

Addressing the wrongs of the past

[Economics](#), [Trade](#)



Name: Course Number: Addressing the wrongs of the past Thesis statement
The Dirty War of 1976 to 1983 in Argentina was the first large-scale state-led resistance against rebels, activists and the public. The war was responsible for an estimated number of citizens who were killed during the Dirty war ranges from around 20, 000 to 34, 000 people. The chronology of events that led up to the state-led terrorism were unclear during the 1960s but were later clarified after investigations by different countries were released (Kaiser, 2001). The legal process that was taken by Argentina in attempting to realize justice for the victims of the war was met by several problems as well as support from different sectors. Lastly, the measures taken by the recent Argentinean regimes in ensuring that such crimes against humanity do not occur in the future.

Introduction The Dirty War of Argentina refers to a period of terrorism perpetuated by the state in Argentina from 1976 to 1983. The government had made a decision to eliminate all rebels and dissidents from the country using violent methods.

In the process, many rebel groups and innocent people were arrested at night and taken to secret detention camps where they underwent torture and finally murdered. The victims ranged from left-wing activists, militants, trade activists, university students, guerillas and other sympathizers. Most of these Argentineans were part of the People's Revolution Army and the Montoneros guerillas (Kaiser, 2001).

Origin of the conflict The state-led terrorism against the citizens of Argentina was because of previous events that shaped the violent nature of Argentinean politics. Two failed attempts in 1955 and 1951 triggered the use of force to control the leadership in the country. When President Juan died in 1974, his wife and vice president,

Isabel Peron took over as the new president. However, she lacked the political support and was overthrown through a military coup.

Immediately, there was a public identification and condemnation of all Peronian activities. However, Peronist resistance began to develop among trade unions and universities. The deteriorating political and economic standards in Argentina under the rule of the military prompted the emergence of the first guerilla groups: the EGP and the Peronist Uturuncos. Judicial action against the military junta Argentina has made many significant attempts to rectify the historical injustices done against their people in the 1970s.

Most of these efforts had been hastened to judge the criminals before they succumbed to health complications or disabilities. The liberal government that took over from the military government in 1983 presented the first attempt at seeking justice for the citizens by opening an investigation in the form of the CONADEP commission (Kaiser, 2005). This commission made recommendations that included several military head, but the courts refused to try the accused.

The public inquiries revealed that the Dirty War was considered necessary by the government in order to restore social order and quell political terrorism in the country. In the trials, public prosecutor Strassera stressed that the term was meant to hide the grave violations of human rights and the actions of the military should therefore, be categorized as crime against humanity (Lise?, 2009). The process of seeking justice for the many Argentineans came amid the background of other similar cases such as the Chilean case

that was thwarted by the death of Augusto Pinochet, the head of the government that was responsible for the genocide in that country.

However, in 2012, the two heads of the former military junta, Reynaldo Bignone and Jorge Videla were handed life long sentence for administering the planned kidnapping and assassinating activists and protesters during the Dirty War of 1976-1983 (Lise?, 2009). The struggle for fairness in the trial for the victims of the Dirty War started in 1985 during the Trial of the Juntas. Present at the trial were military and government heads such as Leopoldo Galtieri, Armando Lambruschini, Basilio Lami Dozo and Jorge Rafael Videla among other leaders.

The trial was headed by two prosecutors; Luis Moreno Ocampo and Julio Cesar Strassera and presided by six judges. The panel, at the time, faced a serious problem of lack of evidence as well as several red tape restrictions. The fourth junta that had assumed power in Argentina had made several impediments to the justice system by enacting a Self- Amnesty rule and another decree that declared the destruction of most of the evidence of their past crimes (Lise?, 2009).

These two decisions made the Trial of the Juntas very hectic and unnecessarily long. Cooperation by the newly sworn president Alfonsin in mandating the beginning of the trial of the nine military leaders was met by resistance in the form of reluctance to try the military men by the military court (Brown, 2003). The National Criminals Court of Appeals was the first civilian court to hold an official trial against a dictatorial regime. The court succeeded in proving the criminal charges against the junta that could be

summarized as torture, forced disappearance and murder of thousands of citizens. During the trial, apparent resistance to the trials and judgment came from local politicians and lawyers sympathetic to the dictatorship although violent protests occurred during the sentencing section of the trials. In total, 709 cases were presented, and 280 were successfully tried. The cross examination presented 833 witnesses and include former presidents, writers, assistant secretaries and other personalities. The reading of the sentencing was done on 9th December where General Jorge Videla and Admiral Emilio Massera were found guilty of crimes against humanity and awarded life imprisonment (Brown, 2003).

However, Leopoldo Galtieri, Basilio Lami Dozo and Omar Graffigna were acquitted but were still court marshaled for contributing towards the Falklands War in 1982. Other charges brought to the court concerning fellow perpetrators that totaled 600 were also discarded based on the Full Stop Law that limited suits to sixty days of the law's enactment and the Law of Due Obedience that also halted most of the cases (Lewis, 2002). After the elections in which President Carlos Menem won, he successfully pardoned most of the ex-military leaders who were court-marshaled and sentenced. Much later, President Kirchner led a ruling in which extraditions in crimes against humanity cases were allowed.

This law included the 1986, 1987 and 2005 rulings that shielded most criminal offenders using the constitution (Brown, 2003). Within Argentina, there have been threats against any witnesses that may testify against defendants facing criminal proceedings. References Brown, J.

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