Special Section on Perpetrators in Argentina: Introduction

Antonius C. G. M. Robben and Valentina Salvi

A large crowd assembled on 24 March 2023 at the Plaza de Mayo in Buenos Aires on the Day of Remembrance for Truth and Justice to commemorate the coup d’état of 1976.¹ The Argentine armed forces had shut down the country and unleashed a state terrorism that disappeared, tortured, and assassinated tens of thousands of Argentine citizens who were either guerrilla insurgents that pursued a social revolution or members of a broad political movement that sought social change by nonviolent means. This heterogeneous opposition had gained force during the first half of the 1970s and was faced with an increasingly violent repression by the Argentine military and police. The Argentine regime fell from power in December 1983.² The ensuing forty years of democracy saw persistent efforts to find the truth about the disappeared, keep the memory of state terrorism alive, and bring the perpetrators to court. Argentina’s pursuit of justice was a seesaw of prosecution, incarceration, amnesties and presidential pardons, and eventually a successful retrial of the perpetrators. This undulating transitional justice is not specific to Argentina but has occurred in many countries that held political actors accountable for war crimes, genocide, and crimes against humanity.³

This set of articles has come out of two online workshops held in 2021 by the Utrecht Forum for Memory Studies of Utrecht University in the Netherlands and the Nucleus of Memory Studies (Núcleo de Estudios sobre Memoria) of the Institute of Economic and Social Development (IDES) in Argentina. We thank Daniele Salerno and Soledad Catoggio for organizing the events. We also express our gratitude to eight anonymous reviewers for their constructive observations on the original Spanish texts. The translation of the rewritten texts from Spanish to English was done by Daniele Salerno and Antonius Robben.


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This special section about Argentina confirms the general assumption of perpetrator studies that the term perpetrator is not a fixed but flexible social category that plays itself out in local circumstances, as we will show further below about Argentina. Who counts as a perpetrator depends on the historical, political, and legal circumstances in each situation because of shifting national power relations, changing international laws, and different opinions about the political violence. Perpetrators are paradoxical figures of whom several contradictory images may coexist or whose classification can change through time when one face dissolves and another comes into being. What may be regarded as the justified use of force may later be designated as unjust violence that demands prosecution, as has been shown in studies about South Africa, Indonesia, Cambodia, Brazil, and Rwanda. In the case of Argentina, the articles by Santiago Garaño and Claudia Feld in this special section demonstrate that the categorization of perpetrators is not restricted to these larger contexts but depends also on the degree of their involvement in crimes against humanity and how their visual images circulate in the news media. Valentina Salvi and Analía Goldentul, in turn, show how Argentine perpetrators are paradoxical figures who, despite their conviction in court and condemnation by most Argentines, consider themselves heroes, patriots, victims, and political prisoners.

Argentina’s efforts, official as well as grassroots, to hold perpetrators accountable were periodically thwarted because of radical swings between punitive and restorative justice, and between the government’s desire for retribution or reconciliation. Such oscillations are not limited to post-authoritarian states but exist also in democratic countries, such as India and the United States, where police violence is

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condoned when the maintenance of public order is a priority and sanctioned when the protection of civil rights becomes primary.\textsuperscript{6}

The changing classification of perpetrators poses methodological challenges because the interaction with beneficiaries of amnesties differs from dealing with incarcerated perpetrators. Like Rwandan perpetrators, the Argentine perpetrators examined in this special section denied or dissociated themselves from the atrocious acts committed during the dictatorship.\textsuperscript{7} They presented a positive self-image and defended the military repression as justified under the country’s extraordinary political circumstances. Such self-presentation forces researchers to construct positionalities that do not jeopardize the research relationship. The strategies of the Argentine authors of the contributions in this special section align with the methodological recommendations made by other perpetrator researchers. They negotiated gender, age, class, upbringing, and political views during face-to-face encounters with perpetrators, and dealt with the fears of becoming contaminated with their political and moral views.\textsuperscript{8} Just like other perpetrator researchers, the Argentine authors were conscious of the power dynamics between interviewer and interviewee as well as with the gatekeepers who arranged the encounters. They cultivated a rapport to gain trust, yet shied away from becoming too personally involved.\textsuperscript{9} Furthermore, perpetrators may maintain a degree of power as former state officials and as keepers of knowledge that the researcher desires, but they may also be in an inferior position because of their incarceration and the researcher’s power to construct narratives they do not agree with.\textsuperscript{10}


