from his 1973 posting (*Se demora*, 2010). Bravo was the subject of an extradition petition lodged by the Argentine government with the United States under the terms of the Extradition Treaty signed by the two countries in 1997 and effective from 2000 (Helms, 1998, pp.21-35).

The extradition process was affected by multiple delays. The hearing was originally scheduled for April 2010, then June, and then for 20th August. The extradition hearing took place on 31st August. A decision was reached by Judge Dubé of the *United States District Court, Southern District of Florida* on 1st November (Case 10-20559-MC-DUBE). Dubé denied the extradition on the grounds the case was a political offense under the terms of Article 4 of the Treaty or the political offense exception. The exception is applicable if the defendant can establish through the “incidence test” that the crime for which extradition is sought occurred in the context of war, revolution or unrest. Dubé concluded that the survivors testimonies were unreliable, and not verifiable (Anderson, 2010).

Bravo’s expert witnesses had a significant influence on the denial of extradition. At the time of the hearing, Solari was Professor of Constitutional Guarantees at *UBA* and the lawyer of alleged *ESMA* perpetrators. Perdue was a board member of *The Fund for American Studies (TFAS)* in the United States.\(^239\)

The Trelew surrender was not mentioned. Instead politically motivated evidence was submitted to the court. *U.S. State Department* prosecutor Cynthia Wood stressed that both expert witnesses received payment for their testimony. This was part of her attempt to raise the issue of bias of the expert witnesses and to place the massacre in

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\(^{239}\) See Messer-Davidow, (2002) for the origins of *TFAS* at Georgetown University in 1967. *TFAS* was organised to promote right-wing political ideals in response to left-wing student protests in the United States (pp.239-241). See the organisation’s history at [www.tfas.org](http://www.tfas.org)
historical context, during her cross examination of Perdue and Solari. When asked by Wood whether the events of 22nd August 1972 occurred during a military dictatorship, Solari responded that it was a subjective value judgement. As I discussed in chapter six, during the ESMA trial Solari opposed the Proceso being referred to as a dictatorship. Solari’s status as defense lawyer in the ESMA trial was not mentioned. At the extradition hearing, Solari argued the process initiated against Bravo was political persecution and that Duhalde, the Minister for Human Rights, was at the time of the massacre, the survivors’ lawyer (Barón, 2010). After the hearing, Wood articulated her objection to the use of the political offense exception, pointing out that Government forces killed arrested civilians (Reyes, 2010).

Prior to the Bravo case, legal scholars questioned the legitimacy of the Political Offense Exception in petitions requesting the extradition of former government officials. The extradition of Suarez Mason in April 1988 is one often cited example. In that case, Suarez Mason was extradited to Argentina to face prosecution for thirty-nine Proceso murders. The judge in that case stipulated the “Political offense exception” to extradition did not extend to protect former government officials from extradition for actions taken in course of suppressing rebellion”, and, further, “that extension of the political offense exception would serve primarily to prevent former officials from being justly returned and brought to trial for the violations of law they committed while in power” (In the Matter, 1988, p.678 & p.705; Gibney, 1992, p.181).

Aimee Buckland (2006) analysed the intentions of the exception and raised questions about its application. Buckland argued the exception was not designed to protect former government officials (2006, p.425). Buckland discussed the case of

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240 Payment to expert witnesses in U.S legal cases is accepted practice. Each party has the right to appoint expert witnesses. In most other countries, including Argentina, expert witnesses are chosen from lists of recognised experts in a given field by the judge. The prosecution did not call an expert witness (see Langbein 1985 and Liptak, 2008).

former Bolivian leader Sanchez de Lozada, who was facing possible extradition from the United States for crimes committed by his administration’s security forces against indigenous groups in 2003 (2006, p.429\textsuperscript{242}). However, the Bravo case most firmly underscores the problems with interpretations of the political offense exception.

The 1972 survivor statements were included in the evidence supporting the extradition petition. Perdue argued that the three testimonies were strikingly similar. Dubé referred to Perdue’s analysis in his decision and identified the motive of the testimonies as propaganda. This was “strikingly similar”, to use Perdue’s words, to the approach taken by the defence lawyers at the Trial of the Generals in 1985 in which the lawyers for the nine defendants argued “the victims were tainted with subversion” (Speck, 1987, p.506). Dubé stated,

> The statements of Berger, Haidar and Camps appear to have been made shortly after the shootings at Trelew and in concert with one another and with their defense councils. While only the Berger statement is dated, it appears that all three were given around the same time since all three statements have the same captions and were described as “strikingly similar” by Perdue. It appears that the statements were coordinated with a press conference given by their defense councils. The statements and the press conferences by the defense lawyers are relevant to the determination of credibility and motive, because Bravo submitted documents which support his position that “terrorists regularly engaged in propaganda campaigns in order to gain recruits and public sympathy for their sustained campaign to overthrow the existing government (Case, Credibility, p.10).

Finally, Dubé argued the testimonies were not verifiable. He stated “It is also a concern to this court that Berger, Haidar and Camps disappeared or died during the 1970s. Thus, there has never been any way to test their allegations or subject them to

\textsuperscript{242} The U.S refused extradition (Greenwald, 2012).
any cross-examination” (Dubé, 2010, pp.13-14). The statement was not only incorrect, (Haidar was *detained-disappeared* in 1982) it also operated as an erosion of the historical context of the attempts in 1973 to have events investigated, and importantly the continuation of violence. Dubé did not say the survivors were *detained-disappeared* or were killed but rather they disappeared or died. The use of the term *detained-disappeared* by HROs originated to clearly attribute responsibility to the state. Died does not attribute responsibility.

The weight of opinion in Argentina runs counter to that presented by Solari and Perdue. Luis Alen the *Undersecretary for the Protection of Human Rights* criticised the application of the political offense exception. Alen argued the massacre was a crime against humanity (Calloni, 2010a). It is possible to argue that Solari had a vested interest in the outcome. In his letter to El Hadji Malick Sow, the head of the *United Nations Working Group on Arbitrary Detention* of 31st October 2010, the day before Dubé’s decision, he outlined what he termed the arbitrary detention of defendants as part of the Kirchnerist political project. Solari referred to the detentions of the alleged perpetrators of the *Trelew Massacre (Causa 122/06)*.

**GAC, Romero and the *CCxMTw***

In this final section, I examine the uses of the photographs of the *Trelew Massacre* victims by Romero and GAC from 2010 to 2012. I discuss the work of GAC in Trelew and Rawson in the context of the renewed focus of groups involved in human rights issues during the early 1970s and those formed during and post the *Proceso*. I also argue that GAC’s work is a necessary elaboration of the work conducted by artists affiliated with *CAyC* in the early 1970s.

I examine some of GAC’s prior concerns in order to contextualise effectively how the issue of the continuation of violence has been approached. I also discuss more
subtle mechanisms that have been implemented at the CCxMTw in Trelew, to address the issue that GAC’s photographic installation in Patagonia emphatically elucidates.

GAC’s photographic installation in May 2012 was the first occasion that the collective used photographs of victims of state violence, whether in their involvements in memorial activities to Proceso victims, or with respect to the acts of state violence with which the collective has engaged since its 1997 formation. Importantly for what follows in the remainder of the chapter, the photographs of the nineteen Trelew victims that GAC used in May 2012 were incorporated into CCxMTw from its opening. The photographs are not those used in 1973 (La Masacre, 2007; Das Neves, 2007; Pertot, 2007a). (Figure C7.10)

Figure C7.10 Bonet’s grandson in the CCxMTw 2011 (“Estoy muy” 2011)

The intervention in Trelew and other recent activities shift the way in which the collective and its work can be approached, and by extension underscores the importance of the Trelew Massacre to multiple generations of activists and its significance as the origin of state terrorism.

Whilst it is not possible to analyse the entirety of GAC’s work, it is instructive to consider the collective’s concerns in depth. These follow two broad strands. The first of
the two strands is the work *GAC* has conducted with *H.I.J.O.S* and *Madres: LF*.\(^{243}\) That current is further split into two complementary concerns; those conducted in memory of the victims of repression and the impact of repression, and those that focus on the prosecution of perpetrators.

*GAC’s* second set of concerns are tied to the origins of the collective. That strand focuses on contemporary social and political issues that are not directly connected to the *Proceso*. However, some are recurrent problems that can be traced to before the *Proceso*, to social and political protest and to the role of the artist. Specifically, the state repression conducted against protesters during de la Rúa’s administration in 2001 and Duhalde’s in 2002. During those administrations protesters were killed by state forces. As I discussed in chapter five, in December 2001 five people were killed in and around Plaza de Mayo, in what was termed the *Argentinazo*, in reference to the *azos* from 1969 to 1973 (Klein, 2003, p.C14). In 2003, *GAC* created public tiles to the victims (Dillon, 2003).

The second prominent concern in the category of contemporary social and political issues is the focus on education struggles that emerged as a response to the neoliberal policies of Carlos Menem in the 1990s. Members of *GAC* were students at *Escuela Nacional de Bellas Artes Prilidiano Pueyrredón* at the time of its formation. The school was the site of struggle in 1971 during *Revolución Argentina* when students demanded the *Taller Total* (*Total workshop*) which would enable a closer engagement with social and political concerns. That demand was supported by the art community in Argentina, including Romero. Both sets of *GAC’s* concerns can be connected to the role of the artist and the definition given by Romero and Pazos in 1972, prior to their *Hacia un perfil de arte latinoamericano* exhibition.

\(^{243}\) *GAC* emphasises its independence from those organisations (Longoni, 2009, pp.7-16)
Romero 2010-2012

On the anniversaries of the massacre from 2010 to 2012, Romero exhibited the work he, Benveniste, Pazos, Leonetti and Vigo produced in 1973. The exhibitions included photographs of the surrender of the guerrillas on 15th August 1972, and newspaper reports on the destroyed work at the Faculty of Law at UBA. A major focus of the three exhibitions, the first of which was held at the CCxMTw, the second at a cultural centre in Buenos Aires, and the third at Espacio Memoria y Derechos Humanos (ex ESMA), were the photographs of the sixteen victims that were used in demonstrations, in the first instance immediately after the massacre in 1972, at the Devotazo in May 1973, and then on the anniversary of the massacre in 1973, when the families of the victims and the survivors proposed a parliamentary investigation into the massacre. At that time commemorations were held in Buenos Aires and the birth cities of the victims. The photographs formed the basis of Proceso a Nuestra Realidad and the Trelew cross at the Faculty of Law at UBA (Figures C7.11 to C7.14 to p.421).

Figure C7.11 Romero 2011 Kohon

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244 Centro Cultural de la Cooperación Floreal Gorini
245 The 2011 exhibition was titled Trelew a 39 años: Afiches y documentos. The 2012 exhibition was Trelew a 40 años: Afiches, documentos y acciones.
Figure C7.12 Romero 2011 Villareal and Pujadas

Figure C7.13 Romero 2011 Villareal, Pujadas and del Rey
Romero’s exhibitions on the recent anniversaries operated as a historical marker of the treatment of the massacre by social and political actors at that time. The destruction of the work in UBA marked a turning point in the shift to the Peronist right and the dwindling of the strength of the Peronist left at UBA, and then in parliament.

CCxMTw

In 2011, Juan Arcuri the Undersecretary of Human Rights for the Province of Chubut published a paper on CCxMTw’s role (Arcuri, 2011). Arcuri located the CCxMTw within the context of other Spaces of Memory in the Federal Network of Sites of Memory (ReFeSIM), whilst articulating CCxMTw’s differences from the other sites in the network. Arcuri’s differentiation rested on the fact the airport did not operate as a CDC. Another significant difference from other sites is that the airport was one of a number of places connected to the killings. Arcuri described that difference as both a problem and an opportunity (Arcuri, 2011, p.23).Arcuri emphasised the importance of the notion of continuation that underpins how the centre has operated from 2007, both in a geographical sense and in terms of the violence that followed the massacre. The
space has been used for exhibitions from other parts of Argentina, notably *Imágenes en Memoria* by Gerardo Dell’ Oro in March 2010 (*Das Neves*, 2010).

An exhibition of Romero’s work took place from 15th August 2010, on the thirty-eighth anniversary of the surrender and when Bravo’s extradition hearing was scheduled to take place. The exhibition was held with an exhibition of *DIPBA* files relating to the *Trelew Massacre*. Fifteen hundred files referred to the massacre and to the repression in the years following (*se exponen*, 2010; Cagni, 2010; *Masacre de*, 2010). (Figure C7.15 p.422) The *DIPBA* archive contained documents on arrests in La Plata on the second anniversary of the massacre (see chapter one). Ambrosio de Marco and Patricia Dell’ Orto were among those detained on 22nd August 1974. As I discussed in the previous chapter with respect to Julio López’s disappearance, the couple was *detained-disappeared* in 1976.  

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246 There is debate over the date the couple were arrested. In her discussion of the role of the *DIPBA* archive in Etchecolatz’s 2006 trial, Claudia Bellingeri states documents refer to De Marco and Dell’ Orto in August 1974, during what she refers to as the commemorations of the *first anniversary of the massacre*. 1974 was the second anniversary. Bellingeri refers to the file number of the case and its contents, arguing that 82 people are named in the file and that most of them were later *detained-disappeared* (*Bellingeri*, 2006, p.11). On the anniversary in 1974, *Noticias* reported that around ninety people were arrested in La Plata.
In order to understand the continuation and extension at the centre of the push for historical and juridical truth that GAC’s Trelew work reflects, it is useful to discuss the work of the collective. GAC’s *Pensamientos, practicas y acciones* (2009) provides an insight into the shifting political conditions in which the group has operated, which in turn locates their diverse complementary historical and contemporary social and political concerns. The publication spans the period from Menem’s second term of office to the midpoint of Cristina Fernández’s first term.

Much has been written about GAC’s work with *H.I.J.O.S*, particularly regarding the *Escraches*, or the public naming of those involved or complicit in the repression. Ana Longoni, among others, has written about the work of GAC and *H.I.J.O.S* in this context (Longoni, 2008; Giunta, 2011, pp.105-122; Wright, 2008). The collective created signs to identify former *CDCs*, and the homes and workplaces of repressors...
(GAC, 2009, p.64). GAC took part in the 2007 Escrache near to Alfredo Bisordi’s home (La Agrupación, 2007; Vales, 2007a). (Figure C7.16)

![Figure C7.16 Solo GAC 2007](image)

**Rectification after destruction**

In March 2011, GAC conducted a project with Madres: LF at IUNA, formerly La Escuela Prilidiano Pueyrredon, in response to the destruction of a photographic memorial to the school’s detained-disappeared victims. The memorial was installed in March 2010. (Figure C7.17 p.425) Paper lanterns to the seven victims were placed at the building’s entrance. (Figure C7.18 p.426) The memorial on the school’s outlying wall was targeted by vandals in February 2011. The perpetrators belonged to the far-right organisation Acción Nacional Católica (ANC), who spray painted over the victims’ photographs and wrote the slogan 30,000 lies (Figure C7.19 p.426). The destruction of the memorial and subsequent rectification formed part of the ongoing

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247 Prilidiano Pueyrredon became part of Instituto Universitario Nacional de Arte (IUNA) by Decree in 1996 (1404/96) which changed the curriculum of seven branches of the arts under the administration of one organisation. Staff and students perceived the intervention to be authoritarian (Los institutos, 1996).
political unease created by human rights trials. The destruction of the memorial was part of a spate of ANC attacks.²⁴⁸

²⁴⁸ The Institute for Socialist Thought was targeted in February 2011 (Intelectuales, artistas, 2011, p.14)
GAC’s emergence was coincidental with a period of political engagement of students. The struggles of the early 1970s operated as a template that contextualises the idea of transmission of memory in the mid 1990s. Those years were defined by opposition to Menemist government policies. Education was one of the most prominent political battlegrounds during Revolución Argentina and then from late 1973. The arrest
of students of the art college over their demand for a *Taller Total* in 1971 was a symbolic starting point for resistance in Buenos Aires. (Goebel)

Myriam Bregman’s 2006 analysis of the aims of the *Proceso* at Etchecolatz’s trial, which she argued were to erase the struggles of a generation so that they would not be imitated, is important to understanding the 1990s struggles. The *Trelew Massacre* and the responses to it epitomised political struggle in the 1970s. The political involvement of students from the mid 1990s underscores the importance of the transmission of memory I discussed in chapter four of the thesis, and its impact. Those in education were at the forefront of the struggle. In their 2009 publication, *GAC* state,

> By then, most of the group were students in the final years of Fine Arts teacher training, and as such were forming a teaching career and visual arts career, we felt crossed by specific educational issues. The context was the imposition of the Federal Law of Education, responsible for Pauperization and educational dismantling in the last decade, the reduction in the budget for public universities and the decentralization of resources for middle and lower levels in schools. The teacher’s claims partially revealed the tip of the iceberg of a greater conflict in a society that generally supported the neoliberal policies. [...] The picture of the art world was not encouraging in the late 90s, [...] evading all links with social problems. With few exceptions, the lack of critical vision of this world was a clear reflection of the times (GAC, 2009, pp.25-26).

*GAC*’s first public work was placing the first of thirty murals in the series *Docentes Ayunando* in Plaza Roberto Arlt in April 1997. Members of the group were students at *La Escuela Bellas Artes Prilidiano Pueyrredon* at that time. The site has historical significance. Until 1969, the site was the location of a public assistance

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building. The park was the location of CAyC’s *En el aire libre* exhibition following the* Trelew Massacre* in September 1972. One of CAyC’s works made direct reference to former uses of the site (*Transposición en el Tiempo* by Hebe Conte and Alfredo Portillos, p.12; Perez, 2009, p.34; Commissio, 1997; Fernández, 1999).

*GAC’s* first work was in solidarity with the demands of school teachers. In April 1997, fasting teachers of the union *CTERA* erected the *Carpa Blanca de la Dignidad* or *White Tent of Dignity* in Buenos Aires. There was an ongoing national crisis in primary, secondary and tertiary education, following the wholesale education reforms implemented during Menem’s second term (1995-1999) which involved the decentralisation of education to the provinces and pay cuts to secondary school teachers.

