

When death is not the end: towards a typology of the treatment of corpses of 'disappeared detainees'¹ in Argentina from 1975 to 1983²

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On 24 March 1976, the Argentine armed forces, with extensive civilian support, carried out a new military coup against President Isabel Perón, claiming the need to combat guerrilla groups. In order to achieve this goal, task forces and clandestine detention centres were created, which launched an intense campaign of repression, reaching far beyond the confines of the guerrilla organizations. For decades, a negative conception of otherness had been constructed in military social circles and training settings – one that threatened Argentina's Catholic essence. According to this conception, the guerrilla was only the 'tip of the iceberg' of a broader and heterogeneous group, referred to as 'the subversion'. Within this interpretative framework, state repression focused on the guerrilla, but included a much wider population. The personnel assigned to carry out repressive acts and the facilities used for the purpose belonged to the Argentine state in most known cases. Soldiers, members of the security forces (police officers, gendarmes, municipal prison staff, and National Prison Service personnel), and civilians were organized to kidnap, torture, murder, and pillage, and to destroy and/or hide the corpses of an as yet indeterminate number of people accused of belonging to 'the subversion'. In the terminology used at the time, this was the 'war on subversion'.

The military junta remained in power until 1983, when democratic elections were held. Between 1984 and 1985, an investigation undertaken by a special presidential commission managed to

identify about 9,000 cases of ‘forced disappearance’ at the hands of the aforementioned groups. It also confirmed the heterogeneity³ of the population that had been annihilated, identified a considerable part of the state structure deployed in the massacre, and documented thousands of murders committed with extreme and indiscriminate violence within the framework of the campaign of repression. The testimonies of survivors and witnesses, and the work of forensic anthropologists, confirm that the people who were targeted for destruction were mostly civilians, and that at the time when this phase of mass violence was initiated these people were defenceless against the Argentine state’s deployment of repression.

We understand that this violence on the part of the state represented a massacre of different (peaceful or violent) challengers,⁴ elites, and egalitarian and reformist social movements that sought to establish a real democracy, or a social revolution, and/or to reduce social inequalities in Argentina. This heterogeneous set of actors and political practices was, for the perpetrators and their civilian allies, a negative otherness⁵ that was labelled ‘subversion’, whose aim was to change the ‘Western and Christian’ lifestyle and essence of Argentina.

Given what happened in Argentina, it is valid to ask how a professional of war (a soldier) or a security professional (a police officer or gendarme) becomes a perpetrator of mass murder and can exercise extreme violence against a largely civilian population that is unarmed and unable to resist or defend itself. To put it another way, what are the mechanisms that allow the breach of the cultural boundary that prohibits consciously and deliberately inflicting harm on another human being who has no chance to defend himself or herself against this violence?

Through research conducted on the ideological and moral training received by Argentine army officers in the period preceding the coup, we identified – adopting the analysis of massacres proposed by Jacques Sémelin⁶ – within this training the constituent elements of an *imaginaire* of destruction, in which was constructed the aforementioned negative otherness, to be targeted for destruction as a way of saving the threatened nation. In this chapter we attempt to show how the technical processes in the treatment (destruction or concealment) of the bodies of the people targeted were based on the representations and interpretations that made up this *imaginaire*. From this we propose a typology of the treatment of the corpses during and after the outbreak of mass violence. In developing this preliminary typology, we worked with two types of sources.

The typology was constructed from an analysis of a selection of cases of destruction and/or concealment of corpses reported by the National Commission on the Disappearance of Persons (Comisión Nacional sobre la Desaparición de Personas, henceforth CONADEP)⁷ or investigated by the criminal justice system, based on the work of the Argentine Forensic Anthropology Team (Equipo Argentino de Antropología Forense, henceforth EAAF).⁸ With regard to this chapter, the following cases were examined:

1. *Avellaneda Cemetery, Sector 134*. At the beginning of 1983, the mayor of the town of Avellaneda (to the south of Buenos Aires city) initiated an administrative inquiry to establish whether clandestine burials had been made in the municipal cemetery. This investigation established that, from May 1976, the number of bodies buried as ‘unidentified’ grew exponentially, and identified a notable characteristic relating to them: the majority of bodies labelled as ‘unidentified’ were those of young people – the average age was twenty-five years – who had died from gunshot wounds. This contradicted historical trends relating to the burial of unidentified bodies. The same inquiry found that this anomaly ended in 1978, when the pattern returned to normal (a few unidentified burials, of elderly people).
2. *The cemetery of the village of Santa Teresita*. Here, a total of thirty-seven unidentified bodies had been buried, according to a complaint made by the mayor of General Lavalle district (in the south of the province of Buenos Aires) in court no. 1 of the Dolores Judicial Department. The bodies had been found on the beach, from mid-1976 onwards. According to witnesses, they were in a terrible state and bore the marks of extreme violence.⁹
3. *The Fátima massacre*. On 19–20 August 1976, about thirty missing ‘disappeared detainees’ in the custody of the federal police were murdered. These individuals were taken to a field at kilometre 62 of National Highway 8 (in the town of Fátima, in the district of Pilar, province of Buenos Aires). They were killed by gunshots to the head before their bodies were blown up.¹⁰
4. *Clandestine burials in the San Vicente cemetery (Córdoba)*. The burial of at least seventy unidentified bodies with signs of extreme violence that were brought to the Córdoba judicial morgue by military personnel was investigated, following a complaint made by Juan Caro, an employee of the morgue. Caro told Córdoba Federal Court No. 1 (in the ‘Menéndez’ case) that between 1976 and 1977 he remembered receiving a large

quantity of corpses from military personnel, and in some cases he counted up to eighty gunshot wounds on a single body.¹¹

In addition, we used information relating to the fate of the bodies that was collected by CONADEP and published in the 1991 edition of its report *Nunca más* (first published in 1984).¹² We also analysed reports on the exhumation of clandestine graves and the work of identifying human remains produced by the EAAF as part of different trials for crimes against humanity brought against civilian and military figures and the so-called ‘truth trials’. We have drawn on investigations by judges as they passed sentences during different trials for crimes against humanity brought against their perpetrators. We have also used research into court cases conducted by María José Oliveira Sarrabayrouse¹³ and Gabriela Águila.¹⁴

This chapter is organized into three parts. In the first, we provide a basic introduction of the configuration of the *imaginaire* of destruction that preceded the phase of mass violence. In the second part, we present the basic features of the spatial deployment of extreme violence and its use on the bodies of the ‘disappeared detainees’. Finally, we present an outline of a preliminary typology of the treatment of the corpses.

The *imaginaire* of destruction

Indoctrination: the preparatory *imaginaire* for the massacre

Alongside their strictly professional training, Argentine soldiers¹⁵ received political and moral indoctrination¹⁶ – disguised as a pseudo-religious education – from lay and religious figures belonging to the domestic extreme right and the intransigent domestic form of Catholicism. Constituted as an informal network that had firm roots in the military sector and a prolonged presence in it through talks, courses, conferences, sermons in church, publications, and spiritual retreats, the indoctrinators drummed a work of fiction into the Argentine military mentality: a Catholic Argentina was threatened by ‘international communism’ through external agents and their local allies, who formed a complex grouping called ‘the subversion’.¹⁷ This indoctrination was based on a series of inventions that structured an interpretation of social conflict emanating from two areas: the existence of an ‘internal enemy’ hidden within the civilian population, and the idea of a ‘third world war’ that was

already underway. In the mid-1950s, the notion of an ‘internal enemy’, historically part of the Argentine military mentality, was updated and adapted to the bipolar logic of the Cold War, but still subsumed within the idea of ‘subversion’. This process is important, as this was the era when the leaders of the military coup of 1976 received their training, and they in turn would be responsible for the training of many of the perpetrators of the slaughter.

