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'Nothing is Lost, Everything is . . . Transferred'

Transnational Institutionalization and Ideological Legitimation of Torture as a Neocolonial State Crime

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Introduction

This chapter is not concerned with acts of torture as 'ordinary' crimes—that is, acts committed by private individuals or carried out by individual officials at their own initiative—but as state crimes: acts of torture that are explicitly prescribed, tacitly condoned, or at least tolerated by the authorities. It is focused on the 'institutionalization of torture' that took place in Argentina between 1976 and 1983. This analysis is, therefore, about great criminal power, namely that of the national (Argentine) and transnational (French) institutional perpetrators who were complicit in torture—a behaviour which violates human rights principles and is perceived as deviant by the international community and by domestic audiences.

Many academics have examined whether torturers, acting as agents of the state, were essentially different from the rest of the population (Arendt, 1965; Browning, 1998; Clarke, 2008; Gibson, 1990; Haney et al., 1973; Haritos-Fatouros, 1988; 2003; Huggins et al., 2002; Lankford, 2009; Lifton, 1986; Milgram, 1974; Staub, 1989; Zimbardo, 2007). Most of their findings seem to suggest that individual personality and its background information, by themselves, cannot distinguish individuals who will commit torture or other cruel acts from those who will not. If it is true that most torturers were not born, it follows that they must have been made. As to the 'making ingredients', some pointed at obedience to authority or ideological persuasion—processes which, in turn, require authorization, dehumanization, and routinization (Cohen, 2001; Crelinsten, 2003; 2007; Kelman and Hamilton, 1989; Osiel, 2004). Others suggested bureaucratization and its diffusion of responsibility (Bauman, 1989; Lifton, 1986). Others still thought that conformity to a violent group that promotes a culture marked by male domination assumes a more central role in the creation of official torturers (Browning, 1998; Huggins et al., 2002; Lankford, 2009; Staub, 1989). Sometimes, however, most agreed that would-be torturers must be taught to torture without question: training becomes necessary (Cohen, 2001; Crelinsten, 2007; Huggins et al., 2002; Haritos-Fatouros, 1988; 2003; Lankford, 2009; Gibson, 1990). Generally, this is a two-phase process: first, recruits must be made less sensitive to their own pain; and, second, they must be made less sensitive to the pain they inflict on others. This training is usually coupled with situationally specific temporary removals

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of moral constraint, better known as 'techniques of neutralisation' (Sykes and Matza, 1957), which imply an awareness of infringing a rule that the delinquent, at some level, accepts as legitimate, with perhaps 'denial of responsibility' being the most common modus operandi (Cohen, 2001, p. 9).

This chapter examines the transnational nature of this 'training' between France and Argentina. Whilst the United States played a pivotal role in the training of Latin American torturers particularly through Operation Condor and the School of the Americas as documented in the current literature on the subject (Aguila, 2010; Chomsky, 1991; Dinges, 2012; Fagen, 1992; Gareau, 2004; Hey, 1995; McClintock, 1992; Schirmer, 1998; Weschler, 1998) and torture was already a known technique to the military and police forces in Argentina before the transfer of the French expertise in the 1950s (Kalmanowiecki, 2000; Barreneche, 2019), a growing body of interpretative and qualitative research has provided compelling evidence of France's important role in this 'globalization of torture' and its prominent implication in the transformation of Argentine military into official torturers (Collard, 2018; Heinz, 1995; Llumá, 2002; Oliveira-Cézar, 2002; 2003; Périès, 1999; Ranalletti, 2005; Robin, 2004; Vidal-Naquet, 1963).[1] In the same line of arguments, this chapter suggests that the institutionalization and transnationalization of torture for political and ideological advantages are directly related to neocolonial settings.

