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**Criminal justice and police in the process of the
construction of state terrorism in Argentina**

Oswaldo Barreneche

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Special Issue

**Face Up. Faces from the past. The fight
for freedom and democracy in Albania
during the regime of Enver Hoxha**

A cura di / Edited by

Michele Rabà - Gaetano Sabatini

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Special Issue

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Justicia Criminal y Policía en el proceso de construcción del Estado Terrorista de la Argentina

Criminal Justice and Police in the Process of the Construction of the Estado Terrorista de la Argentina

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(Universidad Nacional de La Plata)

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Abstract

State terrorism in Argentina began to take shape long before 24 march 1976 when the last military dictatorship initiated. Early stages of this process took place during the late 1950s and, mainly, during the 1960s. This article studies the role of police and criminal judges of the Buenos Aires Province in this preliminary stage during which State violence acquired a definite physiognomy.

The emergence of various formal and informal scenarios in which police violence took place contributed to reinforcing the impunity of the law enforcement agents in the exercise of extrajudicial violence. Criminal judges at that time favored this state of affairs, intervening very little and even permitting such actions.

Keywords

Judges; Police; Violence; State terrorism; Argentina.

Resumen

El Terrorismo de Estado en la Argentina comenzó mucho antes del 24 de marzo de 1976, cuando se inició la última dictadura militar en ese país. Las etapas tempranas de ese proceso tuvieron lugar durante la década de 1950 y, principalmente, durante los años sesenta. Este artículo estudia el rol de policías y jueces penales de la provincia de Buenos Aires durante aquellos momentos en los cuales la violencia estatal fue adquiriendo su fisonomía definitiva. El surgimiento de escenarios formales e informales en los cuales la violencia policial tuvo lugar, contribuyeron a reforzar la impunidad de los policías en el ejercicio de la violencia extrajudicial. Los jueces criminales en ese momento favorecieron dicho estado de cosas, interviniendo muy poco e incluso permitiendo tales acciones.

Palabras clave

Jueces; Policía; Violencia; Terrorismo de Estado; Argentina.

1. Introduction. -2. Forms of Police Violence. - 3. Police and criminal justice. - 4. Conclusion. - 5. Bibliography. - 6. Curriculum vitae.

1. Introduction

In the years following the end of the last bloody civil-military dictatorship in Argentina (1976-1983), and even today, new generations who did not live through it ask their elders: Did you not realize what was happening? Did you not know that you were living under a dictatorship that not only imprisoned and tortured people, but also eliminated them by making them “disappear”? (Águila, 2008)

The answers to these questions have a certain degree of complexity and variety. But beyond that, it is common to find people who say that, during those years, for them, life went by without major upheavals. The military presence on the streets and the sound of police sirens at night might indicate that they were under a dictatorship, but these same people say that they went to work and lived their lives «normally» every day. The truth is that many of these things had been going on for quite some time; had all this state violence become “naturalized”?

To contribute to a possible answer to this question, this article takes a historical approach. The most critical stage of State terrorism in Argentina began to take shape long before 1976 (Bohoslavsky - Franco, 2020, pp. 205-227). Its causes and the actors involved were manifold. Within this panorama, the following question, among others, is worth asking: What role did the police and judges play in this preliminary stage along the 1960s, during which State violence acquired a definite physiognomy? The province of Buenos Aires, Argentina's main population district, offers a scenario where this issue can be specifically studied.

From the mid-1950s onwards, the province of Buenos Aires witnessed an upsurge in police violence, visible in the media through reports of repressive actions against anti-Peronist groups until the coup d'état which overthrew Perón in September 1955, and against Peronist groups from that date onwards. Events such as the shootings of Peronist supporters in the Buenos Aires provincial town of José León Suarez in 1956, in which the provincial police took part and for which they were congratulated by the authorities, had a major impact. The proscription of Perón and the continued support of his followers in Argentina led to the persecution of Peronist activists by the police, with the explicit consent of criminal judges who did not investigate these events¹.

¹ On the political context of these years following the overthrow of Perón and the emergence of the Peronist resistance, see the book by Melon Pirro, 2009 and also Spinelli, 2005. A general overview of the entire period by Pontoriero, 2022.