*The Carpa Blanca* remained for 1003 days until the implementation of the teacher incentive payment. Funds were raised by the Federal government through the implementation of a vehicle tax. No guarantee of funds was implemented. Another national strike was called for 6th April 1999 (Pribble, 2013, p.141; *Una multitud*, 1998; *El gremio*, 1999; *A diez*, 2007; Gindin, 2009, p.62; Suárez, 2005, p.9; Dupre, 2001, pp.24-28; Puiggrós, 1996, pp.91-101). The *Carpa Blanca* was the most significant articulation of the problem, not just in terms of secondary education, but all education.


Carlos Menem’s second administration marked the end of free university education. Higher Education Reform was implemented in 1995 (24.521/95). The law removed university autonomy, student representation in faculties, and implemented fees. The right to a free education and the autonomy of universities is enshrined in the
1994 Argentine Constitution (Constitución Nacional 1994, Section 75, art. 19). Protests were carried out at the beginning of 1996 at UNLP and UBA. Hebe Bonafini of Asociación Madres, who was present at the UNLP protest, accused the provincial and national governments of implementing the policies of the dictatorship, following the violent repression. UNLP students had attempted to stop university authorities from changing the university statutes. One week earlier students stopped authorities from entering a UNLP building. Police were criticised for not breaking up that protest. On 20th February, 240 people were arrested at UNLP. La Bonaerense officers fired tear gas and rubber bullets after students went to the police station, where those arrested were held, to demand their release. Those policies more closely resembled Revolución Argentina than the Proceso (Hnatiuk, 2012; D’Eramo 1996; Carrasco Quintana, 1996; Carrasco Quintana & Di Lazzaro, 1996; CELS, 2003b, pp.42-43).

In May 1996, twelve UBA faculties refused to implement tuition fees through changing the statutes governing faculties. Rector Shuberoff rejected the government’s policy (Delfino & Himitian, 1996; Cuestiona el, 1996). In 1998, students occupied secondary schools including CNBA, Carlos Pellegrini (ESCCP), Otto Krause and Manuel Belgrano, then a secondary school following the creation of IUNA (Natanson, 1998; Protesta y, 1998).

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250The education crisis continued beyond the late 1990s. An education budget cut of 286 million dollars was announced in April 1999 in a broad suite of cuts totalling one billion dollars through decree 455/99, after negotiations with the International Monetary Fund (Montonegro, 1999). Argentina entered into recession following Brazil’s currency devaluation. Brazil was Argentina’s major trading partner (El ajuste, 1999, p.5; Bulmer-Thomas, 1999, p.737). One hundred million dollars was to be cut from the University budget. Seventeen million dollars was to be cut from UBA. The university was threatened with closure. Rector Shuberoff stated UBA would shut its doors in October 1999 when funds ran out (Lorca & Sosa, 1999; Relea, 1999b). Twenty of the thirty-seven Argentine universities were taken by students including UBA, and the schools dependent on UBA: CNBA and ESCCP. Menem backtracked after the march by two hundred thousand people from all education sectors to Plaza de Mayo. (Una Jornada, 1999; Marchas a, 1999; Krauss, 1999; Relea, 1999a; Toda la, 1999; García de Fanelli, 2012, pp.101-104).
In 2002, GAC conducted an act at the Faculty of Law at UBA in memory of the eighty students of the faculty killed or detained-disappeared. In contrast to other UBA faculties, no students or former students were killed before 1976. GAC placed name plates to each of the victims on the classroom seats. The example in GAC’s monograph is to Ada Porta. Porta was detained-disappeared with Horacio García Gastelú, one of the Fátima Massacre victims (GAC, 2009, pp.114-117). The Faculty of Law was the site of a violent ideological conflict between left and right Peronists in 1973 and 1974.

GAC’s work from 1997 operates as a concerted and extensive examination of, and engagement with continuing political problems, the re-emergence of problems from before Proceso and as elucidations of the lasting impact of repression, most prominently in their memorial activities conducted in education institutions. Their involvement in resistance struggles was the strongest articulation of the political awareness and political engagement from the mid 1990s of generations which had not experienced state violence in the 1970s. As I discussed in chapter four, commemorations at education institutions to victims of state terrorism employed extensive frameworks to include those killed before the Proceso. The most significant example was that at CNBA in 1996.

UBA was one of a number of prominent locations associated with historical and contemporary political issues. Many locations were used by the CAyC collective in the 1970s in their understanding of the role of the politically committed artist and their focus on the concientizacion of the Buenos Aires population. The Trelew Massacre was CAyC’s most prominent focus at that time before the unprecedented Proceso violence that followed right-wing paramilitary violence that was committed with impunity during Peronist governments from June 1973. The destruction of CAyC’s Trelew Cross at the
Faculty of Law at UBA in October 1973 was a significant moment in a developing political reality.

GAC’s engagement with the Trelew Massacre is in one sense the completion of their project that focused on the impact of repression, even though GAC has continued to use enlarged photographs of victims of repression at prominent locations in Argentina including at the ESMA in September 2012 (see chapter six). The collective’s first use of photographs was a reflection of the state’s commitment to truth, memory and justice which in turn was a response to the persistent demands of the surviving family members of the Trelew victims.

The work of HROs and GAC was also informed by adversarial positions which were present during Menem’s Presidency, given his continuation of the theory of two demons and his minimal commitment to historical human rights issues (see chapter four). Adversarial positions still persist through the employment of a variety of narratives. Alfredo Solari’s testimony at Bravo’s extradition was the most significant and the most successful continued use of the 1972 official versions issued by Lanusse’s dictatorship. La Nación and AAJC also insisted on the validity of Lanusse’s anti-subversion court as a tool in combating the guerrilla threat following the removal of Quiroga’s plaque in 2012. All adversarial narratives avoided events of 22nd August 1972, and the continuation of state violence, and thus operated as a de-contextualisation of Argentine state terrorism from 1972. The photographs of all nineteen victims in CCxMTw and their use by GAC operate as assertion of the truth of the survivor’s testimonies which had been dismissed as unreliable and unverifiable by Judge Dubé in 2010.
Conclusion

GAC’s prominent involvement in the May 2012 intervention, three months short of the fortieth anniversary of the Trelew Massacre, articulated a deep historical awareness of the meaning of the Trelew Massacre as the starting point of state terrorism and of the importance of the testimonies of the three survivors. Those testimonies were integral to the now dominant version of events of 22nd August 1972 in Argentina.

GAC’s first use of photographs underscored the importance of photographs in human rights struggles from 1972. GAC’s and H.I.J.O.S’s involvement also pointed to the overcoming of the intended eradication of political struggle and to the importance of the relatives of the Trelew Massacre victims in demanding the issue not be laid to rest with their 1973 slogan Ni olvido, Ni perdon and their attempts from 1997 with Alicia Bonet’s open letter to Menem, politicians and students, twenty-five years after the massacre, and at a time of developing political problems.

The inclusion of the photographs of the three Trelew survivors who were later killed during the Proceso bridged a gap in the uses of photographs of the sixteen victims in 1972 and 1973 and the use of photographs of the detained-disappeared during and after the Proceso. The uses of photographs of all nineteen victims connected the early 1970s violence and that committed during the Proceso underscoring the continuation of state perpetrated violence.

GAC’s 2012 work was a necessary elaboration. That necessity was underscored by Juan Carlos Romero’s August 2012 exhibition at Ex ESMA, which was introduced by Carolina Goldar of GAC and Carlos Pisoni of H.I.J.O.S. At least one of the three Trelew survivors, Ricardo Haidar, was held at the CDC but Romero’s exhibition focused only on CAYC’s work to 1973 (Homenaje a, 2012).
CONCLUSION

In this thesis I have analysed how repressive and honorific (Sekula, 1986) bodies of photographs of the victims of Argentine state terrorism have articulated, elucidated and driven social and political debates from 1972 to 2012. This analysis examined the movement, the mobility (Rose, 2010), the travelling (Noble, 2008), or the re-circulation (Tandeciarz, 2006) of those photographs. The impact of these movements between contexts is most evident with bodies of repressive photographs. I devote most of this conclusion to the roles played by photographs. I then briefly discuss the current status of trials in Argentina, the use of honorific and repressive photographs in Chile and Cambodia in order to place this study’s findings in global context, and finally continuing investigations in Argentina.

In order to evaluate how photographs have articulated, elucidated and driven political and social debates and their effectiveness, I avoided a subjective reading of the photographs which Roland Barthes employed in Camera Lucida (1981). Barthes’s evidential force discussion is a significant contribution to photographic theory but, if used in isolation, de-contextualises the intention of a photograph at the time of its production, through its circulation in different contexts, and via the potential multiple receptions of that photograph. In highlighting this weakness in Barthes’s analysis, I located the photographs of victims of Argentine state terrorism within the political and social conditions in which the photographs were used. This endeavour necessitated an extensive political and historical discussion of the period in question. By placing the photographs in historical context, and approaching their uses chronologically, I outlined a number of shifts in repressive methodologies and state forces’ use of repressive photographs.
Repressive photographic conventions are best understood in terms of what Michel Foucault referred to as “privileged knowledge” (Foucault, 1982, pp.780-781). An understanding of the ways in which distinct bodies of repressive photographs emerged into the public realm is vital to understanding their importance. Bodies of repressive photographs had clearly differentiated roles to those played by honorific and disciplinary photographs (Tandeciarz, 2006) included in this examination. I discuss the significance of what can be broadly termed non-repressive photographs later in the conclusion.

Trelew and the ESMA

Repressive photographs of the Trelew victims were distributed by the Revolución Argentina dictatorship as part of the official version of events (Longoni, 2001). The circulation of those photographs in the first instance was a function of legal, though dubious and contested mechanisms, which included a conventional use of prisoner mug-shots. These conventions adhere to certain conditions which frame their public use by state agencies. One prominent condition in which prisoner mug-shots enter the public realm concerns escaped prisoners. The 1962 escape by three inmates from the Alcatraz prison is one example. The FBI file on John Anglin, one of the escapees, includes his fingerprints, full face and profile photographs, the date on which they were taken (1960), and date of issue of the photograph (1962) following the escape. (Figure C1) Alcatraz, like Rawson prison in Argentina, was a maximum security facility and thought to be escape proof. The emergence of documents such as the mug-shots of escapees is tied to extraordinary circumstances. Without such circumstances, files would remain unseen by those without access to privileged knowledge.
With the discernible help of *repressive* photographs of the victims, the *Trelew Massacre* was established as the most prominent state perpetrated crime of *Revolución Argentina*. Activists’ subsequent uses of these photographs were an unforeseen driver of political and social debates in which unsuccessful attempts were made to hold the perpetrators accountable. In a short period of time, the photographs articulated the apparent victory of the *Peronist* left in May 1973 with the release of political prisoners during the *Devotazo*, and the demise of the left in Argentina between that point and August 1974.

A similar use of photographs to that during *El Devotazo* by *Las Madres* in April 1983 articulated the full impact of the demise of the 1973 projects and the devastating consequences of the *Proceso* repression. The type of photographs used in the demonstrations of 1973 and 1983 is instructive. Those used by *Las Madres* originated from within the family (*honorific*) and disciplinary realm. The aim of using enlarged photographs in 1983 was to inform the Buenos Aires population about the *Proceso*.

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victims and marked a desperate attempt at opposing the junta’s control over the 
detained-disappeared still held, and information on those killed, at the time of the 
junta’s final explanation of repression, its Documento Final. Little documentation was 
in the possession of HROs at that point and only 47 CDCs were identified (Duhalde, 
1983).

The manner in which the partial ESMA archive entered the public realm should 
not be overlooked. Without the intervention of ex-detainee Victor Basterra the archive 
would have remained privileged knowledge and not operated as part of what Graciela 
Karababikian has termed the boomerang effect (2007, p.628) when documentation has 
been used as legal evidence.

Basterra’s ESMA photographs had a crucial role in Justicia YA!’s framing of 
Proceso as genocide in 2011. ESMA II was the first time that the photographs 
demonstrably informed the decision of judges, and thus had a measurable function as 
legal evidence. As I argued in chapter three, it was difficult to ascertain the 
photographs’ exact importance as legal evidence in the 1985 trial, due to the lenient 
sentences handed down to the authors of repression. This leniency was most apparent in 
the sentence given to Armando Lambruschini, who was head of the navy at the time of 
the kidnappings and murders of the August 1979 detained-disappeared. Many of those 
victim’s photographs are included in Basterra’s partial ESMA archive. Between the 
periods of justice in Argentina, the ESMA documents operated as a constant referent in 
the demand for information.

The framing of the Proceso as genocide was tied to the political project of 
EMVyJ. This broad alliance of political and human rights organisations was the driving 
force for ensuring that the Kirchnerist administrations were closely scrutinised. By 
framing the Proceso as genocide, EMVyJ focused on the Kirchnerist administrations’
perceived attempts at closing prosecutions and securing a political legacy. A Kirchnerist legacy is deserving in many respects when contrasted with other nations less concerted attempts at dealing with historical human rights issues, which I discuss later in the chapter, but not a strong enough commitment to appease some critics, and too strong for those opposing the Kirchnerist policy. That strength of that legacy will continue to be informed by Julio López’s 2006 disappearance.

As I argued in chapter six, López’s photographs were used to underscore two responses to his disappearance. Both projects using López’s photographs focused on securing his return, but they were differentiated by the type or extent of justice sought. The projects had in common the fact that they were both informed by the perceived threat to justice represented by López’s disappearance. The slogan *We are all López*, which appeared on the cover of *Alternativa Socialista* with a photograph of López taken during his 2006 testimony in the Etchecolatz trial, underscored that anybody could be a victim in Argentina. It also highlighted the strength of character required by witnesses who were to give testimony in such a climate.

*Non-repressive photographs*

That is not to say that non-repressive photographs did not have an important function during the period investigated. They were central to the protests conducted by *Las Madres* in 1983, and to the social memory projects conducted in the mid 1990s by *Madres: LF* and associated organisations. As Pierre Bourdieu argues, family photographs are social memory’s essence (1990, pp.30-31). These social memory projects were conducted at a crucial time of the re-emergence of the debate after years of demoralisation following the policies enacted by President Alfonsín and furthered by Carlos Menem. The need for the construction of social memory was first outlined in
broad terms by Emilio Mignone in 1987, following the failure of the justice process (Van Drunen, 2010, p.86; Mignone, 1989).

The construction of social memory had one of its most important moments in 1996 during the commemoration at CNBA, particularly in terms of the framework employed in the engagement with victims, and in emphasising the political commitment of the dead and detained-disappeared. That commemoration, Puente de la Memoria, also operated as part of a broader articulation of the status of information on a relatively small number of victims. Many of those commemorated were the children of members of Madres: LF. The Pancartas of Madres: LF and aligned organisations, some of which were used at CNBA in 1996, collectively charted the passage from open to clandestine repression which necessitated a reliance on family photographs of victims for the Proceso period. In chapter four, I discussed a small number of examples which did not adhere to that overriding necessity. Leticia Akselman’s Pancarta is one prominent example, containing as it did an image of the return of Leticia’s remains to her family.

This investigation argues that the Pancartas are much more important than has previously been recognised and are the most effective form of photographic commemoration, given that not all victims are represented photographically. The Pancartas and certain artworks have a much closer connection than acknowledged hitherto. In existing literature there is a tendency to focus on works of art as standalone projects (Blejmar, 2008; Longoni, 2010; Rojinsky, 2010; Rajca, 2010). Marcelo Brodsky’s Los Compañeros (1996), which was later published in Buena Memoria (1997), and Lucila Quieto’s work Archaeology of Absence, are two prominent examples of artworks that draw upon and reference the Pancartas.

ESMA III
At this juncture in Argentina, the most significant current trial is that focusing on crimes committed in the ESMA (ESMA III), which opened in 2012 (Comenzó el, 2012). A more extensive trial than ESMA II (2009-2011), ESMA III is closer in scope to that advocated by the AEDD in 2008. Before ESMA II began, the AEDD submitted a list of 695 ESMA victims to the courts. The current trial articulates the extent of existing knowledge on this CDC. The number of victims referenced in the trial (789) is significantly lower than the 5000 victims thought to have been held in the ESMA. The number of identified victims articulates the continuing impact of the absence of information (Espacio Memoria, 2012, 30,000 compañeros), and the partial nature of the ESMA archive.

Global uses of honorific and repressive photographs

In order to situate the findings in this study it is useful to examine developments in Chile and Cambodia. Both countries experienced state terrorism in the 1970s. This examination locates the political developments and attendant use of photographs in Argentina within the global context. In the first instance, a regional comparison permits an understanding of how photographs inform human rights struggles in Latin America. In the second instance, an examination of the role of repressive photographs which emerged from S-21 prison reveals the limited circumstances in which repressive photographs can operate as legal evidence. In the discussion of the S-21 photographs, I draw on Caswell’s 2012 PhD thesis as I did in the Literature Review and Theoretical Framework chapter.

The use of the S-21 photographs in the legal arena has certain identifiable parallels with the use of Basterra’s partial ESMA archive. A comparative analysis of the use of repressive photographs as legal evidence in Argentina and Cambodia reveals a number of important issues, despite differences in the amounts of documentation. With
the partial ESMA archive all the victims, except one, were identified by the time of the 1985 trial of the generals. Not all those victims were included in the ESMA II trial. The S-21 archive is much more extensive. If we take the official number of victims to be correct (12,223) approximately half are represented photographically.

Chile

For an examination of developments in Chile, it is useful to refer to Ariel Dorfman’s 2004 work *Globalizing Compassion*. Tanderciarz (2006) used part of the text to locate her discussion of photographic uses in Argentina within the global context. It reads

> We have grown strangely used to them over the last twenty-five years, the women with the small photo of a man pinned to their dark dresses, the extended tribe of those whose loved ones, from Chile to Kurdistan, from Argentina to Ethiopia, from Guatemala to Guinea, have been abducted in the night and never heard of again (Dorfman, 2004, p.3; Tandeciarz, 2006, p.137).

