

State-Sponsored Violence in Argentina, 1930-38

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Introduction

During the early 1960s, military regimes took over many of the governments of South America in order to combat perceived communist subversion. Once they seized power these regimes began to employ state-sponsored violence against their own citizens across the continent, including in countries with strong democratic traditions such as Uruguay and Chile. The repression was particularly acute in Argentina, where between 9,000 and 30,000 people within a population of less than thirty million were killed or “disappeared” between 1976 and 1983. Recent attempts to recuperate the identities of the victims of that period have led to intense study of Argentina’s “Dirty War.” Despite that interest, however, scholars are only now beginning to trace the use of state terror beyond the context of military rule. This paper will examine the coercive actions of the Argentine government from 1930-1938 - a time when its mission expanded consistent with the state’s definition of criminality in response to changing socioeconomic relationships and increasing demands for wider political inclusion.

Criminality

Between 1930 and 1938, the Argentine state reacted violently in response to threats against its interests as a state and to interests that varied by regime.¹ In order to understand state violence it is necessary to understand the origins and development of the Argentine state, at least superficially. A constant in the history of state-making, the

¹ David Pion-Berlin, *The ideology of state terror: Economic Doctrine and Political Repression in Argentina and Peru* (Boulder, CO: Lynne Rienner Publishers, 1989), p. 5.

creation of a centralized political unit with supreme power over a defined geographic area and monopolization of force, is that the trend is universally resisted, thus necessitating violence to implement. The power of the coercive apparatus is increased in the process.² In Argentina this process began in earnest with the end of the period of the civil wars following the overthrow of Rosas. It was during this period (roughly from 1880) that centralized authority emanating from Buenos Aires was finally and definitively exerted throughout the territory more or less encompassing modern day Argentina. It is also the period in which the use of violence became an almost universally recognized prerogative of the state alone.³

Actions that threatened the interests of the state or the regime enough to elicit a violent response were defined by the government as “criminal.”⁴ Actions that threatened the state remained static during the period. The violation of the sanctity of property rights, unauthorized private use of violence, and challenges to the central control of the federal government of the provinces were defined as criminal from the time that Argentina developed as a state until the present day.⁵ The great majority of the people that experienced subjection to state discipline were common criminals guilty of petty crimes against property or the illicit use of interpersonal violence.

A second group of interests are those of the two *regimes* that governed Argentina during this time period. The Argentine state was governed by two types of regime during

² Tilly, *Coercion, Capital, and European States, AD 990-1992* (Cambridge, MA: Blackwell, 1992), p. 1-2; 70.

³ Rock, *Politics in Argentina, 1890-1930: The Rise and Fall of Radicalism* (Cambridge: Cambridge UP, 1975), p. 29.

⁴ This scheme follows the conflict model of criminality advanced in the field of criminology, and frequently employed by historians working on these issues. For application of this model to the Argentine case see Richard Slatta, “Rural Criminality and Social Conflict in Nineteenth-Century Buenos Aires Province.” *HAHR* 60:3 (1972), p. 55-73; Ricardo Salvatore, “Criminology, Prison Reform, and the Buenos Aires Working Class,” *Journal of Interdisciplinary History* 23:2 (1992), p. 279-299.

⁵ Rock, *Politics*, p. 29.

the period under study. The first was a military government (1930-32), that ruled under a perpetual state of siege. The second (1932-38) was a limited democratic regime with retired military engineer Agustín Justo serving as president. Both of these regimes represented the interests of a landed oligarchy that had ruled Argentina from the National Consolidation in 1880 until the election of Yrigoyen in 1916. They favored a restricted political decision-making process and espoused a philosophy of natural hierarchies to justify their elitism.

Within a state with the above defined interests, a variety of labor systems and powersharing arrangements are possible, and the type of system adopted will affect levels of violence inflicted by the state. Succeeding regimes and presidential administrations, on the other hand, have experienced different threats to their positions of power that have made a significant impact on the use of violence and coercion. The primary conflicts that affected the level and quality of violence inflicted upon people who threatened regime interests were disagreements over the democratization of decision-making power and how labor relations were to be regulated. Both the Uriburu and Justo regimes sought to restrict the tendency to redistribute the nation's wealth, resources and political power that had occurred under the outgoing Radical governments.⁶ These features of those two governments, combined with their commitment to defend the principles of the state as previously defined, explain the expansion of the concept of criminality the Argentine government adopted during the 1930s.