From 1958 onwards, these police operations seemed to stop for a while, as part of the agreement with Perón in exile, which brought Arturo Frondizi to the Argentine presidency in May of that year. However, alongside this police violence as a form of political action, another form of violence emerged that was to have a significant increase and continuity under the political changes that took place in 1955 and 1958. This was police violence against ordinary people who, in certain cases, suspected of having participated in some crime, were arrested without the knowledge of any judicial authority, beaten and tortured at the police station, and then released without further ado. Adults, but also young people, were arrested in their own homes or on their way to and from work or just while they were chatting with friends on a street corner in their neighborhoods. Most of these cases took place in the districts surrounding the city of Buenos Aires².

2. Forms of Police Violence

While reports of police torture and harassment increased in early 1960 political violence began a new cycle of aggravation. On 12 March 1960, an attack destroyed the house of army Captain David Cabrera and killed his two-year-old daughter. The impact of the event again highlighted the fact that these attacks and sabotage had never completely ceased since the mid-1950s. President Frondizi then issued Decree 2628 of 13 March 1960 declaring a “State’s Internal Shock”, the *Conintes Plan*, which authorized military intervention in the repression of student protests, strikes and other individual or collective actions considered “dangerous”³. Among other provisions, the decree placed all police forces in the country under military jurisdiction (Ruffini, 2019, pp. 20-40).

² These “ordinary” actions of police violence prompted the police intelligence department to follow up on the issue. The files compiled on the matter are currently kept at the *Comisión Provincial por la Memoria* (Provincial Commission for Memory). La Plata. *Centro de Documentación y Archivo. Comisión Provincial por la Memoria*. (Henceforth CDA.CPM), File 10375, Books 1 & 2, and Files 13369, 13505, 13756, 13811, 12282 y 13664.

³ The *Plan Conintes* (Conmoción Interna del Estado = State’s Internal Shock) had been approved by President Frondizi at the beginning of his term, based on a similar measure adopted by Perón in the days before his overthrow. This new 1960 decree did not, therefore, create the Plan but put it back into operation.

While this decision opened the door to a new wave of mass arrests of activists, politicians, trade unionists, students and others, it also endorsed previous forms of violence and police brutality against the general population. On the last day of her life, the young Esther Lily Ter Gate went for a ride in her boyfriend's van along the riverside area of the Quilmes district, a few kilometers from the city of Buenos Aires. At around 11 p.m. on that Saturday they noticed a car following them and as they thought they were being tracked by thieves they decided to drive away. Followed by that car, they accelerated their speed until a series of shots were fired from the vehicle, which caused her immediate death. Then, Esther's boyfriend realized (and declared) that the shooters turned out to be four undercover policemen from the Quilmes police station, who had supposedly opened fire because of Esther and her boyfriend's 'suspicious' attitude⁴.

While the press reported on all these episodes police intelligence followed up on these news and informed superiors, for example, about "alleged arbitrariness [of the police] that only exists in the mind of the article writer"⁵. Newspaper reports on these events did not always serve the same purpose. Some reported the events that highlighted these brutal procedures carried out by the police. However, other newspapers did not object to the irregularity of these actions but to their generalization.

Thus, for example, *El Atlántico* of the city of Mar del Plata editorialized that the *razzias* (police raids) no longer made distinctions as to who should be detained, and arrested "those who carried weapons, prostitutes, professionals, the least, the lady who happened not to have her documents (...) and so on, side by side, as if they were all cut by the same scissors"⁶. Similarly, several newspapers complained that, since the implementation of the Conintes Plan, numerous police officers had been regrouped to take part in military operations of political repression, which had left many police stations without "personnel" for ordinary tasks⁷.

⁴ This crime occurred in February 1960 and was reported to the *Comisión Investigadora de Apremios Ilegales y Tortura en el ámbito de la Cámara de Diputados* (Investigative Commission on Torture and Illegal Imprisonment of the Chamber of Deputies) on 21 March of the same year. CDA.CPM. File 10375, page 136.

⁵ CDA.CPM. File 10375, page 121.

⁶ *El Atlántico*, 6 March 1960. CDA.CPM. File 10375, page 122.

