

The inadmissible turned history the 1902 Law of Residence and the 1910 Law of Social Defense

Gabriela Anahí Costanzo*

ABSTRACT

The Residence Law, passed in 1902, and the Social Defense Law of 1910 allowed for many years the deportation of hundreds of foreign anarchists and unionists, resulting in a great diversity of penalties and bans. The parliamentary debates in those years, viewed through the parliamentary record of proceedings, allows access to a universe of representations that the ruling class had on the anarchists and consequently on social conflict.

“When the State persecutes those who fight it, it’s because the people are listening to their reasons. If this were not so, the State would just ignore them”

Joaquín Hucha, “A través del año 1911”, *La Protesta*, from Montevideo, December 26, 1911.

I

In the early 20th Century, the National Congress of Argentina passed the Law of Residence (1902) and the Law of Social Defense (1910), two crucial laws for history in general and for workers’ struggles in particular. It was a time marked by the arrival of thousands of European immigrants who joined Argentina’s labor market. The men and women involved in this process had escaped unemployment, starvation, wars, and poverty, and believed they would make a fresh start and find new opportunities in a new nation. The so-called *founding fathers* had begun to foster immigration as early as 1853. The Preamble to the Constitution of that same year issued a call for workers to integrate into the country. Although there were high expectations for immigrants of Anglo-Saxon, German, and Scandinavian descent who might contribute to the modernization or “civilization of an almost barbarous land”, the ships arriving at the port of Buenos Aires poured out Mediterranean peasants and workers. The Avellaneda Law provided a large-scope legal framework, establishing a General Immigration Department and the required legal tools under whose provisions all newcomers would be lodged and fed over the first five days following their arrival, given employment, and transported to their definitive places of residence¹. According to Gonzalo Zaragoza, author of *Anarquismo argentino*, “Buenos Aires, known as ‘the big village’, experienced a dramatic growth thanks to immigration. Its 200,000 inhabitants in 1869 rose to more than 300,000 in 1878, reached half a million in 1890, and one full million in 1905. In the three population surveys conducted in Buenos Aires in 1887, 1895, and 1904,

* The author holds a Licentiate’s degree in Communication Sciences issued by the School of Social Sciences, Universidad de Buenos Aires. Assistant professor at Communication II at the said School.

¹ Gonzalo Zaragoza. *Anarquismo argentino. 1876-1902*. Madrid, Ediciones de la Torre, p. 24.

foreigners systematically accounted for more than half of the inhabitants". Between 1891 and 1909, of the total number of immigrants to Argentina, 53.6 per cent were Italians, while 29.5 per cent were Spaniards².

The governments of those times, oriented to conservatism in the political and social fields, yet supportive of liberal economic ideas, were mainly concerned with maximizing export and import derived profits. Ranging from wool to meat, they focused on securing profit for the elite dealing in such businesses, for the country's rulers themselves in fact represented the said élites. The administrations headed by Julio Roca (1880-1886 and 1898-1904), Juárez Celman (overthrown by the 1890 coup), Carlos Pellegrini (1890-1892), Luis Sáenz Peña (1892-1895), José Uriburu (1895-1898), Manuel Quintana (1904-1906), and José Figueroa Alcorta (1906-1910) safeguarded oligarchic hegemony, continuing with the liberal program they had inherited and keeping their gaze fixed in Europe as a source of inspiration and yearning. Their interlocutors were the Sociedad Rural Argentina [Rural Society of Argentina] as from 1886, the Unión Industrial Argentina [Argentinean Industrial Union] as from 1877, the Centro Industrial Argentino [Argentinean Industrial Center] of 1878 and the Cámara Mercantil [Mercantile Chamber].

II

The portrayal of the epoch has been preserved in only a faded black-and-white sketch, sometimes picturesque, sometimes melancholy. It would seem as if history had found it enough to record, through a technique resembling magic realism, great-grandmothers narratives about their arrival at the port of Buenos Aires after a long voyage across the seas. However, in two different ways, the image was deprived of a deep, important, tragic, blasphemous, and inadmissible part. The melting pot that constituted the base of our national unification was far from being homogeneous and egalitarian. Quite the contrary, it was achieved at the expense of immigrant suffering and effort, for these people were subject to precarious living conditions, paid meager pittances and made to work endless hours³. Such was the migratory wave destined to work the land. On the other hand, the country also received immigrants with a political tradition of militancy who mingled with the native population and started a local libertarian thought mostly influenced by Spanish and Italian nuances. Thus, the late 19th Century witnessed the advent of Anarchism, which operated on the society attempting to create uneasiness and to level criticism at the political and economic weft of the system in an attempt to disclose it to the public eye.

