

# USES AND LIMITS OF THE FIGURE OF “GENOCIDE”

By Hugo Vezzetti



## I

I propose to investigate certain figures present in the discourse related to the memory and the history of the recent past in Argentina. There is a term frequently applied to the period of violence and mass crimes experienced there: “genocidal dictatorship”, “Argentine genocide”. My concern is not the legal or theoretical definition of the term of *genocide*, but rather its *uses* and impact on the social and historical consciousness.

*Genocide* is the name of a category that was coined toward the end of the Second World War by Raphael Lemkin, a Polish and Jewish lawyer. It was used to refer to the politics of the Nazi regime in eastern Europe, especially with regard to the Jews, but also to Poles and Slavic peoples in general.<sup>1</sup> Lemkin was concerned not only with extermination and mass murder, but also with the Nazi regime’s politics regarding the long-term restructuring of national communities and groups on a demographic scale in Europe. The physical destruction of entire populations was for him as important as the destruction, over a long period, of culture, language, national sentiment and religion. In this sense, the reference was to a new crime, one that was incomparable to the massacres of towns and communities, occurrences that have been found since the very origins of Western history in Biblical and Homeric accounts.

The meaning of the term in the language of Law and the Social Sciences is known to have grown and become more generalised. First it included domestic genocide — the destruction of groups within a country — before expanding to refer to other collective crimes and violence. There are broader and more restrictive definitions of the

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<sup>1</sup> See Raphael Lemkin, *Axis rule in occupied Europe: Analysis, proposals for redress* (Washington, D.C.: Carnegie Endowment for International Peace, 1944): <http://www.preventgenocide.org/lemkin/AxisRule1944-1.htm> .

term.<sup>2</sup> In a work of synthesis, Adam Jones provides a historical presentation and a discussion of these uses, which ends up covering murders and massacres of very different natures. These uses include not only the most well known cases (Armenia, the Shoah, Rwanda, Kosovo) but also the terrors of Stalin, of Cambodia and of Tibet under Chinese domination. Also however, the category of genocide is discussed in terms of its application to the Allied bombings of civilian populations in German cities during World War II, the atomic bombings of Tokyo, Hiroshima and Nagasaki, slavery in the United States, massacres in Haiti (by various perpetrators) and Bolivia, North American sanctions in Iraq, right up to the terrorist attack on the World Trade Center in New York. Only a very broad acceptance of the notion of the partial or complete extermination of a “national group” (which is part of the definition of the term included in the 1948 Convention on Genocide) allows for all of these collective crimes to be considered, by one party or another, as cases of genocide.<sup>3</sup> There appears to be a “genocide continuum” that encompasses diverse strategies of social and cultural action, including “cultural genocide”.<sup>4</sup>

It is facile, of course, to warn that such qualifications of genocide are historical judgments which have overflowed the limits of jurisprudence and which depend on the stance and affiliation of whoever utters them. Nearly always, genocides are crimes of others perpetrated on one’s own group or community, while crimes committed by one’s own group are disguised or classified differently. In academia, some have tried to come to terms with this rather arbitrary usage by adopting a broad and lax criterion in which all such cases — even incomplete attempts — are genocides. There appear to be levels of genocidal practices; what is more, in reference to civil wars and revolutions, A. Jones has gathered expressions put forth by other authors, such as

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<sup>2</sup> The Spanish dictionary *Diccionario de la real academia Española*, for example, adopts a broad definition: “The systematic extermination or elimination of a social group for motives of race, ethnicity, religion, politics or nationality”.

<sup>3</sup> Adam Jones, *Genocide: A comprehensive introduction* (London: Routledge/Taylor & Francis, 2006). See Chapter 1, “The origins of genocide”: <http://www.genocidetext.net/>.

<sup>4</sup> *Ibid.* 32 - 33.