⁷ Report from the Bahía Blanca intelligence delegation to the director of the central intelligence office of the Buenos Aires province police. 2 July 1960. CDA.CPM. File 10375, page 67.

The new wave of military arrests for political reasons following the application of the Conintes Plan, which lasted until August 1961, not only led to the reorganization of the police forces involved in these operations, but also opened a breach in the management of the police force. During the whole time the Plan was enforced, there were two police leaderships: the provincial and the Conintes, each with its own line of authority and command. And although the provincial Ministry of Government tried to mediate between the two, the fact is that conflicts led, towards the end of 1960, to the resignation of Chief of Police Juan José Parotti who had been head of the force since the inauguration of Oscar Alende as governor of Buenos Aires province in May 1958⁸. This division in the police's management was a forerunner of what was to mature towards the end of the 1960s and, especially, during Argentina's last military dictatorship. That is, the coexistence of police forces which, on the one hand, exercised their visible task linked to everyday public security. And, on the other hand, those within the police that were involved in illegal repression alongside the military (Águila, 2018, pp. 121-146).

In this context of institutional conflict in the early 1960s, however, what was probably of least interest to the police and political leadership was to attend to the cases of police violence which, in the meantime, continued to occur. At the same time, anonymous letters circulating among police personnel questioned this subordination to military command, «forcing us to act in political repression, a cause which makes us antagonistic to the great mass of the population». While it was unclear whether these anonymous police demands were issued by police personnel or not, they included labor demands such as equal pay with the military. Police intelligence reports carefully recorded the appearance of these pamphlets, which became more and more frequent throughout the 1960s, culminating in the police strike of March 1973⁹.

The Conintes plan gave rise to another type of denunciation, with a political content, but for the same reasons as those of the daily victims of police violence. They came from those detained at the disposal of Executive authorities, who suffered humiliation and torture similar to that of common prisoners. Even so, the vi-

⁸ Parotti's resignation was preceded by several moments throughout 1960 when he asked for leave or announced and then denied his departure from office. He finally did so on 24 November 1960. CDA.CPM. File 10375, pages 3, 51, 52, 58, 89-91.

⁹ Barreneche, 2011, pp. 221-239. Regarding the police claims of 1960-61, see CDA.CPM. File 10375, pages 79-88 and 139-141.

olence directed at political «targets» implied a direct and greater responsibility on the part of police chiefs. For example, the lawsuit brought by the head of coordination and liaison of the Conintes plan in the Buenos Aires province police, Inspector Emir Marino, against members of the La Plata regional committee of the CGT - Confederación General del Trabajo (Trade Union General Confederation). In it, Marino stated that he was neither the author nor the promoter of the harassment suffered by the detained trade union leaders. This police chief presented his complaint to the criminal justice court in La Plata and a hearing was set up, where the case was aired. However, more than Marino's statements, it was more important for the Conintes military authorities not to open any legal space for denunciations or discussions about the abuses and violence. After this hearing, the case was forgotten. The growing political repression was closing the space for conscientious objections¹⁰. On the other hand, as we shall see, the ordinary justice system in general did not want to get involved in the investigation of these cases, which became a «political» matter. Here again we see a background of overlapping forms of justice which were intertwined and which helped to consolidate impunity in police-military actions from then until the end of the military dictatorship in 1983¹¹.

The successive acts of police violence that seem to have escalated since the end of 1959 led to a political involvement at both national and provincial parliamentary level. As a result of the complaints made by the La Plata Bar Association and the exposure of the problem in the newspapers, Governor Oscar Alende set up an investigative commission made up of representatives of the Executive and Legislative branches of government, as well as the Bar Association. The commission began its work on 15 May 1960¹². At the same time, the parliamentary opposition in the Buenos Aires legislature proposed the creation of another commission of enquiry into these cases of unlawful coercion¹³. The issue was also dealt with in the National Congress. On 21 April 1960, a Commission of Inquiry into Unlawful Arrests and Torture was set up in the National Chamber of Deputies¹⁴.

¹⁰ CDA.CPM. File 10375, pages 87 and 93-94.

¹¹ Military Courts intervened in many cases during these decades. Montero, 2023, pp, 1-19.

¹² CDA.CPM. File 10375, page 7.