The central pillar of this indoctrination was the subordination of the notion of war to religious principles. Intransigent Catholicism functioned, as part of this indoctrination, as a pre-existing cultural model – in line with Hinton’s analysis of genocide in Cambodia¹⁸ – that belonged to the nineteenth century, but was successfully adapted to the context of the Cold War in Argentina. The Argentine military sphere was a social space in which Catholicism had a significance of its own,¹⁹ which went beyond its own particular domain²⁰ (namely a belief in the supernatural). For the Argentine military, religion upheld a sense of social and political order, and created a historical teleology. Thanks to the persistent and prolonged work of the indoctrinators, the Argentine military took the Catholic religion as the principle for ordering Argentine society. This type of Catholicism therefore became a cultural model. Cultural models neither produce genocidal behaviour nor cause the use of extreme violence, but they do combine with social changes which, in the case of twentieth-century Argentina, took the form of the redistribution of wealth implemented by Peronism between 1946 and 1955, the social modernization of the 1950s, and the emergence of young people as political actors. Faced with these changes, this form of Catholicism turned into a violent ideology, a precondition for slaughter to take place. From the outlook of this *imaginaire*, attacking the Catholic essence of Argentina was considered the worst crime possible, and accordingly a punishment commensurate with such a crime was likewise imagined.

Crossing the threshold of tolerable violence: the notion of subversion

The adoption of the concept of subversion to define Argentina’s main enemy during the Cold War was not just a semantic change. This category allowed a much broader and more imprecise definition of the enemy, one that went beyond ideologies and methodologies of collective action. Rather, the indoctrinators designated any form of protest that sought to diminish social inequalities as the

action of an enemy to be destroyed. Social protest, struggles for equality, and the actions of guerrilla groups were defined by the indoctrinators as interlinked parts of a single process, the ultimate goal of which was to establish communism in the country and take away its status as a 'Catholic nation'. While these were disparate social movements,²¹ to the Argentine military there was no doubt about them belonging to a process with a worldwide reach that was against 'Western Christian civilization', as part of a 'third world war' of a 'revolutionary' nature. Thus, for the Argentine military, a questioning of established authority, sympathy for egalitarian projects, labour-union demands, and student agitation were all considered to be of the same nature as a terrorist attack on the state.

These changes to the definition of the 'internal enemy' took place within an ideological framework that combined different referents: the doctrine of the French revolutionary war, intransigent Catholicism, domestic right-wing extremism, and the USA's national-security doctrine.²² The idea that Argentina was under attack from 'international communism' was in fact incorporated into laws²³ and military regulations²⁴ that effectively established legal guarantees for those committing mass murder.

From the imagined to the real: the beginning of the phase of mass violence

Following decades of indoctrination, the return to power of democracy, Peronism, and challengers – above all guerrilla forces – in May 1973²⁵ sent indoctrinators and indoctrinated into a state of paroxysm. Public speeches from those years show an important radicalization regarding what immediate courses of action were seen as required to confront 'subversion'. For example, one member of the network of indoctrinators, Dr Carlos Sacheri, president of the Argentine section of the lay group 'La Ciudad católica', argued that it was time for a heroic struggle to save civilization from the clutches of the Marxist forces that had just been installed in government. Speaking to a university audience, Sacheri stated that Argentina needed a 'bloodbath' in which it would 'purify' itself. He also declared that 'without blood there will be no redemption'. This text and *Verbo*, the magazine that Sacheri ran, were freely distributed in barracks and military schools.²⁶

The phase of mass violence broke out in 1975, when the government ordered the armed forces to take charge of repressing

the activities of a guerrilla detachment that had settled in an inhospitable region of the province of Tucumán in northern Argentina. The constitutional government gave sweeping powers to the armed forces to ‘annihilate’ guerrilla activities, at first only in that area of Tucumán, but then, shortly after, throughout the country. This is demonstrated by one of the provisions enacted to this effect in October 1975:

The strategy [is to] ... give free rein for the deployment of these measures in ‘hot spots’ ... [and the] intervention of the security and armed forces.

1) Given the offensive position that has been taken, the forces will have the broadest free rein to intervene in all situations in which there appear to be links to subversion.²⁷

Following the death of General Perón on 1 July 1974, a wave of parastatal violence, which would precede the state’s own terrorism, was unleashed. In charge of operations against the guerrilla detachment in Tucumán, the army created the first clandestine detention centres (henceforth CDCs) in the province and resorted to extreme violence in carrying out its intelligence and repression activities.²⁸ This was accompanied by an internal confrontation between different sectors of Peronism that were disputing the Peronist leadership following the death of its leader. Perón had returned to Argentina on 20 June 1973 as an old man in a deteriorating state of health. Since his return, Peronism faced internal clashes to decide which sector would control the movement, imagining that soon Perón might no longer be able to act as its leader. Broadly speaking, Peronism was divided between two wings, one comprising ‘orthodox’, politically integrated groups such as the large labour unions, which hoped to return to ‘classic’ Peronism, and self-described ‘revolutionaries’, such as the movement’s student group, which had the support of the ‘Montoneros’ guerrillas.²⁹ For their part, the guerrilla forces launched a series of armed offensives against officers and barracks.

The spatial deployment of extreme violence

Sliding into extreme violence, or the ‘war’ that was not a war

By the time of the coup, the perpetrators had not only psychologically conceived the possibility of slaughter as a solution to the problem of ‘subversion’, but they had also suffered numerous

attacks and losses at the hands of the guerrillas. Moreover, they had put the basic structure of state terrorism to the test in the province of Tucumán between February and December 1975. The argument of avenging the dead, an issue that deserves investigation in the search for a deeper understanding of the slaughter that ensued, was added to the received indoctrination. From 24 March 1976 the armed forces and their civilian allies embarked on a campaign of repression against the 'subversion' that was unprecedented in terms of its breadth, intensity, and methodology. To the classic measures taken by military governments in twentieth-century Argentina³⁰ – suspension of liberties, banning political parties, control of the judiciary, and control of the economy – something new was added that represented a departure from previous military interventions: the creation of a clandestine apparatus within the state to carry out what the perpetrators called the 'war against subversion'. More than 300 CDCs were created nationwide, which, in most cases, were installed on state premises (for example, barracks, police stations, schools, and hospitals), albeit in hidden places or ones without free access, while the rest of the premises functioned 'normally'. There were also CDCs on private property. Task forces that were made up of civilians, soldiers, gendarmes, and police officers operated within these CDCs, dealing with intelligence activities, kidnapping, torture, and the clandestine detention of those designated 'subversives'. Research indicates that those who enacted violence against the disappeared detainees represented a small proportion of the security and armed forces.³¹

The detainment of victims in CDCs followed a sequence of five basic steps: (1) abduction; (2) torture; (3) continued clandestine detention; (4) murder or release; (5) concealment of the remains of those killed. This sequence took place within a context of an absolute disparity of forces that favoured the perpetrators;³² this asymmetry was reinforced at each successive stage of the sequence, by the systematic use of torture in intelligence work and the clandestine holding of detainees. CONADEP's report³³ made it clear that the majority of people held in CDCs were apprehended at night, in their homes, that very few of them had weapons with which to defend themselves, and that abductions were carried out through the deployment of task forces, and even in some cases with aerial support. This invalidates the perpetrators' claim that their actions were justified by the country being in a state of war.³⁴ Rather than waging a war, the security forces were hunting people who were trying to remain hidden, who were devoid of support networks,

and who were fleeing from the colossal repressive apparatus that had been set up by the Argentine state. From the moment they were captured, the victims immediately lost their humanity, being subjected to senseless violence and being broken down over an indefinite period within the CDCs, a clandestine space that was cut off from the outside and completely controlled by the perpetrators. The perpetrators then repeated this sequence with further torture and mistreatment.

Argentine state terrorism: exceptionalism, 'normality', and CDC operational autonomy

The spatial structure of the repressive state apparatus exhibited the particular feature of combining the clandestine with 'normality'. The institutions where many of the CDCs were located did not significantly alter their own operations. Rather, it was a case of there being a section reserved for perpetrating slaughter while the remaining space operated normally, open to the public and continuing with its usual activities. For example, in 1977 it was common for elementary school students to visit the School of Naval Mechanics to find out more about it, with a possible view to continuing their secondary education there. At the same time, within certain parts of the same institution dozens of people were held captive, many of whom were being tortured. Here, Argentine state terrorism led to a convergence, in both space and time, of the hidden and abused bodies of the 'disappeared detainees' with children having a day of fun and careers guidance.³⁵ In our opinion, this duality facilitated the slaughter, by giving its perpetrators operational autonomy.