Through ethical and modern solidarity experiences, libertarian thought intended to oppose social and cultural practices to authoritarian systems harboring inequality and repression. In those days, anarchism mixed or was permeated by positivist and event scientific-oriented elements thought together with the paradigm of the times, which raised the progress and evolution of societies to the levels of a superior, transcendent law. Science was regarded a symbol and a tool for fighting and opposing dogmatic religious principles. According to Juan Suriano, "science and reason became enlightening, revealing factors that led mankind out of ignorance and into knowledge, out of authoritarianism into anarchy, and out of reaction into revolution and liberty"⁴. Anarchists deemed religious prejudice as hypotheses on the creation of the world that facilitated deceit, exploitation, torture, and slaughter of men at the hands of other men. Hence, scientific knowledge was an indispensable source to clarify such distorted notions about life. Thus anarchism also found explanations to other notions such as laws, politics, work, patriotism, and sexuality, all of which went against the grain of the times' common sense. Anarchists tried to conjure up the meanings of these notions to make workers aware of and active in history. A too modern thought for incipient modernity.

The importance of cultural activities in resistance societies, centers, circles, libraries, and the federation itself was an essential of the libertarian principles. Accordingly, anarchists viewed propaganda in the printed press as the main instrument to disseminate their ideas and as a tool to destabilize the prevailing equilibrium. *La Protesta Humana* and *Ciencia Social*⁵ were founded in 1897. Argentinean anarchism enriched its ranks with prominent thinkers who visited the country to spread anarchist ideas; among others, Enrico Malatesta and Pietro Gori, who

² Source: <http://www.revistapersona.com.ar/11Ramella08-3.htm>, on data taken from: Juan A. Alsina, *La inmigración en el primer siglo de la Independencia. 1910*, p. 22.

³ According to Iacov Oved, in 1901 235,000 wage-earners lived in Buenos Aires. The number comprised blue-collar workers, employees, public servants, etc. However, 46,500, or 25 per cent of them, had lost their jobs, so 5,5 per cent of the city's total population lived in a permanent state of scarcity and need.

⁴ Juan Suriano. *Anarquistas. Cultura y política libertaria en Buenos Aires 1890-1910*. Buenos Aires, Editorial Manantial, 2001, p. 43.

⁵ For further reading on anarchist publications at the beginning of the century, see Gonzalo Zaragoza, *Anarquismo argentino 1876-1902*. Madrid, Ediciones de la Torre, 1996; and Juan Suriano, *Anarquistas. Cultura y política libertaria en Buenos Aires 1890-1910*, Buenos Aires, Editorial Manantial, 2001.

encouraged the organizational movement⁶ that worked at systematizing workers' vindications. For example, the creation of the *Círculo de Estudios Sociales* and of the *La Questione Sociale* newspaper, together with the drafting of the bakery workers' organizational statute, was Malatesta's. Likewise, as is maintained by Iacov Oved⁷, Gori made an ideological contribution to the movement, and his propaganda lured into anarchism such Argentinean intellectuals as Pascual Guaglianone, Félix Basterra, and Alberto Ghirardo. Soon after Gori had arrived in Buenos Aires, the *Federación Libertaria de los Grupos Socialistas Anarquistas de Buenos Aires* became established.

A short time after Gori's arrival in Buenos Aires, the first general framework of anarchist circles was created in Argentina. Between 1900 and 1902, strike movements acquired extraordinary proportions both in Buenos Aires and in various ports located on the Paraná river. Just to give an idea of their scope, let us say that the new century began with a great strike of 4,000 port workers. In 1901, the conflict worsened through strikes by sailors and stokers working for the Mihanovich Shipping Company, who were later joined by workers at the ports of San Nicolás, Ramallo, Bahía Blanca, and Ensenada. The strikes involved a number of other unions, such bakers', Bunge & Born workers, Rosario cigarette workers, in addition to small strikes in hat and espadrille factories, railroad workers along the Bahia Blanca – Pringles branch line. In September, *La Popular* (cigarettes) was boycotted.