This chapter will first examine how France came into conflict with its colonial inheritance[2] in Indochina (1946–1954) and Algeria (1954–1962). It will then explain that torture was central to the French army's defence of a waning colonial empire throughout most of the Algerian War. Its systematic use was the direct outcome of a methodology of warfare developed by the French in the 1950s which was intended to deal with both colonial and civil wars by not distinguishing 'insurgents' from 'population', and consequently merging civilians into a generic, dehumanized enemy. This chapter goes on to reveal that this methodology of warfare (as well as its underpinning ideology) became very attractive to other governments and allowed France to play an important role in the globalization of torture as French specialists in torture were able to pursue new careers well beyond the borders of Algeria[3] and, indeed, contributed to the culture of fear that developed between the 1960s and the 1980s in the Southern Cone of Latin America.[4] It will then engage in a reconstruction of the formation of the torture regime in Argentina (1976–1983), detailing the military relationship that France nurtured in Argentina and exploring especially the role of the French military advisors. Drawing on the case study, its suggests that an adequate explanation of torture perpetration requires looking beyond the level of the torture chamber, or even of the states in which torture is practised, to focus attention on the wider geopolitical context in which torture is embedded. It will

[1] This growing body of interpretative and qualitative research has involved the analysis of military and diplomatic government archives, public and private discourses, statements and reports of responsible government officials, autobiographies, army directives, documentary novels, newspaper articles, and letters.

[2] The term is used here to describe a set of unequal relationships between the colonial power and the colony itself.

[3] This is a comparable process to that of the global making of policing—see O'Reilly, this volume).

[4] See also the work of Huggins (1998) on the influence of the United States on police and military forces in the same period, including practices of torture.

conclude by arguing that a framework involving a layered analysis of torture perpetration offers an important lens through which to critique contemporary legacies of torture and state violence more generally.

The Algerian 'War of Decolonization' (1954–1962)

The institutionalization of torture in Algeria in the 1950s is well documented.[5] The renewed winds of democracy which blew in France after its liberation from the Germans very quickly came into conflict with its colonial inheritance, and outdated imperialism, first in Indochina (1946–1954),[6] followed by Algeria (1954–1962). By 1962, over 25,000 French soldiers had been killed and 60,000 wounded in Algeria, while on the Algerian side, over a million had died,[7] many of whom were also tortured (Lazreg, 2008, pp. 9–10).

In Algeria, torture was intimately linked to the nature of the colonial state—its use had begun in the aftermath of the French invasion in 1830, though it had not initially been institutionalized in the way that it was after 1954 (Le Cour Grandmaison, 2005, pp. 152–156). The war of decolonization (1954–1962) was the culmination of 'a long process of economic immiseration, political disenfranchisement, and colonial intolerance of Algerians' attempts to agitate for change within the system' (Lazreg, 2008, p. 4). At the time, the population of Algeria was mainly made up of two different cultural groups: on the one hand, there were the *Pieds-Noirs*—that is, nearly one million French nationals born on Algerian soil—and, on the other hand, the Muslim community.[8] The Algerian War saw the rise of a generation of young nationalists, many of whom joined the Front de Libération Nationale (FLN). These young people rejected their status as 'protected subjects' or 'French-Muslims', which they were accorded under a special legal system called the Code de l'Indigenat (Vaujour, 1985, p. 48). Algerian nationalism was subjected to fierce repression in which members of the *Pieds-Noirs* civilian population took part at times, exacerbating even more the ethnic nature of the conflict. With international decolonization processes under way in other latitudes, tensions also took on an ideological perspective. The FLN used the same techniques, followed the same gradual development, and based themselves on the same tactical principles as Viet Minh guerrillas had successfully utilized (Oliveira-Cézar, 2003, p. 71).[9] This was more than enough for the French military to believe at that time, and for a long time after Algerian independence in 1962, that communism had opened in Algeria a new front in its quest for world domination (Mazzei, 2002, pp. 110–111).

[5] See, e.g., Alleg, 1958; Branche, 2001; Fanon, 1963; Horne, 2006; Lazreg, 2008; Le Cour Grandmaison, 2005; MacMaster, 2004; Maran, 1989; Vaujour, 1985; Vidal-Naquet, 1963.

[6] In Indochina, the French army lost the war against the Viet Minh guerrillas who, led by Ho Chi Minh, had the support of Mao Tse-Tung's China and the Soviet Union (Grimal, 1985).

[7] More recently, some references (in Algeria) estimated that the figure is probably nearer two million (Horne, 2006, p. 538). This is an example of 'rewriting history'.

[8] See the work of Ghabrial (this volume) on Muslimness in the French empire.

[9] The Battle of Algiers was a focal point of the war, in which torture became systematic (Lazreg, 2008, p. 5), and it was conducted in an identical way to the 'Battle of Buenos Aires' (Abramovici, 2001, p. 28).