Through the reconstructions carried out during the course of some of the trials and the work of forensic anthropologists, it can be seen that the perpetrators adapted the chain of command to the power relations that grew internally within the CDCs, rather than following set schemata. The perpetrators held the lives and property of the disappeared in their hands; these spoils proved to be very large and difficult to manage appropriately, owing to the extremely corrupt morals and professionalism of those who operated in the CDCs.³⁶ The perpetrators' substantial operational autonomy made them more like a gang than a task force within a regular army.

The operational methods of the task forces appear to reflect a principle of Argentine army troop management, that operations

are centrally overseen, but that their execution is decentralized.³⁷ Army regulations were also explicit in their authorization of the use of maximum levels of violence against ‘subversives’:

Apply combat force and maximum violence to annihilate subversive criminals, wherever they may be.... Military action is always violent and bloody, but it must have its justification and the support of psychological operations. It is the role of the security forces and police to determine levels of violence. The guiding concept will be that a subversive criminal wielding weapons must be destroyed, because when the Armed Forces undertake operations against these criminals they should neither break off from combat nor accept their surrender.³⁸

In our view, the pronounced gap between the oversight and execution of repressive actions led to the increasing operational autonomy of the perpetrators, which was made more potent by their clandestine nature and the indoctrination they had received. One year on from the coup, when the mass violence was at a peak, it seems likely that even members of the army themselves noticed that the violence being deployed was so extreme that it could have negative consequences for the forces of repression. In an attempt to establish basic rules to mitigate the possible negative effects of repressive activities, the army set a series of guidelines that seem to have been an attempt to organize the execution of the ‘disappeared detainees’. In June 1977, the Commander of the First Army Corps issued ‘Operations Order No. 9/77 (Continuation of the offensive against the subversion during the period 1977)’. Although this was limited in its geographical application to the city of Buenos Aires and the surrounding area, it can also be understood as the manifestation of a desire to regulate exceptionalist state terrorism. A judicial inquiry noted of this legislation:

with every case of excess, abuse, or outrage carried out on behalf of the Force or ‘joint forces’, damage was done to the National Reorganization Process,³⁹ and having gained experience of ethical considerations being neglected during military and security operations by the task-force members who carried them out, it was decided that henceforth, in order that these operations should be carried out with a modicum of guarantees and reliability and with the aim of improving the situation, responsibility for oversight would fall on the senior personnel of Zone 1 Command.⁴⁰

Under the same order, the military authorities also established the procedures for returning corpses to families:

Likewise, it was stipulated that when an opponent had been killed, the sub-area involved would be in charge of the corpse until it was received by relatives or given a burial. To that end, the body would be sent to the judicial morgue following the involvement of the relevant police authority, and following identification, Zone 1 Command, Department III – Operations – Planning Division would be notified to then pass on the information. Upon certification of the relationship to the deceased, the bereaved relatives would be allowed to take the body from the judicial morgue.

Alternatively, after the passage of thirty days without the body being claimed, administrative steps would be taken for burial.⁴¹

Some attempts to create an alternative reality about the circumstances and method of murder of the ‘disappeared detainee’ were extremely crude, something that in our view should be considered a demonstration, firstly, of the extreme levels of violence exercised and, secondly, of the dysfunctional relationship between the perpetrators charged with the torture and murder of detainees (‘decentralized execution’ is referred to in Order 9/77) and their hierarchical command, charged with the strategic management of state terror. The murder of Miguel Ángel Ceballos provides an example of this:

Frida Angélica Cappatto de Ceballos, the wife of Miguel Ángel Ceballos, said that after finding out about the death of her husband, who was kept in the UPI, and after looking for the body, having been told he had been killed while attempting to escape, found it in the morgue of San Roque hospital, among a pile of corpses. He had been gagged and had numerous gunshot wounds, including one to the chin, by which she knew he could not have died while attempting to escape, with the cause of death (gunshot wound) being recorded on the death certificate.⁴²

The treatment of the bodies: extreme violence and suffering beyond murder

It is known, principally from the investigations carried out by the judicial system, journalists, and human-rights organizations between June 1982 and December 1983, that most of the people who went through the CDCs were held in clandestine captivity for a prolonged period and were killed after being tortured. As Frank Graziano has noted, the bodies of the ‘disappeared detainees’ were the ‘battlefield’ on which a totally uneven war was waged between good and evil.⁴³

The combination of 'normality' and exceptionalism that shaped the implementation of state terrorism in Argentina seems to have had a counterpart in the treatment of the bodies. Making them disappear, by destroying, hiding, or returning them to the legal domain as if the death had been 'normal' (discussed in the next section), was meant to erase the crime.⁴⁴ A study of the sources shows that the death of the disappeared detainees was not the perpetrators' only objective. Before that happened, they seem to have prized the infliction of a great, great deal of pain on them. Observing this, one judge noted:

The exertion of violence on the bodies of these detainees was visible from the number of inflicted shots: five shots for young Irazusta and fourteen for Chiavarini, who were already in a severely damaged physical state as a result of the brutality of the near-fatal torture inflicted on them. All this corroborates the opinion put forward by the crime lab's Doctor Chalub at that time that the excessive number of shots found on the bodies that he had to examine as a result of these alleged clashes revealed a hostility that was about more than killing.⁴⁵

In spite of the attempts at organization mentioned above, the exercise of extreme violence to destroy people labelled as 'subversives' could not be controlled or regulated. Operational freedom in the CDCs appears to have prevailed over the chain of command and any planning. The torture room became the theatre in which the perpetrators chose to fight 'their' war. The catalogue of the acts of violence carried out in the CDCs was extremely varied and shows a degree of cruelty which matched that under colonialism and in the civil war that followed Argentine independence. The common forms of violence within the CDCs included: rape; torture of pregnant women; humiliation (both physical and psychological) of children as a form of torturing their parents; the electrocution of genitals; blackmailing relatives when the disappeared detainee had already been killed; and the destruction, desecration, or concealment of the bodies of those killed.

From the moment they were abducted, and preceding their murder, the bodies of the disappeared detainees underwent a severe process of decline. Prolonged captivity in inhumane conditions, a lack of medical care, the terror caused by repeated torture, and poor diet were also part of the 'punishment' that was, in the perpetrators' view, deemed appropriate for the 'subversives'. Similarities can be identified here that recall the conditions experienced by the victims of the Holocaust and concentration camps,⁴⁶ or the psychological abuse of prisoners in the Soviet gulags.⁴⁷

The fate of the dead: removing any traces and normalizing exceptionalism by reintroducing the body into the legal domain

The treatment of the corpses indicates an intention to dismiss the story of state terrorism that might arise from the condition of the tortured bodies. When perpetrators disposed of the bodies without destroying them, they delegated the responsibility for delivering the body to the relatives to the police or the judiciary. When corpses were thus reintroduced into the legal domain, the causes of death, evident from the bodies themselves, were not recorded on the relevant documents. The perpetrators had to put a lot of effort into ensuring that this was achieved. Their desire for denial was absurd, as the terrible autopsy descriptions contained in the sources demonstrate. However, combinations of different forensic, police, and judicial proceedings were set in train, as though this glut of procedures would hide the truth forever. Among one of many possible examples is the kidnapping, torture, and murder of Eduardo Ruibal. In his case, the way in which different military and judicial authorities (the army, the judicial morgue, and the police) were involved in creating a large number of documents can be seen. On the one hand the records gave a fictional account of a death that resulted from an armed clash with a task force, while on the other hand they provided important information about the truth of Ruibal's death.⁴⁸ The delegation of CONADEP for the city of Bahía Blanca noted the use of the same procedure in the south of Buenos Aires province.⁴⁹

Research conducted by María José Oliveira Sarrabayrouse corroborates this information, and provides an analysis of a criminal and administrative trial regarding operational irregularities at the judicial morgue of the city of Buenos Aires in relation to bodies sent there by military authorities during the dictatorship.⁵⁰ In this case, it was the judicial branch of the military dictatorship itself that highlighted the attempts made to transform the 'exceptionalism' of state terrorism into bureaucratically and procedurally regulated normality.