Finally, the articles in this special section show the difficulty of conducting perpetrator research in one’s own country. The fieldwork projects of Ivana Maček, who studied everyday life in the besieged city of Sarajevo during the war in the former Yugoslavia, and Joseba Zulaika who tried to study political violence in his native Basque Country, are instructive. Maček struggled with her position as an inside outsider who underwent the shelling and sniper fire during the siege of Sarajevo together with the local population but encountered great difficulty in establishing a good rapport with them because of her being a Catholic Croat. Zulaika approached ETA to conduct participant observation in its politico-military branch. His request was turned down because of the risk of exposing ETA operatives to the Spanish police. These opposite research outcomes resonate with the experiences of two contributors to this section. Salvi overcame the suspicion of her interlocutors and created good working relations, whereas Goldentul failed to collect the desired data but nevertheless succeeded in making an insightful analysis of her troubled interview situation. In addition, the political convictions and activism of local perpetrator researchers may clash with the rigorous demands of empirical research, especially when professional colleagues accuse them of sympathizing with the perpetrators, of giving them a public podium and accepting their self-serving justifications at face value. These tensions were particularly pressing for the Argentine contributors because they conducted their research during the ongoing trials against perpetrators. Their work shows that methodological choices and scholarly publications have a political significance that confronts local perpetrator researchers with potential conflicts between their social identity as scholars and citizens. How did the classification of Argentine perpetrators change during forty years of democracy, and when did they become research subjects for Argentine scholars?

The first portrayal of Argentine perpetrators appeared in testimonies and testemionios of witnesses and victim-survivors of state terrorism. Testimonies about abductions and torture by the Argentine military and police were given by former captives and relatives of the disappeared to fact-finding missions of international NGOs and at human rights meetings held abroad during the dictatorship. Argentina’s

first testimonio about the military repression was published in France in 1979, under the title *Le diable dans le soleil* (The Devil in the Sun), and republished in Argentina in 1983, only weeks before the turn to democracy.\textsuperscript{13} Testimonios are resistance narratives that appeared first in Latin America, of which *I, Rigoberta Menchú: An Indian Woman in Guatemala* is the most well-known.\textsuperscript{14} The most acclaimed and internationally known Argentine testimonio is *Prisoner Without a Name, Cell Without a Number*, written by the newspaper editor Jacobo Timerman, who had been disappeared for four days in 1977 and was eventually deported to Israel in 1979.\textsuperscript{15} Many testimonios appeared in the mid-1980s. They were gruesome accounts about torture and the fruitless search by relatives for their disappeared loved ones.\textsuperscript{16}

Although the testimonio literature is by definition restricted to victim and resistance accounts, the Argentine military also published personal narratives that narrated their actions and operations, with titles such as *Memorias de un Ex-Torturador* (Memories of an Ex-Torturer) and *Yo secuestré, maté y vi torturar en la Escuela de Mecánica de la Armada* (I Abducted, Killed, and Saw People Being Tortured at the Navy Mechanics School).\textsuperscript{17} These accounts are generally one-sided, apologetic, or false but nevertheless provide some insight into the military’s perspectives.

Many perpetrators of Argentina’s dictatorship were identified by former disappeared persons and human rights organizations when the military regime collapsed in 1983, but they could not be indicted because the departing junta had awarded them immunity from criminal prosecution. The derogation of this amnesty in December 1983 was the first act of the democratically elected Congress. Immediately, the government ordered the military supreme court to prosecute the

junta commanders and created the National Commission on the Disappeared or CONADEP (Comisión Nacional sobre la Desaparición de Personas) to investigate the fate of the disappeared.