Later in his work, Dorfman discusses an undated publication by a Chilean HRO. He names two victims in that publication who are presented without photographs. Dorfman refers to those victims as *true desaparecidos* (2004, p.7). He states

> They were never captured by the process invented by Louis Daguerre more than a hundred years before their birth. It is only the kidnapping of Salinas and Morales that, paradoxically, calls them at all to our attention among the millions who are too poor or marginalized to have been captured by a camera, who are outside the eyes of modernity (2004, p.7).

On closer inspection of the cases of the two named; Juan Salinas Salinas and Antonio Aninao Morales, one does have a photograph (Figures C2 & C3 p.441). However, Dorfman’s point does have implications in the Argentine context in terms of the imposed delimitations which informed this thesis in respect to unnamed victims and
those without photographs. That latter point was cited by *Asociacion Madres* for discontinuing their public use of photographs.

**ANTONIO ANINAO MORALES**

![ANTONIO ANINAO MORALES](image)

Rut: 81.481 Santiago  
F.Nacim.: 12 12 24, 48 años a la fecha de la detención 
Domicilio: Pedro Aguirre Cerda C. s/n, Melipalco, Cunco 
E.Civil: Casado, 3 hijos 
Actividad: Agricultor 
C.Repres.: Dirigente JAP, militante del Partido Comunista 
F.Detenc.: 24 de septiembre de 1973

Figure C2 Aninao Morales’s photograph is on the *Archivo Chile* website

**SALINAS SALINAS, Juan de Dios**

![SALINAS SALINAS, Juan de Dios](image)

(Dossier 4 Pág. – 2 artículos)

Figure C3 Salinas’s record

That is not to suggest the Chilean and Argentine experiences of state terrorism were equivalent. The repression conducted by the Chilean junta was not defined by clandestinity to the extent the *Proceso* repression was, or was as far reaching. In the early stages of repression, photographs were taken of detainees rounded up by the dictatorship on the football pitch at *Estadio Nacional*. Murders and torture at the centre occurred away from the cameras. Some survivors estimated that four hundred people were executed in the stadium (Bonnefoy Miralles, 2005, p.103). Only forty-seven are

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named (Bonnefoy Miralles, 2005, pp.218-224; Buncombe, 1998; Un Soldado, 2000).

(Figure C4)

As I discussed in chapter four, the use of photographs has continued in Chile since the time of Augusto Pinochet’s dictatorship. In September 2013, 40 years after the ousting of democratically elected Marxist Salvador Allende, photographs of 2000 of the estimated 3200 *detained-disappeared* and assassinated victims were used in a demonstration by thirty thousand participants (Figure C5). The use of those photographs articulates the perceived reluctance of the state to commit to a comprehensive reckoning with Pinochet era crimes (*Marchan miles*, 2013).

(Figure C5 Source Xinhua (*Marchan miles*, 2013)}
Issues which inform recent HRO struggles are the extent of justice and truth. With respect to justice, the sentences given to some of those responsible for state terrorism have been a point of contention. A number of the guilty were held in a luxury military prison which was closed in late September 2013, after the former head of DINA, Manuel Contreras, gave an interview from the prison in which he mocked the guards. Contreras was one of the first perpetrators held accountable in Chile (Chile sentences, 1993). To date only 70 people have been imprisoned (Chile closes, 2013).

Cath Collins (2010) provides a strong analysis of the state’s performance in prosecuting perpetrators of Chilean state terrorism from the time of the broadened investigations in 2003. Collins argues that left-wing President Bachelet’s (2006-2010) government’s strongest commitment to human rights was in the construction of the national Memory Museum, and not justice (2010, p.19)\(^2\). Certain parallels can be drawn with the criticisms levelled at Néstor Kirchner in Argentina in 2007, with the signing of the commitment to turn La Perla into a memory museum. Justice was seen by some HROs to be a more pressing concern. On the lack of commitment to justice in Chile, Collins states,

> The present phase of prosecutions was not sparked by any renewed state determination to act against past impunity. Instead, as in Argentina, justice developments in Chile [...] have been instigated and driven by minority civil actors. State responses in Chile generally have oscillated between indifference and active dissuasion, while in Argentina executive enthusiasm only emerged after the fact (2010, p.86).

\textbf{S-21 photographs and justice in Cambodia}

The court established to try a limited number of perpetrators, the \textit{Extraordinary Chambers in the Courts of Cambodia (ECCC)}, is a joint enterprise between the United

\(^2\)Bachelet was elected president again in 2013. She succeeded right-wing Sebastián Piñera.
Nations and the Cambodian government. The first trial held by the court (001) was conducted against Kaing Guk Eav or “Duch”, the head of S-21 prison. As Michelle Caswell argues this was because S-21 had the most evidence (Caswell, 2010, p.30). The highest ranking surviving members of the *Khmer Rouge* were prosecuted in a later trial (002). Kheang Un has discussed the court’s establishment in 2006.

From the outset, the Cambodian government sought to restrict the UN’s influence on the Tribunal as a way to protect Cambodia’s sovereign rights and to address the concern that the investigations could implicate some current CPP leaders who were former middle- and low-level Khmer Rouge commanders [...] On the issue of potential indictments, even though the two sides reached a compromise that limited indictments to those “most senior and most responsible,” they failed to spell out a clear definition of the terms (Un, 2013, p.785).

In May 2013, it was reported by the government that Kem Sokha, the opposition political leader, had described the S-21 prison and its photographic archive as a Vietnamese invention. Vietnam had significant role in the defeat of the *Khmer Rouge* and thus in the emergence of the repressive archive. In 1979, a Vietnamese tribunal sentenced Pol Pot and his second in command to death in absentia for the crime of genocide (Maguire, 2005, pp.66-67). Sokha reportedly based his comments on why the *Khmer Rouge* had not destroyed evidence if they were responsible. His remarks extended Pol Pot’s 1997 comments that the S-21 photographic display was a “Vietnamese exhibition” (Maguire, 2005, pp.137-138).

10,000 people protested during an event organised by the *Victims Association of Democratic Kampuchea* following Sokha’s comments. At that event a photograph of one of the unidentified S-21 child victims was used in modified form (Figure C6 and C7 p.445) (Mengleng & Peter, 2013). To my knowledge, the legitimacy of Basterra’s *ESMA* archive has not been questioned, nor have those photographs been used in
demonstrations. Sokha’s questioning, however unfounded, indicates that Cambodia is not ready for a full confrontation with its repressive past, in part evidenced by the necessary role played by the UN.

Figure C6 AFP (*Cambodians hold, 2013*)

![Image](http://cgp.research.yale.edu/cgp/cts/ctsrecorddetail.jsp?record_id=3044)

Figure C7 unidentified child victim

Michelle Caswell (2012) analyses a number of cases in which S-2I mug-shots had an impact at Duch’s trial (2012, p.180). One case is important for this discussion in which *honorific* and *repressive* archival photographs were used together. The case has

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255 http://cgp.research.yale.edu/cgp/ctsrecorddetail.jsp?record_id=3044
parallels with the use of Fernando Brodsky’s photographs by his mother, during her testimony at ESMA II.

The S-21 photograph of Ouk Ket was identified in February 2009 by his wife Martine Lefeuvre, and his daughter Ouk Neary. In 1991, they uncovered documentation which listed persons marked for death at the centre in December 1977, including Ket. The family did not find Ket’s photograph on the walls of the former prison where many of the 6000 photographs are displayed. Ket’s family resided in France whilst he served at the Cambodian Embassy in Senegal before being recalled to Cambodia, and then murdered (Stover, Balthazard, & Koening, 2011 p.520). On 17th August 2009, Lefeuvre and Neary testified at the ECCC.

Caswell provides a strong analysis of the uses of photographs but does not include them in her thesis.256 (Figures C8 pp.446-447)

![Figure C8 photograph of Ouk Ket presented during Duch’s trial](http://vimeo.com/22355984)

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256 Caswell (2012, p.183) provides a link to the testimonies [http://vimeo.com/22355984](http://vimeo.com/22355984)
Figure C8 Ket’s S-21 photograph

<table>
<thead>
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<tr>
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<td>Male</td>
</tr>
<tr>
<td>Headline</td>
<td>04456: Name unknown</td>
</tr>
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<td>Id</td>
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</table>

Figure C8 Ket is unidentified on Yale’s archive\(^{257}\)

Caswell states

Before Neary begins, her lawyer requests on her behalf that the court view two sets of photographs [...] the first, a series of images of Ket in happier times, posing with his family, at parties, and shaking the hands of Senegalese government officials; the second, Ket’s Toul Sleng photograph, in which he appears in solitude, wearing all black and bare foot. The photographs stand in stark contrast to each other, the first set showing all that was made possible by Ket’s life, the second showing all that was lost in his death. (2012, p.183)

Twenty-two civil parties testified in the Duch case pertaining to relatives detained or to their own experiences. A number of people were ruled ineligible to act as civil parties before the trial began. Civil Parties were not limited to crimes or victims of S-21 but also included S-24, a connected prison, and had to have a proven “close kinship or particular bonds of affection or dependency in relation to these victims and demonstrable injury because of the crimes” (Stover, Balthazard & Koening, 2011, p.505; Duch trial Judgement, 2010, pp.218-219 & pp.229-233).

The case judgement outlines the reasons why the court deemed one individual ineligible

Although the Chamber does not doubt that LAY Chan (E2/23) suffered severe harm as a result of detention, interrogation and torture during the DK period, no evidence was provided to show that this occurred at S-21. No objective proof from official registers, photographs or confessions corroborates his claim to have been detained there (Duch trial judgement, 2010, p.223)

A number of other provisional civil parties were disqualified when no photographic proof existed or when the identity of the person photographed in S-21 could not be verified (p.225).
From a comparative analysis of Basterra’s ESMA archive and the S-21 photographs used in Duch’s trial, it is possible to argue that conditions in which repressive and honorific photographs can operate in trials as proof of the impact of the kidnapping and murder of victims is limited by a number of factors: the existence of photographs of the person in question before their kidnapping, having surviving relatives searching for evidence and willing to testify, the emergence of repressive archives or privileged knowledge into the public realm and Karabikian’s boomerang effect, that is, the conditions under which justice is possible and repressive photographs can be used as legal evidence. Ouk Ket’s S-21 photograph was only identified by his family six months before they gave evidence.

The continuing impact of repression in both countries is best measured by the absence of complete archives. The limited applicability of documents to have emerged into the public realm is informed by the absence of complete information or truth. The value of emerged documents comes in the legal arena after numerous obstacles have been overcome.

**Relatives without information**

A fitting way to end this thesis is through consideration of an individual, illustrative case: the status of Nora Cortiñas’ demand for information on her son’s fate. Nora’s case is representative of families without any information on their relatives. It is fitting because in the preamble I discussed a photograph of her outside the court in 2010 after she had inserted her son’s case into her testimony presented at the ESMA II trial, when discussing the 1977 detention-disappearances of three members of Las Madres and their supporters. She was photographed holding Carlos Gustavo’s photograph after giving evidence (Figure C9 p.450).
In December 2012, Cortiñas submitted a habeas corpus petition. In April 2013, the renovated *C.N.C.P* ruled the state had to uncover all information available on her son’s fate, thirty-six years after his *detention-disappearance* (*La Justicia*, 2013). Information is limited to the location of his kidnapping. He was kidnapped at Castelar train station on the outskirts of Buenos Aires. (*Nora Cortiñas*, 2013; *Un camino*, 2013). Argentine magazine *Lavaca* presented a report on her submission in December 2012. The petition was the first Cortiñas had filed during democracy. Her submission rested on her belief in Kirchnerism’s commitment to human rights (*Donde están*, 2012).

Only time will tell if the petition results in a positive outcome. The state has not located information on Alejandra Lapacó’s remains following the 1999 friendly settlement between Carmen Lapacó and Argentina.
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Part Three http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa,2280
Part Four http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa,2281
Part Five http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa,2282
Part Six http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa,2283
Part Seven http://www.tvpts.tv/Alegato-de-Justicia-Ya-en-la-causa,2283
Marcha por la aparición con vida de Jorge Julio López (2006) 27th September
Trelew: La fuga que fue masacre (2004) Mariana Arruti
http://www.youtube.com/watch?v=9ZMIIuyOgBA
Un claro dia de Justicia Part one http://www.youtube.com/watch?v=k3L1qEHWR1s
Un claro dia de Justicia Part two http://www.youtube.com/watch?v=nqV6mg672eo
Un claro dia de Justicia Part three http://www.youtube.com/watch?v=Ayyh_169cF8
Un Claro dia de Justicia Part four http://www.youtube.com/watch?v=PifJmhJuWvY
Una nueva marcha reclamó en La Plata por el testigo clave del juicio a Etchecolatz (2006) http://edant.clarin.com/diario/2006/10/02/um/m-01282821.htm

HRO AND OTHER WEBSITES
Abuelas [http://www.abuelas.org.ar/]
AEDD [http://www.exdesaparecidos.org.ar]
APDH [http://www.apdh-argentina.org.ar/]
Asociacion Madres [http://www.madres.org/navegar/nav.php]
CeProDH [http://www.ceprodh.org.ar/]
CGTA [http://www.cgtargentinos.org/]
CORREPI [http://www.correpi lahaine.org/]
EMVyJ [http://encuentromvyj.org/]
Equipo Nizkor [http://www.derechos.org/nizkor/arg/]
Cases [http://www.derechos.org/nizkor/arg/causa13/casos/index.html]
Grupo de Arte Callejero (GAC) [http:// grupodeartecallejero.blogspot.com.au/]
HIJOS-Capital [http://www.hijos-capital.org.ar/]
International Center for the Art of the Americas (ICAA)
[http://icaadocs.mfah.org/icaadocs/]
Memoria Abierta [http://www.memoriaabierta.org.ar/]
Memoria Abierta Juicio a las Juntas
[http://www.memoriaabierta.org.ar/juicioalasjuntas/#section-n2]
Memoria Abierta [http://issuu.com/memoriaabierta]
Movimiento Socialista de los Trabajadores Alternativa Socialista [http://as.mst.org.ar/]
Muro de la Memoria [http://www.desaparecidos.org/arg/victimas/muro2.html]
APPENDIX

22,000 Argentine murdered or disappeared victims to mid 1978 DINA\(^ {258}\)

CO.SO.FAM 1983, p.52 Liberation 30\(^{th}\) April-1\(^{st}\) May 1983 report on use of large photographs of 28\(^{th}\) April

\(^{258}\) The document is available at http://www2.gwu.edu/~nsarchiv/NSAEBB/NSAEBB185/full%20%5BReport%20on%20Argentina%20disappeared%5D.pdf
Junta's relations with local and foreign media 24th March 1976

1. The Junta's first post-coup contacts with local and foreign media have taken place and the rules of the game are now known to all. This morning editors of local newspapers and magazines were called to Military Headquarters and presented with a code of "principles and procedures to which the mass communications media should strictly adhere." These principles included "defense of the family institution; strict respect for the dignity, honor and reputation of individuals and permanent and decisive action against vice and all its manifestations."

2. Prior censorship of local newspapers, as described
In SITREP 4, is now in full operation. Sources at afternoon tabloid LA TARDE informed Embassy Press Officer that two items (neither of which was significant) had been removed by the censors from today’s afternoon edition.

3. Representatives of the foreign media were received at Military Headquarters around one PM local time by interim Junta Press Secretary, Navy Captain Jorge Luis Arigotti. He outlined what the Junta’s policy would be toward the foreign media. He referred to this “contact” (as opposed to press conference) with the foreign media and stated that “the only official information is contained in the Junta communiques.” When asked if this meant that foreign journalists would not be permitted to transmit anything but the official communiques, Arigotti said: “You foreign journalists have certain requirements for your work and we hope you will exercise them professionally.” Arigotti asked them not to “distort” the news and requested “collaboration when reporting matters other than material contained in the communiques.” This was taken to imply that the Junta would not bother them as long as they don’t publish anything outlandish. Who decides what is outlandish is not clear at this time.
4. While radio and television continue to be occupied by the armed forces and are broadcasting only Junta communiques and music, foreign newsmen still have complete access to international communications facilities.

5. COMMENT: This first go round with the media has gone fairly well for the Junta. They obviously want carefully to manage their image with the media and they appear to be well organized. The crunch will come when the Junta makes mistakes (which are inevitable) and the international media report and analyze them.

Another problem area may be the division of authority between the Navy (directly responsible for the media) and the more dominant Army. Before their meeting at Military Headquarters, foreign newsmen were kept waiting outside on the steps for more than ninety minutes. The meeting had been set up by the Navy but the newsmen couldn't get by the army guards at the door.

WOODWARD
April 3, 1979

LIST OF DISAPPEARED LAWYERS

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<td>4. ANDREOTTI, Juan Carlos</td>
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<td>5. ANTERI, Cesar Alberto</td>
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<td>91. TURK, Jorge Ernesto</td>
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<td>92. ZELAYA MARASS, José Alfredo</td>
<td>San Isidro 10-6-78</td>
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Aftermath of army victory 29th December 1975

DEPARTMENT OF STATE

TELEGRAM

FROM

Ambassador Buenos Aires

E.O. 11652:
N/A

TAGS:
FINT, PINS, ASBC, MOPS

SUBJECT:
Aftermath of Army Victory over Guerrillas at Monte Chingolo

ACTION:
Socstate WASHC

INFO:
DIA/DDC WASHC

BUENOS AIRES B/02

RE:
BA-8374

1. Scope of guerrilla defeat is even greater than it initially
appeared./Reports now indicate that well over 100 guerrillas
were killed in the various attacks and an unknown number
were captured. Losses of security forces as indicated in ref tel
were approximately 12 but in addition some 10 civilians were
killed in crossfire.

2. Military sources indicate the attacks at Monte Chingolo,
La Plata and the bridges across the Riachuelo were carried out
by elements of the ERP with some support from the Montoneros.

One fact which has struck all observers was the extreme youth
of most of the attackers, plus the high percentage of women in-
volved. Some eye witnesses have reported the majority of the
attackers seemed to be no more than 17 or 18 and some
considerably younger.
It is not clear whether this indicates ERP is scraping the bottom of the barrel or whether they sent in young recruits as the most expendable.

3. The security forces' success is not only noteworthy because of its scope but also because of the manner in which it was brought about. Obviously, the Army intelligence is functioning better. The Army was forewarned and was prepared. Further, the response of all three services was rapid and well coordinated.