Toward the end of 1901 there were strikes in the ports where Mercado Central de Frutos [Central Fruit Market] workers were involved. Escalation of the 'social conflict' marked the period that started at the beginning of 1902⁸. On January 13, a strike in support of Rosario stevedores paralyzed the city. Toward the end of that same month, there were strikes by railroad workers in Bahia Blanca and tram workers in Buenos Aires, while in February sailors and stokers in the Capital City port went on strike. On March 4, Barracas, La Boca, and the Riachuelo laborers followed suit, while conflict started at the Vasena foundries. In early April, coachmen struck against a municipal ordinance that demanded they be registered workers with the corresponding card to prove it. On July 26, Buenos Aires bakers went on a big strike, and on the first days of November 1902, the Stevedore Federation continued to struggle for a weight reduction in sacks to reach a maximum of 65/70 kilos. The conflicts that broke out in Buenos Aires were accompanied by others in the ports along the Paraná river, most specifically in Campana and Zárate, where the police arrested a number of workers. Back in Buenos Aires, laborers at the Central Fruit Market demanded better wages and working conditions, and that their Association be acknowledged by their employers. In view of governmental support of employers, the port's Stevedore Society and the Vehicle Federation called a strike in solidarity. Thus came about the November 22 general strike, the most comprehensive one in Latin America to that date: "Docked ships were left to their own devices, hundreds of carts containing agricultural products crowded the piers, exports and imports ceased, and Customs revenues decreased"⁹. At the end of the day, an unconstitutional law was passed: the so-called Law of Residence.

III

What would become of History without men? The origins of the Law of Residence are to be found in 1899, when Senator Miguel Cané submitted to the Senate a draft about deportation of foreigners who endangered national order and security. Ever since he had been our consul in Spain in 1889, Cané had advocated the need for a legislation that might establish a difference among the types of immigrants arriving in Argentina, since there lay the roots of social conflict. During the debate held at the Senate, Cané stated that together with "*the men of good will who were called upon to work the land, practice the arts, and set up industries, there came enemies of social order with the intent of committing the foulest of crimes in pursuit of a –so to speak –a chaotic ideal that defies*

⁶ The beginning of anarchist thought was marked by two tendencies: the individualistic trend and the organizational branch. Both were representative of small groups devoted to disseminating their ideas. They held different views about the revolutionary struggle and about the conception of anarchism and its role in the political arena. Eventually, the organizational branch prevailed, since it not only attracted very important people but also successfully communicated the needs of the Argentinean proletariat.

⁷ Iacov Oved. "El trasfondo de la Ley N° 4.144 de Residencia", in *Desarrollo Económico* magazine, n° 61, volume 6. Buenos Aires.

⁸ The chronology of the strikes preceding the passing of the Law of Residence has been taken from Iacov Oved (1976), *op. cit.*, pp. 142 and 143. Also from Juan Suriano (1990), "El Estado argentino frente a los trabajadores urbanos: política social y represión, 1880-1916", in *14 Anuario*, second era, Rosario, UNR Editora.

⁹ Oved, Iacov (1976). *Op. cit.*, p. 147.

intelligence and chills the heart"¹⁰. Cané's imprint, conceived in Spain, concluded with the presentation of the draft that was not passed in 1899.

Amidst continual curfews, demonstrations, and general strikes, Law 4144 finally fitted into the right historical moment and was passed by Congress at an extraordinary session held on November 22, 1902 attended by Home Office Minister J. V. González, Foreign Affairs Minister A. Drago, and Treasury Minister N. Avellaneda. The five articles of the law authorized the Executive to expel from the country any foreigner who had been convicted or was being tracked down by foreign courts for criminal offenses against Common Law. In addition, the law empowered the Executive to order out of the country any foreigner who compromised national security or disturbed public order. The law established a three-day term to leave the country, and the individual/s expelled could be remanded in custody until they boarded the outgoing ship.