¹³ CDA.CPM. File 10375, page 60.

¹⁴ Congreso de la Nación Argentina. *Diario de Sesiones de la Cámara de Diputados* (Argentinian Congress. Journal of Sessions of the Chamber of Deputies). Session of 21 July 1960. Buenos Aires: Imprenta del Congreso, 1961. File 1378, pages 79 and 80. See also Castronuovo, 2018.

The work of these commissions and their results were disparate. On the one hand, with their enquiries into cases of police violence, the reports produced dispelled doubts as to whether the episodes analyzed were exceptions or examples of a systematically applied police methodology. All concluded that it was the latter. The tough police of the 1930s may have resorted to the same degrees of violence and illegal coercion as the tough police of the early 1960s. But while the former did so at the risk and expense of each of the local political bosses to whom they answered, the latter applied them with the implicit endorsement of police, political and even judicial authorities at the highest level.

3. Police and criminal justice

What was the role of criminal judges in dealing with formal accusations of violence and/or corruption against police officers? An analysis of 57 court cases in which one or more Buenos Aires provincial police officers were charged between 1957 and 1968 may provide some clues in this regard. These cases focus on the neighborhoods and towns surrounding the city of Buenos Aires, and on the city of La Plata, the provincial capital, which is part of the same area. There are 23 cases from La Plata and adjacent areas, while the rest correspond to the municipal jurisdictions that limit with the city of Buenos Aires (19 cases from the southern, 8 from the western and 10 from the northern districts)¹⁵.

Judicial sources in general, and specifically criminal cases, have been used by historians over the last thirty years to analyze a variety of issues. Having long since overcome the question of their 'representativeness', it is now accepted that even with a large volume of court files it is not possible to conclude with a totalizing perspective. Without going any further, the "black figure of crime" (unreported or unprosecuted cases) is a reality not only today but also in the past (Barreneche, 2015). The richness of these historical sources lies, rather, in the opportunity they give us to make contact with a universe that, even if mediated by the judicial format and discourse, opens a window to look at the past. Therefore, the aim here is not so much a territorial «representativeness» of the sample as a possibility of studying, with these sources, the issue of police violence and corruption.

¹⁵ To the east, the city borders the Rio de la Plata River.

With regard to the accusations against police officers, 64% of them concern cases of illegal harassment, abuse of authority or injuries. In other words, the majority of these cases were generally linked to episodes of police violence. On the other hand, 36% corresponded to charges of illegal exactions, fraud and swindling, theft or illegal gambling which were accusations related to corruption.

For their part, judicial inquiries were directed both at police officers who acted alone or as part of "patotas" (police's undercover operative groups) of two or more police officers. Half of the cases corresponded to charges against large groups of police officers, identified as the entire guard or shift of a police station or, directly, the entire staff of a police station.

With regard to the police rank of the accused, the cases analyzed reflected, to some extent, the institutional hierarchical pyramid. There were many more police officers accused who were of lower rank than those who belonged to the ranks of supervisors and chiefs, respectively. The latter were generally charged in cases where the accusation extended to all police personnel in, for example, a police station. It is interesting to note that most of the cases involving corruption charges were directed against police acting individually or between two or three officers and, in turn, these were generally located in the police's lower ranks. The accusations against supervisors and chiefs, on the other hand, focused more on cases of police violence, in which the accusations were mostly collective and not specifically directed at them.

The places where police officers were alleged to have committed these crimes also gave some indication of the blurred boundary between legal and illegal police action and practices. Just over half of the cases occurred in police stations, all of them linked to episodes of violence, as indicated above. On the other hand, the events related to police corruption took place mostly at the victims' places of residence or work. It can therefore be inferred that the growing network of political protection which allowed an increase in police abuses and violence for specific purposes, found in police stations the appropriate place for its development and execution. Police stations were, as these cases indicated, the places where this police violence was carried out, even if it had begun when the victims were detained elsewhere. On the other hand, police corruption went to meet its targets, wherever they were, and it was there, outside police stations, where it was committed.