The CONADEP truth commission published its findings in September 1984. The commission identified and classified the perpetrators according to their actions in different military units and police stations. It did not publish a systematic record of suspected perpetrators, which exceeded its mandate, but the detailed description of the most important secret detention centers helped to identify their commanders. 18 Furthermore, a list of 1351 suspected perpetrators appeared unofficially in a weekly magazine two months later. 19 In the meantime, the military court did not succeed in sentencing the junta commanders, and the government passed the trial to the Buenos Aires Federal Court of Criminal Appeals. Its prosecutors built their indictment on the best documented cases of the CONADEP report. The images of the accused junta commanders, the officers, and victim-survivors called to testify, were reproduced in a nationally distributed weekly (El Diario del Juicio) that transcribed the court testimonies. The appeals court convicted five junta members in December 1985 for organizing a criminal plan to abduct, torture, disappear, and assassinate Argentine civilians. Four members were acquitted. 20

Argentina’s Trial of the Juntas had opened the way for the indictment and public exposure of hundreds of high- and middle-ranking officers. Combining the location of secret detention centers with the military’s command structure and the country’s territorial defense organization into zones, subzones, areas, and subareas yielded the names of the commanding officers and other suspected perpetrators. A survivor opportunely handed the CONADEP and the courts a set of photos that he had managed to take of the secret detention center located at the Navy Mechanics School (ESMA) in Buenos Aires, which allowed the identification of the perpetrators who had operated there. 21 A retired army captain further documented the organization of the

19 ‘Los nombres de la infamia’, El Periodista de Buenos Aires (1.8), November 1984.
military repression and revealed the principal officers by name and image.\textsuperscript{22} In addition, an Argentine human rights organization issued a report with the names of 692 members of the armed and security forces that were considered responsible for the secret detention centers.\textsuperscript{23} The perpetrators correspond to the following comprehensive definition: ‘Perpetrators are active participants in state institutions and repressive organizations or informal associations and networks who carry out genocide, mass killings, or violent acts for the presumed greater good of the state, a people, or an ideology’.\textsuperscript{24}

A shifting power balance of the government and the armed forces, after exactly three years of democracy, resulted in a reassessment of the status of indicted and convicted perpetrators. Fearing the destabilization of Argentina’s democracy and trying to appease the growing military resentment against the trials, the government passed the Full Stop Law in December 1986 and the Due Obedience Law in June 1987 that brought the trials to a standstill. Human rights organizations drew up the balance sheet of these so-called impunity laws with detailed profiles of the beneficiaries. Their aim was to contribute to people’s social memory and ostracize the amnestied perpetrators from Argentine society.\textsuperscript{25}

The persistent demand for the truth by the dictatorship’s victims gave rise to the so-called Truth Trials (Juicios por la Verdad), in which dozens of military and police officers of middle and lower ranks had to appear in court as witnesses, not as defendants. They had to declare under oath, and risked being tried for perjury if they didn’t tell the truth. In these non-punitive trials, a vast amount of information about the perpetrators of clandestine detention centers was collected at a time when the impunity laws were still in place.

It would take two decades before the impunity laws were derogated by Argentina’s Supreme Court. The trials began again in 2006, but by that time the number of suspects of human rights violations had extended considerably beyond those identified in the years following the fall of the military dictatorship because of a redefinition of who was considered a perpetrator. By June 2023, 1,136 defendants had been

\textsuperscript{22} Federico Mittelbach, Punto 30: Informe sobre Desaparecidos (Buenos Aires: Ediciones de la Urraca, 1986).
\textsuperscript{23} CELS, Terrorismo de estado: 692 responsables (Buenos Aires: Centro de Estudios Legales y Sociales, 1986).
\textsuperscript{24} Robben and Hinton, p. 6.
\textsuperscript{25} Abuelas de Plaza de Mayo and others, Culpables para la sociedad, impunes por la ley (Buenos Aires: Centro de Estudios Legales y Sociales, 1988).
convicted, 171 had been acquitted, and 485 were under trial. A total of 1501 accused had died before appearing in court. The convicted and accused included clergymen, physicians, judges, attorneys, notaries, a journalist, and businessmen. Who was suspected of being a perpetrator expanded from members of the armed and security forces that had ordered or carried out the crimes against humanity to include persons who had facilitated those crimes. Michael Rothberg has given thought to this expanded group with the term implicated subject. He does not reject perpetrator as an analytical category but wants to examine people who are enmeshed in harm they did not order or commit. Implicated subjects are ‘people who are entangled in injustices that fall outside the purview of the law’, because ‘perpetration is often facilitated by a network of implicated subjects (co-workers, friends, family members, lobbyists, politicians, etc.).’ The analytical category implicated subject shows that the boundaries between perpetrators and accomplices, and perpetrators and victims, are not drawn easily. With respect to the latter, child soldiers in Africa were regarded legally but not morally accountable for their horrendous crimes because of their forced recruitment. In Argentina, the few cases of detainees who participated with perpetrators in torture sessions were not formally charged because they were considered victims too. Concerning the former, the increasing number of convicted Argentine defendants who were not material authors of perpetration but collaborators, accomplices, and auxiliaries of the armed and security forces shows that the definition of who is classified as a perpetrator is variable.