The Revolution of 1930 and the Década Infame

Argentina in 1928 seemed safely on the course to prosperity and democratization

⁶ Joel Horowitz, *Argentine Unions, the State and the Rise of Perón, 1930-1945* (Berkeley: University of California Press, 1990), p. 9.

later envisioned by modernization theorists, who understood the two phenomena to be linked by a direct correlation. Argentina was among the world's wealthiest nations, and the political system had begun to expand with the extension of suffrage to all male citizens with the Roque Saénz Peña law in 1912. The expansion of suffrage and the growth of the urban middle classes led to the election of the opposition Unión Cívica Radical (UCR) and the rise of Hipólito Yrigoyen in 1916. Yrigoyen, often categorized as Argentina's first modern populist leader, organized a national political machine that politically incorporated the demands of the urban middle class as well as the provinces through a system of patronage. In addition, economic prosperity had led to the articulation of working class interests through a growing, though often harshly repressed, union movement.⁷

The onset of the worldwide depression in 1929, however, posed serious obstacles toward the model of wealth redistribution and political support that Yrigoyen has envisaged. The collapse of the Argentine economy led, in turn, to a collapse of the patronage networks that had distributed political rewards to the urban middle class in the form of government employment. Business interests and conservatives feared the financial collapse of the nation and accused the Radicals of corruption, mismanagement, and fiscal irresponsibility. Yrigoyen's decrepit mental state aggravated an already delicate situation.⁸ Under the pretext of bringing order back to a country in financial chaos, a right-wing nationalist faction led by Uriburu overthrew the government in 1930.

The effect of this irregular change in power was to detain the process of gradual inclusion of ascendant socioeconomic classes that began in 1912. The general who took power in 1930 imagined the Argentine crisis to extend beyond a transitory financial

⁷ Rock, *Politics*, p. 26.

⁸ *Ibid*, p. 241-65.

emergency. Uriburu viewed the political changes of the previous two decades as fundamentally disruptive of the social order. He understood the financial panic as a result from the inability of politicians to responsibly administer the nations finances because they had introduced a system of decision-making and power sharing that disrupted traditional hierarchies.⁹ Uriburu's solution to the political crisis was to return to what he imagined as the Argentine golden age – the turn of the century, when government was run by an elite corps of gentlemen.

Uriburu accomplished this by banning the Radical Party, as well as parties of the far left. This policy effectively disfranchised the majority of the Argentine citizenry, because, contrary to the assumptions of the *golpistas*, the Radical party managed to recover its popularity soon after the coup. When the Radicals swept the legislative elections of April 1931, the results were annulled and the contests repeated without Radical participation. From that point forward, the Radicals were prohibited from participating in any elections of national importance, with a few exceptions.¹⁰

Because free elections would have resulted in the electoral success of the Radicals, the administrations from 1930 to 1938 were required to govern by relying on the use of force and coercion to a greater degree than governments based on popular consensus. Consequently, this era was one in which both state and regime were particularly fragile. Consistent with the increased perception of threats from the populace, government leaders expanded their concept of criminality during this period to include several forms of political behavior, in addition to increasing the state's capacity to repress common delinquency.

⁹ US. State Department. Internal Affairs of Argentina. (Hereafter "USSD, Roll, Frame") Roll 1, 835.00/487, 18 Dec 1930, frames 198-208; *La Vanguardia* 15 Sep 1930, p. 1-2.

¹⁰ Falcoff, ed, "The Provinces," in: *Prologue to Perón: Argentina in Depression and War, 1930-1943* (Berkeley: University of California Press, 1975), p. 185.

