

(Re)Thinking Authoritarianism in Democracy¹

The Public Denunciation of State Violence During the Pandemic in Argentina 2020–21

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“Antisemitism (not merely hatred of Jews) imperialism (not merely conquest), totalitarianism (not merely dictatorship) ... have demonstrated that human dignity needs a new guarantee which can be found only in a new political principle, in a new law on earth, whose validity this time must comprehend the whole of humanity while its power must remain strictly limited, rooted in and controlled by newly defined territorial entities”.

Hannah Arendt, The Origins of Totalitarianism (1951)

Introduction: Pandemic, Lockdown, and State Violence

In March 2020, the Argentine government declared a nationwide lockdown to limit the spread of COVID-19. Against this backdrop, which has been referred to as a *state of exception*, the country witnessed renewed acts of state violence, perpetrated by police and security forces against their own population. Though these events are typically referred to by various social actors and by the state itself as ‘institutional violence’² (a fairly recent category), this chapter attests to the fact that, in public denunciations of such incidents, this conception is contested, and that counter-

1 Translation by Michael Dorrity and Joel Scott for Gegensatz Translation Collective.

2 In terms of convention in this paper, native categories are placed within inverted commas to give visibility to the words of relevant actors and to create a distinction between these and the sociological analysis.

positions exist that can contribute to a more complete understanding of this phenomenon.

The research presented here shows that there are other ways of naming and denouncing the phenomenon of state violence within Argentina. These include ‘police violence’,³ ‘state repression’,⁴ and complaints about ‘trigger-happy’ officers.⁵ In other words, though one may be speaking about the same social fact in sociological terms, a distinction can be observed regarding its social classification, and this is of particular interest in understanding its impact on society and the ways in which such events are both socially and institutionally processed.

In terms of the concrete facts, I am concerned with the diverse modalities of fundamental human rights abuses which—while nothing new in the history of Argentine democracy since 1983—were produced in this instance against a backdrop of movement restricted by the pandemic, that is, under the guise of securitization (Nunes 2020). Such modalities include intimidation, threats, arbitrary detention, abuse, beatings, torture, forced disappearances, and assassinations. Most of these practices are designated as criminal offences in the Argentine criminal code. Moreover, in various international human rights treaties ratified by the Argentine government, torture and forced disappearances are punishable practices which can in turn lead to the state being held to account by international bodies for non-compliance with treaty commitments.

One further conceptual connection worth examining is the one between the exceptional state violence of authoritarian governments and the long-term state violence that has become habitual in times of democracy (Lvovich 2020). The current situation allows us to expose the continuity or persistence of authoritarian characteristics in a democracy while at the same time grounding the recurring demands for the democratization of the police and security forces in Argentina since 1983 (Frederic 2008; Oyhandy 2013 and 2014). Considering the situation from another perspective, we can confirm that state violence in the Southern Cone transcends the dichotomy of democracy-dictatorship (Lvovich 2020).

This chapter first examines the discursive construction of public denunciations—in the sociological terms proposed by Luc Boltanski (2000)—of these acts

3 This category is widely used by sociologists as a direct reference to the concrete facts described, that is, the illegitimate use of violence by public officials.

4 This denomination is not new. Rather, it refers to experiences of the last military dictatorship as a ‘repressive state apparatus’, highlighting state behaviour toward the population beyond the legitimate use of violence as permitted by law.

5 This expression refers to the irresponsible and abusive use of firearms by public officials, at times with lethal effects. The reference, as such, is to the casualness with which security or police forces are willing to pull the trigger, despite the gravity of the consequences for the population. Events illustrating this phenomenon are described over the following pages (see section 4).

of state violence, which at their height resulted in the violent deaths of the defenceless and vulnerable (Gayol and Kessler 2015 and 2018). These denunciations configured these events as injustices, which thus enable demands for justice to be made. These social discourses of public denunciation form various categories with which to name these social phenomena: institutional violence, police violence, trigger-happy officers, and state repression. In approaching this problem, I focus on state authoritarianism in times of democracy and the questions this generates.