“genocide by the oppressed” or “subaltern genocide” and asks if there might be genocides that are justified.<sup>5</sup>

## II

In light of this broad and leveling usage, it is worth returning to the ideas that inspired Lemkin, as a framework for an investigation of the uses of this figure in Argentina. Briefly, what was the new entity or nucleus of the problem that Lemkin wished to indicate and categorise? It consisted of crimes committed by states or other forces that were in a position to effectively dominate communities or groups. The focus was on the question of nationalities and the domination of them by States, within the context of recent European history, where the problem had emerged very strongly, first in the various national and territorial restructurings that occurred after World War I, then with the Nazi agenda and finally with the Soviet domination of eastern European nationalities. The affected group or community under such policies (which, as has been said, had long-term goals that went beyond extermination) was singled out for its alien *identity*, its condition of foreignness, either real or attributed, that was separate from the social and State body in terms of language, religion, customs and nationality. Lemkin appears to share with Spengler the concept of a unique character and a particular genius for each cultural community: this is what is to be preserved, and from this springs the irreversible nature of the destruction implied in genocides.

In these cases — and this is important when considering changes in posterior usages — the context is one of long-term agendas, supported by consolidated national majorities, and not one faction against another within the same national community, as is the case in revolutions or civil wars, in which massacres are or can be reciprocal. And if the focus is on the destruction of a culture (a fundamental of life in a national group), that is to say a collective, there is no great attention paid to the individual.

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<sup>5</sup> *Ibid.* 48 - 50.

As we delve into the case of Argentina, the problem resides not only in including political groups in these crimes (political groups were excluded from the definition of the Convention of 1948, but became included again as part of the legal and historical broadening of the definition) but also in the fundamental relationship that Lemkin established between community, culture and identity. In the cases Lemkin considers, it is clear that belonging to a national or cultural group is not a choice. This does not exclude political action by a community (something that is very clear in the case of the Armenians under Turkish domination). The nature of such action, however, is quite different from that of modern political parties or insurgent organisations, which are associative collectives that can only with difficulty be likened to the identity-giving communities Lemkin discusses. The organisations that were the victims of State terrorism in Argentina consisted of individuals, and the tactics of political repression involved an action — a technology, actually — directed against individuals. This is known and understood to be a part of the creation of the police and modern security organisms in terms of their activities of vigilance, control and repression of organisations that are considered dangerous.<sup>6</sup> The system of police information and security combines the individual's dossier with the organisational chart of the group to which he or she belongs. All of this was applied in the repression in Argentina and in other Latin American dictatorships. And it is clear that, due to their associative nature, modern political groups draw together, as a rule, diverse ethnic, cultural and religious make-ups — basic identities that political affiliation does not erase. It is difficult to talk about a common identity within the diverse categories of “subversives” that were the victims of the illegal repressive system. They included guerillas, followers of Che Guevara, Peronists, Christians, union and community leaders, intellectuals, priests, nuns, *etc.*

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<sup>6</sup> The police create one of the modern forms of writing that individualises: the dossier or criminal record. See M. Foucault, *El poder psiquiátrico* (Buenos Aires: FCE, 2005): 71 - 72; and *Vigilar y castigar* (Buenos Aires: Siglo XXI Editores, 1976): 216 - 217. This becomes a fundamental tool in the fight against revolutionary organisations, which later, in post-revolutionary states such as the USSR or Cuba, will be applied to the enemies of the new order.

Let's return to some of the features that have characterised the emergence of the term in order to get at what it effectively does or does not allow us to think about the Argentine experience. *Genocide* is a qualifier for crimes whose magnitude or characteristics did not fall into categories previously forged by legal thinking. In some way, they went beyond legal thinking and threw it into question. This condition of crimes that fall outside of certain limits and that alter previous paradigms will eventually overflow legal dimensions and establish itself as an ethical problem within the historical consciousness, as well as a problem for philosophical thought and for historical knowledge. To this condition (that of an occurrence altering existing categories of thought) another is added which has to do with the present day, with "modernity" it might be said: that of genocide as an event of the twentieth century, the instrumental, rational, technical dimension that was necessary for the undertaking of detention, concentration and extermination on a gigantic scale. When we incorporate this, which supposes the presence of administrative, scientific, technological, organisational and logistical complexes (that which Hanna Arendt called "administrative massacres"), the figure of *genocide* is manifested in an event that has become established as a standard and as a historical reference: the Holocaust.