Violence as a tool of governance

“Violence,” for the purposes of this paper, will refer to all acts in which the Argentine government altered the citizenry’s behavior through the application of physical force. From 1930 to 1938 the Argentine government used the five violent acts of execution, deportation, torture, corporal punishment (other than torture), and incarceration in response to threats against the security of the state or regime. The use of a particular method of punishment depended upon the goal each act of violence was intended to achieve. These goals can be roughly categorized into three groups. The Argentine government aimed to remove a person from society altogether through *extractive* violence (execution, deportation, incarceration). It used *interrogative* violence (torture) in order to extract information from a person about other people or groups that the government wished to remove from society. And the government employed *didactic* violence (incarceration, corporal punishment) in order to teach people the bounds of acceptable behavior by providing a negative inducement toward behaving in a threatening way.

The quality and frequency of the violence applied depended upon the degree to which the criminal conceived of his or her actions as a threat. On one end of the spectrum stood petty thieves who disregarded the state’s rules about private property. These people were treated leniently, provided government authorities believed that such offenders could be reeducated to participate in the official economic system. On the other far end of the spectrum stood Anarchists such as Severino di Giovanni, who disregarded the principles that dictated that property should be held in private rather than in common, that the state should monopolize the use of force, or that the Uruburu regime

constituted a legitimate government. Such criminals were considered irredeemable. In between were people who agreed with the principles governing Argentine statehood, but opposed the regimes, and people who had no opinion about the regimes, but who continued to operate outside of the economic and/or power structure of the Argentine state.

Threats against property or violations of the state's monopoly of violence remained relatively static throughout the period. Behavior that constituted intellectual "subversion," such as the dissemination of political materials advocating the abolition of private property, likewise remained constant, but was persecuted more intensely under the Uriburu regime. The use of violence in retaliation to threats against the Uriburu and Justo regimes, however, ebbed and flowed according to the actions of the opposition.

In order to consolidate the irregular change in regime, Uriburu used violence to prevent retaliation. He was correct to do so, as several sectors of the population did retaliate against the coup. Several Radical plots to retake the government occurred between 1931 and 1934, and all were met with immediate and harsh repression, both by Uriburu and Justo. Most of the recorded executions and incidences of torture occurred in conjunction with these revolts.

Didactic Violence: Incarceration and Corporal Punishment

Punishment labelled as "didactic" aimed to redirect peoples' behavior by providing a negative inducement toward actions defined as criminal, as well as establishing in certain terms the limit of acceptable conduct. The two forms of didactic violence employed by the Argentine government during the 1930s were incarceration and corporal punishment.

Property crime and interpersonal violence were the two main reasons for incarceration. Together they accounted for roughly three quarters of the crimes committed, and, consequently, the great majority of the jail sentences.¹¹ The crimes themselves represented a breakdown in the state-mandated systems of private property holding and conflict resolution. This most likely occurred because the socioeconomic structure of the nation limited the resources legitimately available to meet the basic needs or the aspirations of the lower class. The people most likely to end up in the prison system were those with the least economic security. *Jornaleros*, or unskilled day-laborers, accounted for 48% of all criminals arrested in 1938. The number of unemployed was not tallied, but would most likely make up a portion of those categorized by the authorities as “other profession,” which comprised an additional 29% of offenders. Educational profile betrays the same overrepresentation of the poor. A mere 1.29% of those arrested in 1938 had completed a high school education; only 0.3% had attended a university.¹²

The prison served the primary function of educating the offender, although it also served the purpose of removing him or her¹³ from society. Common criminals were taught through the deprivation of freedom that their actions were inappropriate. Once inside, state authorities put criminals through a sort of educational system designed to instill a work ethic in them so that they could be reinserted into the official economy and accept their role as poorly remunerated and unskilled laborers without recourse to criminal behavior.¹⁴ Positivist criminologists, upper-middle class professionals who

¹¹ Extrapolation from 1938 figure. See Argentina. *Registro nacional de reincidencia y estadística criminal y carcelaria* (Buenos Aires: Ministerio de Justicia e Instrucción Pública, 1938), p. 28.

¹² *Ibid*, p. 25.

¹³ The grammatical convention is misleading. Roughly ninety-four percent of criminals during this period were male. *Ibid*.