Or at least the 'threat of communism was used as a pretext to just a "colonial" war' (Collard, 2008, p. 81).[10]

Torture was central to the army's defence of a colonial empire in its waning years (Branche, 2001; Fanon, 1963; Lazreg, 2008; MacMaster, 2004; Maran, 1989; Vidal-Naquet, 1963). The systematic use of torture was the direct outcome of a methodology of counter-revolutionary warfare, the Doctrine of Revolutionary War—*Doctrine de Guerre Révolutionnaire*—that was developed by the French in the 1950s.[11] This French anti-subversive methodology was elaborated by several soldiers who were veterans of the Second World War and subsequent colonial wars as they saw in the Algerian War an opportunity for overcoming the humiliation of the loss of Indochina in May 1954 (Lazreg, 2008, pp. 3, 18). They studied the texts that nourished their adversaries in Indochina: Marx, Engels, Lenin, Lawrence of Arabia, and, most significantly, the one that summarized and surpassed them all: *Problems of Strategy in China's Revolutionary War*, written in 1936 by Mao Tse-Tung for the instruction of his officers in the Red Army. According to the latter, a guerrilla organization must permeate the population 'like fish in water' (Vidal-Naquet, 1963, p. 42). Indeed, during the Indochina war, guerrilla warfare[12] proved to be effective in confronting and defeating a stronger and more technically advanced army: that of France.

Consequently, the French Doctrine of Revolutionary War suggested that to combat and triumph over a revolutionary war, armies must adjust their conventional methods to their adversaries' subversive strategies (Branche, 2001, p. 326; Lazreg, 2008, p. 15). Since, according to this interpretation, the 'enemy' hides within and blends into the population with its support, an essential consequence is that any difference between combatants and civilians disappears: the entire population falls under suspicion, and everybody becomes a potential enemy. Accordingly, in the counter-revolutionary struggle, the key problem is that of obtaining intelligence—or *renseignement*—enabling one to know the enemy's organizational structure. Interrogation, in turn, is seen as the main tool for obtaining information, and recourse should be made to any means in order to get it, including the torture of those who are merely suspects (Mazzei, 2002, p. 125; Vidal-Naquet, 1963, p. 41).[13]

[10] This was exactly the same mistake as the Argentine military made at the start of the 1960s when they interpreted the insurrectional acts of the Peronist resistance as covert manifestations of international communism (Oliveira-Cézar, 2002, p. 27).

[11] Even though the theory did not initially advocate torture, it informed an anti-subversive warfare doctrine that could not be implemented successfully without its use (Lazreg, 2008, p. 15). Having set the theoretical and operational context, torture easily became institutionalized. Its use by the French military was not just an instance of violence committed by a few rogue individuals.

[12] Guerrilla, the diminutive of guerra, meaning 'little war', is actually an ancient military strategy used, for example, by the Carthaginians against the Romans and consolidated in modern times by the victory of Spanish irregular bands against the Napoleonic army in the early nineteenth century. The basic characteristics of a guerrilla war, which distinguish it from and permit it to confront effectively a regular army, are the following: the operation of small and highly mobile groups of armed persons; strategical reliance on the active and passive support of the civilian population; the waging of a war of attrition which over time inverts the relation of inferiority/superiority so that in its final stages the guerrilla force is able to transform itself into a regular army capable of defeating in open confrontation the weakened forces of the enemy (Aguilera, Peralta, and Beverly, 1980, p. 92).

[13] Torture, however, is not only inhuman but inefficient—it is frequently used against innocent people and the confessions extracted by it, if any, have no validity (Vidal-Naquet, 1963, p. 19). Beccaria summed up the ineffectiveness of torture as a truth-finding device with sarcasm: 'The strength of the muscles and the

The centrality of torture to the debate on the Algerian War resided not only in the horrors of the practices that took place, 'but rather in the extent to which it served as a symbol of a deeper corruption, both of the state and of the structures of military, administrative and judicial power that had made it possible' (MacMaster, 2004, p. 9). Some suggest that torture became established in Algeria at the behest of the government in France, which saw torture as necessary for the achievement of its war objectives, and its anti-torture rhetoric was just a way of keeping up democratic appearances (Carlson, 2000, p. 80; Maran, 1989, p. 57). The public outcry resulting from the systematic use of torture eventually contributed to the demise of the Fourth Republic, the re-entry of Charles de Gaulle into politics, the creation of the Fifth Republic, the recognition of Algerians' unconditional citizenship in 1958, and the signing of the Evian Accords in 1962, which led to the declaration of Algerian independence later in the year (Lazreg, 2008, p. 5; Peters, 1985, p. 133).[14] And yet for a long time no one was officially allowed to use the word 'war': one spoke only of the 'events in Algeria'. Only in October 1999 did the French National Assembly (parliament) decide to officially permit the term 'Algerian War'.[15]