Beyond the features of each judicial case, the duration of these proceedings and the judges' decisions in each of them suggest that, for the most part, they did not prosper either in terms of time or in terms of condemning the police involved. In

fact, very few of these criminal cases were initiated *ex officio* or by an independent judicial investigation. It was mainly the result of complaints from private individuals that triggered each case. The data collected on these complainants, the vast majority of whom were men, provide some other clues. Eighty-eight per cent were Argentinian and half of them were between 30 and 47 years of age, each with a declared work or professional activity. In this respect, it is also interesting to note that 38.5% of these victims were young people between 18 and 27 years of age and, in almost all of these cases, the complaints were for police violence. This seems to reinforce the certainty that young people at the time were suspected by the police and one of their "targets" when it came to the raids that led to the reported abuses.

The vast majority of criminal cases brought against police officers were of short duration. More than two thirds of them were resolved in less than six months. With some exceptions, the cases examined were not voluminous, although it was also observed that the judges who acted in each case took the corresponding legal provisions. First of all, they ordered the prosecution of the accused police officers, especially in individual cases. Then they also took care to obtain witness statements or to order routine procedural measures. However, it is clear that the magistrates did not consider circumstantial evidence that could have strengthened the charges against the police officers. In general, and despite the fact that some of them were proven, they dismissed the criminal action against the accused. The vast majority of police officers avoided punishment, either by way of judge's case dismissal (81%), lack of evidences (9%) or for other similar reasons.

In only four of the 57 cases were police officers convicted. Three of these cases involved police officers who acted alone and whose intention was to steal or obtain money from their intended victims. Two of them were officers and a third was a novice. These policemen were each sentenced to a few months' imprisonment and dismissed from the police force. No convictions for police violence were found.

The fourth case, in which two police officers were convicted, is very different and merits special analysis. It is the criminal case brought in April 1961 against *Comisario* (Commissioner) Adam Scala, head of the San Martin Police Investigation Bureau, and his staff. The judicial proceedings were compiled on an extended file along five years and it consisted of four sections and several annexes. The last judicial actions in the case were taken in December 1966. It is, in many ways, an exception to the general picture we have outlined so far and sheds light on police practices as well as on links, loyalties and rivalries between police officers. However, as

we shall see, the case does not totally differ from the judicial trend of acquittal that has been marked previously.

This case was initiated in an extraordinary way. The increasing complains against police violence since the late 1950s led to the creation, in April 1960, of a Special Investigative Commission in the National Chamber of Deputies. One of its members was the veteran political leader Alfredo Palacios who had managed to get the written press interested in the work he and his colleagues were trying to do. This Commission conducted hearings on police violence and inspected police stations suspected of being places where such violence and abuses were taking place. On 19 May 1961, on the basis of an anonymous data indicating that torture was being carried out in the San Martín Police Investigation Bureau, the Commission received a call from two police officers, apparently «repentant», who were prepared to collaborate in verifying these facts. They were police officers Roberto Luis Rodríguez and Miguel Yajubw who belonged to the Bureau's personnel. The following day, both policemen took Palacios and the members of the Parliamentary Commission to the private home of police officer Fermín Sánchez, driver of Commissioner Adam Scala, Chief of the San Martín Investigations Bureau, and there they seized from him a wooden box containing a *picana eléctrica* (electric prod), the instrument of torture which had been the reason for the anonymous accusations.

In the following days, the Commission carried out intense work taking testimonies from Chief Scala, Police Supervisor Mario Gragitena, the driver Sanchez, and other members of the police station in question. At the same time, the Parliamentary Commission received the testimonies of several detainees imprisoned at the Bureau's headquarter, who confirmed that they had been victims of torture with electric prods at the time of their arrest.

At the same time, since May 13, there had been an investigation for illegal extortion initiated in the San Martín Investigations Bureau where the accused were precisely police officers Roberto Luis Rodríguez and Miguel Yajubw. They were suspects of bribing businessman Alberto Ismael Bugallo under the accusation that clandestine betting games were being played in his business. As direct boss of Rodríguez and Yajubw, supervise officer Gragitena had initiated the investigation against them together with Commissioner Scala. Everything seemed to indicate that Gragitena took legal action against the two police officers in question because they, in turn, had kept the bribe money for themselves. In retaliation, Gragitena and Scala initiated the investigation. But in turn, seeing themselves accused,

Rodríguez and Yajubw decided to take revenge by denouncing their bosses and directing the Parliamentary Commission to the place where they knew the instrument of torture was hidden.