¹⁴ Ricardo Salvatore, “Penitentiaries, Visions of Class and Export Economis: Brazil and

benefited from the socioeconomic structure of the country, understood criminal behavior to derive from biological and social defects of the criminal him or herself.¹⁵

The penalties dealt to common criminals varied to the degree that the state authorities considered criminals to be conscious that their behavior constituted crime. The threat of imprisonment was considered sufficient for most first-time offenders, and even recidivists were given partial sentences depending on the gravity of their antecedents. Great emphasis was placed, however, on patterns of behavior in determining sentences, ostensibly because those with longer criminal histories were considered immune to reeducation.¹⁶

The Uriburu regime's, and more generally, the Argentine conservatives' concern with the threat of subversion of the social order led it to dismiss negotiation with lower socioeconomic groups as part of the political process. Instead, they attempted to inculcate a secularly religious respect for the social order. Conservatives saw threats to the social order everywhere, which they classified as "subversive."

The concern with subversion and the rejection of political incorporation of lower classes or the correction of maldistribution of property and power within Argentine society led to a reinforcement of the positivist, elitist, and often racist notions that criminologists had been advancing for the last several decades. Rather than attempting to reduce the wealth disparity and address issues of poverty that were responsible for generating crime, the "criminal class" itself was targeted by government agents and social scientists, who contended that criminality was aberrant behavior that could be rectified

Argentina Compared." In: Ricardo Salvatore and Carlos Aguirre, eds., *The Birth of the Penitentiary in Latin America: Essays on Criminology, Prison Reform, and Social Control, 1830-1940* (Austin, TX: University of Texas Press, 1996), p. 194-198.

¹⁵ *Ibid*; Argentina, *Estadística criminal*, p. 25.

¹⁶ Argentina, *Estadística criminal*, p. 24.

with the proper treatment.¹⁷

Political Criminals

The punishment of political criminals followed roughly the same structure as that of common criminals, with some major exceptions. Political criminals were considered by government officials to be more conscious of their criminality in general. Consequently, the use of prison served an extractive function which was only tangential to the experience of most common criminals. Furthermore, because political criminals, due to their ideological opposition to the state or regime, were considered un-educable, prison sentences for them did not carry the same postivist didactic ideal. Instead, they were being instructed by negative example alone. Because the function of prison for political criminals served a primarily extractive function, it will be discussed in more detail below.

Corporal Punishment

Corporal punishment was used during this period as a tool of crowd control and, as such, served the purpose of repressing political opposition from groups that could no longer make demands through official channels such as trade unions, university students, and proscribed political parties.¹⁸ Public political protests and large political meetings were prohibited under the state of siege, which lasted for nearly all of Uriburu's administration and was imposed intermittently under Justo's. This criminalization of

¹⁷ Salvatore, "Visions of Class," p. 194-98; Lila Caimari, "Remembering Freedom: Life as Seen from the Prison Cell, Buenos Aires Province, 1930-1950." In: Ricardo Salvatore, et al, eds., *Crime and Punishment in Latin America: Law and Society since Late Colonial Times* (Durham, NC: Duke UP, 2001), p. 391-98.

¹⁸ I have excluded the documentation of corporal punishment incidental to arrest and detainment, which I classify as part of the process of incarceration.

formerly licit behavior normally engaged in by major interest groups necessitated coercion to maintain. The most common incidences involving corporal punishment were elections following interventions in the provinces, demonstrations by students, strikes, and political rallies.¹⁹

Extractive Violence – Execution, Exile, Incarceration

The supreme act of extractive violence is execution. Although no one has attempted to document with detail the number of people killed during Argentina's "Década Infame," the government seems to have generally been disposed to kill only when leaders sensed a grave threat to the security of the regime. For example, the new regime experienced a period of great fragility in the moments in which it established itself in the month of September 1930. The newly installed Uriburu government enacted martial law, which allowed for the summary execution of subversives and the suspension of *habeas corpus*, in the interest of upholding public order and the sanctity of private property.²⁰ During that period at least seven people were executed under martial law. In Rosario, three anarchists were killed for attempting to instigate a general strike, and a Communist was killed after for distributing subversive propaganda.²¹ The heightened perception of threat extended to the entire system of private property. Less than a week after the coup, a citizen in Rosario was executed for robbing a chicken.²²

Two other executions are worthy of note during the period. In January of 1931, the Italian anarchists Severino di Giovanni and Paulino Scarfó were arrested. The former was a notorious figure, who had been categorized by the *Orden Social* division of the

¹⁹ "The Provinces," p. 185; Horowitz, *Unions*, p. 68-70; USSD, Roll 5, 16 Oct 1934, frame 275.