A case study: the Buenos Aires city judicial morgue

Recounting an episode that was subject to a criminal investigation – and reconstructed in Oliveira Sarrabayrouse's work – is revealing, as it gives a sense of how the perpetrators began using the Buenos

Aires city judicial morgue to dispose of the bodies of the disappeared detainees who were murdered.

During the night of 29 September 1976, a group of soldiers appeared at the morgue, bringing with them six bodies to be given an appropriate autopsy before being handed over to the relatives. The perpetrators, who were in uniform but who refused to give their names, informed the morgue official that six 'subversives' had been killed during a clash that had occurred that day. They did not have a court order of any kind. The morgue official who was on duty, and then his immediate superior, refused to take the bodies without an appropriate court order issued by a judge. In response to this refusal, the perpetrators threatened to just leave the bodies there. The morgue official eventually agreed to take the bodies following a promise from the perpetrators to bring the missing documents. A few hours later, the perpetrators brought a note signed by the deputy head of the Central Military Hospital, in which the official asked the morgue to take the bodies, which in the meantime had been left in the morgue's courtyard.

The morgue took charge of the bodies, carried out the autopsies, and delivered them to the families. The morgue officials had not permitted the military to disrupt established bureaucratic and procedural practice, and had resisted taking the corpses without a court order. This is an interesting detail, especially because, as Sarrabayrouse indicates, the military dictatorship did not make changes to the roster of judges, but instead retained the existing one, except in the case of the highest courts (the national and provincial supreme courts).⁵¹

The incident caused the morgue officials to demand specific instructions in writing, firstly from the head of the institution and then from the top judicial body, the National Criminal and Correctional Appeals Court, over the actions arising in this situation, which were irregular from a procedural point of view. Moreover, the morgue sent similar requests to the highest military authority of the city of Buenos Aires, which at this time was the Commander-in-Chief of the First Army Corps, General Guillermo Suárez Mason. Extremely perturbed by this request, Suárez Mason sent the deputy chief of the Corps, Colonel Roberto Roualdés, to meet with the head of the morgue, Dr Mario H. Pena. On 20 December 1976, Roualdés went to the morgue, along with some armed soldiers, and demanded to speak with Pena, without having previously made a request to meet him. The two spoke, and from that date there were no further problems with bodies sent by military authorities.⁵²

For their part, both junior and senior morgue officials sought to incorporate into established bureaucratic practice the irregularities of the military authorities sending corpses that showed signs of having been tortured. When interviewed by Sarrabayrouse, some of the officials from that time reported that what bothered them was, at a basic level, the bureaucratic disruption – since the sending of the corpses by the military authorities violated the prevailing principle that this was something a judge should do – and the fact that the autopsy report was sent to a military commander.⁵³ In these testimonies at least, it was not the sudden influx of corpses exhibiting clear signs of torture per se that seems to have disturbed the morgue officials.

Further examples

A comparable situation occurred in different cases investigated in Córdoba province. In one instance, three bodies were deposited in the morgue of the San Roque Hospital in the city of Córdoba (in the centre of the country) by a military and police task force. The medical examiners proceeded to carry out autopsies, completed death certificates, and released the bodies to the families. They recorded in the documentation that the deaths had occurred through clashes with the police and army, but failed to note that the bodies showed signs of torture and numerous close-range shots.⁵⁴ Ignoring these obvious signs of extreme violence became particularly common in the early, more repressive days of the dictatorship (especially 1976–79). Morgue officials avoided starting official investigations by recording ‘no name’ in the paperwork and sending the bodies to different graveyards.

The morgue became a key point in the procedure of reintegrating bodies of the ‘disappeared’ into the legal domain and, ultimately, returning them to society. The Córdoba delegation of CONADEP⁵⁵ found a similar pattern, but for a different group: prisoners housed in a regular prison. Many years later, with the so-called Menéndez case, the Argentine justice system resumed the investigation initiated by CONADEP. This verified the investigation into the case of Prison Unit No. 1 of the city of Córdoba. Several ‘special prisoners’ (i.e. members of guerrilla forces, or individuals accused of being so) who had been jailed during the period of constitutional government between 1973 and 1976 were held here. Investigations related to the Menéndez case show that a number of detainees in the

prison unit were removed from it, taken to a CDC to be tortured, sent back to jail, and then eventually murdered at the CDC and sent to either the morgue of the Córdoba Central Hospital, or the city's judicial morgue, to be handed over to the relatives.⁵⁶ As in the cases discussed above, the autopsy reports are incomplete – in general they do not record the marks of torture and mistreatment – and state the circumstances of death as a fabricated clash with police forces, resisting arrest or an identity check, or even an attempt to escape from their place of detention.⁵⁷

There are some cases in which bodies were returned to families without information of any sort. This is something that – if such a thing were possible – increased the horror. Various testimonies indicate that some bodies were returned to their families with the expressed instruction not to open the coffin at any point. The inhumanity inflicted during captivity was extended with the contempt displayed for the corpse and the family. This can be seen in the case of the abduction and murder of Cecilio Kamenetzky, carried out by a police task force – in this instance from the Police Information Department (DIP) of Santiago del Estero – in the province of Santiago del Estero (northern Argentina). Kamenetzky's relatives, who knew his whereabouts, were informed that the death had occurred in an escape attempt. It is worth noting that Santiago del Estero is a poor province with a small population and subtropical climate. In the understanding of the judge handling the case,

Cecilio Kamenetzky had been monitored since June 1975 by members of the DIP. He was taken from his home by Miguel Tomás Garbi without a warrant on 9 August 1976. He was transferred to the DIP, where he was detained under the authority of Musa Azar, Garbi, and López Veloso. He was tortured for 20 days until the start of a court case against him. He was then transferred to the men's prison, from where at various times he was taken back to the DIP to be interrogated again. Finally, on 13 November Cecilio Kamenetzky was killed at the headquarters of the DIP by shots fired by López Veloso and Corbalán that entered his back at close range, which it was argued resulted from him fleeing. There was no inquiry in the case filed against him to determine why he was at the DIP and not at the men's prison to which his transfer had been ordered during his indictment. His body was not autopsied.

... It was extremely hot at that time of year but the morgue of the Independence Hospital was unrefrigerated, and Cecilio's body was destroyed and in a state of decomposition. His father was later told that he had been summoned to the Federal Court, and the court records show that a death certificate was issued by order of Federal Judge Dr Liendo Roca, without the cause of death or anything else being specified.⁵⁸

In the case of the operations of the Buenos Aires morgue and that of the Rosario region's communal cemetery, this procedure of reintroducing the corpse into the 'legal' domain also demonstrated a certain level of collaboration by civil society – whether it was wished for or carried out with repugnance under obligation – in the mass murder that was taking place. In the case of the Buenos Aires morgue, when asked about how it operated under the military dictatorship, an official from those years said, during a criminal case, that his work was undertaken

according to standard practice, i.e., in the usual environment, with the appropriate protocols, the usual staff of medical examiners, assistants and cleaning staff, photographers, radiology technicians etc. Furthermore, the fact the bodies found their way onto the autopsy table with their corresponding protocols signified that they had passed all the prior and accompanying administrative safeguards for the admission of bodies.⁵⁹

Outlining a typology

Five methods for the disposal of corpses can be identified. All the procedures used display the strength of the desire to create a fictitious account of the circumstances surrounding the murders:

1. Bringing the bodies into normal bureaucratic and forensic channels. This course of action was used after a murder in a CDC, and took one of several forms:
 - a. The registration and burial of the corpse in an official cemetery. The sources consulted indicate this took place in Buenos Aires province, in municipal cemeteries in Quilmes, La Plata, Moreno, Rafael Calzada, San Martín, Grand Bourg, and Avellaneda.⁶⁰ However, it should be noted that some burials in cemeteries were in fact done clandestinely, and sometimes using mass graves, as happened in San Vicente Cemetery (Córdoba), the training grounds of the Third Army Corps Command (Córdoba), and La Piedad cemetery (La Piedad is the area surrounding the city of Rosario, in Santa Fe province).⁶¹
 - b. The referral of the body to a morgue, with the agreement of the authorities, and the body being labelled 'unidentified' following an autopsy and/or visual examination by one of the morgue's medical examiners.