These cross accusations exposed a pattern of police violence and corruption that had been so often denounced but for which some concrete evidence was now emerging. To begin with, the physical evidence of the electric prod, a much-talked-about but rarely verified torture device. In one of the annexes to this case, the Materials Testing and Technological Research Laboratory (LEMIT) of the Ministry of Public Works of the Province of Buenos Aires was asked to carry out an expert analysis of the electric prod. The expert informant, Engineer Américo Boero, reported that the device was made from an automobile coil, and that it could be powered either «from the domestic electrical network or from a 6 Volt electric accumulator». The electric prod was therefore very versatile in its use. It was also indicated that the device was similar to those used on animals, but differed on two points: the police prod had a short application rod, which allowed the person applying it to be very close to the victim, whereas in the case of animals, the application rod was long («in the order of one and a half meters») to prevent a violent reaction from the animal reaching the user. The other point of difference, according to the expert, was that in the police prod, the tips of the application rod, through which the electric shock circulated, were «rounded» because «it was in the interest of avoiding the production of skin abrasions». Indeed, one of the precautions in the use of this instrument of torture was to prevent its application from leaving marks on the victim's skin, which could later be used as evidence. In the conclusions of his report, engineer Boero indicated that the apparatus was fit for operation and that the discharge «in vacuum», that is to say without applying it to the skin, measured «6500 volts». However, he clarified that

to carry out the measurement or value of the volt power in real conditions, it is necessary to apply it to the skin; [but] it could not be carried out due to the intense painful sensation it produced in those who tried to undergo the experiment¹⁶.

¹⁶ Ministerio de Obras Públicas de la Provincia de Buenos Aires. Laboratorio de Ensayo de Materiales e Investigaciones Tecnológicas (Ministry of Public Works of the Province of Buenos Aires. Materials Testing and Technological Research Laboratory -LEMIT). File 2407-5016/1962. Case 14803. Body One. Pages 556 and 557.

The accumulation of proves by the Parliamentary Commission was highlighted by special news in the written press all of which was incorporated as evidences. Meanwhile, the Police of the Buenos Aires Province, through its Judicial Affairs Department, initiated inquires on the case. At the same time, the criminal justice system intervened and after recusals and declarations of incompetence, the whole case was left in the hands of Judge Omar Roberto Ozafrain of the La Plata Judicial Department, although the last dispositions were taken by La Plata Third Criminal Appeals Court. Many of those involved were arrested, starting with Rodríguez, Yajubw and Sanchez. Gragitena and Scala himself were also detained but only for a short time.

Among the complexities of the case, the intervention of the three branches of the State government in the investigation of the case stands out. On the one hand, the legislative power through the Parliamentary Commission, whose functions extended to the judicial sphere since it took testimonies, investigated suspects, seized evidence and exhibited its results in the media. On the other hand, the executive power, hand in hand with the police itself, since, through its Judicial Affairs Department took the initiative of investigating on the case. Thus, for example, Commissioner Scala acted as police chief investigator in the case of bribe collected by Rodríguez and Yajubw until he himself was arrested, even though he had already been denounced by them before the Parliamentary Commission. Finally, the judiciary, whose initial intervention was focused on resolving the recusals and excusals of the acting judges until finally, as indicated, the case felt in the hands of Judge Ozafrain. By then, many of the evidences did no longer exist or had been spoiled from a legal point of view. Thus, for example, the electric prod, exhibited by Palacios in the press, could not be taken into account as evidence because of the manner in which it had been obtained.

In the end, all those accused of police violence were acquitted. The criminal decision, at least, did not take into account the numerous testimonies of the detainees or the other evidence presented although the policemen prosecuted were expelled from the police ranks according to the administrative inquiry carried out in parallel. Despite appeals, Scala and several of his subordinates were dismissed from the law enforcement agency. The argument, in this case, was the public repercussion of these events. Only Rodríguez and Yajubw were criminally sentenced to two years

in prison for the crime of Illegal Exactions, that is, for the bribe they had collected from businessman Bugallo¹⁷.