Secondly, this chapter presents the collective movements that crystallized around the public denunciations of often lethal acts of state violence committed by members of the police or security forces during the pandemic. An overview of these denunciations was made possible by examining the diverse reports produced by government institutions as well as reports made by civil society and human rights organizations with different relationships to the state. Some of the most prominent of these are the Permanent Assembly for Human Rights (*Asamblea Permanente por los Derechos Humanos, APDH*),⁶ the Provincial Commission for Memory (*Comisión Provincial por la Memoria, CPM*),⁷ and the Committee against Police and Institutional Repression (*Coordinadora contra la Represión Policial e Institucional, CORREPI*).⁸ Based on these sources, it is possible to gain a sense of the types of practices that make up what is referred to as institutional violence, who carries out these acts of violence, and the individuals and regions that bear the brunt of it, as well as some of the public and social responses it has inspired. All of this occurs against the backdrop of a dispute over the social meaning of these acts of state violence, the resulting tensions of which shall be examined over the following pages.

6 Founded in 1975, the APDH is a non-profit civil association dedicated to the defence and promotion of human rights. It grew out of a call from a broad and diverse range of figures from the social, political, intellectual, and religious spheres of Argentina. See <https://www.apdh-argentina.org.ar/secretaria/relaciones-internacionales/92>.

7 The CPM is an autonomous self-regulated public body. It was created in 1999 by a legislative provision of the Chamber of Deputies of the Province of Buenos Aires and ratified by two provincial laws in 2000. The CPM implements public policies promoting collective memory and human rights. Its objectives and working areas are guided by its commitment to remembering state terrorism and the promotion and defence of human rights in democracy. Since its inception, it has promoted spaces of encounter between the state and civil society. See <https://www.comisionporlamemoria.org/la-cpm/historia/>.

8 CORREPI was founded in 1992 and defines itself in its mission statement as a political organization in the field of human rights. It seeks to combat “the repressive policies of the state”, for which it has proposed to combat police repression and to work toward the release of political prisoners. Its work involves producing reports, communicating through its website, and engaging in various public activities, such as events, demonstrations, festivals, and open radio. Its fundamental principles include the refusal to cooperate with the state and independence from all political forces. See <http://www.correpi.org/quienes-somos/>.

Thirdly, while examining the case of Brandon Romero, a young man who died as a result of police violence in the city of Mar del Plata, I will explore the social mobilization that emerged around the public denunciation of the event and the activism directed against police violence that it triggered (Pita 2010). All of which sheds light on the legal controversies that occurred during the enquiry into Romero's violent death (Gayol and Kessler 2015). In short, I convey the struggle of his family and friends in their search for justice.

Finally, the concluding section provides some reflections on the relevance of discussing the terms used to name these acts of state violence against young people from within the academy. I focus in particular on the severity of these practices, as arbitrary killings have been occurring with alarming frequency. The situation offers us an opportunity to (re)think authoritarianism in democratic Argentina, and thus also to (re)think the role of social research.

In summary, this chapter examines the expressions of authoritarianism that can occur in non-authoritarian regimes, whereby the most extreme examples are arbitrary killings carried out by public officials. I seek to provoke critical reflections on the need to observe, analyse, and denounce the authoritarianism that persists in democratic countries and which infringes on people's most fundamental rights, such as the right to life or the right to live free from torture. The goal is to offer a means of accounting both for different forms of authoritarianism and for public response strategies in the form public denunciations.

The Sociological Focus: Public Denunciations

The purpose of this chapter is not to discuss institutional violence but rather to outline both how a case that is framed in this way is denounced, as well as its social, political, legal, and media repercussions. From this perspective, we can visualize how a social strategy of responding to authoritarian state practices is generated. The category of institutional violence is used as one means of denunciation, yet other forms of possible enunciation do exist in this field. By examining these, we can identify other actors seeking to make public denunciations of state violence. Upon closer inspection, we see that this concept is highly contested, and this contestation deserves particular attention if we are to understand these phenomena from a reflexive and comprehensive sociological perspective (Vecchioli 2011). It is essentially a question of understanding how we can establish deaths that matter (Gayol and Kessler 2018) in Argentina, both in sociopolitical and in legal terms.

We can thus see the emergence of a social discourse which, as mentioned above, constructs diverse categories to name social facts: institutional violence, police violence, and state repression. From this perspective, it is important to give visibility to—and to adopt—the words and ways of classifying used by those directly engaged

in making denunciations. Although the perspective of those seeking to construct different meanings may change, the actions being denounced are fundamentally the same. In anthropological terms, these are native categories, that is, conceptualizations produced and circulated by the relevant actors. Disputes then ensue as to which category is accepted as valid and legitimate when it comes to formulating the denunciation. In this sense, it is important to emphasize that this is guided by a methodology following that of the social actors (Mira 2019) and recovering their voices, in the tradition of ethnography.