The Argentine Dirty War (1976–1983)

An increasing amount of academic work has been undertaken concerning Argentina and its Dirty War (1976–1983).[16] On 24 March 1976, the powerful Argentine armed forces installed their dictatorship, launched the 'National Reorganisation Process'—*Proceso de Reorganización Nacional*—and initiated a phase of anti-insurgent warfare known as the 'Dirty War'—*Guerra Sucia*—that would last until 1983. During this period, Argentine soldiers kidnapped, tortured, and murdered between 9,000 and 30,000 people, according to the Comisión Nacional sobre la Desaparición de Personas (National Commission on the Disappearance of Persons) and human rights organizations (Abramovici, 2001; CONADEP, 1985; Feierstein, 2010; MacMaster, 2004). The torture techniques used included, but were not limited to: amputation; asphyxiation; attacks by animals; beatings; breaking bones; burnings, including roasting on a red-hot grill; cuttings; deprivation of food, water, sleep, or sanitary conditions; electroshocks; *falacca* or *falanga*, blunt trauma to the soles of the feet with rods; genital mutilation, rape and other forms of sexual assault; injections or the use of chemicals to cause, for example, blindness; kickings; sensory deprivation or overload; stretchings; *submarino*, forced submersion of the victim into water, urine, vomit, blood, faeces, or

sensitivity of the nerves of an innocent person being known factors, the problem is to find the level of suffering necessary to make him confess to any given crime' (1963, p. 25).

[14] Whilst at the outbreak of the Algerian War most French people said that they preferred the maintenance of Algeria's departmental status, an arrangement which reflected the fiction that North Africa was no less French than France, on the eve of the opening of talks at Evian between the French government and the FLN, eight in ten of the French were in favour of granting independence to Algeria (Talbott, 1975, pp. 357–358).

[15] See Loi no. 99-882 du 18 octobre 1999, relative à la substitution, à l'expression 'aux opérations effectuées en Afrique du Nord', de l'expression 'à la guerre d'Algérie ou aux combats en Tunisie et au Maroc'.

[16] See, e.g., Aguila, 2010; Feierstein, 2010; Feitlowitz, 1998; Graziano, 1992; Heinz, 1995; Osiel, 2004; Perelli, 1990; Potash, 1980; Rouquié, 1978.

other matter until the point of suffocation is almost reached; suspension, including hangings and crucifixions; teeth or fingernail extraction; *téléfono*, boxed ears rupturing the tympanic membrane in the process; whippings; and psychological pressures such as forced nakedness, brainwashing, infected surroundings, confined isolation, mock executions, death threats, forced witnessing of others being tortured, or baby snatching right after delivery (Peters, 1985, pp. 169–171).

Although Argentina had been marked by the constant presence of armed forces in political life, be it through *coups d'état*, dictatorships, or exceptional regimes, the military government that settled itself between 1976 and 1983 exhibited new features which were distinct from those of prior authoritarian regimes in that country, in terms of both strategies and practices (Aguila, 2010, p. 137). Anti-communist ideology gave the Argentine armed forces a 'messianic mission to rebuild their societies by eliminating subversives'[17] (Feierstein, 2010, p. 44). Thus, the first necessary step would have been to update traditional military planning from a 'national defence' to a 'national security' military doctrinal approach by developing an operational capacity based on the hypothesis of 'Revolutionary War'. Yet, this 'concept was not new to the Argentine army' (Potash, 1980, p. 320). Indeed, the training in counterinsurgency techniques started much earlier. Willing to share its experience, the French military started advising the Argentine state in the ways and means of dealing with a 'new type of war' from the late 1950s. This influence would continue well into the establishment and organization of the 1976 dictatorship (Collard, 2018). Those contacts appeared mainly in two forms: on the one hand, the French *savoir-faire* (know-how) in Revolutionary War was taught at the École Supérieure de Guerre in Paris (the Paris Higher School of War) to an impressive body of international students, a quarter of whom came from Latin America, a further 22 per cent of whom were from Argentina; and, on the other, French assessors who had honed their torture skills in Indochina and in Algeria were invited from 1957 onwards, through the establishment of a French military mission into its Argentine equivalent, the Escuela Superior de Guerra of Buenos Aires (Abramovici, 2001; Carlson, 2000, p. 71; Collard, 2018; Feierstein, 2010, p. 45; MacMaster, 2004, p. 8; Périès, 1999, p. 709; Potash, 1980, p. 320; Robin, 2004, pp. 168–169; Rouquié, 1978, pp. 471–472).