This powerful answer from the State achieved its objective of expelling hundreds of Spanish, Italian, and even Argentinean anarchists. In the first week after the passing of the law, five hundred people were deported¹¹. The measure was countered by a general strike called by the Federación Obrera Argentina [Argentinean Workers' Federation]. After three days, repression, press censorship and the hunt for anarchists had redoubled. Through its persecution campaign, the State managed 'a new equilibrium'. In 1903 anarchist newspapers were published again, under constraints and the threat of the application of the law¹².

The time that passed between both laws was marked by curfew, deportations of anarchists, press censorship, and closure of cultural centers and resistance societies. Anarchist publications strove to keep circulating. After the 1903 curfew, the strikes restarted¹³. Labor Day celebrations, demonstrations, and strikes were as central as ever and, despite the moments when agitation dwindled, the anarchist movement remained on the political arena. Still, the threat of the application of the law was latent. Decisive events occurred, such as the 1907 Tenants' strike, the massacre following the Plaza Lorea demonstration in 1909, and the murder of Colonel Ramón Falcón.

Between June 27 and June 28 1910 the Congress passed the so-called Law of Social Defense. On this occasion, Home Office Minister Dr. Gálvez, Foreign Affairs Minister Dr. Victorino de la Plaza, Treasury Minister Dr. Manuel M. de Iriondo, Justice and Public Instruction Minister Rómulo S. Naón, Public Works Minister Ezequiel Ramos Mejía, and Navy Minister Rear-Admiral Onofre Betbeder attended the House of Representatives. The next day, the Senate welcomed the Home Office, Justice and Public Instruction and Public Works Ministers. The urgency of the passing of the law was related to a bomb that had gone off at the Colón Theater on June 26, wounding a few and spreading a horrific feeling of panic among the political leaders.

On the basis of on a draft submitted by Representative Carlos Meyer Pellegrini and developed in collaboration with Nicolás A. Calvo and Lucas Ayarragaray, the legislators modified and rewrote the articles composing the three parts of the law. Divided into commissions, they discussed the need for the law and it took them a few hours to study the various articles and their respective implications. Chapter 1 comprised six articles and focused on the prohibition of entry to anarchists into the country, including those who had already been expelled by the Law of Residence. If they persisted in returning to Argentina, they would be sentenced to a minimum of three or a maximum of six years' confinement at a place chosen by the Executive Power. Some of the articles dealt with the responsibility of transportation company owners, ship captains, or middlemen who brought anarchists to the country: the sentences returned on them depended on the extent to which they knew about the political affiliations of their passengers. Chapter 2 comprised five articles, which banned all associations and meetings aiming to disseminate anarchist ideas or instigate illegal actions. Associations wishing to hold meetings had to request due authorization. Still, even if it were granted, the meetings would be broken up if they disregarded the provisions of the law. Thus, anarchist emblems, banners, and flags were forbidden. Chapter 3 listed the criminal offenses –an action and/or doer resorting to written, verbal, or printed media –included in the law. The chapter dwelt on the making, possession of explosives, or intent of either with the purpose of inspiring fear or causing riots or public unrest, and punished these crimes with three to six years' imprisonment. The twenty-two articles in this part contemplated sentences ranging from three years in prison to the death penalty, depending on the blast of an explosion and on the resulting consequences, with damages to public buildings at the bottom of the scale and casualties at the top. Article 25 –the last –ordered the repression of those who resorted to threats and injury in order to persuade others to go on strike or boycott. The penalties of the law made no distinctions between the sexes, and

¹⁰ *Diario de sesiones*, Senate, National Congress of the Argentine Republic, June 8, 1899, p. 135.

¹¹ Iacov Oved. *El anarquismo y el movimiento obrero en Argentina*. México, Siglo XXI Editores, 1978, p. 275.

¹² In 1904, Socialist representative Alfredo Palacios submitted a draft to abolish the Law of Residence. After the Senate had debated it for several days, the draft was discarded.

¹³ Between 1902 and 1910 five curfews were imposed, with a total duration of eighteen months. They were explained away as preventive measures against workers' demonstrations.

the only extenuating circumstances to avoid capital punishment were to be under 18 years of age. However, in the original draft, only those under 15 were spared death.