Approaching this issue through the conceptual framework developed by Boltanski (2000), we are able to sketch out a theory of the conditions that such a public denunciation of injustice must fulfil in order to be considered legitimate, allowing it to generate socio-legal and political effects. The denunciation first requires someone to enunciate it or, in Boltanski terms, an author. In order for the author's endeavour to be successful, they need followers. The cause, according to Boltanski, seeks to become exemplary and to generate a transferral between the particular case and the general interest. It does this as it must have the quality of being generalizable, that is, of becoming a collective cause (2000, 238). Boltanski goes on to consider the circumstances under which a denunciation is recognized as normal and valid and under which, by contrast, it is discounted or ignored (2000, 243). This is relevant given that public denunciation presupposes a demand for the perpetrator to be punished.

Boltanski constructs an actantial system of denunciation, establishing "a system of relations between four actors: 1) the person making the denunciation; 2) the person for whose sake the denunciation is made; 3) the person against whom it is made; and 4) the person to whom it is addressed" (2000, 247). In other words, the author claims that four actants are involved: the denouncer, the victim, the accused, and the judge (Boltanski 2000, 247). In the case of forced disappearances and deaths, victims necessarily need to be represented by others, and the condition of victimhood is extended to the family.

It is important to highlight that the victim is "an individual who as one person cannot embody a cause but whose denunciation can link up with a collective cause" (Boltanski 2000, 249). Similarly, it is worth paying particular attention to how the victim is depicted in the different arenas, namely in the attempts to redress the instance of state violence, or by constructing them as '*pibes chorros*'⁹ or underserving victims, in a performative move which seeks to divest them of their position as a

9 The phenomenon of agenda setting (Varona Gómez 2011) can be seen in the provocative dissemination of news concerning *pibes chorros*, i.e. thieves, which portrays young people as extremely dangerous. Consequently, it fuels the circulation of fear and stigmatization, which shapes public opinion by constructing a sociopolitical agenda of insecurity and a political discourse of security (Oyhandy 2014).

victim and thus their capacity to be recognized within the legal system. I share Ailynn Torres Santana's understanding when she claims that: "it is, to a certain extent, a privilege to be recognized as a victim. It means you exist, you are seen, you are the subject of protection. When an assaulted person is denied the possibility of considering themselves a victim, they are erased from the scene" (2021).

When police violence is publicly denounced according to this actantial system, social mobilization occurs around injustice, moving from the singular axis of the specific case to the general. The goal is to construct a collective cause and to sway public opinion (Boltanski 2000, 248). At the same time, legal documents also constitute a productive space within which denunciation can be pursued (Boltanski 2000, 254), as occurred with the case of Brandon Romero (see section 4).

This approach is reminiscent of Hannah Arendt's maxim of the right to have rights (1951): "we became aware of the existence of a right to have rights ... and a right to belong to some kind of organized community" because only in "completely organized humanity could the loss of home and political status become identical with expulsion from humanity altogether" (Arendt 1951, 297). From this perspective, denunciation serves to remind us that the people who suffer violence or even death possessed rights that were taken away by public officials through the illegitimate use of force. This grounds the urgency of the demand to respect human dignity. The right to have rights is a major driving force behind public denunciations, collective campaigns, and demands directed at the authorities. These demands are expressed by the victims and by various social organizations in response to acts of state violence in democratic Argentina, as is described below.

Dispute for Meanings: The Collective Cause

In analysing state violence, it is worth noting that the term institutional violence has come to be incorporated into the language of the state, so much so that there are now specialized departments dedicated to the matter in diverse public institutions and at various levels of authority and jurisdiction. For this reason the Attorney General's Office against Institutional Violence (*Procuradoría Especializada en Violencia Institucional*, PROCUVIN 2020),¹⁰ the National Directorate of Policy against Institutional Violence (*Dirección Nacional de Políticas contra la Violencia Institucional*), part of the Secretariat for Human Rights and National Cultural Pluralism

10 Particularly during the pandemic, this institution prepared a document detailing the powers of the security and police forces and what they are prohibited from doing, including details of the rights of individuals in the event of an inspection on suspicion of having contravened lockdown measures, see <https://www.fiscales.gob.ar/violencia-institucional/>.