²⁰ USSD, Roll 1, 13 Nov 1930, frames 215-16.

²¹ *La Vanguardia* 11 and 13 Sep 1930.

²² *La Vanguardia*, 13 Sep 1930.

police as a “*temible agitador anarquista*” since his first arrest. They were court-martialed in the National Penitentiary and executed by firing squad within days.²³ The second was the assassination of Major Remigio Lezcano in June of 1932. Although the government did not confess to executing him, they justified the action on the basis of his supposed involvement in a coup plot.²⁴

Exile

Execution, however, was a relatively uncommon form of punishment. As a society of immigrants, deportation was a preferred method of removing the irretrievably intransigent from Argentine society. Argentine law had provided for the deportation of immigrants whose conduct threatened the public order by a series of laws beginning with the *Ley de Residencia* passed in 1902. This law targeted political dissidents and labor agitators.²⁵ A large portion of the far left (Communists, Anarchists) as well as labor leaders were either Spanish, Italian, German, Russian or Polish immigrants and, therefore, subject to deportation when they conflicted with the authorities.²⁶ *La Vanguardia*, the Buenos Aires socialist newspaper, counted 148 deportations between October 11th, 1930 and the first of February, 1932.²⁷ In January of 1931 the American Ambassador to Buenos Aires noted that 600 “undesirables and socialists” were to be deported to Europe.²⁸

The term “undesirables” likely refers to common criminals, who were also deported under the provisions of the *ley de residencia*. For example, on July 8th, 1931,

²³ USSD, Roll 6, 5 Feb 1931, frames 87-89; Osvaldo Bayer, *Severino di Giovanni: El idealista de la violencia* (Buenos Aires: Editorial Legasa, 1989), p. 26.

²⁴ USSD, Roll 6, 1 July 1932, frames 371-74.

²⁵ Rock, *politics*, p. 82-3.

²⁶ USSD, Roll 6, 30 Oct 1930, frames 59-64.

²⁷ Quoted in Horowitz, *Unions*, p. 13.

²⁸ USSD, Roll 6, 21 Jan 1931, frame 279.

the Minister of Foreign Affairs provided American Ambassador Bliss with two lists containing over 285 names of deportees, only a few of whom were being expelled for unorthodox ideas.²⁹

In addition to members of the leftist parties, a number of prominent Radicals were deported to Europe by the Provisional Government immediately after the coup in 1930, or in retaliation for Radical plots foiled by the Argentine government between 1931 and 1934.³⁰ Yrigoyen himself was given the option of exile to a European country, although he elected to remain imprisoned in Argentina. The plots to overthrow the government by the Radicals in 1932 and 1934 also resulted in the deportation, internal exile, and imprisonment of Radical leaders. In 1934 at least 22 Radicals were exiled to Europe, including ex-President Martín de Alvear.³¹ By 1935, most of the more prominent prisoners and exiles had been allowed to return, although they were kept under tight police surveillance.³²

In all these cases, the purpose of deportation was the removal of the individual from Argentine society. The extractive intent of deportation mirrored the rationale behind execution. This point was not lost on Argentine officials. The disposition of the Uriburu Administration is made clear by a private comment made by a government functionary to the American Ambassador Robert Bliss. Referring to a group of deported Communist leaders who had escaped their Europe-bound vessel in Montevideo, the functionary reportedly informed Bliss that “a return to Argentina from Uruguay of any of these deportees would result in a trip across another river from which there would be no

²⁹ USSD, Roll 6, 21 July 1931, f 124-5.

³⁰ USSD, Roll 5, 26 Jan 1934, despatch no. 163-G.