- c. Passing off the murder as having resulted from combat between the security forces and guerrilla forces, or a prisoner attempting to escape. In fact, an ad hoc military authority (i.e. under army jurisdiction) was created, supposedly to investigate such cases, in the form of a 'court-martial'.⁶²
 - d. In addition, there are recorded cases of bodies being left in the street, which were then collected by the police as a result of complaints being made by local residents.⁶³
2. Throwing corpses or people still alive into the sea or waterways⁶⁴ from aeroplanes or helicopters. CONADEP's report identified the existence of these 'death flights' from the army's Campo de Mayo base⁶⁵ and the School of Naval Mechanics.⁶⁶ This method, according to the EAAF's work on identifying bodies, took place later, in 1978, than the phase of mass violence.⁶⁷
 3. Destruction of corpses.
 - a. Burning bodies in the CDCs or in the vicinity. It has been verified that this procedure took place in the following CDCs: El Banco (San Justo, Buenos Aires province);⁶⁸ the School of Naval Mechanics (Buenos Aires city, in the sports field; 'Poza de Arana' (La Plata, Buenos Aires province);⁶⁹ 'Vesuvius' (La Tablada, Buenos Aires province);⁷⁰ and 'Arsenal Miguel de Azcuénaga' (Tucumán province).⁷¹ The crematorium of the largest cemetery in Buenos Aires city was also used to dispose of the corpses of the disappeared detainees.⁷² Four bodies that were burned in Escobar (Buenos Aires province) were sent to the morgue,⁷³ after a judge intervened to have the charred bodies identified.
 - b. Using explosives (the 'Fátima massacre', Pilar, Buenos Aires province).⁷⁴
 - c. Clandestine burials. Anthropologists have established that there was a large increase in 'unidentified' burials in Buenos Aires province during the period 1976–78. There is a positive correlation between this increase and the proximity of the cemetery to a CDC, as well as a very significant growth in the burial of 'unidentified' people whose cause of death was head trauma and/or gunshot wounds.⁷⁵ In its study of Sector 134 of Avellanada Municipal Cemetery, the EAAF reached identical conclusions, in both quantitative and chronological terms.⁷⁶
 4. Placing corpses in concrete-filled barrels and throwing them into rivers.⁷⁷
 5. Burying bodies in mass graves, either within the CDCs or in adjoining areas.⁷⁸

The sources cited reveal that after a murder occurred, the body was passed into the hands of a second type of perpetrator, who became involved by making the remains either disappear or re-enter the legal domain. A division of labour within the CDC in relation to the corpses can be noted, with those responsible for torturing and murdering being different people from those who took charge of the corpses after the murder.

All this amounts to a preliminary typology, which will surely be modified by new and more in-depth investigations. It should be noted that in many sources combinations of these five methods appear, suggesting new lines of research that could delve into the motivations of the perpetrators in relation to specific cases. We believe that this outline, which is preliminary and subject to revision, allows an appreciation, based on work with forensic and judicial sources, of the complexity and scale of the deployment of extreme violence and its spatio-temporal structuring in Argentine state terrorism.

Conclusion

Much more remains to be uncovered concerning the treatment of the corpses of disappeared detainees in Argentina. Based on the work conducted so far, it is possible to make some concluding comments. It is our understanding that Argentine state terrorism was rooted in the moral and ideological training imparted in the military sector from 1954. The indoctrination received by the perpetrators during their professional training stated that enemies were hiding among civilians, that they sought to conceal their status as a mortal enemy by assuming the guise of a private citizen, and that they had an unwavering desire to put an end to Catholicism in Argentina. Thus the perpetrators of state violence became convinced that the extermination of the enemy was the only appropriate action, that such action was just, and that any means could be employed to achieve this objective. The indoctrinators presented extreme violence against the disappeared detainees as an act of defending a God and country that were under threat, and therefore also as a deserved punishment for the offence committed by the subversives. This indoctrination maintained that the enemy would stop at nothing to achieve their goals. Between 1954 and 1975, this indoctrination progressively erased the line between war and atrocity, and therefore the line between a soldier and a

murderer.⁷⁹ In our view, this indoctrination was a determining factor in the social construction of the cruelty displayed by the perpetrators during the phase of mass violence. Its main function was to ensure that extreme violence was exercised in response to different challengers, who were understood to be participants in a global offensive against Catholicism. The indoctrination turned to traditional knowledge and standards to justify, even trivialize, the extreme violence in terms of defending the Catholic religion. When some perpetrators had doubts about the legitimacy or the meaning of the heinous acts they were committing, advice was sought from members of the Catholic Church. The response was forceful and unanimous: they were 'soldiers of Christ', fighting for the kingdom of God, and anything was permissible and would be forgiven if they were to beat the subversion.⁸⁰

Studying this guidance allows some answers to be put forward to the question of how a human being becomes a perpetrator of mass murder. In the case studied here, it has been of interest to determine the nature of the ideology that allowed the Argentine perpetrators to have the moral backing and impunity to empower them to cross the threshold of socially acceptable violence, and to proceed to exercising an extreme form of violence against a negative otherness that was defined as such by that same ideological framework. Facing a largely civilian and unarmed enemy – defenceless or in retreat – and to subject them to an extreme form of violence, and to continue abusing their remains after their death, it is necessary to be convinced that committing such a crime against humanity is a positive act; and, since the perpetrators were, for the most part, state officials they would have to be convinced it was a crime whose perpetration would benefit the nation.

But this ideological framework did not just enable the slaughter. It also allowed the suffering inflicted on the enemy to be extended beyond his or her murder and to the bereaved. Murders were followed by the destruction or concealment of the remains. This allowed the fiction to be created that no crime had taken place. There were also attempts to attain documentation to accompany the crimes as part of their attempt to hide them, with the expectation that this practice would go unpunished.

In the sources consulted, no pattern can be detected that explains, in even any minimally rational way, the actions taken by the perpetrators; nor do the sources show the existence of an ordering principle – as the racist ideology in Nazism, or tribal hatred in the case of Rwanda may be considered to be – to explain

the treatment of the bodies in the Argentine case. This issue was also highlighted by the EAAF, which offers a ‘hypothesis’.⁸¹

As H el ene Piralian⁸² has argued with regard to the case of genocide in Armenia, destroying the bodies, or hiding them so that relatives could not bury them according to their beliefs and wishes, ultimately meant the destruction of the death of the disappeared detainees. Attempts were made to prevent those killed in the CDCs being integrated into the community of the dead, or their families being able to mourn, remember, and venerate them. In the Argentine case, we view the destruction and concealment of corpses as an extension of the suffering inflicted on the disappeared detainees beyond biological death and an additional form of punishment that was inflicted by the perpetrators.

The perpetrators in Argentina do not seem to have sought to make their victims understand why they received their punishment. The cause of the suffering inflicted was enunciated during torture and repeated tirelessly during their captivity – their stigmatization as ‘subversives’, together with all sorts of insults – but there does not seem to have been an intention to bring redemption to the disappeared detainees through their punishment. This could explain why children were also tortured, something that distinguishes the Argentine case from the Rwandan genocide, during which torturers ignored children because they were deemed unable to understand why such suffering was being inflicted on them.⁸³

The work carried out using judicial and forensic sources does not show, with regard to the cases studied here, the existence of an industrial logic in the management of corpses. We have been able to establish a series of recurrences in the fate of the corpses that allow an initial typology of their treatment by the perpetrators. The management of the corpses shows the need for the participation of a wider network of state officials (court officials, medical examiners, administrative staff of the armed and security forces) in the concealment and/or delivery of bodies to the relatives; these officials became a *de facto* part of the clandestine apparatus created by the perpetrators when the phase of mass violence began. Rather than being a true piece of technical and social engineering, there was a lot of trial and error, and irrational omnipotence, which was given strength by making use of resources that predated the slaughter, such as the judiciary.

The question is raised of why the perpetrators, in their management of the bodies, used certain procedures that were *a priori* destined to fail. For example, it seems unlikely that a member

of the Argentine navy would not have realized that bodies thrown into the sea could be returned to shore by the tide, as indeed happened. And nor is it possible to accept that a medical examiner, in signing a death certificate that recorded the cause of death as only a 'cardiorespiratory arrest' when the body displayed multiple signs of having been tortured and mutilated, would not expect the fraud to come to light, as did happen, even before the end of the military dictatorship.