(Secretaría de Derechos Humanos y Pluralismo Cultural), in turn part of the Ministry for Justice and Human Rights (Ministerio de Justicia y Derechos Humanos), and the Directorate of Policy against Institutional Violence (Dirección de Política contra la Violencia Institucional) at the Undersecretariat for Human Rights of the Province of Buenos Aires (Subsecretaría de Derechos Humanos de la Provincia de Buenos Aires) were created.¹¹ Information on the official website of the Argentine government attests to the conceptual—at times vague—breadth of the term, stating that:

Any structural practice of violating rights committed by members of the security forces, armed forces, prison services, and the healthcare system involving a restriction of autonomy and/or freedom (detention, confinement, custody, guardianship, internment, etc.) must be considered institutional violence. The National Directorate of Policy against Institutional Violence provides legal advice and psycho-social aid to victims of institutional violence and other serious human rights violations.¹²

In the same sense, it is important to note the inauguration of the National Day for the Fight against Institutional Violence in commemoration of the Budge Massacre on 8 May, which was passed into law in 2013.¹³ The 1987 massacre consisted in the execution of the three friends who had gathered in the district Ingeniero Budge, and which came to be emblematic of trigger-happy behaviour by officers of the state—a designation that emerged from within civil society and that signals the state's infringement on fundamental rights. The event gave rise to the mobilization of a group of neighbours in the Buenos Aires province, who sought legal action against the public officials implicated in the killings (Gingold 1997). Indeed, the lawyer for the families was one of the founders of CORREPI. The symbolic action of creating a national holiday appropriates the event in a certain sense, with a view—the play on words is fitting—to institutionalizing it, and turning it into public policy. Undoubtedly, this performative act redefines this type of event and can offer a degree of understanding in terms of the different denominations and tensions which become apparent in the demands of certain actors on the ground.

In light of the present analysis and the disputes in this field, it is interesting to note that in recent decades, certain human rights organizations have been using an innovative conceptualization of institutional violence. In this instance, it refers to violence inflicted directly on the body, either physically or psychologically. In this

11 See https://www.gba.gob.ar/derechoshumanos/subsecretarias_e_instituto.

12 See <https://ppn.gov.ar/index.php/institucional/noticias/1100-dia-nacional-contra-la-violencia-institucional>.

13 See <https://ppn.gov.ar/index.php/institucional/noticias/1100-dia-nacional-contra-la-violencia-institucional>.

chapter, I examine the actions of security forces or the police which—as based on antecedents predating the pandemic—principally target young men in poor neighbourhoods. These actions have been condemned in reports generated during the use of these special measures (APDH 2020; CPM 2020). In its latest report, the CPM revealed that: “of the 150 interviews conducted, the entire sample group reported having witnessed practices of institutional violence in their neighbourhood and identified young men as the target in 86.67 percent of cases” (CPM 2020, 23).

The origin of the category ‘institutional violence’ can also be considered from this perspective. Sofia Tiscornia traces the trajectory of the term, beginning with its emergence from a dialogue between anthropology and the experience of human rights during the dictatorship, to its conversion into a successful political category. Tiscornia claims that the category—which was still rather new at the time—managed to permeate both public institutions and public policy while at the same time rendering such events as visible, and worthy of respect and due consideration.

Tiscornia argues that: “state violence—in a democratic state—is local violence, violence that has long since been defanged—if you’ll permit the oxymoron—by the uses and habits of offices, officials, agencies, basements, and other municipal, provincial, and national bureaucracies” (2017, 26). For their part, Marcela Perelman and Manuel Trufó from the Centre for Legal and Social Studies (Centro de Estudios Legales y Sociales, CELS)¹⁴ define institutional violence as practices, routines, norms, or even design problems that configure the “necessary conditions for the recurrence of different types of human rights violations” (2016, 4).

Against the backdrop of the public health crisis beginning in March 2020, various cases of state violence have exemplified how deeply engrained authoritarianism is in the structures of the security and police forces in Argentina. They also show how lockdowns proved to be a favourable opportunity for bolstering the deployment of such measures, principally against vulnerable and marginalized social groups. That is, such behaviour on the part of public officials is nothing new, but rather forms part of a diverse context within which the interventions were accepted as part of the restriction of movement, particularly during the initial phase of the pandemic.