As the Argentine government was looking for an effective way to stop rebellious Peronists who were supposedly taking part in the communist 'conspiracy' against the established order,[18] opportunities manifested themselves for the French military

[17] Subversives included not just the members of left-wing armed organizations (Lopez, 1987, pp. 137—148)—who together never numbered more than a thousand—but could be anyone 'with vaguely left-wing views, including labor union militants, students, doctors, lawyers, and social workers running soup kitchens and neighbourhood centers' (Feierstein, 2010, p. 46). According to Graziano, 80 per cent of Argentinian torture victims had no knowledge of subversive activities (1992, pp. 37–38).

[18] After the overthrow of General Perón in September 1955, Argentina entered a new phase. Perón's election in 1946 had introduced more economic and social rights to the working classes (Rouquié, 1978); the proscription and persecution of his political party triggered a spiral of violence that was, in reality, a confrontation between these classes and the upper/middle classes (James, 1990). The basic goal of Perón's opponents was the reversal of the redistribution of wealth that had taken place during his first two governments (from 1946 to 1955). A frightened bourgeoisie launched a frenetic anti-communist campaign with the aim of cracking down on the radical activism of the Peronists; little by little, this morphed into a tragic struggle in what the bourgeoisie saw as the defence of 'Western Christian civilisation' (Ranaletti, 2005, p. 297). This essentially local conflict then assumed international dimensions when Argentina joined the Cold War on the side of the regional bloc led by the United States (Rouquié, 1978, pp. 156–159).

advisors and veterans of Indochina and Algeria displaced by decolonization. Indeed, in Argentina, they found themselves in a 'society characterised by a state of tension over the social and financial advantages secured by the workers some years earlier, and by a state of agitation over what it thought were indicators of the presence of an internal enemy and the *expansion* of communist *subversion* within the social fabric' (Ranalletti, 2005, p. 296; Milanesio, 2013). This climate was familiar to them and they too believed in the same phantoms, interpreting colonial independence as the result of a manoeuvre orchestrated by international communism to destroy Western Christian civilization (Ranalletti, 2005, p. 298).[19] In this manner, the Doctrine of Revolutionary War—which possessed a 'transnational dimension' (Périès, 1999, p. 697; Oliveira-Cézar, 2002, p. 27)—managed to find in Argentina a 'fertile ground' early on as the French and Argentine militaries thought that 'Argentina and its people constituted an objective that was too important for international Marxism to overlook' (Robin, 2004, p. 202).

Through conferences, lectures, articles in military reviews, and technical training exercises, the French advisors, followed by their Argentine disciples (who would end up surpassing their masters), emphasized from 1957 onwards that the battlefield would now be the population itself and that information on potential subversives had to be gathered at all costs, even through the use of torture (Collard, 2018, p. 118; Robin, 2004, p. 201). The institution of the *disappeared*, the random searching of towns, the death flights, turning activists to infiltrate armed organizations and territorial division to 'control the population' were methods used by the French military in Algeria which were transferred to Argentina (Collard, 2018, p. 117). The fact that France had lost its colonial wars apparently did not matter. For the Argentine army, the French anti-subversive methodology of warfare provided a 'key for reading reality that made intelligible a complex and changing reality and enabled the armed forces, an institution that sinks its roots in medieval values, to cope with social complexity and change' (Perelli, 1990, p. 101). In turn, French specialists in torture were able—'with the authorisation of their superiors in the cabinet ministries and the military general staff' (Alleg, 2006, p. 101)—to pursue new careers well beyond the borders of Algeria.