Congress debates recorded in the transcriptions of sessions¹⁴ allow access to the universe of anarchist representations entertained by the ruling classes, translated into the ways in which they viewed social conflict.

IV

In the eleven years that elapsed between Miguel Cané's first draft (1899) and the passing of the 1910 Law of Social Defense, there were no substantial changes in the views about anarchism. Some of the legislators' speeches emphasize the need for punishment, for longer sentences, or for downright deportation. This discourse has built up a corpus of tropes that may impress as if Cesare Lombroso¹⁵ were embodied in one or more Argentinean legislators of the times. Other discourses transpire glimpses of fear that reveal how threatened the speakers feel; finally, certain 'more moderate' speeches agree that it is necessary to rid the workers' movement from anarchism, but at the same time object to the faculties granted to the Executive by the laws while also demanding the Executive's accountability regarding the outcomes of the curfews it imposed. One could establish a division and gather denominations within sets that would determine universes of what is describable, of what is speakable, and of what is logically inadmissible. The first universe would comprise all the names related to disease (an exotic one at that): virus, germ, bacteria, which inevitably leaves to the 'hygiene-oriented' reasoning stemming from the whole of positivism, early criminology theories, and the science of the times. A second set might include such epithets as equate anarchism with a sect, whether religious or political, and from there it would earn names such as 'doctrines teeming with irrational hatred'. Lastly, the third set would define anarchist practices and actions –resulting from the premises stated in the former two –as criminal, delinquent, monstrous, hoary priests of the creed, or mentally deranged.

The three sets described above are but an analytical definition, since the actual speeches by representatives, senators, and ministers all three overlap, mix, and complement one another to end up in a single voice justifying the passing of repressive laws and the persecution of anarchists. Representative Mariano Vedia declared that the Law of Residence "*was addressed to those who intended to delay the consolidation of the social regime, inoculating viruses of diseases for which we are no fertile medium, and which can only succeed in stirring up brief upheavals like the ones we are now undergoing*"¹⁶.

It is interesting that representatives' and senators' speeches alike 'imported' not only their epithets but also the 'cures' from Europe. For example, in 1910 Senator Salvador Maciá said that "*the outer world that lands exotic diseases on our shores also provides us with the devices and means to combat them. Europe, which has given us civilization, progress, and liberty through examples and doctrines, also sends us subversive trends which, after originating, developing, and influencing its territories, reach us as diseases [...] I am equally frightened by facts that appear to be remarkably huge and by others that look trivially small. I am shocked at anarchist manifestos, for they are symptoms of one and the same profound disruption, like the one in which they call our government "the Nation's provisional government", no less serious than the seemingly petty fact of wrenching the rosettes from the lapels of helpless primary school children in the streets (loud rounds of applause from the gallery)*"¹⁷.

The large variety of details, characteristics, and traits that shape up anarchism exposes the legislators' ductility in their attempt to construct, from their discourse, a dehumanized identity, an imported disease or, in a number of cases, metaphors pointing to its savage, irrational, or monstrous nature.

On the day when the Law of Social Defense was passed, Representative Lucas Ayarragaray emphatically maintained that "*he had been thinking that it was essential to keep madmen and epileptics away from the country, by which I mean that this country, Mr. Representative, has the same fundamental rights, acknowledged by every Constitution in the world, to defend itself, through laws that preserve its society, from imported foreign dangers, whether these be epidemics, thieves, convicted criminals, anarchists, prostitutes, or caftens (sic) [...] ...We have the right to deny entry to epileptics, madmen, and degenerates; I mean, all those alleged anarchists, since when they*

¹⁴ Transcription of the debates held in Congress, and a change of medium (the conversational register becomes text).

¹⁵ Cesare Lombroso was one of the founders of the Positivist School of Criminal Law toward the end of the 19th Century. His theories about physiognomic attributes of criminals were used for search and detection, strengthening the certainty that science had an answer to criminal behavior. The repercussion of his ideas in Europe determined the appearance of the first laws against anarchism. In Argentina and Uruguay, these ideas supported the reasons and justifications expressed by certain legislators about 'the undesirables'. Physical features (atavistic stigmata) determined whether someone might become a criminal.