Following Boltanski’s actantial system, we can see how different civil society organizations functioned as denouncing actors, in this role contributing to the construction of a public denunciation of state violence during the pandemic (2020–21). In general, police and security forces have been the denounced actors, and the denunciations have mostly been addressed towards the general public and state authorities. The majority of victims for whom records exist have been young and

14 The CELS was created in 1979 during the last military dictatorship with a view to promoting human rights, justice for those who had been forcibly disappeared, and to bolster the democratic system.

generally male. In efforts to generate a collective cause, the individual cases that make up this corpus are presented variously as institutional violence, state repression, and/or as the consequences of trigger-happy police. It is important to note that the designation varies according to the actor making the denunciation, and that this thus contributes to the development of the collective cause.

From the beginning of COVID-19 restrictions, denunciations in the form of reports or public communications were made by Amnesty International Argentina,¹⁵ the APDH,¹⁶ and CORREPI.¹⁷ The reports compile various facts, identifying the victims and perpetrators, with particular attention on the state force involved, the type of violence perpetrated, and the date and location of the event. These documents of public denunciation clearly seek to give detailed accounts of as many instances of institutional violence in Argentina as possible. However, the difficulty that civil society faces in tackling this task is evident, given the notorious lack of any systematic and complete information collected by the state itself, as would be necessary for a significant record of this phenomenon.

It is worth mentioning, however, that a number of denunciations have been made by public institutions. Various documents have been produced on the matter, including the Report on Legal Aid and Institutional Violence¹⁸ issued by the Directorate of Assistance to Persons Deprived of their Liberty (Dirección de Asistencia a las Personas Privadas de su Libertad) of the Public Defender's Office (Ministerio Público de la Defensa) of the Autonomous City of Buenos Aires. The document exposes irregularities and abuses committed by local police at the beginning of the lockdown in Buenos Aires.

The APDH compiled a survey of incidents of state violence gathered by its regional offices located in different parts of Argentina. The conclusions of the report point to consistent data-based police profiling nationwide, i.e. the target focus on male youth. In view of this situation, which for the APDH constitutes a collective cause of combatting state repression, it demanded “an end to these actions, which are illegal, abusive, and contrary to human rights, as well as the punishment of the persons responsible” (2020, 93). Finally, the APDH has stated that in response to these events, they wish “to see ... a democratic culture in the security forces and respect for everybody's human rights, without exception” (2020, 93). Indeed, they note:

15 See <https://amnistia.org.ar/amnistia-internacional-alerta-sobre-la-actuacion-de-las-fuerzas-de-seguridad-durante-la-cuarentena-por-el-coronavirus/>.

16 See <https://apdh.org.ar/informes/apdh-informe-violencia-institucional-aspo>.

17 See <http://www.correpi.org/2020/reporte-no-47-de-aplicacion-del-dnu-297-2020/> y <http://www.correpi.org/2020/represion-en-pandemia-al-menos-71-asesinatos-estatales-en-4-meses/>.

18 See <https://www.mpdefensa.gob.ar/comunicacion/mas-noticias/informe-del-mpd-violencia-institucional-durante-la-cuarentena> and https://www.mpdefensa.gob.ar/sites/default/files/informe_mpd.pdf.

We must continue to denounce the impunity with which these repressive practices are carried out in multiple parts of Argentina. There is nothing new about this behaviour nor is it alien to the historical tradition of the Argentine security forces in times of democracy. What's more, there isn't anything new about the discourses that are constructed to legitimize this violence, which call to mind such tragic times in our history. (APDH 2020, 108)

The Case of Brandon Romero in Mar del Plata: The Struggle for Justice

The murder of Brandon Romero¹⁹ provides one example of how Argentine society, its institutions, and the media frame such violent deaths perpetuated by agents of the state, as well as how they construct public denunciations and offer responses which may or may not be satisfactory for the victims. In this particular case, one can see how the arbitrary murder of a young person by members of the police force came to engender a collective cause: a struggle for justice ensued, taking aim at what is framed as institutional violence, trigger-happy police, or state repression, depending on the actor formulating the public denunciation.