If we take the two aforementioned features (the event which goes beyond previous frameworks of knowledge and understanding and the technical, rational dimension), there are without a doubt methods and practices on the part of the repressive, exterminating apparatus which arise from this new standard and become thinkable. These are what make up the unprecedented, unique character of this new apparatus, this way of acting, which are incomparable to other forms of violence, including those of terrorist practices by the state. Particularly outstanding in it is the organisational and administrative dimension, the regularity of the practices of detention and extermination. In the literature on Argentina, this comes out especially in works on the Clandestine Detention Centers (CDCs).

Nevertheless, there are other problems that have been relegated to the margins when the Argentine experience is superimposed on the Holocaust, and that have often come to light in more recent research,

especially from the perspective of historical knowledge. It is these I wish to point out and synthesize.

- i. The figure of genocide tends to emphasise the event itself and not the longer period in which the origin, the development, the conditions that made state terrorism possible came about. These conditions have been researched within existing historiography, and almost no use is made of the genocide category, or legal or sociological categorising. State terrorism in Argentina did not begin in 1976 with the dictatorship. At that point, however, it was indeed installed as an administrative and hierarchical system, in which repressive practices (more or less prolonged illegal detentions, torture, murder and forced disappearances) were generalised and quite homogeneous. This was also true of the means of operation, the subordination of police and security personnel, the logistics of detention centers and so on. There is no doubt that this systematic nature depended on the organic, institutional control that the Argentine Armed Forces (FFAA), controlled by the State, maintained over this entire complex of men and activities.

Terrorism, as a method, was the most solid aspect of the agreement between military factions, which were at loggerheads in nearly every other way. Nevertheless, terrorism was far from being a means uniformly orientated toward extermination as an end. Rather, it was used for various ends, including — according to the most well-known instances of conflict and disintegration — in the struggle between factions within the military itself. There was something uncontrollable in the terror, which ended up being used for purposes other than the proclaimed war on subversion: political purposes, the settling of accounts between rival factions, or as an “instrument to gain personal advantages”.<sup>7</sup> The system revealed in the Trial of the Juntas was hierarchical and institutionally organised, yet terror was wielded in a

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<sup>7</sup> T. Halperin Donghi, *La larga agonía de la Argentina peronista* (Buenos Aires: Ariel, 1994): 103.

decentralised way that depended on which force, which geographical area, which initiative undertaken at which decision-making level. It cannot be said that the armed forces and the diverse security forces constituted an entirely unified apparatus insofar as criteria and proceedings.

- ii. At the empirical level, there is much research to be done on the estimate of the actual number of those detained illegally, the number murdered and the percentage of survivors. Some data supports the notion that the extermination was *selective* and not general. For example, according to numbers given in 2009 by the National Memorial Archive, those released from CDCs number between 28% and 39%.<sup>8</sup> According to estimates based on the open list provided by the Association of Ex-Detainees/Disappeared, those released number 35% to 41%.<sup>9</sup> These percentages of survivors do not correspond with those of classic genocides. Yet they are provisional, basic elements of judgment to be used if we wish to make a comparative analysis with the category of genocide that springs from cases traditionally used as models.
- iii. The same idea of varied, selective actions can be applied to the differences between stages in the entire period of state military control, from 24 March 1976 to 10 December 1983. Numbers of victims and CDCs are concentrated in the first two years, 1976 - 1977. By 1978, the majority of CDCs were no longer in operation. This remains to be researched, but there were 360 CDCs in 1976 - 77, 60 in 1978 and, according to the visit by the Inter-American Commission on Human Rights of the Organisation of American States, there were 7 in 1979.<sup>10</sup>

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<sup>8</sup> Ramón Torres Molina, "Veinticinco años del informe de la CONADEP", *Página 12*, (15 September 2009): <http://www.pagina12.com.ar/diario/elpais/1-131783-2009-09-15.html>.