4. Lorenzo Miguel's effort to use the attack at Monte Chingolo as a pretext to intervene Buenos Aires province is an interesting political sidelong of the incident (see septal).
Por una navidad  Las Madres La Nación 10th December 1977
http://issuu.com/memoriaabierta/docs/solicitada_la_naci_n_10-12-77
Horacio Maggio Letter April 1978

Buenos Aires, April 10, 1978

Messrs. Associated Press

Dear Sirs:

The undersigned, Horacio Domingo Maggio, Argentine, National Identity Card No. 6.308.359, ex-delegate general, member of the internal trade union committee of the Provincial Bank of Santa Fé, Main Branch, is writing your office in order to let you know of the bitter experiences that I had to go through when I was kidnapped by the Argentine Navy.

My attitude stems basically from two facts: my being a Christian and also an activist in the Montonero Peronist Movement; as well as my conviction that the press must have at its disposal all the information on what has gone on in our country since March 24, 1976, to be able to inform -- as it has always done -- the public in spite of the menaces and kidnappings that newspapermen have also suffered.

I was kidnapped in Buenos Aires on February 15, 1977 while I was walking on Rivadavia Street, one block away from Flores Park. The group which kidnapped me identified itself as Joint Forces (Fuerzas Conjuntas). Needless to say, while I was carried away forcefully I was beaten.

From there I was taken to a place which I later learned was the Navy Mechanical School. I, as well as most of the people there and those who still remain there, was subjected to torture ('electric rod' or 'picana' and 'the submarine'). Among others there were: Roberto Ahumada, from Santa Fé, national leader of Peronist Youth; Mrs. Osatinsky, widow of a Montonero leader and people's martyr, Marcos Osatinsky, murdered in 1976 in Cordoba City; Alicia Millan de Pirles from Santa Fé; Mrs. Orci, sociologist, ex-dean of the Tourism School of Mar del Plata. Others who were removed from there were newspaperman Jara; Jaime Dri, the national leader of the Peronista Montonero Movement who had been kidnapped in Uruguay; Mrs. Alicia Ezquen, wife of John Williams Coke, etc.

On March 17, 1978 I was able to escape from that place.

During the 13 months I spent there, I suffered and watched the most brutal and savage activities of this endless dictatorship, which is trying unsuccessfully to reduce to submission our whole country.
Such is the case of the two French nuns Alice Domon and Renee Duquet.

I had a chance to talk personally with Sister Alice, as she was taken, together with Sister Renee, to the third floor where the officer's mess is located, and where I was kept prisoner. This took place around the 11th or 12th of December, 1977.

During these conversations she told me that they had been kidnapped and that they had been made, under torture, to write a letter by hand in French, addressed to the Superior of their Order, and that photographs had been taken of them in what they thought was the basement of the above mentioned building.

She also told me that 11 other persons had been kidnapped with them. They remained at the Navy Mechanical School for about ten days and later were "transferred" with eleven other persons to an unknown place. I use quotation marks because there were many cases like this and later no one knew of their whereabouts. Because of the haste with which they were taken away there were rumors that the 13 people might have been killed.

Something similar happened with Mrs. Norma Esther Arroastio, a leader of the Montonero Movement, who was presumed to be dead, but was actually alive until January 15, 1978, holding up heroically and stoically during more than one year of detention and mental and physical pressure of the Navy officers. On that day, she fainted in a peculiar way and was then given an injection and died, according to rumors, in the Navy Hospital(7). The fact is that she never returned to her cell.

Another similar case was that of Dr. Hidalgo Solé, Argentine Ambassador to Venezuela. According to rumors that were going around on the third floor, the group that operated out of the Navy Mechanical School was responsible for this action.

A young Swedish girl, who disappeared in January 1977, was also there; she was semi-handicapped because of a bullet wound in her head.

The living conditions in that place are similar to those prevailing before the Assembly of 1813.
We were forced to lie down 24 hours a day on mattresses on the floor. These mattresses were separated from each other by wooden partitions, or we were kept in cells with up to four persons in each cell. We all had shackles on our legs and had hoods or glasses which did not allow you to see. Besides the place was infested with rats.

The methods used by these people to rid themselves of the thousands of kidnapped people have changed. At the beginning when this para-military group was formed, whose code name is Task Group J.J.J. (T.G. J.J.J.) in order to differentiate itself from other groups which report to the Army and the Air Force, they used to get five or six people in a car, shoot them and then set fire to the car in the PanAmerican Highway area. Later, the method was changed and the prisoners were hanged in the Mechanical School and the corpses thrown into the river. At present, they are given a big injection of a sleeping drug and they are wrapped in a piece of canvas and thrown in the sea. For the two latter procedures a helicopter is used. One of the kidnapped people was told all this by a petty-officer known as "Chispa."

This followed a certain pattern that some of us had noticed. During the days in which the so-called "transferences" took place, the disciplinary measures and the physical treatment of the prisoners hardened. At times there was corporal punishment with rubber batons or it was prohibited to use the bathrooms.

One time I was able to see by lifting the hood which covered my head, a young man around 20-30 years old being placed semi-conscious on a white piece of canvas. Another factor was that after the "transfers" were made, usually on Wednesdays, the noise of a helicopter could be heard.

The people directly responsible for this are those who make up the para-military group which is located inside ESMA and specifically the officers mess which they call "El Dorado." They are, in a hierarchical order:

1. Jacinto Chamorro, Rear Admiral, Director of the Escuela de Mecanica de la Armada, alias "Delfin" or "Maxim."

2. Captain....... alias "Gaston"
3. Lt. Commander Acosta, alias "Tigre" or "Santiago", for all practical purposes the leader of the group. He has a brother who is a Captain or Major in the Army and who at times visits the concentration camps.

4. Lieutenant Commander........alias "Leon"

5. Lieutenant Jorge Perren, alias "Puma" or "Octavio." This man is presently in Paris, France, working in a clandestine way in the Pilot Center and connected with the Argentine Embassy there. While I say clandestine I mean they all have faked personal documentation.

6. Lieutenant J.G......... alias "Mariano"

7. Lieutenant J.G. Antonio Pernias, alias "Trueno" or "Martin." Also presently in France. This man travelled to France at the end of February or beginning of March, presumably to replace Perren who was returning to the country.

8. Coast Guard Commander or Deputy Commander alias "Daniel." This person, after I escaped from prison, went to my parent's home and subtly menaced them and all the others who had stayed behind me in prison in ESMA (about 150 people) should I ever make any type of public statement.

9. Lieutenant or Lieutenant Colonel, his last name is Corneal, born in Tucumán alias "Maco." Was discharged from the Army at the end of 1977. He has a wound in one of his legs and limps.

10. Captain (Retired) Williams Mondor or Gusmond, alias "Pablo." Presently working at the Ministry of Foreign Relations (Press Section) with Captain Perez Florio (Froio?). The latter, as well as a Navy Commander alias "El Coara" or "Negro"; Foreign Minister Montes; Under Secretary of Foreign Relations Gualter Alars and many others, visited and inspected the concentration camp.

11. Lieutenant Commander or Commander (Retired) alias "Felipe," his last name maybe Spinelli or something similar. Also working at the Ministry of Foreign Relations, Press Section.
12. ENSIGN or LIEUTENANT J.G. alias "Sergio", his last name may be Luna. Presently in France working at the Pelet Center.

13. ENSIGN.....his last name could be Actis or Atis, alias "Cuervo" or "Rubio". Also in France.

14. Coast Guard officer, alias "Chispa" or "Omar."


16. Officer of the Federal Police, alias "Federico"

17. Member of the Federal Police, alias "Tiburón"

18. Member of the Federal Police, alias "Angosto"

19. Officer of the Federal Police, alias "Juan Carlos"

20. Officer of the Penitentiary Police, alias "Fragote"

21. Member of the Penitentiary Police, alias "Paco"

22. Member of the Penitentiary Police alias "Yoli" or "Eduardo"

23. Officer of the Federal Police. alias "Bicho"

I am aware that by denouncing all this I put the life of my wife and children, my parents, my sister, parents-in-law and other relatives in danger, as well as that of those who are still in that institution. For that reason should anything happen to my family (kidnapping or death) and/or to the people who remain in prison, I make the Argentine Military Junta and those Navy officers operating in ESMA responsible.

Sincerely,

Horacio Domingo Maggio
D.N.I. No. 6.308.359
P.S. Enclosed you will find photocasts of some of the documents I was able to steal when I escaped and that would show the relationship between that para-military group and the Ministry of Foreign Relations. I also have undeniable proofs of my stay in the officer's messroom at ESMA. Also, I wish to provide the phone number 701-4418, of the concentration camp.

A letter similar to this was sent also to H.E. The French Ambassador; the Press Counselor in the French Embassy; H.E. the Ambassador of the U.S. of America; H.E. Monsignor Raúl Primatesa; H.E. Monsignor Vicente Zaspe; to the Conference of the Argentine Episcopate; to the Director of France Presse Agency; to the Secretary General of the United Nations; to the International Labor Organization; to Argentine and foreign news agencies; to newspapers and magazines; entrepreneurs, businessmen, intellectuals, politicians; to the Military Junta, etc.

I enclose blueprints of the concentration camp.
Letter accusing Argentine Navy of Human Rights violations - possible provocation 1978

UNCLASSIFIED

To: State Wash DC

From: Buenos Aires

Date: 4/27/78

Subject: Letter accusing Argentine Navy of Human Rights violations - possible provocation

1. On April 20 the Embassy received a registered letter of ten pages and three pages of enclosures purportedly written by a Montonero who had recently escaped from 13 months imprisonment in the NNM Naval Mechanics School in Buenos Aires. The letter cites cases of prominent Argentines who have disappeared tortured over the past year who were held at the Mechanics School. It states that the two French Nuns who disappeared in December 77 were also held there. The letter gives partial or complete names of a number of security officers who are said to be assigned to the detention and interrogation center and states that several of them have travelled to France to work against Montonero activists there. The enclosures to the letter are drawings showing the location and layout of the detention center in the

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Signatures:

Sy: R. Kelly (draft)
POL: R. D. Smock (draft)
POL: Hallman (draft)
ICA: Y. Robinson (draft)
Officer's Club at the Mechanics School. On April 25 the Embassy received a call from someone purporting to be the author of this letter who inquired if the Ambassador (who was out of the city) had received it.

2. A review of the letter purportedly signed by Horacio Domingo Maggio raised suspicions in our minds that it may be some sort of provocation. It seems only too convenient for many of the most prominent atrocities of the past year to have been the work of one Naval unit. The telephone call attempting to confirm the Ambassador's receipt of the letter also suggests that the sender has some role for the US Embassy to play in his plans. The letter states copies were being sent to the French Embassy and Press Counselor, the Argentine Episcopal Conference, the Secretary General of the United Nations, Amnesty International, the military JUNTA, and many others, including the international press services. We are trying to confirm that other copies of the letter exist. The Embassy is actively seeking informed Argentine opinion about this letter and will report promptly when sufficient information has been received.

3. In the meantime, should this letter surface in the
International press circles or human rights groups and become the source of questions to the Department, the Embassy recommends that the Department acknowledge that such a letter has been received, that it is one of many containing a wide variety of allegations, and that the Department has no information to confirm or disprove the charges in it.

CASTRO
Foreign Minister Guzzetti Euphoric 1976

Department of State

UNCLASSIFIED

March 12, 1976

Buenos Aires 25871 191942

71
ACTION S5+25
INFO OCT-76 130-00 530-00 1020 W

FM AMBASSADOR BUENOS AIRES
TO SECSTATE NSC/SC 7592

BUENOS AIRES 25871

DECEPTION

F.O. 11521 WDPS-2

SUBJECT: FOREIGN MINISTER GUZZETTI EUPHORIC OVER VISIT TO UNITED STATES

1. FOREIGN MINISTER GUZZETTI RETURNED TO BUENOS AIRES OCT 11-AFTER HAVING BEEN HERE TWO WEEKS AT THE U.S. EMBASSY IN WASHINGTON. AFTER A NICE NIGHT AT THE AIRPORT, HE APPEARED TENSE BUT ANXIOUS TO TALK TO ME AFTER HE HAD REPORTED TO PRESIDENT VILLOA. SUBSEQUENTLY, HE ASKED ME TO CALL ON HIM AT 6:30 P.M. THE NEXT DAY, OCT 11. I DID SO AND AFTER A WAIT OF ONLY A FEW MOMENTS, HE CAME INTO THE ROOM AND GREETED ME EFFUSIVELY WITH AN AIR INTENSE. WHICH IS NOT TYPICAL OF HIM. HE TOLD ME IN HIS PRIVATE OFFICE WHERE FOR 15 MINUTES HE ENTHUSIASTICALLY TOLD ME OF THE SUCCESS OF HIS VISIT.

2. HE SPOKE FIRST OF HIS MEETING WITH DEPUTY SECRETARY ROTH. HE SAID THAT ELDERSHAW AND EISENHOWER HAVING BEEN TOLD HOW WELL THEY UNDERSTOOD THE ARGENTINE PROBLEM AND SAID THAT THE CONCERNS OF THE RECEPTION HAD TO GET THE TERRORIST PROBLEM RIGHT AS SOON AS POSSIBLE. HE ALSO TOLD ME OF HIS CONVERSATIONS WITH THE CATHOLIC CHURCH AND WITH COMMUNIST LEADERS AND THAT HE HAD REPORTED THIS TO PRESIDENT VILLOA.

3. GUZZETTI WAS ALMOST ECSTATIC IN DISCUSSING HIS VISIT WITH VICE PRESIDENT ROOSBETFR. ONE COULD CLEARLY SEE THE PHYSICAL-TYPES, SIMPLE SUMMER CLOTHING WANTED OVERWEIGHT.

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80D 177
Box 484
BY HIS MEETING WITH THE POWERFUL AND FAMOUS JACK VEDDER, WE
COMPLIMENTED THE VICE PRESIDENT FOR HIS SPANISH SAP AND ACCORD
TO HIM AT THE SANTIAGO MEETING, HAD BEEN AND WOULD HAVE TO BE CAREFUL AND HAD SAID THAT THE TERRORIST PROBLEM
WAS OVER BY DECEMBER OR JANUARY, HE THEN STATED: "WELL, I BELIEVE
SERIOUS PROBLEMS COULD BE AVOIDED IN 1984. GUILLETI SAID
THE SECRETARY HAD ASKED HIM THAT THE US "WANTS TO HELP
ARGENTINA."

4. GUILLETI SAID HIS TALK WITH SECRETARY OF STATE CONSIDERED A SUCCESS. THE SECRETARY, HE SAID, HAD RECOMMENDED THE ADDITION OF A
NOTE TO THE CONVERSATIONS WITH MALDENI THE LATTER WOULD
.COUPLE THE ISSUE OF HUMAN RIGHTS. BUT, IN THE EVENT, HE
HAD NOT DONE SO. GUILLETI SAID HE HAD BEEN SHOCKED AT THE
CONCLUDING OF THE CONVERSATIONS WITH MALDENI AND
PROPOSED TO THE CANDIDATE TO HAVE THE INCIDENT FILED
AGAINST PRESIDENT VIDAL. THEN, HE SAID, HE HAD TOLD HIM THE DIFFICULTY FOR HIM TO ANSWER, QUOTIENT OF THE PRODUCT.

5. GUILLETI SAID HIS RECEPTION AT THE STATE DEPARTMENT,
BY THE SECRETARY AT THE HS. AND THE CABLES. HAD ESSENTIALIZED
THE INTEREST OF AGREEMENT. HE HAD BEEN FOR A GOVERNMENTAL CHANCE.
HE EXPRESSED APPRECIATION THAT HAD OCCURRED IN capturing an AGREEMENT UNDERSTAND THE ARGENTINIAN PRISONER AGEMENT. AT THE
DURING THIS DIFFICULT PERIOD. HE TOLD ME HE HAD A FEELING THAT THE STATE DEPARTMENT UNDERSTANDS THE PRISONER THE
THAT THERE WOULD BE NO COMPLIANCE BETWEEN THE ARGENTINIAN
OVER HUMAN RIGHTS." I HOPED TO BE IN A COMPLIANCE. ONE OF THE
LETTERS FROM THE PRESIDENT HAD BEEN A LETTER TO THE SECRETARY
OF DEFENSE. HE SAID, "A FUTURE AGREEMENT BETWEEN THE STATE
DEPARTMENT ORALLY TO SYMPATHIZE. THE US HAD NOT MADE TO
NO DO.

7. THE GOA HAD FANTA, HE SAID, TO HELP BUILDING ONCE IN AN
INTERNATIONAL CRISIS WITHOUT THE GOVERNMENT IN THE GOA.

UNCLASSIFIED
Embassy Letter August disappearances confusion

Buenos Aires
September 12, 1979

Dear Mac:

In the Ambassador's absence I am replying to your letter of August 31. We can easily understand your concern about the August disappearances and particularly your need for some assessment of what they mean. Anticipating your need we have spent several extended sessions in the morning meetings trying to form a plausible hypothesis. So far we have not been able to come up with any convincing explanation. We all agree that the August disappearances make no sense. Bill Hallman speculates (admittedly with no evidence) that with heightened anxiety among the security forces about the IAHREC visit, Videla-Viola are being forced to prove their loyalty to the troops by authorizing a few abductions of persons the services portray as terrorists. None of the Country Team members was able to improve on this speculation, though it can be argued that the top Commandants probably did not approve the operations, but had to accept them once they were carried out.