Not only did they seek to wipe out everyone whom the perpetrators considered 'challengers', but they also sought to wipe out the death, and with this erase the crime. First, nature showed them that this was not possible. By transferring bodies that had been abnormally treated to morgues, there was no way to fulfil the goal of erasing the traces of the crime. Then there were the human-rights organizations, the EAAF, and relatives of the victims who, through their struggles and work, confirmed a phenomenon that was sometimes corroborated by sectors of civil society and the perpetrators themselves.

Argentine society still owes considerable debts to its recent traumatic past. There are still many unsolved cases, many stories that are yet to be constructed, and more grieving to be done. The Argentine justice system has got back to work, and some of those debts are most likely now being paid. We believe that it is not about turning one of history's black pages, but rather of furthering our knowledge of this 'past that does not pass'.⁸⁴

Notes

- 1 Local terminology has been preserved.
- 2 The text of this chapter was translated from the author's Spanish by Cadenza Academic Translations.
- 3 Due to the heterogeneity of the people targeted for destruction, they cannot be grouped into a single category, and certainly should not be considered as a part of a guerrilla movement. Guerrilla forces did, though, represent, at the time of the coup, a policing problem. In February 1975, the armed forces began to be involved in suppressing guerrilla forces using both legal and illegal methods. Towards the end of that year, one of the main guerrilla organizations (the Marxist People's Revolutionary Army) had been completely defeated, while another group (the Peronist Montoneros) was in disorderly retreat, which left it significantly weakened and facilitated the work of repressing it. Moreover, its leadership left the country for security reasons to settle first in Rome and then in Mexico.

- 4 For the sense in which the concept of 'challengers' is used, see Sidney G. Tarrow, *Power in Movement: Social Movements and Contentious Politics* (Cambridge: Cambridge University Press, 2011).
- 5 D. Feierstein, *Seis estudios sobre genocidio. Análisis de las relaciones sociales: otredad, exclusión y exterminio* (Buenos Aires: Eudeba, 2000).
- 6 J. Sémelin, *Purifier et détruire: les usages politiques des massacres et génocides* (Paris: Seuil, 2005).
- 7 CONADEP, Archivo Nacional de la Memoria (National Memorial Archive), File no. 7316.
- 8 Federal Capital Criminal and Correctional Court of Appeal, judgement for case no. 49.614, 'Yavico Alfredo s/ denuncia de incumplimiento de los deberes de funcionario público', 2010, p. 768.
- 9 CONADEP, *Nunca más* (Buenos Aires: Eudeba, 1991), p. 239; EAAF, 'The coast cases: General Lavalle, General Madariaga, and Villa Gesell cemeteries', in *EAAF 2007 Annual Report* (Buenos Aires: EAAF, 2007), pp. 32–5; P. Bernardi & L. Fondebrider, 'Forensic archaeology and the scientific documentation of human rights violations: an Argentinian example from the early 1980s', in R. Ferllini (ed.), *Forensic Archaeology and Human Right Violations* (Illinois: Charles C. Thomas, 2007), pp. 205–32.
- 10 Oral Federal Criminal Court No. 5, judgement in case no. 1.223, 18 July 2008, pp. 17–18 (see www.masacredefatima.com.ar, accessed January 2014), and judgement in case no. 16.441/02, 'Masacre de Fátima. Resolución procesamiento con prisión preventiva y embargo sobre Lapuyole, Marcote, y Gallone', 22 June 2004, p. 15.
- 11 The 'Menéndez' case was of great importance because it was the sum of sixteen other legal processes (involving crimes against humanity and other crimes) against former general Luciano Benjamin Menéndez. See Córdoba Federal Criminal Court No. 1, judgement for the case 'Menéndez, Luciano Benjamín y otros p.ss.aa: Privación ilegítima de la libertad agravada, Imposición de tormentos agravados' (Expte. M-13/09), 22 December 2010. This officer was a key figure in the junta, as a hardliner who ordered mass arrests, executions, and the torture of prisoners (to gain military intelligence). Menéndez was head of the Third Army Corps, with jurisdiction over ten Argentine provinces (Jujuy, Salta, Catamarca, La Rioja, San Juan, Mendoza, San Luis, Córdoba, Santiago del Estero, and Tucumán). He was personally involved with two clandestine detention centres, 'La Perla' and 'La Ribera'. See www.desaparecidos.org/arg/tort/ejercito/menendez (accessed February 2012).
- 12 CONADEP, *Nunca más*.
- 13 M. J. O. Sarrabayrouse, *Poder judicial y dictadura: el caso de la morgue judicial* (Buenos Aires: Defensoría del Pueblo de la Ciudad de Buenos Aires/Facultad de Filosofía Letras, Universidad de Buenos Aires, 2003).
- 14 G. Águila, *Dictadura, represión y sociedad en Rosario, 1976/1983: un estudio sobre la represión y los comportamientos y actitudes sociales en dictadura* (Buenos Aires: Prometeo libros, 2008).

- 15 The army was (and is) the most powerful of the armed forces and carried the greatest political weight; furthermore, from 1955 the police force was subordinated to the army until the end of the military dictatorship, in 1983. Although this study is limited to the Argentine army, we believe that it would not be problematic to extend the analysis presented here to the rest of the security and armed forces.
- 16 Prudencio García, *El drama de la autonomía militar: Argentina bajo las Juntas Militares* (Madrid: Alianza, 1995), p. 35.
- 17 It has been possible to identify different methods of indoctrination with regard to the Argentine army: informal meetings after the regular courses that took place in training centres; the classes of the standard courses of these centres, mainly in areas such as religion, ethics, and the history of international relations and of Argentina; spiritual retreats organized in barracks; courses and conferences organized outside barracks; and mass, which ceremony was almost mandatory for Argentine soldiers. See M. Ranalletti, *Du Mékong au Río de la Plata: la doctrine de la guerre révolutionnaire, 'La Cité catholique' et leurs influences en Argentine, 1954–1976*, doctoral thesis, Institut d'études politiques de Paris (2006); M. Ranalletti, 'Aux origines du terrorisme d'État en Argentine (1955–1976)', *Vingtième Siècle: Revue d'Histoire*, 105 (January–March 2010), 45–56.
- 18 A. L. Hinton, 'Why did you kill? The Cambodian genocide and the dark side of face and honor', *Journal of Asian Studies*, 57:1 (February 1998), 93–122.
- 19 L. Zanatta, *Del Estado liberal a la nación católica: Iglesia y Estado en los orígenes del peronismo, 1930–1943* (Bernal: Editorial de la Universidad Nacional de Quilmes, 1996).
- 20 M. Badaró, *Militares o ciudadanos: la formación de los oficiales del Ejército Argentino* (Buenos Aires: Prometeo Libros, 2009); P. Marchak, *God's Assassins: State Terrorism in Argentina in the 1970s* (Montreal: McGill-Queen's University Press, 1999); L. E. Tibiletti, 'La sociabilización básica de los oficiales del Ejército en el período 1955–1976', in O. Moreno (ed.), *La construcción de la Nación argentina: el rol de las fuerzas armadas. Debates históricos en el marco del Bicentenario (1810–2010)* (Buenos Aires: Ministerio de Defensa, 2010), pp. 265–6.
- 21 M. J. Moyano, *Argentina's Lost Patrol: Armed Struggle, 1969–1979* (New Haven: Yale University Press, 1995), ch. 4.
- 22 M. Ranalletti, 'Contrainsurgencia, catolicismo intransigente y extremismo de derecha en la formación militar argentina: Influencias francesas en los orígenes del terrorismo de Estado (1955–1976)', in D. Feierstein (ed.), *Terrorismo de Estado y genocidio en América Latina* (Buenos Aires: Prometeo Libros, 2009), pp. 253–84.
- 23 M. Ranalletti & E. Pontoriero, 'La normativa en materia de defensa y seguridad y la criminalización de las disidencias (1955–1976)', paper presented at the Fifth Workshop on Recent History (V Jornadas de trabajo sobre historia reciente), Universidad Nacional de General Sarmiento, 24 June 2010.
- 24 M. Ranalletti, 'La legitimación de la tortura como herramienta en