The answer to the question of what defined the perpetrators in Argentina was broader during the human rights trials in 2006 than in 1986 when the prosecution and many Argentines considered the military and the police as the sole culprits of the crimes against humanity. Furthermore, investigative journalists and Argentine scholars, many of whom knew victim-survivors and disappeared captives personally,


were uninterested or afraid to study perpetrators. Mainly, it was politically controversial to approach the universe of the perpetrators because it aroused the suspicion of complicity or could be perceived as a way to disavow the political struggle of the victims and their relatives. Identified perpetrators were regarded by the human rights movement as members of the armed and security forces that were collectively guilty of state terrorism, whereas the military and police saw themselves as either victors or victims.\(^{29}\) However, they were not victims, but persons with agency, albeit acting within an atrocity-producing dictatorship. Perpetrators are not one-dimensional evildoers but complex individuals with different personalities, statuses, and social backgrounds. These multiple components enter into their violent acts in service of an ideology, a nation, or a state.\(^{30}\)

Nearly half a century has passed since the Argentine armed forces grabbed power through a military coup and installed a state terrorism that caused the crimes against humanity for which the perpetrators were convicted. Many perpetrators have died since then, and just as many are in prison or under house detention. They have lost their aura of absolute power and no longer pose a threat. The reluctance of Argentine scholars to study perpetrators has therefore worn off. The first scholarly studies about Argentine perpetrators were influenced by the Holocaust literature. Perpetrators tended to be understood in the late-1990s as amoral bureaucrats\(^{31}\) or fanatic crusaders.\(^{32}\) The former were thought of as part of a machinery of disappearance and the latter as adherents of the counterinsurgency doctrine and catholic integralism. Towards the new millennium, the approach to perpetrators was carried out in two growing fields of study in Argentina: Memory Studies and Repression Studies. They developed an innovative methodology for local research that included interviews, participant observation, focus groups, and the study of recently declassified intelligence archives and judicial sources. A wide corpus of social research emerged that investigated the problem of the subjectivity and agency of the perpe-


\(^{30}\) Robben and Hinton, pp. 10-14.


\(^{32}\) Hugo Vezzetti, Pasado y presente: Guerra, dictadura y sociedad en la Argentina (Buenos Aires: Siglo XXI, 2002).
trators, their beliefs and worldviews, the discourses and narratives with which they justified, vindicated, denied, or — on the contrary — retrospectively admitted the acts committed, and the memories and commemorative practices with which the perpetrators disputed their interpretations of Argentina’s past.

This special section consists of four articles. Claudia Feld examines the visibility of perpetrators, in particular how photographs of Frigate Lieutenant Alfredo Astiz put a face on Argentina’s forced disappearances and gave him a public exposure that eventually led to life imprisonment. Astiz came to represent the cruelty and deviousness of Argentine perpetrators. Whereas the junta commanders and high-ranking officers were often in the news media during the dictatorship, the low-ranking military and police who carried out the state terrorism were not. Feld makes creative use of Gilles Deleuze’s concept *disposif* to analyze how the social construction of Astiz as a perpetrator was fashioned from the interlinkages of news photos, captions, print formats, accompanying texts, and media circulation.