<sup>9</sup> Information which comes out of the data compiling work done by the Association of Ex-Detainees/Disappeared. This information is provisional and subject to correction: <http://www.exdesaparecidos.org.ar/aedd/genocidio.php>

<sup>10</sup> [http://es.wikipedia.org/wiki/Centro\\_clandestino\\_de\\_detenci%C3%B3n](http://es.wikipedia.org/wiki/Centro_clandestino_de_detenci%C3%B3n)

- iv. In terms of victims (leaving aside the total number and referring only to percentages), if we take the period of violence and terrorism in its totality, as does the list of victims at the Monument in the Memorial Park (1969 - 1983), nearly 80% are concentrated between 1976 and 1977. The number of victims in 1978 is almost the same as in 1975, and from 1979 onward it declines much more.<sup>11</sup> So the dictatorship after 1978 tends to conform more to known military regimes, and although practices of terror do not disappear, they do not play the same integrated and systematic role they did in the first two years. It can be said that the system of state terror investigated and revealed by the Trial of the Juntas no longer exists after 1978. In fact, the Trial of the Juntas could not prove crimes of the Juntas that existed after 1979.
- v. I wish to point out another problem: that of the discourse and the “mentality” that enabled the system of repressive terror. There were conditions that existed prior to the formation of that system, not only in terms of organisational structures but of actors as well. The question is *how to form subjects and justify practices* which go beyond usual limits, such as torture, physical humiliation, extermination and the disappearance of remains. This is a question that is not usually posed within the methodology or the logic of the repressing, exterminating apparatus. And the concern is not only nor principally about the leaders, but rather about the lesser agents, the subordinates, the collaborators with various functions, the cogs necessary for the functioning of the system. This question must delve into society and politics. Of course, there are well known questions: the military doctrine of the counterinsurgency, the blessing of the Catholic Church, the discourse of business and union leaders, and so on. Society — from which sprang the executors of repression (police, sub-officials, prison personnel, low-level employees) — forms part of the conditions of the repressive system. The usages of *genocide* tend to employ a *binary* way of

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<sup>11</sup> Viewable at: <http://www.parquedelamemoria.org.ar/basedatos/>.

thinking; executors (the apparatus)/victims, and place society on the side of the victims. The problem is more complex, however. As less visible relationships are researched, along with politics and the dictatorship, society (leaders, organisations, public opinion, *etc.*) cannot simply be considered a victim or a passive spectator of a genocide perpetrated by others.

Of course, this includes political society; *Peronism* for example. Beginning in 1974, Perón imposed a new representation of guerrillas; no longer were they the “marvelous youth” but rather a criminal organisation financed and led from the outside. The dictatorship may have been innovative in terms of methodology, but it did not need to create new perceptions of subversion; a variety of topics on the theme had already been broached by Perón, Peronist unions and the Justicialist Party (Partido Justicialista - PJ) and included “terrorist organisations”, the “unpatriotic character”, international plotting, a broadened notion of subversion, the call for nationalism, and the argument that laws of the time were too weak to deter the new forms of insurgency.<sup>12</sup> This political construction of subversion had effects on security forces which, like the majority of society, voted for Perón and followed his teachings. State terrorism and extermination, therefore, were applied to insurgent organisations and to society in general. Yet simultaneously and in great measure, they were born out of movements, impulses and projections clearly present in that same society. This complex of actions and responsibilities cannot be reduced to the compact figure of *genocide*.

- vi. State terrorism was not the only key component of the relationship the dictatorship maintained with society. It did not exercise its domination only by means of terror. Available research shows a myriad of actions, initiatives, long-term projects (which went far beyond the massacre being

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<sup>12</sup> Hugo Vezzetti, *Sobre la violencia revolucionaria. Memorias y olvidos* (Buenos Aires: Siglo XXI Editores, 2009): 71 - 74.