- tareas de inteligencia: estudio de caso a partir de los reglamentos del Ejército argentino (1968–1976)', paper presented at the Second International Meeting 'Análisis de las Prácticas Sociales Genocidas' ('Analysis of Social Practices in Genocide'), Universidad Nacional de Tres de Febrero, Buenos Aires, 20–22 November 2007.
- 25 On 25 May 1973, after more than seventeen years of its proscription, the Peronist movement returned to government following the 11 March 1973 elections. This was seen as a defeat for the military and its civilian allies. See R. Fraga, *Ejército: del escarnio al poder, 1973–1976* (Buenos Aires: Editorial Planeta, 1988).
 - 26 C. Sacheri, 'El universitario frente a la ideología marxista', speech given at a study day on Marxism, Universidad Católica Argentina, Buenos Aires, 9 June 1973.
 - 27 Defence Council Directive No. 1/75, 'Régimen funcional de acción psicológica a la Directiva del Consejo de Defensa', PEN (Poder Ejecutivo Nacional), Ministry of Defence, October 1975, pp. 1–2.
 - 28 See the work of the Research Group on Genocide in Tucumán (Grupo de Investigación sobre el Genocidio en Tucumán), at <http://giget-tucuman.blogspot.com.ar> (accessed 13 June 2013).
 - 29 The question of who would succeed General Perón as Peronist leader was settled through armed violence. One faction created paramilitary groups to attack its internal opponents, to which Peronist guerrilla forces responded with arms. Some of the members of these paramilitary groups joined the task forces which carried out the slaughter that took place under the military dictatorship. This move by paramilitaries into task forces was investigated by the Argentine justice system and journalists. See Judiciary's Office, Federal Court of Mar del Plata (Poder Judicial de la Nación, Tribunal Oral Federal de Mar del Plata), judgement for case no. 890/12, 'Colegio de Abogados de Mar del Plata y otros s/denuncia s/desaparición forzada de personas s/inc', 9 April 2008 (Universidad Nacional de Mar del Plata, 'Actividades de inteligencia de la represión ilegal'); J. C. Torre & L. de Riz, 'Argentina since 1946', in Leslie Bethell (ed.), *Argentina Since Independence* (Cambridge: Cambridge University Press, 1993), pp. 299–310.
 - 30 There had been five previous military coups, in 1930, 1943, 1955, 1962, and 1966.
 - 31 F. Mittelbach & J. Mittelbach, *Sobre áreas y tumbas: informe sobre desaparecidos* (Buenos Aires: Ediciones de la Urraca, 1984), pp. 11–13; Darío Olmo & Maco Somigliana, 'La huella del genocidio: los desaparecidos', *Encrucijadas*, 2:15 (2002), 29–30.
 - 32 Cases of civilian abductions carried out with air support and also abductions of blind people through the use of military forces have been recorded.
 - 33 CONADEP, *Nunca más*, ch. 1.
 - 34 M. Ranalletti, 'Denial of the reality of state terrorism in Argentina as narrative of the recent past: a new case of "negationism?"', *Genocide Studies and Prevention: An International Journal*, 5:2 (August 2010), 160–73.

- 35 This information comes from the personal experience of one of the authors of this chapter.
- 36 An analysis of the documentation gathered by the judge and the judgement passed in the trial of the most important intelligence unit of the Argentine army, Intelligence Battalion 601, shows the subversion of the unit's internal hierarchy during its repressive clandestine operations. Testimonies given by perpetrators, the unit's administrative staff, and Silvia Tolchinsky (a disappeared detainee who was in various CDCs) show that this aspect of the CDCs' operations has been studied very little; see National Federal Criminal Court No. 4, judgement for case no. 16307/06, 'Guerrieri Pascual Oscar y otros s/ Privación ilegal de la libertad personal' (registro secretaría no. 8), 2010.
- 37 On 17 December 1976, the Chief of General Staff, General Roberto Eduardo Viola, ordered the enactment of a new regulation for the oversight of troops during combat against irregular forces, which replaced both the previous regulations (RC-8-2 and RC-8-3) and also the project which had been developed in 1975 that seems to have been used on a temporary basis during the first phase of mass violence. With regard to centralization and decentralization, see 'Operaciones contra elementos subversivos' ('Operations against subversives'), Army regulation RC-9-1, pp. 77–8.
- 38 *Ibid.*, p. 82.
- 39 This was the title by the military dictatorship designated itself.
- 40 Federal Criminal Court No. 1, judgement for case no. 1.627, 'Guillamondegui, Néstor Horacio y otros s/privación ilegal de la libertad agravada, imposición de tormentos y homicidio calificado', 31 May 2011, p. 831.
- 41 *Ibid.*, p. 834.
- 42 Córdoba Federal Criminal Court No. 1, judgement for the case 'Videla Jorge Rafael y otros, p.ss.aa Imposición de tormentos agravados, Homicidio calificado, Imposición de tormentos seguidos de muerte, Encubrimiento' (Expte. no. 172/09), 22 December 2010; and Córdoba Federal Criminal Court No. 1, judgement for the case 'Menéndez, Luciano Benjamín y otros p.ss.aa', p. 270.
- 43 F. Graziano, *Divine Violence: Spectacle, Psychosexuality and Radical Christianity in the Argentine 'Dirty War'* (Boulder: Westview Press, 1992), pp. 16–17.
- 44 *Ibid.*, p. 13.
- 45 Córdoba Federal Criminal Court No. 1, judgement for the case 'Menéndez, Luciano Benjamín y otros p.ss.aa', pp. 185–8.
- 46 A. Becker, 'Exterminations: le corps et les camps', in G. Vigarello (ed.), *Histoire du corps: 3. Les mutations du regard. Le XX^e siècle* (Paris: Editions du Seuil, 2006), pp. 321–39; C. E. Forth, 'The body', in J.-M. Dreyfus & D. Langton (eds), *Writing the Holocaust* (London: Bloomsbury Academic, 2011), pp. 166–78.
- 47 É. Gessat-Anstett, 'Résister à l'outrage', *Gradhiva*, 5 (2007), pp. 96–101.
- 48 Case no. 14.216/03, 'Suárez Mason Carlos y otros sobre privación ilegal de la libertad...', 23 May 2006, auto de procesamiento, p. 250.

- 49 CONADEP, Delegación Bahía Blanca, *Informe final de la actuación de la CONADEP delegación Bahía Blanca y zonas aledañas (Final Report of the CONADEP Delegation for and Bahía Blanca Surrounding Areas)*, 4 September 1984, available at www.desaparecidos.org/arg/conadep/bahia/info.html (accessed January 2014).
- 50 Oliveira Sarrabayrouse worked on an administrative inquiry initiated by the National Supreme Court of Justice following a complaint about the irregular operation of the morgue and a criminal inquiry that followed the forced disappearance of Dr Norberto Gomez; see Sarrabayrouse, *Poder judicial y dictadura*.
- 51 *Ibid.*, pp. 3–4.
- 52 According to Sarrabayrouse's reconstruction, based on a study of case no. 35.769, 'Gómez, Salvador denuncia privación ilegítima de la libertad', examination by Dr Carlos Oliveri. *Ibid.*
- 53 *Ibid.*, pp. 21–2.
- 54 This was the Menéndez case. The case papers now include the following two files: 'VIDELA Jorge Rafael y otros, p.ss.aa Imposición de tormentos agravados, Homicidio calificado, Imposición de tormentos seguidos de muerte, Encubrimiento' (Expte. N° 172/09) and 'MENÉNDEZ, Luciano Benjamín y otros p.ss.aa. Privación ilegítima de la libertad agravada, Imposición de tormentos agravados' (Expte. M-13/09).
- 55 CONADEP, 'Anexo: Morgue judicial', in *Informe CONADEP Córdoba* (1999), available at www.desaparecidos.org/nuncamas/web/investig/articulo/cordoba/07.htm (accessed January 2014).
- 56 Córdoba Federal Criminal Court No. 1, judgement in the case 'Menéndez, Luciano Benjamín y otros p.ss.aa', pp. 185–8.
- 57 *Ibid.*, pp. 191–2.
- 58 Judgement for case no. 836/09, 'S/ Homicidio, tormentos, privación ilegítima de la libertad, etc. E.p. de Cecilio José Kamenetzky. Imputados Musa Azar y otros', 9 November 2010, pp. 6, 48.
- 59 Sarrabayrouse, *Poder judicial y dictadura*, p. 22.
- 60 CONADEP, *Nunca más*, pp. 231, 245–8.
- 61 CONADEP, *Informe CONADEP Córdoba* (Córdoba: CONADEP, 1999).
- 62 This special court recorded several murders as fabricated clashes.
- 63 For example, a charred body with gunshot wounds was found abandoned on a road in the locality of Villa Esmeralda (Córdoba province); see Federal Court of Appeal, Córdoba, Court A, judgement for case no. 12.627, 'Menéndez IV', 'Barreiro, Ernesto Guillermo y otros p.ss.aa. privación ilegítima de la libertad agravada, imposición de tormentos agravados y homicidio agravado' (Expte. 756/2010), 6 August 2012, pp. 147–9.
- 64 CONADEP gathered testimonies and documentation relating to the discovery of corpses in waterways and seaways such as the banks of the Paraná River in the city of San Pedro (Buenos Aires province), the coast of the River Plate (Buenos Aires city), the coastline of the city of Colonia (Uruguay), and the seaside resort of Santa Teresita (Buenos Aires province). In the last instance, a judicial case was opened during the dictatorship following the appearance of thirty-seven bodies that