Brandon was 18 years old when he left home to hang out with friends in the early hours of the morning of 5 July 2020. He would not return alive. Earlier in the night, Brandon had been riding around the outskirts of the city of Mar del Plata—in the Province of Buenos Aires—with four other young people on motorbikes when they came across the police officer Pedro Arcángel Bogado.

In events that are described very differently according to whom one asks, Brandon ultimately died as a result of seven shots undeniably shot from Bogado's service weapon. In agreement with this is the coroner's report: Brandon had gunshot wounds throughout his body. Two were fatal headshots. Brandon's family denounced his killing as an execution, and CORREPI was of the same opinion.²⁰ Bogado maintained that it had been an act of legitimate self-defence as the group were intent on robbing and killing him, a claim which was then inscribed into the social narrative of fear of crime (Kessler and Otamendi 2020). The media went so far as to suggest that Brandon had often been in trouble with the law and had a criminal record. His family, by contrast, described him as a worker, a baker who

19 Research has been carried out on the basis of the court files, communication with the family's lawyer, and social media.

20 See <http://www.correpi.org/2021/a-un-ano-del-fusilamiento-brandon-romero-presente-juicio-y-castigo-para-arcangel-bogado/>.

left for work at four in the morning, without once having ended up in a police station.²¹

Figure 1. Poster in Mar del Plata commemorating the anniversary of Brandon Romero's death.



Source: Faculty of Health Sciences, Social Work and the Secretariat of Extension of the National University of Mar del Plata

After filing criminal charges and with a legal investigation underway, the family quickly ran into difficulties accessing justice, with proceedings growing ever more torturous. On the fifth of every month, Brandon's family and friends gather in front of the courts in Mar del Plata to demand justice, even camping out there on one occasion. Significantly, the same event is given different designations even at the same protest. Some signs read "institutional violence", while others decry "state repression", as can be seen in the photographs depicting crowds at various public

21 The hour-long video "Sin plata, sin miedo" made by Brandon's family and friends in the Libertad neighbourhood of Mar del Plata—a province of Buenos Aires—when he would have turned 19 years old in 2021, and which relates his story and their access to justice, is available at: https://www.youtube.com/watch?v=klg964Mu8_s.

events for Brandon (see figures 1, 2, and 3 below). This example shows that the use of the notion of trigger-happy police spans those who frame the events as institutional violence and those who frame it as state repression. It becomes clear that the act of denominating is a social operation which depends more on the actors who narrate the events than on the events themselves.

Figure 2. Demonstration in Mar del Plata one year after the death of Brandon Romero, 5 July 2021.



Source: photographer unknown, circulated on social networks in support of the fight for justice

One year after his death, his family continues to fight for legal justice but has been given no response as to the possibility of a trial.²² The main obstacle originated in the prosecutor's assertion that the facts of the case be classified as legitimate self-defence on the part of the perpetrator. The Buenos Aires policeman accused was thus also acquitted of the crime. The prosecutor sought to prove the accusation of attempted robbery and the victim's responsibility, presenting him as innately criminally inclined. The prosecutor's account distorts the balance of legal interests at stake, the case of a police officer as a public official, and any analysis of reasonableness in cases of legitimate self-defence. In particular, the prosecutor's account obfuscates the police officer's unique responsibility in exercising the power of the state through the use of their service weapon. Clearly, the prosecutor

22 See <http://www.correpi.org/2021/a-un-ano-del-fusilamiento-brandon-romero-presente-juicio-y-castigo-para-arcangel-bogado/>.

Figure 3. “If it’s institutional, it’s not violence, it’s state repression”. Collective against trigger-happy police, La Plata.



Source: photographer unknown, circulated on social networks in support of the demand for justice

sought to foreground the robbery and thus a case of legitimate self-defence in the development of events. In point of fact, the murder was the most important event and the perpetrator had suffered no assault at all.

By contrast, the event was characterized by César Sivo, the lawyer representing Brandon Romero’s family, as an example of trigger-happy police officers, and part of a broader trend of institutional violence. As such, he requested that it be brought to trial as an aggravated homicide. In his role as the person making the denunciation before the criminal justice system, Sivo’s written request of trial dated 21 April 2021 accurately pointed out that the police practices to which Brandon was

subjected are reminiscent of the repression experienced during Argentina's last military dictatorship:

In terms of institutional violence, the task before us is enormous: to undo the legacy of the military dictatorship. Institutional violence is the biggest debt facing the Argentine people. In light of this, living in a democratic system, one would hope that the security forces in Argentina would be subordinate to the political powers elected by the people, rather than being directed at those very people. Institutional violence continues to be a practice within the cultural matrix of the police (and the state in general), who cannot comprehend their role in society and are likely still guided by the principles of impunity and authoritarianism.