³¹ USSD, Roll 6, 19 Jan 1934, frames 627-8.

³² Laura Kalmanowiecki, *Military Power and Policing in Argentina, 1900-1955*. PhD diss State Dept.

return...³³

Political Prison

Political prison was also used to remove the threatening elements from society. The principal threat posed by a political group was the resurgence of the Radical party. Most of the leadership, when not in exile, spent jail time in Ushuaia, the island of Martín García, or the National Penitentiary. In addition to the leadership, the rank and file were detained during periods of heightened threat to the regime – particularly immediately after the coup, and before and after suspected plots in from 1930 to 1934. In the largest roundups, following the coup attempts of 1932 and 1934, the arrests totalled more than 200, not counting deportees. These people were generally released as soon after the perceived threat had been extinguished.³⁴

In addition to Radicals, it was common during the Uriburu administration for authorities to imprison Anarchists and Communists simply because they were possessed of subversive political ideas.³⁵ This pattern seems to have attenuated during the Justo administration. Uriburu's greater emphasis on social order and proactive stance toward subversion probably accounts for the difference. On a practical level it was unlikely that either the Anarchists or the Communists could have presented a real threat to an established government, even if it did lack legitimacy.

The principal commonality between execution, exile, and political prison is that the authorities believed the criminal in these circumstances to be unredeemable. The only solution to the threat that they posed was their removal from society

³³ USSD, Roll 6, 30 Oct 1930, frames 59-64.

³⁴ Kalmanowiecki, *Military Power*, p. 157; USSD, Roll 5, 23 Feb 1934, frame 42.

³⁵ Horowitz, *Unions*, p. 68-69.

Interrogative Violence - Torture

Over the period of this study, torture was used as an interrogation procedure. The goal behind it was to extract information from an unwilling person about another person or group that the government wished to remove from society. It is difficult to trace because it was not licit, the use of torture having been officially prohibited since 1813.³⁶ Records documenting its use are scarce.

In all cases where it has been documented, torture was used in order to extract information about other participants in a suspected plot against the government.³⁷ The only exception to this statement is the torture of individuals involved in the case of di Giovanni and Scarfó.³⁸ In this case di Giovanni and his accomplices were not involved in a coordinated plot to overthrow the government, but their advocacy of terrorist methods and the coincidence that they were caught while Argentina was under a period of martial law made them seem a clear and immediate threat to the regime.

It should be noted here that it is possible that the political nature of torture may be exaggerated by a source bias. The politically aware were more likely than common criminals to have the resources and educational ability to publicize their victimization, as well as to have an interest in publicizing it. The use of torture to find accomplices in acts of common crime or to obtain a confession may, therefore, have been a reality unknowable from the source documents. The problem is hinted at by a State Department despatch informing the Secretary of State that, following a law suit posed by ten alleged victims of torture, the Rosario police department released police investigators with

³⁶ Abelardo Levaggi, *Historia del derecho penal argentino*. (Buenos Aires: Editorial Perrot, 1978), p. 29.

³⁷ Vicente Gonzalo Massot, *Matar y morir: la violencia política en la Argentina (1806-1980)* (Buenos Aires: Emecé Editores, 2003), p. 167; Kalmanowiecki, *Military Power*, p. 146.

³⁸ Kalmanowiecki, *Military Power*, p. 146.

reputations for sadistic treatment of prisoners.³⁹

Conclusions

The Argentine government used violence between the years 1930-1938 in response to perceived threats against the interests of the state and the regimes which came to power by irregular means. By criminalizing formerly licit political behavior that would have continued the process of incorporating the lower classes into the polity, the two Uriburu and Justo regimes created a situation in which the opposition was forced to either give up its claims to power or retaliate violently. Furthermore, by detaining the process of wealth distribution that would have resulted from lower class incorporation into the polity, they preserved and aggravated the root causes of poverty and conflict that created the threats they were reacting against in the first place. The inability to channel socioeconomic conflict through the political system would have repercussions for decades, as violence became an increasingly common feature of Argentine politics and governance.

³⁹ USSD, Roll 4, 23 Mar 1932, frame 46.