¹⁶ *Diario de Sesiones*, House of Representatives, National Congress of the Argentine Republic, November 22, 1902, p. 432.

¹⁷ *Diario de Sesiones*, Senate, National Congress of the Argentine Republic, May 14, 1910, p. 125.

become prey to anarchist preaching, their minds easily accept crime, attempts, arson, and bombs. I have no doubts that international anarchism recruits its best elements among these people. For in fact, Mr. Chairman, anarchism amounts to a gang of degenerates and fanatics who reject civilized struggle. Anarchism ignores the supreme law, the law of evolution, which not only rules social life, but the life of the universe at large”¹⁸. This Representative subsumes in one same group an interesting variety of social subjects, all of them condemned and persecuted at the time, and every one of them posing a social, moral, health, or political threat to society. The danger of their infiltrating the country implies the greatest menace to ‘civilization and moral values’. Patricio Andrés Geli maintains that ‘social efficacy of the new criminological discourse lies both in giving scientific status to the prevailing view of the criminal as manufactured by journalism and literature and in its power to reduce uncertainty, since it provides an infallible tool to detect dangerous individuals. Such preventive criterion lay on the cornerstone that there is such a thing as a born criminal (a biosocial type that can be equated with the savage doomed to commit crimes because of his atavistic origins), stigmatized by certain anthropometric and physiognomic traits as well as by behaviors supposed to define primitivism, such as the use of slang, tattoos, and play.”¹⁹.

Representative Eduardo Oliver described anarchists as “*hordes of criminals... yes, Mr. Chairman, this is the sort of anarchism that preaches extermination and dissolution of what is; the sort of anarchism that publicly and shamelessly boasts of having no laws, homeland, or religion; that hides in the shadows to manufacture the most lethal weapons leading to the indiscriminate slaughtering of helpless women, old people, and innocent children. I maintain, Mr. Chairman, that no social law should protect these monsters. Speeches, Mr. Chairman, are unnecessary to prove that, under these circumstances, anarchism is the most infamous, cowardly crime. It has been amply proved by the sundry events that it has protagonised worldwide. Such events are much more eloquent than anything I could say*”²⁰.

One fundamental concern that surfaced both in 1902 as 1910 was the threat on economic development. Like Representative Rufino Varela Ortiz, many other Congressmen who, at the same time, represented the benefits of industry, agreed that “*looking after our interests for once, let us consider the issue behind the discussion of the draft that the Executive is asking us to pass in order to put a stop to the threat – a very serious threat indeed – on our present economic and social interests*”²¹. The ruling class laid emphasis on the reproduction of the necessary conditions to preserve the economic model and continue to profit from it. Yet as strikes, work stoppages, boycotts, and demonstrations attacked the model, they believed that the only possible solution lay in hardening the laws and in giving more power to the police, improving and specializing their methods, in order to wipe off anarchism from the political arena, for once and again it threatened the system’s legitimacy and the daily ways of life.

Lastly, during a parliamentary session, Representative Ayarragaray explained the importance of selecting the right type of immigration, along with the ban on anarchism. His notion aimed mainly at Argentina’s ethnic consolidation: “*Since the country’s population already includes ethnic components of a quite inferior nature, it must counteract this by bringing in superior components, selecting the migratory flow in order to incorporate healthy elements into the society with a view to have a physiologically healthy population in the future on the basis of ethnically cleansed individuals*”²². He went on to say that “*we do not need yellow immigrants, but white, European parents who may superiorize (sic) the hybrids and half-castes who constitute the basal population of this country*”²³. Hence, the history of immigrant arrival in the country did not cease once they set foot on the country, since many of the newcomers did not meet the required standards, either because they were not of Anglo-Saxon descent or because their political affiliation was unsavory. The ruling class of the times found that social conflict arose from the quality of immigration, from the interference of (outsider) militants into the labor market, or from the notion that demonstrations and protests amounted to riots that paralyzed industrial production.