On 14 June 2021, Judge Saúl Errandonea decided to bring Brandon's case to trial, with Bogado facing a charge of "aggravated homicide, given that the crime was committed as an abuse of his function or post as a member of the police force and for the use of his firearm", which carries a sentence of life imprisonment. This was made possible by the work of the Romero family's private lawyer, who decided to continue with the prosecution after the prosecutor's office elected to dismiss the case. On 26 August 2021, the first chamber of the court of appeals of Mar del Plata finally granted the request for a trial, although it removed the aggravating circumstances. A court date is still to be set.

Brandon's case gives a name and a history to all the young people murdered under similar circumstances. Such cases frequently occur throughout the country, but very few are ever denounced, and fewer still actually make it to court and ultimately result in a conviction. These stories are evidence of a serious shortcoming in both the lack of accurate official data and exhaustive national registers in Argentina concerning the real number of victims of state violence.

Conclusions: 'Never Again'?

Firstly, it is important to note that the concept of 'institutional violence' is used unquestioningly by certain sections of civil society, by public institutions, and by academics. It could be claimed that 'institutional violence' constitutes a sort of common-sense term in present-day Argentina. It is used to denominate, refer to, categorize, and describe incidents of state violence perpetrated by the police and the other security forces mentioned in this chapter during times of democracy. However, other categories serving to denominate these same injustices committed by public officials do exist, and they conflict with the category of 'institutional violence'. As a consequence, it is crucial to distinguish between these terms in the social sciences, to understand the social conflicts to which they attest, and to use them as formulated by the actual stakeholders seeking to determine their meaning.

In spite of the above, it is worth considering the extent to which the state denounces its own violent and authoritarian actions. And when it does do so, what mechanisms does it use, and how successful are these mechanisms? Specifically, what exactly is the role of public institutions dedicated to addressing institutional violence? The little information that is publicly available on the subject has been referred to here. Similarly, it is also worth considering—with reference to Boltanski's actantial scheme—if the state can act as a denouncing actor of institutional violence, the subject of the denunciation, and at the same time function as the recipient of the denunciation. It is abundantly clear that there is an obvious conflict of interests, regardless of which state agencies or organizations intervene. This question becomes all the more urgent when we consider the impunity afforded, in almost all cases, to trigger-happy police officers.

Undoubtedly, one major area of attention is the legal response to denunciations in the form of criminal complaints brought against members of the police or security forces and the course of those investigations. The treatment of these cases within the criminal justice system is often oriented towards constructing a case of legitimate defence for the police officer concerned. Despite the evidence proving that summary executions have taken place, the authorities seek to quickly resolve such cases by having them dismissed without prejudice. This legal situation is denounced as clear proof of impunity. Thus, contrary to the protection of life and access to justice, this institutional action violates the human rights of the victims and could make the Argentine state guilty of non-compliance with the international human rights treaties of which it is a signatory.

This situation makes clear that neither the police nor other security forces should receive further privileges in the enforcement of public policy during emergency situations such as the COVID-19 pandemic. The events described show that despite their long history, given the slightest opportunity, the repressive practices of state officials in Argentina show their face at every turn. All of this occurs in the absence of any real capacity on the part of state bodies—executive or judiciary—to restrict these illegitimate actions or the suffering thereby inflicted on the population.

The promise of “Never Again”²³—a centrepiece in the new social-democratic contract—is currently in jeopardy in the wake of these painfully recent and violent deaths in Argentina. Faced with such authoritarian practices, at least one section of Argentine society resists these events by way of public denunciation. They invoke the right to have rights and demand respect for the human dignity of the

23 Title of the final report of the National Commission on the Disappearance of Persons (Comisión Nacional sobre la Desaparición de Personas, CONADEP), published in 1984. This phrase was used by the prosecutor Julio César Strassera at the end of his plea in the so-called “Trial of the Military Juntas” in 1985.

victims, but as Arendt (1951) reminds us, every member of humanity should act as a guarantor of these rights.

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