- had been buried as 'unidentified' in General Lavalle cemetery; see CONADEP, *Nunca más*, pp. 238–44.
- 65 *Ibid.*, pp. 238–9.
- 66 According to the statements of former naval captain Adolfo Scilingo. See Horacio Verbitsky, *El vuelo* (Barcelona: Seix Barral, 1995).
- 67 The sea returned several bodies to the resorts region in the south of Buenos Aires province; these remains were buried as 'unidentified'. The EAAF has established that 'Eleven were buried at General Lavalle cemetery, three at General Madariaga cemetery, and one at Villa Gesell cemetery'; see EAAF, 'The coast cases', pp. 32–5; Bernardi & Fondebrider, 'Forensic archaeology'.
- 68 CONADEP, *Nunca más*, p. 239.
- 69 *Ibid.*, p. 240.
- 70 *Ibid.*, pp. 240–1.
- 71 Tucumán Federal Court No. 1, Indictment for case no. 563/05, 'Arsenal Miguel de Azcuénaga CCD s/Secuestros y Desapariciones' (Expte. 400443/84), 27 December 2010. Sixty-one cases were consolidated in this case so they could be considered in the same trial.
- 72 San Martín City Federal Criminal Court No. 1, judgements for case nos 2005 and 2044, 'Arsinoe s/ privación ilegal de la libertad', 9 August 2009, p. 128. This source refers to CONADEP file no. 7170.
- 73 San Martín City Federal Criminal Court No. 1, judgement for case no. 2046, 'Campo de Mayo III', 5 May 2011.
- 74 Thirty people were murdered between 19 and 20 August 1976, in retaliation for an attack by a unit of Montoneros against a federal police station. See Federal Criminal Court No. 5, judgement for case no. 1.223, 18 July 2008, pp. 17–18. The remains of five of the victims were buried as 'unidentified' in the cemetery in Derqui (Buenos Aires province); see www.masacredefatima.com.ar (accessed January 2014); Federal Criminal Court No. 5, judgement for case no. 16.441/02, 'Masacre de Fátima, Resolución procesamiento con prisión preventiva y embargo sobre Lapuyole, Marcote, y Gallone', 22 June 2004, p. 15.
- 75 Snow and Bihurriet, taking the figure of 9,000 missing persons as a basis, estimated that 10 per cent of them were buried as 'unidentified' in cemeteries in Buenos Aires province; see C. C. Snow & M. J. Bihurriet, 'An epidemiology of homicide: *Ningún nombre* burials in the Province of Buenos Aires from 1970 to 1984', in T. B. Jabine & R. P. Claude (eds), *Human Rights and Statistics: Getting the Record Straight* (Philadelphia: University of Pennsylvania Press, 1992), pp. 328–63.
- 76 EAAF, '2006 case investigations and identifications: province of Buenos Aires', in *EAAF 2007 Annual Report* (Buenos Aires: EAAF, 2007), pp. 22–3. The same results were obtained by forensic anthropologists in their work relating to other cemeteries in the region (Lomas de Zamora, Berazategui, and Ezpeleta).
- 77 Federal Criminal Court No. 1, judgement for case no. 1.627, 'Guillamondegui, Néstor Horacio y otros', pp. 253–5. The EAAF is currently working on the identification of eight bodies (including that of a woman in an advanced stage of pregnancy) found on 16 October

- 1976 in drums that had been filled with cement and dumped in the San Fernando canal (Buenos Aires province). Three have now been identified, and these remains have been handed over to relatives.
- 78 CONADEP discovered this procedure at the 'La Perla' CDC (Córdoba province), and the Federal Court of Tucumán has discovered, thanks to the EAAF's expertise, a similar burial at the former Miguel de Azcuénaga Arsenal Battalion, also in Córdoba province. See CONADEP, *Nunca más*, pp. 226–9.
- 79 J. Waller, 'The ordinariness of extraordinary evil: the making of perpetrators of genocide and mass killing', in O. Jensen & C.-C. W. Szejnmann (eds), *Ordinary People as Mass Murderers: Perpetrators in Comparative Perspective* (Basingstoke: Palgrave Macmillan, 2008), pp. 145–57.
- 80 This is how it was put by one of the perpetrators, former naval captain Adolfo Scilingo, a member of a task force that operated out of the CDC at the School of Naval Mechanics; see Verbitsky, *El vuelo*. Years later, Lieutenant Colonel Guillermo Enrique Bruno Laborda, accused of using torture on political detainees, said that his chaplain had said to him during confession that having tortured and 'taken out' the enemies of God was commendable, and that he would be rewarded for it in the hereafter; see Horacio Verbitsky, 'Confesiones de un teniente coronel: Mancha venenosa', *Página/12* (9 June 2004). The journalist and writer Carlos del Frade made a complaint made to CONADEP against the priest Eugenio Zitelli, the former chaplain of the Rosario police (1976–83) and archbishop of the diocese (from 1988). According to del Frade, Zitelli confessed to another priest – Angel-Presello – that he approved of the practice of torture, because without torture it was not possible to get information from detainees; see C. del Frade, *El Rosario de Galtieri y Feced*, ch. 7, at www.nuncamas.org (accessed January 2014); also email interview with Carlos del Frade, 21 April 2004. CONADEP's case no. 683 includes the testimony of an officer of the Buenos Aires provincial police, Julio Alberto Emmed, which states that the then chaplain of this force, Father Christian von Wernich, was present at torture sessions of detainees, and carried out intelligence work in different CDCs in Buenos Aires province. According to Emmed, after he had beaten three detainees to death, von Wernich told him that what he had done had been necessary and 'a patriotic act', adding that 'God knew that it was for the good of the country'. Von Wernich is mentioned by several disappeared detainees as being present at torture sessions; see CONADEP case files 6949, 2852, 2818, 2820, 2821, 2822, and 6982; CONADEP, *Nunca más*, pp. 189–90; Hernán Brienza, *El caso von Wernich: Maldito tú eres: Iglesia y represión ilegal* (Buenos Aires: Editorial Marea, 2003).
- 81 Olmo & Somigliana, 'La huella del genocidio', p. 29.
- 82 H. Piralian, *Génocide et transmission: sauver la mort, sortir du meurtre* (Paris: Editions L'Harmattan, 1994), pp. 33–4, cited in C. Fournet, *The Crime of Destruction and the Law of Genocide: Their Impact on Collective Memory* (Ashford: Ashgate Publishing, 2007), p. 16.

- 83 J. Hatzfeld, *Une saison de machette* (Paris: Le Seuil, 2004), p. 159, cited in Frédéric Baillelte, 'Stratégies de la cruauté: figures de la mort qui rôde', *Quasimodo*, 2:9 (2006), 12.
- 84 E. Conan & H. Rousso, *Vichy, un passé qui ne passe pas* (Paris: Fayard, 1994).

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