We are generally agreed that the operating orders permitting the abduction of real terrorists have probably not changed. Since last December the definition of a terrorist has apparently been made more rigorous. Whether the events of August represent a backsliding, provocation by dissident units or some genuinely out of control element, is anybody's guess. Some sources are leading us to believe that there may be a publicity circus surrounding the formal charging of some of the August disappeared who will turn out to have been serious terrorists with large arms caches. Though we agree this would be at best
bizarre, you cannot entirely discount it as a possibility, or at least a gleam in some Colonel's eye. The reports that the disappeared were either FAP members or were associated with the infiltration of the Montoneros appear to me to be convenient justification, with perhaps a kernel of truth in the FAP membership. We have always been skeptical of the reports of Montonero broadcasts interrupting TV and until last week had never been able to find a person who had first-hand information on such broadcasts. Bill now thinks he has a reliable confirmation from one of Bob Cox's sources, but that is a very slender basis for confirming events which should be widely known. When the Ambassador returns from the U.S. I am sure he will put some tough questions to General Viola, who may be able to shed some light on what has been going on, though I doubt he will be very willing to do so. In the meantime, we will pass on anything which seems remotely plausible.
Dr. Mignone is visiting Washington in connection with consultant services he performs for the OAS and IDB. He told me that he worked for the OAS in Washington from 1962-67, had served as Under-Secretary at the Ministry of Education under Generals Ongania, Levingston and Lanusse, and from 1973-76 was Rector of the new federal university at Lujan. The Videla government dismissed him in March because rector's posts are considered political. His daughter was kidnapped in May. Since then Dr. Mignone has sought desperately to locate his daughter.

Mignone talked about Argentina for almost two hours. He said that he was a personal friend of Italo Luder and greatly regretted that the Senator had not had the courage to replace Mrs. Peron as President, thereby providing a Constitutional response to Argentina's problems under Isabel Peron. A coup became inevitable and was generally desired.

1. Military Rule

Mignone commented that unlike previous military (and civilian) presidents, Videla was not Commander in Chief of the Armed Forces. Videla's powers were carefully circumscribed by the Air Force and Navy so that the Junta would be the supreme authority. This has left Argentina without a government because decisions cannot be taken except in the economic field under Martinez de Hoz.
Throughout the conversation Mignone criticized the political acumen of Argentina's military. He claimed that Ongania was far more talented than the current group but not even Ongania proved capable of legitimizing his authority by involving civilians. Mignone stated that he had repeatedly urged Ongania to permit a Congress to function (something which Brazil does).

In the fight against terrorism Mignone said that the Argentine military were following the tactics used by the French in Algeria and to a lesser extent those used by the Uruguayan military against the Tupamaros.

The Argentine military decided that they would have to battle the underground with underground tactics. Counter-terror would have to be secret if the families of the counterterrorists were to be protected from left-wing retaliation. In addition, it would be fair to acquire booty which explains the robbery facet of right wing operations. The military also decided that they were engaged in a war and, as in all wars, innocent people would suffer. It would be necessary to torture to get information. This might mean that they tortured 500 to find one person who provided useful intelligence.

The military government also decided that each military commander would be free to operate in his area of responsibility, making life and death decisions. The military leadership agreed not to ask or receive information. I know this is so, Mignone said, because there are 35 children of military officers under detention. The parents cannot ask about them and those holding them are not to tell anyone they are being held. The Army colonel who is holding the 35 military dependents supposedly gave this information to Mignone.

Mignone emphasized the all out nature of the conflict. The military live in terror, he said. Even a retired colonel who was selling vegetables was killed. No one dare wear his uniform.

The military have decided that there can be no redemption for the guerrillas. This has lead to a fatalistic attitude by the guerrillas who know they will die either in battle or tortured. As a result, many carry cyanide pills.

There is no regard for innocent casualties. If the military decide to capture one man in one house, large areas are surrounded and often sprayed with machine gun fire. Bystanders get killed.
In sum, politics have been subordinated to war in Argentina.

Mignone fears that persecution will grow greater and greater in Argentina as more and more people question what the military are doing, and more and more people have to be silenced. He estimated that 10,000 to 20,000 people have disappeared. He guessed that 20% are dead.

He commented that only the military are in a position to challenge current policy. Mignone feels that Admiral Massera has great ambitions and is capable of challenging the Army by force, despite history's lessons of the past when the Army has put down Navy revolts with loss of life.

He described the Navy as an extremely hermetic, unified service with many fixed ideas. The Army is more flexible and represents more tendencies. The Air Force has sided tactically with the Navy; its officers are pre-Vatican II men.

2. Church Persecution

The Navy is in charge of progressive Catholics. He explained that he knew a good deal about the Navy because he is certain that his daughter was abducted by the Navy. He described the story of Fathers Orlando TORIO and Francisco JALICS, whom the Navy kidnapped on May 14, presumably because the priests worked among the poor. These men were hooded and had their hands and feet in cuffs for five months. They survived by practicing yoga and prayer. The first days of their imprisonment they were held at the Naval Mechanical School. They received shots of sodium pentothal to make them talk. Later the priests were moved to a house in Buenos Aires, or so they thought, because of the sound of traffic around them. Finally, they were given injections which put them to sleep. They woke up in the countryside, some hundred kilometers from Buenos Aires. People in the area said a helicopter had been in the area late at night. The release came a few days before the October Episcopal Conference. Both men are now overseas; Jalics is in Cleveland.

Mignone said that he talked to Father Torio after his release and he remembered being questioned about Monica Mignone. Mignone stated that he had told the Army that the priests were being held by the Navy and this may have contributed to the release. According to Mignone, Admiral Montes, in a moment of boastful indiscretion, admitted to him that the Navy had the priests; Mignone told the Army. Up until then the Army had been unable to find the priests and seemed convinced they were dead; Mignone believes the Army. And to protect himself, Mignone told Montes that he had written a letter in which he states that Montes ordered his death.
3. Monica Mignone

We discussed Dr. Mignone's daughter, Monica. She was abducted in May along with two couples. Monica was suspect because she worked among the poor, was connected with the progressive Church, was young, was a psychological therapist, belonged to the Peronist Youth, and was the friend of a girl who belonged to the Partido Autentico. (Mignone explained that the Partido has Montonero connections. The girl's father is a retired Navy Captain, and he cannot find his daughter either.)

Mignone said that he would not leave Argentina as long as there is hope that his daughter is alive. If he loses hope, he said he would emigrate and devote his energies to fight the government.

He estimated that between 10,000 and 20,000 people have disappeared. He guessed that 20% are dead.

4. Defense of Human Rights

I asked Mignone, who is a member of the Permanent Assembly for Human Rights, why the Catholic Church does not work on behalf of political prisoners. Why is it so different from Chile?

He replied that there was never leftist terrorism in Chile and this puts the Argentine Church in a difficult position because it is opposed to all sorts of violence. In Chile, the MNR never passed to a guerrilla stage. Furthermore, the Church in Argentina has conservative leadership as opposed to Chile's dynamic Cardinal Silva. In Chile, in fact, the Church runs what amounts to a ministry: the Vicariate for Solidarity. It has 500 people working to help the unemployed, the hungry and political prisoners. It has lawyers to present writs of habeas corpus for those who request help irrespective of political philosophy. Mignone noted that the Protestant World Council of Churches is funding Chilean Catholic Church activities. He added that the Church in Chile is in the vanguard of what he called a new evangelization of Chile.

The Liga Argentina por los Derechos del Hombre is an Argentine Communist party organization founded in 1930. Mignone discounted Communist efforts on behalf of human rights, saying they are really a tiny party albeit one with a good bureaucracy.

Lawyers are not defending political prisoners, he noted, because many have died. They are simply afraid.

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5. American Policy

We finally turned to the question of U.S. policy. Mignone remarked that Carter's election cast a pall of mourning over the Casa Rosada (the Presidency).

He urged that we talk very frankly to the Argentines. Explain to them that the United States does not want to put Argentina in a corner or isolate them. This is very important, Mignone explained, because they military worry greatly about Brazil. He also urged that not only State and international organizations urge human rights improvements. The military think that these organizations are full of bolsheviks, he said. You must talk to the Argentine military through the Pentagon.

He recommended cutting military assistance. After some discus-
sion, he agreed fully that, for now, a cutback and not a termina-
tion might be more advisable action if our military were to have opportunities to talk to their Argentine counterparts. Mignone had no fear that a denial of assistance might result in Argentine cooperation with the USSR. 'The military are paranoid about the Marxists, he said. The United States is their only alternative.

Dr. Mignone will be meeting with various Congressional staffers, including Drinan's and Fraser's offices.
CHAPTER THREE

Current Status November 1984

EMBASSY OF THE
UNITED STATES OF AMERICA

Buenos Aires, Argentina
MEMORANDUM OF CONVERSATION

DATE: December 5, 1984

PARTICIPANTS:

ARGENTINA

Dr. Emilio Mignone
President, Center for Legal and
Social Studies (CELS)

Dr. Leandro Despoy
Advisor to the Director General for
Human Rights of the Ministerio de
Relaciones Exteriores

UNITED STATES

Robert Morley, Director, ARA/SC
Richard Howard, Political Counselor
Deborah Hauger, Summer Intern

PLACE:

Mr. Richard Howard's Residence,
November 28, 1984

SUBJECT: Current Status of "Dirty War" Judicial Proceedings

COPIES TO: AMB
DCM
POL
DAO
ARA/SC
INR/IAA
INR/B
DIA

Meeting with us the evening the Sabato report was publicly released, Dr. Emilio Mignone, President of the Center for Legal and Social Studies (CELS) and a prominent human rights leader, discussed the current judiciary proceedings against military personnel charged with "dirty war" crimes.
"Dirty War" Judicial Proceedings

Mignone discussed three major points about the judicial proceedings on human rights abuses carried out under the military government: (1) the political motives behind Alfonsin's decision to turn the prosecution of the military over to the Supreme Council of the Armed Forces; (2) Mignone's belief that the military must be completely purged; and (3) the question of amnesty.

Mignone feels that Alfonsin's decision to prosecute the military through the Supreme Council of the Armed Forces had two basic political motives. First, the President wanted to give the armed forces an opportunity to purge itself, and through this internal self-cleansing process restore public confidence in the military structure. He said that the Alfonsin administration believed the Argentine public would consider a military court ruling against its own accused a strong statement of official military "recognition of wrongs." The second motive that Mignone cited was the President's very real need to prosecute justly the accused military officials without destroying the military's integrity as an institution or preventing it from carrying out its constitutionally designated function of protecting Argentine sovereignty. Though he adamantly supports a more expeditious and rigorous prosecution of military violators, Mignone does not, however, quarrel with the basic political motives behind Alfonsin's decision to turn the cases over to the Supreme Council of the Armed Forces. Mignone is convinced that the judicial prosecution of military leaders will be an exceptionally lengthy process.

According to Mignone, the need for a thorough purging of the military and the question of amnesty go hand in hand. Mignone believes the military needs to be purged from top to bottom in order to break what he calls a "continuing downward spiral," the result of the extremely negative image that a majority of Argentines currently have of the military. He asserted that public reaction to military officials' violations of human rights is having a tremendous effect on the future of the military as an institution. The spiral is particularly evident in the declining enrollment at the national academies for the armed forces.

Mignone claims that the only young people enrolling in military institutions are sons of military officers. "Mired in "old school" military thinking, those officers pass that mentality on down to their next generation. To break this pattern and reinvigorate the Armed Forces, Mignone proposes a complete internal reform of the military, from its most basic foundations to its ultimate leadership.
Mignone contends that the military's decision to use clandestine "unofficially recognized" methods of eliminating suspected subversive elements in Argentina was a unified policy decision adopted by all three branches of the armed forces. This unofficial policy of repression was applied throughout the entire military chain of command. It therefore follows that the only way to purify the system is to purge without exception since the whole hierarchy participated in the corruption.

Mignone fears that the government, after judging the former junta members, may agree to an amnesty, and he is firmly opposed to any amnesty, even for military personnel involved to lesser degrees in the "dirty war" crimes. He points out that one of the greatest difficulties for the government should it eventually propose some form of amnesty will be determining whether an official carrying out a direct order related to the legal apprehension and detention of "suspected subversives" did so in a responsible manner, or whether the manner in which the order was carried out was an abuse of authority and a violation of basic principles of human rights (i.e. torture, execution). Mignone contends that any degree of willing involvement in the "dirty war" methods of sequestering and eliminating individuals constitutes an "abuse," and that the orders to torture and eliminate were in themselves a human rights violation. Mignone contends that amnesty should only be considered in those cases where it can be determined that the military person in question legally detained the suspect, transported him to a legitimate prison (not a clandestine detention/torture center) and carried out said orders with no knowledge or suspicion that the individual involved could subsequently be tortured or killed clandestinely.

COMMENT: Mignone, whose daughter was killed during the dirty war, is an implacable critic of the military and extremely active in CELS's efforts to prosecute all who were responsible for excesses during the "dirty war." His proposal that a complete purging of the military would ultimately save the military institution should be viewed in this context and is debatable at best. It is hard to imagine that punishment of even the lowest officers and enlisted men involved in the Junta crimes would help build a new and more democratic institution, much less encourage new recruits to join an institution where following a commanding officer's direct order later resulted in criminal prosecution.

It is interesting to note that though Mignone is one of the leading Human Rights activists most committed to a stringent prosecution of the military, he is quite critical of the hard-line stance taken on by the Madres and Abuelas de la Plaza de Mayo.
SECTION 01 OF 03 BUENOS AIRES 02625
CINCSCO FOR INTAPP; CINCLANT ALSO FOR POLAD
B.O. 12356: DECL:OADR
TAGS: SHUM, AR
SUBJECT: HUMAN RIGHTS DEVELOPMENTS

REF: BUENOS AIRES 1932 (NODAL)
1. SUMMARY: ABOUT 15,000 PEOPLE TOOK PART IN A HUMAN RIGHTS MARCH TO GOVERNMENT HOUSE IN THE PLAZA DE MAYO ON APRIL 15, THE LARGEST DEMONSTRATION FOR HUMAN RIGHTS EVER. ABOUT TWICE AS MANY PEOPLE PARTICIPATED AS IN LAST OCTOBER'S MARCH. RESTRAINT SHOWN BY BOTH SIDES RESULTED IN A PEACEFUL DEMONSTRATION. THE PARADE WAS ANOTHER REMINDER THAT THE ISSUE OF MISSING PERSONS WILL CONTINUE TO BE A MAJOR POLITICAL ISSUE DURING THE COMING ELECTORAL CAMPAIGN. IN OTHER DEVELOPMENTS, DAMAGING TESTIMONY ABOUT THE REPRESSIVE GOVERNMENT MACHINERY OF THE LATE 1970s BY A FORMER POLICE INSPECTOR WAS PUBLISHED;
"LA SEMANA" MAGAZINE BEAT THE EXECUTIVE BRANCH IN COURT FOR THE SECOND TIME IN FOUR MONTHS OVER THE ISSUE OF CONFISCATING MAGAZINES THAT CONTAIN ARTICLES CRITICAL OF THE MILITARY; A JUDGE MADE A SURPRISE VISIT TO INSPECT THE INFAMOUS CASEROS PRISON; AND CELS RELEASE A LIST OF 47 FORMER SECRET DETENTION CENTERS. END SUMMARY.

2. (U) HUMAN RIGHTS MARCH

ABOUT 15,000 PEOPLE TOOK PART IN A HUMAN RIGHTS MARCH TO GOVERNMENT HOUSE ON APRIL 15, ABOUT TWICE THE NUMBER IN LAST OCTOBER'S MARCH. A COMMISSION LED BY THE PRESIDENT OF THE MOTHERS OF THE PLAZA DE MAYO, HEBE DE BONAFINI, AND NOBEL PEACE PRIZE WINNER, ADOLFO PEREZ ESQUIVEL, TRIED TO PRESENT A PETITION WITH OVER 210,000 SIGNATURES CALLING FOR INFORMATION ABOUT MISSING PERSONS TO AN OFFICIAL OF THE EXECUTIVE BRANCH. THEY WERE TOLD, HOWEVER, THAT NO OFFICIAL WAS PRESENT IN GOVERNMENT HOUSE TO RECEIVE THE PETITION. BONAFINI TOLD THE PRESS THAT THE PETITION WOULD NOT BE PUT IN SAFEKEEPING UNTIL THE HUMAN RIGHTS ORGANIZATIONS DECIDED HOW TO TURN THEM IN TO THE GOA. CATHOLIC BISHOP JORGE NOVAK, ONE OF THE MARCH LEADERS, CRITICIZED THE GOA FOR NOT RECEIVING THE PETITION, TELLING THE PRESS THAT "IT WOULDN'T HAVE COST THEM ANYTHING TO RECEIVE US AND SIGN A RECEIPT". OTHER MEMBERS OF THE COMMISSION THAT ENTERED GOVERNMENT HOUSE INCLUDED BISHOP JAIME DE NEVARES, SOME CHRISTIAN DEMOCRATIC PARTY LEADERS, REPRESENTATIVES OF RADICAL LEADER RAUL ALFONSOIN, AND SOCIALIST SIMON LAZARA.

3. (S) COMMENT: THIS WAS THE LARGEST DEMONSTRATION FOR HUMAN RIGHTS IN ARGENTINA THAT WE KNOW OF. THE FACT THAT IT DREW ABOUT TWICE THE NUMBER OF PEOPLE THAT LAST OCTOBER'S MARCH DID CAN BE ATTRIBUTED TO THE GOA'S BEING WEAKER NOW THAN THEN; TO THE GOA'S NOT ORGANIZING THE MARCH (WHICH IT DID LAST OCTOBER, BUT THEN ALLOWED IT TO TAKE PLACE ANYWAY); AND TO THE INCREASED INTEREST IN AN ACCOUNTING FOR THE MISSING PERSONS. RATHER THAN RISK A CONFRONTATION AND POSSIBLE BLOODSHED, THE GOA DECIDED TO ALLOW THE MARCHERS TO ENTER THE HISTORIC PLAZA DE MAYO, WHICH IT DID NOT LAST OCTOBER. FOR THEIR PART, THE ORGANIZERS
8. (U) CELS DOCUMENTS 47 SECRET DETENTION CENTERS

THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS) ON APRIL 19 RELEASED A LIST OF 47 SECRET DETENTION CENTERS THAT IT CLAIMS WERE USED BY THE ARMED FORCES TO HOUSE AND TO TORTURE POLITICAL DETAINEES AFTER THE MILITARY COUP OF MARCH 24, 1976. THE LIST WAS COMPILED FROM THE TESTIMONY OF 65 PEOPLE WHO WERE HELD IN THE CAMPS AND THEN RELEASED. CELS ALSO COMPILED THE NAMES OF 600 PEOPLE CURRENTLY LISTED AS MISSING WHO HAVE BEEN SIGHTED AT ONE TIME OR ANOTHER IN ONE OF THE 47 CENTERS BY DETAINEES WHO HAVE SINCE BEEN RELEASED. A CELS SPOKESMAN TOLD THE PRESS THAT THERE IS AMPLE EVIDENCE TO CONCLUDE THAT THE MILITARY AUTHORITIES OF THE DETENTION CENTERS KEPT CAREFUL LISTS OF THE DETAINEES UNDER THEIR CHARGE AND KEPT RECORDS OF THEIR EVENTUAL FATE.