On the other hand, anarchism, chiefly through *La Protesta* newspaper, also constructed a gradual notion of a universe from which they offered their own explanations of the laws and, consequently, of the ruling classes. From the opposite side of the fence, they interpreted the world that they grappled with as the realm of the capitalist system, the source of exploitation, social inequality, oppression, slavery, iniquity; in other words, the realm of the inadmissible. The divide between both universes could not be bridged. In the eyes of anarchism, all the institutions of the State reproduced and guaranteed social order; therefore, they did not trust any kind of dialogue or negotiation

¹⁸ *Diario de Sesiones*, House of Representatives, National Congress of the Argentine Republic, June 27, 1910, p. 326.

¹⁹ Patricio Andrés Geli. “Los anarquistas en el gabinete antropométrico. Anarquismo y criminología en la sociedad argentina del 900”, in *Entre pasados* magazine n° 2. Buenos Aires, 1992, p. 10.

²⁰ *Diario de Sesiones*, House of Representatives, National Congress of the Argentine Republic, June 27, 1910, p. 295.

²¹ *Diario de Sesiones*, Senate, National Congress of the Argentine Republic, November 23, 1902, p. 432.

²² *Diario de Sesiones*, House of Representatives, National Congress of the Argentine Republic, June 27, 1910, pp. 325 and 326.

²³ *Diario de Sesiones*, House of Representatives, National Congress of the Argentine Republic, June 27, 1910, p. 326.

with politicians or public officials, since none of them would acquiesce to proletarian needs of unrestrained freedom and absolute equality.

Different issues of the newspaper repeated lengthy characterizations and descriptions about the features and purposes of the laws. On February 14, 1903, Alberto Ghirardo wrote about “*the passing of such an iniquitous law as is the one that legalizes the expulsion of foreigners, a ruthless, cowardly, Draconian law that delivers into the hands of the Police the lives and property of responsible, haughty men struggling for relief from exploitation in their embittered lives*”²⁴. This criticism was followed by a construction depicting an anarchist as a responsible man in constant struggle against domination. On March 14 of that same year, *La Protesta* published that “*the law makes a good sword for whoever is holding it by the hilt*”²⁵. The wording of the law somehow resembled the *lettres de cachet* of 19th Century France, which gave the king direct power above the individuals and whose punitive form implied that an individual’s imprisonment depended on the royal will.

Descriptions made in 1904 had not changed: “*The Law of Residence is evil, brutal, and far too crushing. We do not want it. We do not accept it, least of all as a barbarian imposition*”²⁶. Anarchist discourse used the terms ‘barbarianism’ and ‘civilization’ to qualify the actions undertaken by the Argentinean government, with a meaning that exactly opposed the one that the ruling class had in mind when using the same words about anarchism. However, the paradigm of the enlightenment –and sometimes the hygienist as well –pervaded the discourse of the times, even the anarchist thought, which did not succeed in keeping its idiom free from words involving some evolutionist premise. For example, on July 14, 1904, *La Protesta* declared that “*the Law of Residence is a step backwards in the country’s evolutionary process*”²⁷.

In 1910, the newspaper published that “*there are no historical precedents for the terrible and barbarous laws issued by the Argentinean government. Not even Russia, the most autocratic nation in the world, has such iniquitous laws as the ones recently passed in Argentina, laws that undermine individual and collective freedom*”²⁸. Comparisons with countries like Russia showed that anarchism gave little or no importance to different political regimes. Despite its denunciation of the repressive measures adopted by the State, the comparison did not go deep into the reach of such laws within the context of a country boasting bourgeois democratic goals.

Eight years after the passing of the Law of Residence, the Law of Social Defense became the new tool to combat libertarian thought. From Uruguay, only four days after the law was passed, *La Protesta* maintained that “[it] modified the previous Law of Residence, so that no free-spirited lover of liberty will be able to dwell on Argentinean soil. Only those who will submissively yield to the tyrant’s whip, to the henchman’s machete, and to the capitalist’s exploitation will be allowed to vegetate on Argentina’s virgin land. The mildest protest against the said trinity of pillage would imply immediate expulsion. Neither libertarian publications nor information released by anarchist groups will be allowed, and the postal service will not deliver any revolutionary publication coming from abroad. Workers’ unions will be dissolved because they are regarded as disturbing factors in the harmony between capital and labor, and strikes will be banned, while the full weight of the law will fall on instigators”²⁹.