Astiz became known by name as a perpetrator in October 1979 after the testimonies of three former disappeared persons made in the French parliament. They revealed that he had infiltrated meetings of the Mothers of the Plaza de Mayo, had presented false identity papers, and pretended to be searching for his disappeared brother. He was remembered by the mothers as tall, blonde, and handsome. The undercover operation resulted in the disappearance of twelve persons, including two French nuns who assisted the Mothers of the Plaza de Mayo in their search. Astiz was also linked to a failed attempt to infiltrate a group of Argentine exiles living in France, and for being the naval attaché in South Africa. Months later, he was denounced for killing a Swedish-Argentine teenager in Buenos Aires. Feld shows how the accusations, identification, and physical description intertwined with several photographs that appeared in the South African press in October 1981 and February 1982. Another picture was published in European

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34 *Las voces de la represión: Declaraciones de perpetradores de la dictadura argentina*, ed. by Claudia Feld and Valentina Salvi (Buenos Aires: Miño y Dávila, 2019).

newspapers in May 1982. Astiz is seen signing his rendition to British naval officers after an unsuccessful undercover operation on the South Georgia Islands. Rather than describing him as the protagonist of a botched mission during the Falklands/Malvinas War, his image was associated with his earlier reputation as a brutal torturer. Feld shows how the identification of Frigate Lieutenant Alfredo Astiz as a perpetrator was a convoluted process in which the photographs became symbolic representations of his crimes and those of the military dictatorship.

The process of knowing perpetrators is not only historical, political, and judicial but also epistemological and methodological. Valentina Salvi describes how her fieldwork among retired army officers was met with disbelief by her professional colleagues. They considered perpetrators as abject human beings and untrustworthy informants, and implicitly shed doubt on her ethics and moral compass, tacitly suggesting that she was somehow taking sides. These critical remarks influenced Salvi’s understanding of perpetrators, and how to study them.

Salvi interviewed officers who had participated in a major counterinsurgency campaign (1975–1977) against the Marxist People’s Revolutionary Army or ERP (Ejército Revolucionario del Pueblo) in the northwest of Argentina that tried to create a liberated zone in the mountainous jungle of Tucumán Province. The military’s offensive operations were complemented by state terrorism in urban areas where workers, teachers, activists, and others accused of aiding the guerrillas were disappeared. This dual strategy complicated the question of who could be regarded as a perpetrator. Had the retired officers also been involved in the disappearances, and if so, would that require a different approach to the interviews? As a young woman, Salvi created a neutral physical appearance and crafted a biography that would make her more acceptable to her interviewees. Her presentation influenced the tone, style, openness, and content of the meetings, and affected the dynamics of her relationship with the retired officers. Her fieldwork exposed them as manipulative and secretive individuals who highlighted their victimhood, esprit de corps, and heroism. They made it clear that the Argentine military had sacrificed their lives to defend the country’s Christian faith and Western culture. The officers boasted about their contribution to the counterinsurgency campaign in Tucumán Province against the Marxist guerrillas but were less forthcoming about their possible participation in state terrorism, and distanced themselves from sadistic torture and covert assassinations to distinguish themselves as warriors from the perpetrators of crimes against humanity.
Salvi’s presentation of her research findings at a professional meeting evoked a criticism that reiterated the reservations expressed earlier by her colleagues. Instead of discouraging her, these dismissive commentaries convinced her to shift her analysis from the content to the form of the military narratives, and made her aware of the military’s concerted efforts to influence her understanding. They wanted her to see them as combatants and victims instead of perpetrators. This projected image also served their self-perception as heroes by dissociating themselves from the crimes against humanity for which they were blamed by most Argentines.

The attributes that distinguish perpetrators from accomplices are questioned in Santiago Garaño’s article. Having participated in the army during the dictatorship as a private or guard does not necessarily mean being considered a perpetrator, as Garaño shows in relation to two specific cases of conscripts and gendarmes. Between February 1975 and December 1977, both groups participated in Operation Independence (Operativo Independencia), a counterinsurgency campaign against rural guerrillas in the jungle of Tucumán Province under the command of army officers; some of whom had been studied by Valentina Salvi. Conscripts were forced to go to the southern region of Tucumán Province. They could not refuse, as they could be considered deserters and face legal and personal consequences. The gendarmerie was mobilized to provide logistical support to the army in its repressive actions, and some of its members took up posts as guards, drivers, or cooks.

