

# Argentina's ex-dictator Galtieri faces "Dirty War" trial

## 41 others charged with murder, torture

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Former military dictator Leopoldo Galtieri and at least 40 other former military officers have been arrested in Argentina on charges of murder, kidnapping and torture in connection with brutal acts of repression carried out more than two decades ago.

The arrests are the largest breach made by the Argentine judiciary in the “due obedience” and “*punto final*” decrees issued by successive governments to halt the prosecution of the dictatorship’s former leaders and the military officers and enlisted men who carried out the “disappearances,” torture and killings that claimed the lives of more than 30,000 Argentine workers, intellectuals and students between 1976 and 1983.

The “due obedience” law, enacted by the government of President Raúl Alfonsín in 1987 in response to a military mutiny, exculpated lower ranking military personnel on the grounds that they were merely following orders. The *punto final* decree was introduced by President Carlos Menem three years later and pardoned all of the chiefs of the former military junta, who had been convicted of crimes against humanity in 1985. Menem claimed the measure was needed to bring about “national pacification.”

Two former junta leaders—General Jorge Videla and Admiral Emilio Massera—together with several others involved in running the infamous Navy School of Mechanics torture center (ESMA) were jailed recently for their part in the junta’s practice of stealing the babies born to women held at ESMA and giving them to military officers seeking to adopt. The crime had not been included in their original 1985 trial, in which they were both sentenced to life in prison, and therefore was not covered by Menem’s 1990 pardon.

Last year, Judge Claudio Bonadio, who ordered the latest arrests, ruled that the two laws absolving crimes

against humanity are in violation of Argentina’s constitution.

The charges against Galtieri and his cohorts stem from the period before the general gained world notoriety for taking the helm of the dictatorship in 1982 and soon afterwards launching the disastrous invasion of the British-held Malvinas Islands. That military adventure was undertaken in an attempt to rally nationalist sentiment and divert growing opposition to the junta. Galtieri was sentenced to 12 years in prison for “negligence” for his part in Argentina’s humiliating defeat, but was pardoned by Menem along with the other junta leaders.

In 1980, Galtieri was head of the army’s Second Corps based in the country’s second city, Rosario. He was in charge of the region bordering Brazil, where the junta carried out “Operación Murciélagos” (Operation Bat), resulting in the kidnapping, torture and murder of 20 members of the left-Peronist guerrilla movement, the Montoneros.

The Montoneros, most of them exiled young men and women, had planned to return to Argentina to launch what the organization described as a “counteroffensive” against the dictatorship, both through armed actions and propaganda activities. The bodies of the 20 were never recovered, but based on the testimony of former officers given to a government “truth commission” it is believed that after undergoing protracted torture, the prisoners were drugged and thrown from aircraft flying over the ocean.

In addition to Galtieri, other prominent former officials arrested in the case include General Cristino Nicolaides, who was the army chief of staff; General Carlos Guillermo Suárez Mason, the commander of the Buenos Aires region; and Raúl Ojeda, who headed the federal police.

Others include former members of the infamous Battalion 601, the name given to the army intelligence unit that was in charge of prosecuting the “Dirty War” of torture and assassinations against the dictatorship’s opponents.

While families of the 20 murdered youth have long sought an accounting from those responsible, new evidence has surfaced recently that strengthens the case against the former military commanders and intelligence operatives. One incriminating secret document was found in the archives of the Directorate of Intelligence of the Buenos Aires Provincial Police, listing 20 nicknames for those captured, as well as the dates of their disappearances.

A thorough investigation and trial are likely to reveal not only the crimes carried out by the Argentine military officials, but also those of their counterparts in other Latin American countries. During the 1970s and 1980s, dictatorships in Argentina, Bolivia, Brazil, Chile and Uruguay collaborated in continent-wide repression, grabbing and deporting dissidents, who were then murdered. Their bloody work was coordinated under “Operation Condor,” a pooling of repressive resources that was sponsored by the US Central Intelligence Agency.

In the operation against the Montoneros, a number of those who “disappeared” were kidnapped by Argentine military intelligence operatives inside Brazil. At least one of them was reportedly grabbed in Brazil after arriving on a flight from Venezuela, raising questions about whether the military in that country was also collaborating with the Argentine junta.

The way in which the Montonero militants were captured has led many to believe that military intelligence had succeeded in infiltrating the organization and was therefore kept well informed of its members’ movements.

The case has the potential of casting light not only on the 20-year-old crimes of the military dictatorship, but also on continuing operations by Argentina’s repressive forces. While Galtieri and almost all of the other defendants in the case are retired from the military, one remains on active duty, and his arrest has caused considerable consternation in the general staff of the Argentine military.

Colonel Alberto Crinigan currently serves as the liaison between the Defense Ministry and SIDE (Secretariat of Intelligence). Previously, he was the chief of the Directorate of Defense Intelligence of the joint chiefs of staff of the armed forces.

Citing military sources, the Buenos Aires daily *Nación* wrote that “among the principal officials of the army there is circulating the conviction that they are dealing with a movement that is far from the strictly judicial.” Many are referring to the indictment of Colonel Crinigan and the others as a “provocation,” the newspaper said.

In an editorial, the newspaper solidarized itself with the military command, warning ominously that “the determination of judge Bonadio, based on the declaration that *punto final* and due obedience are unconstitutional, is a step backwards in the matter of juridical security.”

Similarly, the daily paper *Clarín* cited an unnamed high-ranking army official as expressing his “concern over the detention of an officer like Crinigan and also for the rest of the officers—17 of whom are more than 70 years old—because it goes against the spirit of pacification of the laws of due obedience and *punto final*.”

The military’s concern is clearly two-fold. First, there is its institutional opposition to anyone being punished for the crimes of the dictatorship. At least as important, however, is the fact that Colonel Crinigan is a man with intimate knowledge of all of the ongoing secret operations of Argentina’s military and police intelligence apparatus. Any trial has the potential of bringing those secrets to light as well.

The emerging confrontation between the judiciary and the military is taking place under conditions in which the meltdown of Argentina’s economy has triggered massive social unrest and political instability. Recent events, such as the cold-blooded slaying of two youth—Dario Santillán and Maximiliano Kosteki—during a jobless protest last month, have demonstrated that the methods of “Dirty War” are still in use. As the court case moves forward against Galtieri and his cohorts, the danger that Argentina could face another military coup is growing.



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