perpetrated), political and economic failures, demonstrations and counter-demonstrations and diverse and opposing relationships within civilian leadership and political sectors. The intricate tangle of this military-civilian complex does not correspond to the representation of the pure, homogenous violence that we understand as genocide or the “Terrorist State”, an all-embracing system that is uniformly applied to society. The dictatorship also *governed* society, and it did so with relative efficiency, only falling as a consequence of a military defeat by a foreign army. It is necessary to return to the historical and political questions of the dictatorship and society as does a political historiography of the regime, one that occupied itself not only with the means of power and the management of the state and society, but also with the obstacles and resistance that confronted it, especially internally. If we focus on the behavior of diverse sectors, not only civilian participants but also low-level civil servants and employees, middle managers, politicians and unionists at various levels, we see that they were not simply actors dragged along by obedience. To be sure, there was fear and subordination to power, but interchanges and negotiations were also in play. As State terror waned and constructive policies based on consensus increased, the space given to action by organisations grew, as did the possibility of making more critical positions known. More than the compact figure of the Terrorist State or genocide, therefore, the methodology of terror presents us with a subterranean, clandestine region of the State that coexisted with other governmental practices. I prefer the figure of the “split” State.<sup>13</sup>

Finally, the figure of *genocide* replaces and marginalises the figure of an *internal war*. The representation of the conflicts as a war was already quite present in the historical consciousness years before the dictator-

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<sup>13</sup> Luis A. Romero introduces the idea of a “split” State under the dictatorship. One part is “clandestine and terrorist” and the other “public, resting on a legal order which this part itself established, and which silenced all other voices”: Luis A. Romero, *Breve historia contemporánea de la Argentina* (Buenos Aires: FCE, 1994): 288.

ship. I refer not only to military language or doctrine (which imposed the term "war against subversion") or to the doctrines of guerilla groups who spoke in Guevarist terms of the "revolutionary war". War figures and discourse were present and by some means tangible in political language, especially in that of Peronist sectors. These figures and discourse accompanied the escalating political violence in society and created a backdrop of an "internal war" which had an impact on how the conflicts were perceived and on the justification of fighting methods used.<sup>14</sup> So if the dictatorship succeeded in implanting in society the idea that it was beset by a war against subversion, this extended meaning was shored up by previous experience. Repression was presented, and admitted, as a battle within the nation's bowels, unconventional and therefore justifying unconventional methods. All this was already present in the conditions that led up to the political and moral collapse which reached its climax in those first years of the dictatorship. After the Malvinas defeat, the sinister face of illegal repression and extermination became visible, and a new representation was implanted, one founded on human rights. There is a new narration: there was no war; rather there were crimes and extensive violations of basic rights. The figure of *genocide* is inserted into this new paradigm, springing from the discourse, the public exposure given to legal proceedings and due recognition of the victims.

But this too compact meaning of crimes and victims has been opened up for revision and discussion. Testimonies as well as research endeavors and public pronouncements have tended to cling to the militant, even combative, condition of these victims. At the *Monument to the Victims of State Terrorism*, this recognition appears to be a bit paradoxical in a way. In the introduction to the list of those remembered there, the detained/disappeared, the murderers and those who "died fighting for

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<sup>14</sup> See J. Peron, "Documento reservado, Consejo Superior Peronista", *La Opinión* (10 October 1973): "The murder of our colleague José Ignacio Rucci and the premeditated way in which this was done mark the high point of the escalation of aggression against the National Peronist Movement which terrorist, subversive Marxist groups have been carrying out in a systematic way. A true war has been unleashed against our organisation and against our leaders. This war has manifested itself in various ways..."

the same ideals of justice and equality” are all mentioned. Victims and combatants coexist and are part of the same memorial.

Of course, within existing historiography can be found the topic of the radicalisation of the conflicts and the escalation of political violence, including the idea of a “larval” civil war. My aim is not to substitute a thesis of “civil war” for that of “genocide”, thereby risking a substitution of one reductionism for another. It is enough for me to point to another vision, another focus let us say, on the characterisation of a period, that of the dictatorship, which for known and understandable reasons has remained frozen in an account of pure terrorism wielded from the apex of power. I wish to reinstate something that should be included in the discussion, thinking and intellectualisation of those dark times. Faced with an excess of certainties, I am interested in reopening questions and approaching, in representations and in vocabulary itself, conflicts, rejections, latencies. What other terms have been marginalised or displaced, if not suppressed, by the compact figure of *genocide*? And what I see is that terms such as “war” or “civil war” and the political conflict in general, things that were very present and active in the discourse and actions of the protagonists of the 1970s, and which are generally absent in the “Memory Studies” are reappearing, a bit out of place, in works on political or intellectual history.



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