The net of meanings that anarchism was trying to construct in relation to these repressive laws found its correlation in their definition of the legislative/ruling class. The features of the laws were not the only elements mentioned in the articles published by *La Protesta*. The construction of a visible enemy, one that embodied and advocated the measures adopted by the State, took on a protagonic role endowed with features and attitudes of his own. Anarchism gathered all forms of exploitation under the capitalist system, without detecting differences of shade between countries or regions, but rather encompassing them in a sole system of inequality. It likewise attempted to characterize legislators as accommodating slaves to the system. Along these lines, the construction of *another* who entertained no ideals of justice or liberty whatsoever was a necessary step to reinforce anarchistic thought. Ranging from a description of characteristics supposedly inherent to legislators to a general classification of public officials as belonging to the ruling class, there were diverse approaches to such a complex object, composed of parliamentary manipulation and class positions.

A number of articles make reference to congressmen’s lack of practical knowledge when it came to vote or enforce the Law of Residence or the Law of Social Defense. It was assumed that the measures at stake involved ignorance of the social conflict rather than a governmental decision to safeguard the social system. On July 16,

²⁴ Alberto Ghirardo. “Sobre la ley de expulsión. Un descubrimiento y una opinión” (Fragment), in *La Protesta Humana*, February 14, 1903, p. 1.

²⁵ “Otro deportado: Salvajismo policial inaudito”, in *La Protesta Humana*, March 14, 1903, p. 4.

²⁶ “Semanas”, in *La Protesta*, July 17, 1904, p. 1.

²⁷ “La ley de Residencia”, in *La Protesta*, July 14, 1904, p. 1.

²⁸ “La tragedia en Buenos Aires; ¿Quién tiró la bomba?, Las Leyes terribles”, in *La Protesta*, July 2, 1910, p. 1.

²⁹ “La Federación Obrera Regional en Uruguay”, in *La Protesta Humana*, July 2, 1910, p. 1.

1904, *La Protesta* declared on its front page that “those who legislate show their ignorance as they vainly attempt to stall the triumphant progress of the beautiful libertarian ideal”³⁰. One year before, they had made a similar point, declaring that “Ignorant as they may be, we assume that General Roca and his statesmen must be aware that identical or very similar decisions [were] made in France under the naive belief that workers’ unrest was due to sectarian agitators rather than the outcome of logical reaction against social order”³¹.

Together with the characteristics of the laws and of the ruling class, *La Protesta* denounced the names of the deported, persecutions, illegal detentions (such as that of Valenzuela, *La Protesta*’s Argentinean editor, detained and interrogated in 1903 under the provisions of the Law of Residence), tortures, imprisonment, and the compilation of a corpus of ‘knowledge’ about anarchist militants on the basis of anthropometric records or the long lists of classified information provided by the specialized police. This context ruled that anarchism constituted the danger of the times. On May 1, 1903, the libertarian newspaper published that “Honest, hard-working heads of large households, who had settled down in Argentina many years before and whose children had been born in the country, were expelled with outrageous brutality. For the single offense of having taken part in workers’ revolts or freely expressed their ideas, these honest men were arrested as if they were criminals and shipped off to their countries of origin, without the benefit of an hour’s time to make ready for their unexpected voyage. The brutality of the policial (sic) operations was such that many of the deported were not allowed to take leave of their wives, children, and mothers. No words can describe such aberration”³².

The Law of Residence and the Law of Social Defense threatened individuals’ civil and social rights as they continued to shape the authoritarian, persecutory nature of the modern State, in this case, by trying to wipe anarchism off the political arena. All representations and arguments, both in the Congress Journals and in *La Protesta*, attempted to draw a clear border dividing two universes, two opposed notions that were inadmissible, intolerable, improper, at times even incoherent. Still, they composed meanings in accordance with the precise historical place occupied by the class struggle at the beginning of the century; in brief, they portrayed an era framed by an accursed history.

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³⁰ “La ley de Residencia”, in *La Protesta*, July 16, 1904, p. 1.

³¹ “Sigue la razzia: Deportaciones, arrestos, persecuciones”, in *La Protesta Humana*, January 31, 1903, p. 1.

³² “La apertura del Congreso y la Ley de Expulsión”, in *La Protesta Humana*, May 1, 1903, p. 2.

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