9. (U) AT THE SAME PRESS CONFERENCE, CELS VICE PRESIDENT AUGUSTO CONTE MACDONNEL SAID THAT ARGENTINE HUMAN RIGHTS GROUPS HAVE MADE AVAILABLE ALL THE INFORMATION THEY HAVE TO THE JUDICIARY IN THE HOPE OF SPURRING JUDGES TO INVESTIGATE THE EXISTENCE OF THE CAMPS. "THAT THEY (THE JUDGES) HAVE NOT DONE SO SERIOUSLY COMPROMISES THEIR STATUTORY BEFORE THE LAW," MACDONNEL ADDED.

10. COMMENT: MUCH OF THE CELS INFORMATION IS NOT NEW, BUT SOME ADDS TO WHAT WAS ALREADY KNOWN. WE THINK THAT CELS HAS PUBLISHED THE LIST TO SHOW THAT A FAIRLY ACCURATE ACCOUNTING FOR MISSING PERSONS IS POSSIBLE, TO PUSH THE JUDICIARY TO DO MORE
The State Department
Misinforms:
A Study of Accounting
for the Disappeared
in Argentina

October 1983
Introduction

On September 23, 1983, the Argentine armed forces announced that they had amnestied themselves for the crimes they had committed during the so called "dirty war against subversion." Aware that such an amnesty was under active consideration, the Americas Watch had commissioned a study that, we believe, bears centrally on one of the claims made to justify the amnesty -- a claim that was actually made with more specificity by the U.S. Department of State in the United States than the Argentine armed forces ever ventured to make it in Argentina.

The study grew out of one sentence. Appearing in the State Department's Country Reports on human rights practices for 1982, published in February 1983, that sentence ran:

The Argentine Government has received approximately 6,600 requests for information on the whereabouts of disappeared persons and is believed to have provided information to family members on the deaths and in some instances the location of the remains of the disappeared in about 1,450 cases.

This assertion that more than twenty percent of the disappeared had been officially accounted for, suggested that the Argentine military government had made a significant good faith effort to resolve disappearance cases. It could have permitted the Administration to certify progress in accounting for disappearances, a legal prerequisite for
resuming military aid to Argentina. At that time, the Administration was known to be seriously considering such a certification. Though certification did not take place then, probably because Congressional opposition was too strong, the Administration will most likely revive the idea if the Argentine elections, scheduled for the end of October, take place as planned. Once again, it will become necessary for the Administration to demonstrate progress in accounting for disappearances and the statement in the Country Reports will assume renewed significance. But the statement contradicts all information previously available on the subject to Argentine human rights groups. At Americas Watch's request, the Argentine legal research and documentation center CELS (Centro de Estudios Legales y Sociales) undertook to investigate.

Working from a base of fully-documented disappearance cases, CELS selected a representative sample of 1,100 and sent questionnaires to the families of the victims.* Despite the delicacy of the issue and the possible risk to participants — many feared that mailed responses might be opened by the authorities — CELS received answers in 607

*The Asamblea Permanente por los Derechos Humanos (APDH) in Buenos Aires maintains a list of 6,500 disappearance cases, of which 4,464 are completely documented. The total number of disappearances since 1976 is estimated at 15-22,000.
cases, or 55% of the sample, a sizeable response for a mail survey.

The study's results thoroughly belie the Country Report's assertion and cast question on the State Department's research methodology, so far does the Report stray from reality. A mere eighteen families (3% of respondents) had received some kind of information on their missing; only two respondents had been able to recover the victim's remains, and then only years after the disappearance. In no case was the information sufficient to explain what had happened to the victim after disappearance and who was responsible for the disappearance or death; some families were told that the disappeared person had been released from custody, some heard news a year after detention but later nothing more. Nor was information received through appropriate official action; some families learned of their relatives' deaths from the newspapers, one from an official's verbal message. In short, the Argentine military government did not respond to these families' requests for information with any semblance of system or respect.

As important as the results themselves is the context in which CELS performed the study. Since August 1982, the Argentine armed forces had talked of promulgating a self-amnesty law, purporting to make their members invulnerable to prosecution for disappearances and a full accounting of the disappeared impossible. The military put
forth two basic rationales for the amnesty: (1) that disappearances can be explained as war casualties—a position most fully expressed in the April 28, 1983 "Final Document of the Military Junta on the Struggle Against Subversion and Terrorism;" and (2) that many members of the armed forces who are responsible for political crimes have been punished. Yet no credible figures or other details have been officially released to buttress the second contention, and the first was greeted with international and domestic outrage when the "Final Document" appeared.

Outrage, however, has not been the Reagan Administration's tone where Argentine disappearances are concerned. The U.S. response to the "Final Document" was muted. And the State Department has been willing to accept—and print, without clear explanation—such exculpatory claims as the one which prompted this study. In this case it even did the Argentine armed forces one better, for no Argentine official statement had made so wild a numerical claim as did the Country Report. According to a high-level State Department officer, the Country Report's unattributed reference to 1,450 cases ("believed" to be resolved) was based on a private estimate by the Interior Minister,* whose

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*The Americas Watch has sought further information on the source through a Freedom of Information Act request. At this writing, however, the only response has been a form letter advising us that "there will be a delay in responding."

-6-
credibility appears to have gone unquestioned and whose figure went into the Report unbalanced by more empirical, if less flattering, data from human rights sources. It seems inconceivable that the Department of State would accept the unsupported private communication from an official of a less "friendly" repressive government, of the Soviet Union for example, on so sensitive a subject. Such bias obviously does not serve the cause of human rights, but neither does it serve the credibility of this Administration.

Disappearances remain one of Argentina's foremost political issues and the principal symbol of military rule. As the country moves toward elections on the one hand, the military promulgates self-amnesty on the other. In this delicate situation, as the CELS study emphasizes once again, the military has shown no willingness to answer for its crimes and the U.S. State Department has aided the military in a deception.
Nuts and Bolts of the government’s repression of terrorism- subversion 7th August

MEMORANDUM OF CONVERSATION

PARTICIPANTS: Jorge Contreras (not his real name but the "nom de guerre" by which he is known to the Embassy)
William H. Hallman, Political Counselor,
American Embassy, Buenos Aires
James Blystone, Regional Security Officer,
American Embassy, Buenos Aires

DATE & PLACE: August 7, 1979; American Embassy, Buenos Aires

SUBJECT: Nuts and Bolts of the Government's Repression of Terrorism-Subversion

Secret Detention Centers. I asked Mr. Contreras his opinion of whether large numbers of secret detention centers still exist. First he cautioned me: one must have in mind the complicated pattern of the government's repression of terrorism-subversion, and the fact that each of the many government entities involved run their own operations. In the past these discrete entities worked with little regulation, or with wide authority to interpret those rules and regulations that did exist. Also, each entity tried to maintain its own staff, facilities, etc., and each organization worked in secrecy. Although there was some sharing of information of coordinating bodies, security was handled on a strictly interpreted "need to know" basis.

Therefore, said Mr. Contreras, anything he might say on this subject should be understood to be based upon his own limited experience within his own organization plus a sensitivity to questions and issues he developed in his occupation. Implied in his account was that a certain amount of "leakage" exists between organizations, but that anything in this category is hearsay.

He went on to say that it was his personal opinion nevertheless that beginning about one year ago between "80 percent and 90 percent"
of these secret detention facilities were closed. Repeating his assertion that it is virtually impossible to be certain about another unit's or service's detention centers, Contreras went on to state his personal belief that for example the Naval Mechanics School has not been used as a detention/interrogation center now for about one year. At a point later in the conversation Contreras said that in preparation for the September visit of the Inter-American Commission for Human Rights area in which the centers had existed are now being given new purposes and being remodeled. Thus if the Commission asked to see the location of a (former) secret detention center upon arrival there its members would not find bare walls and unused space -- which could suggest recent use for unknowable purposes -- but rather offices with desks, warehouses with goods, etc.

I asked Contreras why the centers had been closed. He said that it was a matter of fewer targets, less input and attrition. Numbers of "disappearances" sharply diminished in 1978, and there was sharper reduction still during 1979 -- disappearances, in fact have virtually stopped. There simply is no need to maintain large holding centers.

I reminded Mr. Contreras that (at another point of our conversation) he had told me that of the six young people who were disappeared by a security force on May 12 (Comment: See Buenos Aires ____), three of them might still be alive and might be resurfaced. I asked Contreras where, in the absence of clandestine detention centers, these people might in fact be. He replied that he had not said that they were all closed, but rather that there was no need to maintain space for large numbers of people. Three people were "nothing" in comparison with the holding problems of
Embassy Buenos Aires was asked to comment on reports that there might exist in Argentina clandestine prison facilities where unacknowledged prisoners are held or killed. Because their reply is fairly lengthy and complex, we have prepared the following summary of the Embassy's findings:

1. During the past, there have been numerous first-hand accounts of clandestine centers for interrogation and holding of the "disappeared".

2. The Embassy possesses no first-hand account of detention in a clandestine center which took place after 1977. This probably reflects the fact that the GOL has released first those survivors who disappeared earliest.

3. The Embassy has received from secondary sources reports of post-1977 detentions in clandestine centers. However, the Embassy does not disclose the dates of the latest detentions so reported.

4. With the reduction in the number of disappearances in 1978 and even further in 1979, it is logical to assume that many centers are no longer needed. The Embassy has verified that at least a number of clandestine centers have been closed. The Embassy is unable to confirm or disprove whether other clandestine centers still exist.
5. The Embassy has received one report from a military source that some centers may still be operating and killing prisoners. However, it is unable to confirm or to disprove this report.

6. The Embassy believes that,

(a) "the likelihood of there being significant numbers of clandestine prisoners is small. If there are such prisoners they probably number a few hundred at most;"

(b) "no extraordinary measures are being taken to prepare for the IAHRC visit."

We agree with Ambassador Castro's recommendation that, in the absence of verified information on the continued existence of clandestine prisons, it would not be helpful to make exceptional representations to the GOA at this time.

However, we remain seriously concerned about reports that some centers still exist where people might be held or killed. In this regard, the Embassy has reported two disappearances on August 9 and August 12, the first reported since mid-May.

We will continue to monitor the situation closely. We are preparing a second cable for the Embassy, asking some questions raised, but not answered, by their initial reply.

DRAFTED: IRA: SBCohen: cm: 8/21/79

CLEARANCES: ARA: AGuzman (in draft)
ARA/ECO: MAAdams (in draft)
Buenos Aires

August 10, 1979

Dear Mac:

We noted in Claus' letter of August 3 an expression of concern that "the Argentines may be cranking up a campaign to try to bamboozle the IAHRC." That, together with other indications of concern about the GOA attitude toward the visit, prompt us to write in an attempt to clarify the situation.

The most important point to make is that there is no "GOA attitude" toward the visit. As you will recall, Videla told Newson in May 1976 that he had decided to invite the Commission. In June, Montes and Allara torpedoed the effort in Washington. In August the Palace sent Cardó to Washington to work out the details of the visit. The commitment was reconfirmed during the Rome Videla-Mondale conversation and then the Foreign Office tried to torpedo it once again when instructed to draft a note to the Commission. Ultimately the Palace had to draft the note, which the commission accepted. It was at this point that Minister Arlia went raging through the halls of the Foreign Ministry accusing Videla of treachery. That bit of history should be enough to demonstrate that there are many within this government, and not just military, who are opposed to the visit. Despite Le Prensa's good record on human rights that paper opposes the visit on grounds of national dignity. Somehow, over a substantial opposition within the military Videla has obtained a commitment to the visit. Given the opposition we know exists we are not at all surprised to see reports such as the one relating to an instruction
to local officials to stall any Commission inquiries. The reported mutterings of General Menéndez that he could not permit the Commission to set foot on his territory is another example of the reaction of those who are unreconciled to the visit. This sort of response should be expected and not overemphasized.

Putting the visit into perspective, it is interesting to note that it took four months from the time Videla told Newcom of his decision until he could actually get a formal invitation issued. Three months later, in December 1978 the Armed Forces made major changes in their counter-subversive operations which resulted in an abrupt decline in disappearances. (We were always skeptical that the COA could completely halt disappearances no matter how much it wanted to. We were also skeptical that Ambassador Aja Espíl could make what were reportedly categorical promises to Newcom that there would not be a single additional disappearance and if one were to occur the perpetrator would be found and tried. Given recent history here these promises seemed frankly unrealistic.) In the January to May 1979 period, disappearances dropped to low levels and the new prison regulations were promulgated. In May six young people were abducted and it has subsequently been hinted to us that three of them may reappear. A number of sources have told us that the May abduction was an "out of control" operation, and yesterday Ricardo Jofre told us that operation had set off a real "bochinche" within the military and the First Corps. It mentioned that his friend and former boss, General Villareal, the new Deputy in First Corps, had found the Corps a real "narc's nest upon taking command in January and had had a terrible time trying to establish order. In July and August the pace of releases, right of option and expulsions finally began to increase. Looking at it over the perspective of the past year, one can make an impressive argument that the prospect of the IANRC visit has been an important, if not major, cause of the most significant human rights improvements in such a long time. Seen in the success of the visit assumes the utmost importance.

We continue to receive indications that the Government is committed to the visit and will try to make it success-
ful. Yesterday, we learned that Ambassador Lister who was rushed off to Costa Rica at the time of the Nicaraguan revolution, will return to Buenos Aires to coordinate the visit. Today's press reports that there will be frequent regular meetings of the Junta and top officials to review preparations for the visit. For me, all of these indications are conclusive there still exists a commitment to a successful visit and it is important that the positive elements in this situation be capitalised upon for support. Exactly what effect upon the politics of military succession the visit will have is still hard to tell. It is of more than passing interest that General Suarez Mason has been trying to improve his image with Ambassador Castro and General Machuliffe. It may well be, as we are constantly told, that a successful visit will strengthen Videla's hand against the rabid right. What is not clear is what will be seen as "successful" by the various elements of the Argentine military. Some people seem to be telling us they want the visit to be an opportunity to close the door on the past and start over again with a clean slate. It seems unlikely that the Commission's mandate entirely fits in with these hopes.

We are under the clear impression that the Embassy is to maintain ample daylight between itself and the Commission so that the letter does not appear to be our creature. Apparently there was agreement to provide the Commission with the data relating to one presumed disappeared American. At this stage it seems unlikely that we will have data on any specific suspected clandestine prison to provide you, but Ken Sackett has several individual cases he believes are particularly tragic and we hope that means can be found to bring them to the Commission's attention without our hand appearing in it. The case information will be forwarded to you in a separate letter.

Best regards.

Sincerely,

Maxwell Chaplin
Two new disappearances 16th August 1979

1. EMBASSY HAS RECEIVED INFORMATION ON TWO NEW DISAPPEARANCES. ONE CASE IS THAT OF JUAN CARLOS ANZORENA, (LE 0.464.021), AGE 28, A WORKER AT THE NESTLE FACTORY IN JAAVEDRA, BUENOS AIRES PROVINCE. ON AUGUST 12, 1979, ANZORENA AND ANOTHER COUPLE WERE ABducted FROM A BAR, AT 3:00 PM. THE COUPLE WAS LATER RELEASED, AND SUBSEQUENTLY IMPRISONED ANZORENA'S WIFE, SUSANA IRENE ANCAROLA, OF WHAT HAD TRANSPired. BOTH ANZORENA AND HIS WIFE WORKED WITH A PADRE MORALES AT THE "IGLESIA MUESTRA SEA, DE LA PAZ." PADRE MORALES RUNS A CHILDREN'S HOME AND, ACCORDING TO A MEMBER OF THE EMBASSY, MORALES HAS A REPUTATION FOR BEING POLITICALILY ACTIVE.

2. THE OTHER CASE IS THAT OF PABLO ARMANDO LEPISTICO. ON AUGUST 5, 1979, LEPISTICO AND HIS GIRLFRIEND WERE ON THEIR WAY TO HIS PARENT'S HOME. WHEN THEY ND THE CAB HE CO-OWNS DISAPPEARED. THIRTY-SIX HOURS LATER THE GIRLFRIEND WAS RELEASED AFTter REPORTLY BEING INTERROGATED AND TORTURED.
TO THE EDITOR OF THE BUENOS AIRES HERALD, BUT ASKED
HIM NOT TO PUBLISH ANYTHING ON THE CASE, BECAUSE HE
FEARED FOR HIS SON'S LIFE. LEPISCOPO'S PARTNER
REPORTED THE DISAPPEARANCE OF LEPISCOPO AND THEIR
CAB TO THE POLICE, BUT WAS TOLD NO INVESTIGATION
WOULD TAKE PLACE UNLESS IT LED TO CRIMINAL CHARGES
AGAINST LEPISCOPO FOR STEALING THE CAB.

3. WE ARE RAISING THESE CASES WITH THE USUAL FORCE
AND MILITARY CONTACTS ON AN URGENT BASIS. LEPISCOPO'S FATHER
HAS ASKED SPECIFICALLY THAT THE BUENOS AIRES HERALD NOT PUBLISH
HIS SON'S DISAPPEARANCE, LEST THIS HARM HIS CHANCES OF RE-
APPEARING.

WE DO NOT INTEND TO DISCUSS LEPISCOPO'S IDENTITY OUTSIDE
\% TIGHTLY RESTRICTED, OFFICIAL CIRCLE. AMBASSADOR WILL RAISE
THESE TWO CASES WITH GENERAL VIOLA ON MONDAY, AUGUST 20.