The Scala case uncovered some important aspects linked to police violence and corruption in the period under study. But despite all the data and evidence that emerged the final resolution of the case did not vary much from all the other cases. There were few guilty sentences against the police in the criminal justice system and the major «punishment» was that those involved were expelled from the agency. The Parliamentary Commission, perhaps more concerned with exposing the facts publicly than bringing those defendants to justice, concluded its work without being able to fully unravel the network of complicity that sustained such conducts. The ordinary criminal justice system, for its part, acted in the face of the facts and, as had occurred in the other cases studied, limited itself to considering them in isolation, resulting in the dismissal of the initial accusations. If the Scala case escaped, in part, from the aforementioned general parameter, it was due to the disagreements and rivalries between the policemen themselves.

4. Conclusion

Towards the end of the 1950s the police of the Buenos Aires Province included 'new' forms of political and ordinary violence which prompted reactions and complaints from various sectors. Both politically and socially, collectively and individually, there were voices of alarm and denunciation of such abuses. On the other hand, it was observed that State and judicial political tolerance as well as the growing legal framework of exception during those years created the conditions for such practices. Along with political violence the police also deployed criminal investigation strategies in which illegal coercion became a substantial part of them.

In the long history of police violence, we identify this particular moment in the early 1960s as significant. Exceptional norms such as the Conintes plan not only reinforced these patterns of ordinary and political violence. They also raised conflicts of interest and duplicity of operational command within the law enforcement

¹⁷ Yajubw was given a two-year suspended prison sentence, while Rodriguez was sentenced to two years and six months in prison to be served, as he already had a criminal record. In addition, the sentence of the La Plata Third Court of Appeal included the prohibition of both from holding public office. Case 14803. Body One, 9 August 1966, Page 437.

agencies. The possibility of operating between a formal legal system and this other “extraordinary” (as illegal) framework opened a gap through which it was also possible for policemen to obtain personal benefits in a context of growing impunity.

The analysis of these 57 criminal cases identified during the period under study in which Province of Buenos Aires police officers were charged allowed us to approach the issue from a different perspective. These documents not only provided valuable information on police practices at that time but also introduced another important actor in the historical plot: the criminal justice system. In the face of police violence and corruption and the political protection for it the question remained as to the role of the justice system in all of this.

The analysis of these criminal cases could serve to begin to unravel the complexities of crime, police, politics and justice. The criminal justice system operated with caution in the face of complaints of police violence and/or corruption. In the examined cases it could be seen that the judges took the corresponding legal measures but at the same time dismissed many of the accusations or quickly resolved the cases by acquitting the defendant police officers. On these matters, the judiciary always acted as a result of complaints from private individuals but it did not take any initiative as far as legal inquiries was concern. The exception of the Scala case was developed through the Parliamentary Investigation Commission and we can say that the justice system was late in gathering the evidence that could have served to reach a greater level of depth in the scheme of violence or corruption within the police institution.

This historical analysis, focused on the case of the province of Buenos Aires between the late 1950s and early 1970s, indicates that police abuses linked to the growing State illegal violence took on certain particularities that became more pronounced as the period progressed. But at the same time, it shows that the forms and practices of such violence had a significant experimental field in common, everyday cases. The exacerbated political conflicts gave rise to the use of the police «resource» of violence directed at adversaries while police doctrine imposed a model of operational action indistinct for these cases and for those of ordinary competence. The monopoly of public force, in this context, was exercised by a police agency that applied it in all contingencies. And the «exceptional» legal framework that allowed the police to repress political dissidence, social protest or civil disobedience was extended so that police violence could also be consolidated in

the field of ordinary action, where these exceptionalities «supposedly» had no scope.

Thus, by the beginning of the last military dictatorship in 1976, soldiers' presence on the streets, the sound of police sirens at night, military-police operations of arresting or even killing "alleged" guerrilla fighters on the spot, etc. became part of an ordinary social and political landscape in Argentina. Although it is not right to argue that all these became "naturalized" by civil population it is also true that previous decades of State abuse of authority, police violence, and judicial indifference, contributed to the fact that while all these took place many people acted "normally" going to work and living their ordinary lives every day.

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6. Curriculum vitae

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