The fluid position of soldiers and gendarmes on the spectrum between material authors of violence and implicated subjects, between perpetrators and accomplices, was revealed when both groups testified about what they had seen. Some testimonies were given to the CONADEP truth commission (1984), others during trials for crimes against humanity (2006). In their statements, ex-soldiers and ex-gendarmes gave crucial details of what they had seen as privileged witnesses of the repressive apparatus and its forced disappearances. They also described the strict rules through which information was compartmentalized and concealed, and silence was imposed under threat on the low-ranking members of the repressive system. Garaño shows how a climate of generalized suspicion — in which gendarmes and soldiers were perceived by officers as potential subversives or collaborators of the guerrillas — transformed them into potential victims. This article
provides ethnographic insights into the problematic schemas and conceptual boundaries that separate perpetrators from victims.

The overlap or correspondence between an extended social representation of perpetrators, and the repeated accounts of Argentine officers convicted of crimes against humanity, is the unexpected starting point of Analía Goldentul’s reflection. Between 2015 and 2017, Goldentul visited various federal prisons in the province of Buenos Aires and had regular contact with convicted officers who had held lower ranks during the dictatorship. It was not easy to gain access to the ‘crimes against humanity pavilions’ (pabellones de lesa humanidad) and get in contact with imprisoned officers. One of Rothberg’s implicated subjects, the son of an officer serving a life sentence and an active member of organizations advocating freedom for the detainees, helped Goldentul to visit his father. During the interviews conducted in prison, the father and other convicted officers repeated time and again the same justifications of the so-called fight against subversion. At the time, Goldentul felt that her fieldwork was a complete failure and did not provide the expected material for a convincing analysis.

Goldentul’s article rethinks this apparent failure and delves into unexpected aspects of the ethnographic interaction with perpetrators. It considers, on the one hand, the sensations experienced during the interviews, such as boredom and getting used to listening to monothematic justifications and, on the other hand, reflects on the consequences of being in contact with officers who lost their privileged social status. In prison, the ‘lords of life and death’, as they were called in the clandestine detention centers, or ‘the moral reserve of the nation’, as they used to see themselves, became marginalized individuals degraded in their position by the social and legal condemnation. In response to that situation, the officers developed strategies to counteract their loss of status and tried to manipulate the interviews. The conditions of their confinement and the difficulties to access healthcare were recurring topics of conversation. Using the humanitarian language they used to reject during the dictatorship, the perpetrators presented themselves as victims who provoked an uncomfortable empathy that Goldentul problematizes. The encounters also revealed a persistent social order in which the interaction between a young female researcher and older male officers became opportunities to enact traditional gender hierarchies. In sum, this article considers the inseparable relation between past and present, and between what perpetrators were and what they have become.
Naming someone publicly a perpetrator is a serious matter that is generally brought before a court of law where the evidence is weighed, and a verdict is pronounced. However, the four articles in this section show that people do not become perpetrators once they are sentenced in court but when the perpetration begins, and victims and witnesses are made. Perpetration is a process whose meanings and consequences are shaped and reshaped in dynamic contexts, to such an extent that Argentine perpetrators convicted for crimes against humanity consider themselves as being political prisoners and even victims. Not the act of perpetration, but its temporality construes when perpetrators become known, how they are known and why they are known. The articles in this special section demonstrate that the predicament of perpetrators is subject to national and international developments that may hold them accountable for their deeds but may also free them from prosecution when national reconciliation and restorative justice are believed to heal the nation. Such changing circumstances, often unexpected, demand a great conceptual and methodological versatility from perpetrator researchers. They need to work with concepts and theories that can accommodate the changing political contexts and classifications of perpetrators. Perpetrator researchers therefore need to cultivate the art of improvisation and master a wide array of research methods to adapt their research project to new developments because the data are constructed in interaction with the perpetrators. The social classification and scholarly interpretation of these paradoxical figures depends on the dynamic context and the researcher’s subjectivity and positionality, as is shown in an exemplary fashion by the contributors to this special section about Argentina.

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Antonius C. G. M. Robben is Professor Emeritus of Anthropology at Utrecht University, the Netherlands. His most recent book (co-authored with Alex Hinton) is Perpetrators: Encountering Humanity’s Dark Side (Stanford University Press, 2023).

Valentina Salvi is a Researcher at the National Council of Scientific Research (CONICET) in Argentina. She is the author of Vencedores a víctimas: Memorias militares sobre el pasado reciente en la Argentina (Biblos, 2012), and edited with Claudia Feld, Las voces de la represión: Las declaraciones de los perpetradores de la dictadura argentina (Miño y Dávila, 2019).