CASTRO
Reported imminent reappearance of Pablo Armando Lepiscopo 24th August 1979BUENOS06962

In an October 22 conversation, the Papal Nuncio told the American Ambassador that he had heard from the mother of Pablo Armando Lepiscopo, who disappeared Sunday August 5th (Revel) that she had received a phone call from her son that same day and he had stated that he would be home in three days.

Comment: This is a most hopeful development. However, we note there have been other cases in which disappearances have alleged relatives and even said they would soon be free and their assertions ultimately proved false. We shall have to await and see.

Astro
Report of five more disappearances 27th August 1979

1. INTRODUCTION AND SUMMARY: THE EMBASSY HAS BECOME AWARE OF FIVE MORE DISAPPEARANCES IN THE MONTH OF AUGUST. EACH OF THESE DISAPPEARANCES APPEARS TO BE RELATED TO ONE OR THE OTHER OF THE TWO DISAPPEARANCES WE REPORTED EARLIER (REF A). FOUR OF THE SECOND BATCH OF DISAPPEARANCES HAD BEEN PREVIOUSLY REPORTED TO THE EMBASSY (REF B). BUT WE WERE AWAITING SOLID CONFIRMATION, WHICH WE NOW HAVE.

2. ON AUGUST 24 JOSEFINA GOMEZ DE VILLAFLOR CALLED AT THE EMBASSY AND DESCRIBED TO US THE DISAPPEARANCES OF HER SON, HER DAUGHTER AND THEIR RESPECTIVE SPOUSES. MRS. VILLAFLOR STATED THAT HER DAUGHTER JOSEFINA VILLAFLOR DE HASSAN (28 YEARS OLD) HER HUSBAND, JOSU LUIS HASSAN (ABOUT 24) AND THE CHILD'S 2 YEAR OLD CHILD WERE TAKEN FROM THEIR HOME IN VILLA
"SERVICE STYLE" -- I.E. SHORT -- HAIRCUT. MRS. VILLAFLOR SAID THE DISAPPEARANCE WAS WITNESSSED BY THE HASSAN'S NEIGHBORS, AN ASSERTION ATTESTED TO BY THE PRIEST WHO ACCOMPANIED HER TO THE EMBASSY. SHE ALSO STATED THAT SHE RECEIVED A BRIEF PHONE CALL FROM HER DAUGHTER AUGUST 4 AND MR. HASSAN'S FATHER, WHO IS JEWISH, RECEIVED A SIMILAR CALL FROM HIS SON THE SAME DAY. NEITHER FAMILY HAS HEARD FROM THE DISAPPEARED HASSANS SINCE. BOTH CALLS WERE TO THE EFFECT THE CHILD WOULD SHORTLY BE DELIVERED TO THE GRANDPARENTS.

4. MRS. VILLAFLOR STATED THAT HER SON, RAIMUNDO VILLAFLOR AND HIS WIFE ELISA MARTINEZ WERE TAKEN FROM THE SON'S PICKUP TRUCK AUGUST 4, WHEN IT WAS FORCED TO THE SIDE OF THE ROAD BY TWO UNMARKED CARS. THE COUPLE WAS PUT INTO SEPARATE CARS, AND THE PICKUP DRIVEN OFF BY MEN INVOLVED IN THE OPERATION. THE VILLAFLOR'S TWO CHILDREN (AGE 5 AND 2) WHO WERE RIDING IN THE TRUCK, WERE LEFT BY THE ROADSIDE. SUBSEQUENTLY RAIMUNDO VILLAFLOR'S HOME ALSO IN VILLA DOMICO WAS BROKEN INTO, SEARCHED AND SACKED BY A GROUP OF MEN. THE WEEK OF AUGUST 20-28, A GROUP OF MEN RETURNED TO VILLAFLOR'S CARPENTER SHOP, ATTACHED TO HIS HOME, TO SEARCH AND SACKED IT. THE VILLAFLOR COUPLE HAS NOT BEEN HEARD SINCE.

5. THE VILLAFLOR FAMILY AND THE PRIEST THAT ACCOMPANIED MRS. VILLAFLOR BELIEVE STRONGLY THAT THESE DISAPPEARANCES ARE RELATED TO THAT OF JUAN CARLOS ANZORENA, WHICH TOOK PLACE AUGUST 12. THEY STATE THAT RAIMUNDO VILLAFLOR AND JOSEFINA VILLAFLOR DE HASSAN WERE INVOLVED IN THE SAME PRINTERS UNION IN THE LATE 1960'S. THEY ALSO SAID THAT THROUGH THE UNION RAIMUNDO VILLAFLOR WAS AN IMPORTANT

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6. MRS. VILLAFLOR HAS NOW ALSO TOLD HER STORY TO THE BUENOS AIRES HERALD WHICH PUBLISHED ELEMENTS OF THE FOLLOWING AUGUST 26. THE HERALD STORY ALSO RELATES THAT THE FATHER OF VILLAFLOR IS A FORMER PERONIST MAYOR OF AVELLANEDA, A BUENOS AIRES SUBURB. INCIDENTALLY, THE FATHER WAS APPARENTLY OPPOSED TO SEEKING ANY OUTSIDE HELP, FEARING THAT TO DO SO WOULD JEOPARDIZE THE MISSING COUPLES. ARGENTINE HUMAN RIGHTS GROUPS PERSUADED THE MOTHER TO COME FORWARD.

8. THE FIFTH DISAPPEARANCE WE HEARD OF REPORTEDLY TOOK PLACE AUGUST 14 WHEN FERNANDO RUBEN BRODSKY DISAPPEARED. WE HAVE NOT TALKED WITH THE BRODSKY FAMILY BUT OUR SOURCE FOR THIS REPORT IS USUALLY RELIABLE IN THESE FACTUAL MATTERS. ACCORDING TO OUR SOURCE, BRODSKY WAS A FRIEND OF PABLO ARMANDO LEPISTOCO WHO DISAPPEARED AUGUST 5. THIS DISAPPEARANCE, SO FAR AS WE KNOW, HAS NOT BEEN REPORTED TO ARGENTINE HUMAN RIGHTS ORGANIZATIONS OR APPEARED IN THE PRESS, EVIDENTLY BECAUSE THE FAMILY PREFERS TO KEEP SILENT.

9. FINALLY WE HAVE EARLIER REPORTED THAT LEPISTOCO CALLED HIS MOTHER AND STATED HE WOULD BE HOME "WITHIN THREE DAYS". THE SAME SOURCE THAT TOLD US OF BRODSKY'S DISAPPEARANCE

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ALSO MAINTAINED THAT LEPISTOCO HAS CALLED HIS MOTHER-IN-LAW WITH A SIMILAR MESSAGE.

10 COMMENT: THE AMBASSADOR PLANS TO SEE GENERAL JIOLA IN A FEW DAYS AND WILL RAISE THESE DISAPPEARANCES WITH HIM AT THAT TIME. END COMMENT. CASTRO

[Page: 3]
Another disappearance 30th August 1979

Buenos Aires 7179


THERE HAS BEEN NO WORD FROM JUAN CARLOS JOSÉ CHIAVARALDE INCE HIS DISAPPEARANCE.

COMMENT: BRODSKY AS WE HAVE EARLIER REPORTED WAS AN ASSOCIATE OF PABLO ARMANDO LEPISTOCRO, ANOTHER AUGUST DISAPPEARANCE (REF B). ALFREDO HAS LEARNED OF THE ASSOCIATION BETWEEN BRODSKY AND LEPISTOCRO AND BELIEVES HIS FATHER MAY HAVE BEEN TAKEN BECAUSE HE SHARED A ROOM WITH BRODSKY. ALFREDO ALSO STATES THAT HIS FATHER WAS A MILITARY LABOR LEADER AT A MAJOR METALWORKING PLANT IN THE MID-50'S, BUT HE WAS NOT "POLITICAL" WHICH SEEMS UNLIKELY. THE SON SAYS THAT IN 1976 HE HAD LEFT SEVERAL YEARS BEFORE. END COMMENT.

CASTRO

[Page 2]
Some August 1979 Disappearances 8th February 1980

DECAPIONED

1. THE PARENTS OF FERNANDO RUBEN BRODSKY, WHO DISAPPEARED LAST AUGUST, CONFIRMED TO US JANUARY 7 THAT THEY HAVE BEEN IN WEEKLY PHONE CONTACT WITH HIM SINCE DECEMBER 11. THE BRODSKYS ALSO STATE THAT FOUR OTHER PEOPLE WHO DISAPPEARED IN AUGUST HAVE ALSO BEEN IN CONTACT BY PHONE WITH THEIR FAMILIES FROM THEIR PLACE OF DETENTION: PABLO JEPISCOPO, JOSE HASSAN, JOSERFNA VILLAFLOR, THE HASSAN JOSÉ'S WIFE, AND ELSA MARTINEZ DE VILLAFLOR (JOSERFNA'S SISTREN-IN-LAW) IN ADDITION TO THE TWO WOMEN HAVE BEEN ALLOWED TO VISIT THEIR CHILDREN AT THEIR GRANDPARENTS' HOME. ACCORDING TO THE BRODSKYS, THEY HAVE BEEN TOLD BY THEIR SON AND BY HIS CAPTORS THAT HIS IS UNDERGOING "REHABILITATION TO REJOIN SOCIETY" AND WILL, PERHAPS, BE ALLOWED TO VISIT HIS PARENTS, ALLEGEDLY IN THE NOT TOO Distant FUTURE. THE BRODSKYS SAY THAT THE FAMILIES OF THE OTHER FOUR HAVE BEEN GIVEN SIMILAR MESSAGES (THE TWO WOMEN REPORTEDLY HAVE A FULL TIME SOCIAL WORKER LIVING WITH THEM TO ASSIST IN THEIR REHABILITATION.) THE FAMILIES HAVE ALSO BEEN ADVISED BY THE PEOPLE HOLDING THEM THAT THEY

AGE 02 BUENOS AIRES 01185 082318Z

WOULD SUSPEND ALL LEGAL EFFORTS TO HAVE THEIR RELATIVES REED AND CONTACT NO ONE ABOUT THE "REAPPEARANCE".
3. FOLLOWING THE 11 DISAPPEARANCES IN AUGUST WE RECEIVED CONFLICTING REPORTS ABOUT THEIR FATE. SOME SOURCES SUGGESTED THEY HAD ALL BEEN KILLED. OTHERS SAID THAT SOME OF THEM MIGHT REMAIN ALIVE. THEN GENERAL VIOLA, SHORTLY BEFORE HIS RETIREMENT, TOLD THE EMBASSADOR THAT SOME OF THE AUGUST DISAPPEARED MIGHT REAPPEAR. HE ALSO MADE IT CLEAR THAT THE HARD CORE CASES IN AUGUST WOULD NOT BE AMONG THEM.

4. THE FIVE PEOPLE WHO HAVE REAPPEARED IN THIS FASHION WERE, WE BELIEVE, PICKED UP AS THE RESULT OF A SECURITY FORCE OPERATION AGAINST A CELL OF THE FAP, A SMALL TERRORIST GROUP. SOME ACCOUNTS SUGGEST THAT THIS FAP CELL HAD GONE UNDERGROUND. OTHERS STATE THAT IT HAD BEEN DISBANDED. TWO OTHER PEOPLE WHO WERE ARRESTED AS PART OF THIS ANTI-FAP OPERATION: RAIMUNDO VILLAFLOR AND JUAN CHIARVALLE ARE STILL MISSING AND WE PRESUME DEAD.

5. JUST LAST WEEK WE WERE TOLD BY A USUALLY RELIABLE SOURCE OF THE EXISTENCE OF A "REHABILITATION CENTER" FOR FORMER TERRORISTS IN THE BUENOS AIRES AREA. ACCORDING TO RELIABLE HUMAN RIGHTS SOURCE SOME THIRTY TO FORTY CAPTURED AND "TURNED" TERRORISTS ARE HELD IN THIS CENTER. THE INMATES REGULARLY VISIT THEIR FAMILIES, AND SOME OF THEM MAY EVEN WORK ON THE OUTSIDE. ACCORDING TO OUR SOURCE MEMBERS OF THE IAHRC WERE TAKEN BY THE GOA TO VISIT THIS CENTER IN SEPTEMBER ON THE UNDERSTANDING THAT THE IAHRC WOULD

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KEEP THE VISIT CONFIDENTIAL.


Current Class: [redacted]
SENSITIVE SUBJECTS. WE ALSO UNDERLINE THAT THUS FAR
ONLY THE BROOKSIES FROM AMONG THE FIVE AUGUST REAPPEARANCES
AND NO ONE FROM AMONG THE FAMILIES WHO HAVE RELATIVES
AT THE REPORTED REHABILITATION CENTER HAVE APPROACHED THIS
EMBASSY FOR ASSISTANCE, PREFERING A PRUDENT SILENCE.

7. FINALLY, REGARDING "VISITING DISAPPEARED", WE
HEARD INDIRECTLY BUT RELIABLY OF AN INTERESTING DEVELOPMENT
CONCERNING A YOUNG WOMAN WHO WAS HELD FOR OVER A YEAR BY THE
SECURITY FORCES BUT ALLOWED TO VISIT HER FAMILY REGULARLY.
SHE WAS RELEASED EARLY LAST YEAR AND RETURNED TO HER
UNIVERSITY STUDIES IN BUENOS AIRES. RECENTLY SHE
RECEIVED A CALL FROM THE MILITARY OFFICER WHO ESCORTED
DURING THOSE VISITS AND WAS IN CHARGE OF HER DETENTION.
THE OFFICER STATED THAT "DUE TO THINGS THAT WERE GOING
TO BE PUBLISHED ABROAD SOON I WILL HAVE TO LEAVE THE
COUNTRY. I WILL NO LONGER BE ABLE TO PROTECT YOU.
YOU SHOULD LEAVE THE COUNTRY TOO." WE CANNOT CLARIFY
WHAT PRECIPITATED THIS PHONE CALL FROM THE OFFICER.
HOWEVER, HIS JUDGMENT THAT THE YOUNG GIRL HAD TO RELY
ON HIS PERSONAL PROTECTION IS A MEASURE OF HOW
FRAGILE IS THE PROGRESS MADE HERE ON HUMAN RIGHTS IN
THE FACE OF THE CONTINUED EXISTENCE OF HARDLINE,

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UNREPENTANT ELEMENTS IN THE SECURITY FORCES.
CASTRO

8N
The Brodsky case 27th February 1980

Dr. Mauricio Brodsky, the father of Fernando Brodsky, visited me February 27 to report that his son did not call home from his place of detention on Monday, February 25. Thus, it is now four weeks since the family has had contact with Fernando, who disappeared in August 1979 and then suddenly began calling home the last week in December.

Brodsky also reported that the last phone call from the five "visiting or communicating" August disappeared was received on February 22, when Josefina Villaflor de Hassan spoke to her family. She told them that they should not worry if she did not call for a little while since there were "some changes" being made and she might be out of touch briefly. Earlier, on February 14, Pablo Lepiscopo called and told his family that he would not be calling the next week because of "changes" but, he suggested, that is was likely that he would be allowed to visit home on February 28.

All this reminds us of another case of "visiting disappeared" with which we are familiar at first hand, that of Mr. and Mrs. Marcelo Wals, who told their family in December of 1978 that they would be out of touch for a while but not to worry. In fact, the family never again heard from the Weiszus. I believe that they are both probably dead.

Comment: The saga of these August disappeared is both grim and documented. Soon after the disappearances, Minister of Foreign Affairs boasted to a group of European Ambassadors that the individuals involved had really not disappeared. Rather, Harguindeguy told me "I know exactly where they are." Later we heard rumors that some of the same August disappeared were being held in Campo del Mayo. Then in December General Viola suggested to you that some of the August disappeared would eventually surface. The five cases of the visiting August disappeared appeared to have been a fulfillment of that prediction. (The individuals involved are Brodsky; Lepiscopo; Jose Hassan; his wife, Josefina Villaflor de Hassan; and her sister-in-law, Maria Martinez de Villaflor).

Now, unless the GDA soon produces these five, the reasonable and probably accurate suspicion will be that they have been killed in the last month. The poignancy of this -- as well as the importance
these cases could take on in bilateral U.S.-Argentine relations -- is underscored by the Brodskys having told relatives in the U.S. (perhaps ill-advisedly but understandably) the wonderful news of their having heard from Fernando.

Dr. Brodsky has asked for our intervention in behalf of his son. I believe we should follow up vigorously and rapidly with the GDA. I would like to meet with you to talk about the best course of action.
CHAPTER FOUR

Conversation with Argentine intelligence source 1980 7th April

DATE: 7 April 1980

MEMORANDUM

TO: The Ambassador

Through: DCM/Maxwell Chaplin

On April 2, 1980, the RSO had a meeting with a member of the Argentine intelligence services to discuss various topics. In the beginning the RSO jokingly asked what had happened to the two Montoneros that disappeared between Mexico and Rio. The source answered that he would tell me but only in the strictest of confidence as this information was top secret. Source stated that Force 601 had captured a Montonero and during the interrogation learned that this Montonero was to have a meeting with the two Montoneros from Mexico and the meeting was to take place in Rio de Janeiro. The two Montoneros from Mexico are Horacio Campiglia (warname Peter) and Susana de Binacki. Horacio Campiglia (number 4 or 5 in the Montonero structure) has overall charge of the TEI operations and manages these forces from Mexico. Source advised that during the interrogation they told the Montonero that they had captured, that if he cooperated with the forces he would live. This Montonero knew he was in no position not to cooperate, provided the date and time for the meeting in Rio. The Argentine military intelligence (601) contacted their Brazilian military intelligence counterparts for permission to conduct an operation in Rio to capture two Montoneros arriving from Mexico. Brazilians granted their permission and a special team of Argentines were flown under the operational command of Lt. Col. Roman, to Rio aboard an Argentine airforce C130. Both of the Montoneros from Mexico were captured alive and returned to Argentina aboard the C130. The Argentines, not wanting to alert the Montoneros that they had conducted an operation in Rio, utilized an Argentine woman to register at a hotel using the false documents obtained from the two captured Montoneros, thereby leaving a trail that the two Montoneros from Mexico had arrived in Rio, registered at a hotel and then departed. These two Montoneros are presently being held at the army’s secret jail, Campo de Mayo.

Regarding another subject, the source advised that within the last ten to 15 days security forces had captured alive 12 members of a TEI group which was reinfiltrating the country. Source stated that they had captured some time ago, the Montonero who was the TEI training instructor in Libya (previously reported by the RSO) and who is now working with the Argentine
services. This Montonero who is cooperating with the Argentines, received information that 12 members of the TEI would be re-entering Argentina via bus routes from Paraguay, Uruguay, and Brazil. The Argentine security services, with the cooperation of the police set up a trap to capture all 12 members. The police performed documentation and drug control procedures in the bus terminals in Buenos Aires and the intelligence services with the cooperation of this Montonero, were able to apprehend the TEI members arriving by bus. Once the Montonero member was identified, the police would ask to check their documents and advise the individual he would have to go to the police station for routine police matters. Once the Montonero was placed in a car for transportation to a police station, military intelligence took over and transported the Montonero to their secret jail in Campo de Mayo. All 12 members of the TEI group were captured with documentation which indicated that they would place under surveillance 10 targets of the Minister of Economy and of the 10 targets under surveillance, decide which three would be the easiest to attack. The Argentine intelligence service is upset as none of the 12 TEI members apprehended were armed. Logistically the Argentines are confused as to where and how the Montoneros are obtaining their weapons.

Regarding the TEI, the Argentines have further learned that a group of TEI members are to infiltrate the country to reorganize their political structure, which is a drastic change from previous operations. This for the Argentines signifies a change in the Montonero thinking in that they have decided to give up armed attacks and try to gain their objectives through political means.

On the last subject, the RSO inquired whether the source had any additional information regarding Jarara de Cabezas. Source stated that he hadn't any new information beyond the fact that she is still alive and being held by the Navy. (Note, the RSO was not previously informed that this individual was being held by the Navy, just that she was being held.)

The RSO questioned the source regarding the disappeareds who are able to communicate and visit their families. Source advised that this is true. The forces sometimes capture Montoneros but during investigation and interrogation, learn that the individual is a sympathizer, not a full-fledged member or combatant. These individuals, after a period of time are allowed limited liberty by the forces to contact their families until their paperwork is ready. At that time they are sent out of the country. An agreement is made with them that they will not
CHAPTER SEVEN

Argentine mothers report (1983)

SUMMARY: THE PRESIDENT AND VICE PRESIDENT OF THE MOTHERS OF THE PLAZA DE MAYO ARE ON A SIX-NATION TOUR OF EUROPE. IN MADRID, THEIR FIRST STOP, THEY TOLD A PRESS CONFERENCE THAT "THREE NEW DISAPPEARANCES" HAD BEEN REPORTED IN ARGENTINA IN JANUARY. NEITHER WE NOR OUR CONTACTS IN HUMAN RIGHTS GROUPS CAN FIND INFORMATION THAT SUPPORTS THAT CHARGE. END SUMMARY.

THE ARGENTINE PRESS IS REPORTING THE TRIP OF THE PRESIDENT AND VICE PRESIDENT OF THE HUMAN RIGHTS GROUP TO SPAIN, ITALY, FRANCE, WEST GERMANY, SWITZERLAND AND THE NETHERLANDS.
REPORTS OF THE MOTHERS' FEBRUARY 1 PRESS CONFERENCE IN MADRID QUOTED THEM AS HAVING SAID THAT "THREE NEW DISAPPEARANCES" HAD BEEN REPORTED IN ARGENTINA IN JANUARY.
THE PRESIDENT OF THE ORGANIZATION, MRS. HEBE DE BONAFINI, SAID THAT ONE OF THE THREE WAS RICARDO HAI DAR. SHE DID NOT NAME THE OTHER TWO.

HIS MOTHER, WHO LIVES IN MEXICO, REPORTED TO HUMAN RIGHTS GROUPS THAT HAI DAR HAD DISAPPEARED IN ARGENTINA BETWEEN DECEMBER 18 AND 20, 1982. A WRIT OF HABEAS CORPUS WAS FILED ON HIS BEHALF ON JANUARY 10 BY THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS).

1. CELS TOLD THE AMBASSADOR ON JANUARY 18 THAT THERE WERE SOME UNUSUAL ASPECTS TO THE HAI DAR CASE. CELS THINKS THAT HAI DAR WAS A MONTONERO, AND THAT HE PROBABLY RETURNED TO ARGENTINA ILLEGALLY LAST YEAR. CELS HAS NOT SO FAR RECEIVED A REPLY TO THE WRIT OF HABEAS CORPUS.

1. (U) CONCERNING THE OTHER TWO ALLEGED DISAPPEARANCES THAT BONAFINI MENTIONED IN MADRID, WE HAVE NO IDEA TO WHOM SHE WAS REFERRING, AND NEITHER DOES CELS NOR THE HEADQUARTERS OF THE MOTHERS OF THE PLAZA DE MAYO, WITH WHOM WE CHECKED. SHE MAY HAVE BEEN REFERRING TO THE KIDNAPPING OF A LABOR LEADER WHO WAS HELD FOR FIVE HOURS THE NIGHT OF JANUARY 16, POSSIBLY BY PERSONS WHO HAD BEEN DISCHARGED BY THE UNION. SHE MAY ALSO HAVE BEEN REFERRING TO AN ALLEGED KIDNAPPING OF A YOUTH IN ROSARIO ON JANUARY 3 WHO APPEARED A DAY OR TWO LATER. HE WAS POSSIBLY PICKED UP BY AN ANTI-DRUG SQUAD OF THE GOVERNMENT.

UNCLASSIFIED
TIMELINE OF POLITICAL AND CULTURAL EVENTS 1966-2012

1966 June - Start of the seven year military dictatorship Revolución Argentina led by General Ongania (1966-1970)
1966 July - End of university autonomy which was established in 1918. University of Buenos Aires purged of staff following repression on campus known as La noche de los bastones largos (The Night of the Long Sticks)
1966 September - Death of student Santiago Pampillón in Córdoba during a protest in response to the removal of university autonomy
1967 - Political activity prohibited on University Campuses
1969 May - Protests in the Argentine cities of Corrientes, Rosario and Córdoba. At the protests including the Cordabazo protestors were killed by security forces
1969 June - Nelson Rockefeller visits Latin American countries on behalf of U.S. President Richard Nixon. Enterprises owned by Rockefeller are attacked in Buenos Aires. Journalist Emilio Jauregui is killed by police during a Buenos Aires protest that was held in response to the visit.
1970 - Taller Total (Total Workshop) implemented at Faculty of Architecture and Urbanism at the University of Cordoba which gave students more control over their studies and an engagement with the political and social reality
1970 May - The guerrilla organisation the Montoneros assassinates former President Aramburu.
1970 June - Ongania is replaced by Levingston. The second dictatorship of Revolución Argentina
1971 March - A second mass protest is held in Córdoba. Levingston is replaced by Alejandro Lanusse in the final dictatorship of Revolución Argentina.
1971 April - Rawson prison in Patagonia is converted to a maximum security prison for guerrillas
1971 May and June - Lanusse implements repressive mechanism including an anti-subversion court and authorises the military to deal with subversion
1971 May - Contrabienal is published in opposition to the repression in Brazil and the state sponsored Sao Paulo Bienal to be held in November
1971 July - Assassination of Juan Maestre and the disappearance of his wife Mirta Misetich in Buenos Aires

1971 September - Students of two Buenos Aires art colleges are arrested. They are then held by Lanusse’s anti-subversion court. The students were demanding the implementation of a Taller Total to permit a closer engagement with social and political reality in Argentina

1972 15th August - 110 political prisoners enact a partially successful escape from Rawson prison. Six escape to Chile. Nineteen others surrender their weapons at Trelew airport

1972 22nd August - 16 of the 19 guerrillas are killed whilst in detention at a naval base in Patagonia. Three survive. The 19 guerrillas belonged to the three major organisations ERP, FAR and Montoneros. The deaths are framed by the authorities as the result of another escape. Sections of the legal community and survivors insist the guerrillas were assassinated

1972 23rd August - All non official versions of events of what is known as the Trelew Massacre are prohibited by Lanusse’s administration

August 1972 - Wake to three victims in Buenos Aires repressed by security forces. The coffins of the victims are removed and buried without autopsies

1972 September - The first Trelew survivor testimonies are published and circulated clandestinely

1972 September - The outdoor art exhibition CAyC al aire libre is closed by authorities and armed police. A number of works made reference to the Trelew Massacre.

1973 - The alleged Trelew Massacre perpetrators sent overseas by Lanusse

1973 25th May - The democratically elected left-wing Peronist Hector Campora assumes the Presidency. Juan Peron, the leader of the Peronist movement was ineligible to stand for the Presidency due to residency restrictions placed on candidates. Peron was residing in Spain. Mass protest in Buenos Aires the Devotazo demanding the release of the dictatorship political prisoners. Those released include the Trelew survivors.

1973 May - Control of eight National Universities was given to the Peronist left. University autonomy was not restored. Reorientation of teaching and commemorations to Revolución Argentina victims at the University of Buenos Aires

1973 June - Ezeiza Massacre. Violence erupts between right-wing and left-wing Peronists at an event to mark Juan Peron’s return to Argentina.
1973 - Campora is replaced as President after 49 days by interim President Raul Lastiri of the Peronist right by Juan Peron. Beginning of the removal of the left from political influence

1973 - On and around the first anniversary of the Trelew Massacre commemorative activities are held including art exhibitions and demonstrations. Politicians and family members announce the proposed investigation into the Trelew deaths and those preceding and following from the proscription of Peronism in 1955

1973 September - Juan Peron elected President

1973 September Montoneros assassinate Jose Rucci one of Peron’s inner circle of the rightwing CGT union

1973 October - Peron assumes the Presidency two weeks after the publication of a secret document outlining his intention to purge the movement of leftwing groups

1973 October - There is a commemoration to the Trelew dead by artists at the Faculty of Law at University of Buenos Aires. The work is destroyed by right-wing Peronists. UBA and particularly Faculty of Law was a microcosm of a violent ideological battle between left and right-wing Peronists

1974 January - Following the repressive legislation implemented following an attack by the ERP on the military. Eight left-wing Peronists deputies resign from parliament

1974 March - University legislation passed which prohibits political activity on campuses. Universities were the last stronghold of the left

1974 June - Juan Peron dies. He is replaced by his wife Isabel Martinez de Peron

1974 - July first murmurs of a military coup

1974 - Second anniversary of the Trelew Massacre. Commemorations are prohibited Violence repression is enacted which includes the murders of left-wing activists by the right-wing paramilitary organisation the Triple A including CNBA school student Eduardo Bekerman

1974 September - The Montoneros moves to clandestine operations

1975 February - A secret decree is implemented in Tucuman authorising the armed forces to annihilate subversives. First Clandestine Detention Centre is established in Argentina in the province of Tucuman

1975 October - The Montoneros attack a military base in Formosa

1975 - Decree 2772/75 authorising the armed forces to annihilate subversives throughout Argentina signed one day after the Montoneros Formosa attack
1975 December - The human rights organisation the *Asociacion Permanente por las Derechos Humanos* (APDH) forms.

1976 March - The start of the *Proceso* dictatorship which sees the establishment of CDCs throughout Argentina. The CDC’s include the *ESMA* in Buenos Aires. The most intense repression and most of the *detention-disappearance* occur in 1976 and 1977 but continue until 1983.

1977 April - First public appearance of *Las Madres de Plaza de Mayo* demanding information on their sons and daughters and all the *detained-disappeared*

1977 December - Kidnapping and assassinations of three members of *Las Madres* and nine supporters including two nuns

1978 April - A detailed report is submitted by a member of the *Montoneros* about *ESMA* operations after his escape. The report includes the methods used to murder and dispose of victims. Those methods included Death Flights in which prisoners were sedated and thrown alive from aircraft

1979 September - Law of Absence and *IACHR* visit to Argentina. There is an upsurge in detention-disappearances in August 1979

1980 - *Centro de Estudio Legales y Sociales* (CELS) forms in Buenos Aires

1983 April - The military issues its official “explanation” for *Proceso* violence titled *Documento Final*. The document outlines limited information on the repression and contains no information on the fate of victims. *Documento Final* makes explicit that no further cooperation with investigations would be forthcoming

1983 October - Raul Alfonsin of the *UCR* wins the Federal election. He was the first elected President since Peron in 1973

1983 December - Alfonsin establishes investigative commission into the fate of victims (*CONADEP*) without the power to subpoena witnesses. Alfonsin orders the arrests of surviving guerrilla leaders and the nine leaders of three *Proceso* military juntas. Responsibility for prosecution is handed to the highest military court.

1984 February - The Code of Military Justice is reformed. Alfonsin implements a following orders defense effectively protecting lower ranking members of the military. The reform establishes a time frame for prosecutions by the military. Jurisdiction for prosecutions eventually passes to the civilian system

1984 August - Press conference at which documentation produced by the navy in the *ESMA* is publicly released by a survivor of the *CDC* and *CELS*
1984 November - The human rights organisation the *Asociacion of Ex Detained and Disappeared (AEDD)* forms.

1984 November - *CONADEP’s* report published.

1985 April - Start of the trial of the military leaders in the civilian system. The development occurs following the military court’s unwillingness to prosecute. The proceedings are accompanied by military threats and violence.

1986 - Commencement of a small number of other trials.

1986 April - *Las Madres de Plaza de Mayo* splits into two factions: *Asociacion Madres* and *Madres: Línea Fundadora.*

1986 December - Alfonsin implements legislation to limit the number of prosecutions known as the *Law of Punto Final.*

1987 February - *ESMA* trial passes to the civilian system. The trial has 34 defendants and 286 victims.

1987 April - Uprising at *Campo de Mayo* military base in opposition to prosecutions.

1987 - Alfonsin implements the *Law of Due Obedience* protecting lower ranking operatives from prosecution. The *ESMA* trial is closed. It was to focus on those directly responsible for kidnappings, torture and murder.

1987 - Formation of the human rights organisation *FMHSA* which has the expressed aim of the dissemination of information on *Proceso.*

1989 - Carlos Menem assumes the Presidency. In December he implements pardons to those imprisoned or awaiting trial.

1990 - Menem issues a second set of pardons. The military leaders who were jailed in 1985 released from prison.

1995 - Confessions are given by former *Proceso* operatives pertaining to their involvement in flights of death. The push for truth and construction of memory projects is in part attributable to the confessions. Menem attempts to closedown dialogue.


1995 April - Renewed push for truth. Two legal cases are submitted by relatives of victims that focus on their right to know the truth about the fate of their respective daughters.

1995 - The construction of *Pancartas* to victims of state violence by members of *Las Madres de Plaza de Mayo: Línea Fundadora* commences.
1996 October - A commemoration to victims of state repression who had studied at Colegio Nacional de Buenos Aires (CBNA) is held. The component parts of the commemoration include Pancartas and Marcelo Brodsky’s work Los Compañeros.

1997 - One of the 1995 confessors Adolfo Scilingo arrested in Spain for the crimes of genocide and terrorism.

1998 February - An attempt at removing Alfonsin amnesty legislation by politicians fails. A compromise is reached to declare the laws null but without retroactive effect. Perpetrators still protected in Argentina.

1998 September - Trial for Truth opens in La Plata with the power to subpoena witnesses but not prosecution. The Trial for Truth is directly related to the 1995 failed pursuit of truth. A number of survivors and relatives of victims testify for the first time. The trials focus on the fate of 2000 victims from the Province.

1998 November - The exhibition Identidad by Las Abuelas and artists is held at the Recoleta Cultural Centre in Buenos Aires. Identidad focuses on children appropriated by those directly involved with the military or sympathetic to the aims of Proceso.

1999 January - The existence of the DIPBA archive announced.

1999 November - HROs permitted brief access to the DIPBA archive.

2001 November - Public emergence of further ESMA documentation.

2001 November - Exhibition of Marcelo Brodsky’s NEXO at Recoleta Cultural Centre in Buenos Aires.

2001 December - Political and Economic turmoil results in Menem’s successor Fernando de la Rua leaving the Presidential residence by helicopter after protests throughout Argentina. Repression results in the deaths of protestors including five in central Buenos Aires.

2001 October - midterm election left-wing politicians achieve a partial victory as a result of societal distrust of the two dominant political blocks; the Peronists and UCR. One of the two elected left-wing deputies Patricia Walsh announces her aim to remove immunity legislation which was implemented by the two above parties. Pressure is also exerted on the Government to comply with its International legal obligations. Spanish Judge Baltasar Garzon submits numerous extradition petitions. One of de la Rua’s last acts as President is the implementation of a decree asserting Argentina’s sovereignty with respect to Proceso crimes and a refusal of cooperation with foreign nations.

2002 March - Walsh presents a Bill to remove impunity without success.
2003 May - Left-wing Peronist Nestor Kirchner assumes the Presidency and enacts mechanisms to address the impunity implemented by his predecessors including restoring cooperation with foreign nations with respect to prosecutions, overturning Alfonsin’s amnesties and ratifying the *UN Convention on the non applicability of the statute of limitations for crimes against humanity*. Menem’s pardons removed from discussions in a compromise agreement. Intellectual authors are still protected, the direct perpetrators are punishable.

2003 September - ESMA case 761 is reopened. An appeal is lodged by one of the alleged perpetrators which paralyses the case.

2005 June - Supreme Court ratifies the removal of Alfonsin amnesties.

2006 - First two trials in the second justice stage in Argentina are held.

2006 18th September - Jorge Julio López disappears. He was a witness in one of the two 2006 trials.

2006 19th September - Miguel Etchecolatz sentenced for committing crimes against humanity in the context of genocide in the trial in which López was both a victim and witness.

2007 November - The appeal lodged by one of the ESMA defendants in 2003 is dismissed.

2007 December - Kirchner’s wife Cristina Fernandez assumes the Presidency.

2009 December - ESMA trial closed in 1987 and reopened in 2003 finally commences. The trial has a smaller number of victims and perpetrators than that closed in 1987.

2011 October - sentences delivered in the ESMA trial.

2012 May - commencement of trial for the 1972 *Trelew Massacre*.

2012 November - More extensive ESMA trial opens with 68 defendants. The trial includes 789 victims.
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