For a long time, however, the French training of the Argentine military 'had no practical relevance for Argentina' (Heinz, 1995, pp. 75–76) and was, at least to some extent, 'out of place' since it was 'originally developed in the face of problems and in contexts different from those in relation to which [it was] subsequently implemented' (Aliverti et al., 2021, pp. 304–305; Sozzo, 2011, pp. 186–187; Newburn et al., 2018, p. 574). In fact, the 'new war' described by the French assessors did not exist in Argentina at that point: 'It was an anticipated war that the Argentine military would actually fight less than twenty years later' (Carlson, 2000, p. 73). This training in ideological extremism would ultimately function effectively in the reactionary education of the cadres—former Argentine 'students' of the French advisors—involved in Argentine state torture.[20]

[19] The 'civilising mission', the 'defence of national security', and the fight against 'international communism' were typically the main grounds for justification (Maran, 1989; Montero, 2008; Schirmer, 1998).

[20] The 'process of decontextualisation and adaptation' of the Doctrine of Revolutionary War in Argentina was, indeed, a two-stage operation: theoretical between 1958 and 1962, and practical between the end of the 1970s and the early 1980s (Périès, 1999, p. 768).

Neocolonialism as the Rationale Behind the Transnational Institutionalization and Ideological Legitimation of Torture

Gross human rights violations, such as torture, are frequently reinforced by the global economic system and connected to 'institutional structures of domination' (Herman, 1991, p. 91). Chambliss (1989) demonstrated how state networks can be crucial to the organization and support of activities that violate their own laws and international laws, and in so doing, fulfil their own broader political and economic objectives. By exporting torture equipment or torture expertise, *foreign* rather than *national* governments can also institutionalize torture in a given territory (Grewcock, 2008; Tomasevski, 1998). The 'West/North' seems to be leading this profitable business (Tomasevski, 1998, p. 199). The export of torture expertise to police, military, and security forces throughout the world is also undertaken through transnational transfers, via training manuals, courses, and practical instruction which are offered by 'Global North' professionals from the US, China, France, Russia, and the UK (Stanley, 2008). According to Amnesty International, 'much of this training occurs in secret so that the public and legislatures of the countries involved rarely discover who is being trained, what skills are being transferred, and who is doing the training' (2001, p. 41).

The question remains: why do democratic governments, such as France, become 'torture trainers' in authoritarian regimes, despite their claims that they take human rights seriously? Does democracy end at national borders? Facilitation and condemnation are sometimes exercised with astonishing ease by the same government at the same time, in relation to the same country (Tomasevski, 1998, pp. 183–184). According to Kelman, '[t]here are social conditions under which democratic cultures that ordinarily respect human rights may sanction torture, just as there are social conditions under which ordinary, decent individuals may be induced to take part in it' (2005, p. 128). The training in torture techniques and ideology may be a 'means by which more powerful states can tie weaker states into violence' (Stanley, 2008, p. 158). Indeed, torture does not happen in a vacuum: the geopolitical context is therefore key to understanding the motivation and opportunity behind the French involvement.[21]

The structures of the world of the 1960s, which took the form of two Western–Eastern blocs, capitalist imperialism and socialist imperialism, were so important to the ruling elites in the centre countries that they would have done almost anything to maintain them (Galtung, 1994, p. 130). Thus, to prevent changes in the geopolitical division of the world at the time, the central elites established their bridgeheads on the

[21] It has become received wisdom in criminology that all crimes require motivation and opportunity, an approach to crime that originated in the work of Cohen and Felson (1979). Furthermore, building on Merton's (1961) theory of anomie as extended to organizational crime by Passas (1990)—and on earlier work by Kramer and Michalowski (1990)—Kauzlarich and Kramer (1998) established an integrated analytical framework designed to indicate the key factors that contribute to, or restrain, various forms of state crime, among which is state torture. Taking into consideration the fact that states to some extent behave as rational actors, the authors argue that states' criminal behaviours result from the coincidence of pressure for goal attainment (*motivation*), availability, and perceived attractiveness of illegitimate means (*opportunity*), and an absence or weakness of social control mechanisms (*social control*) (Kauzlarich and Kramer, 1998, p. 148).

periphery and tied them closely to the centre so that they would carry out counterinsurgency in their own interests and in those of the centre (ibid, p. 131; Tomasevski, 1998, p. 199). These chains of repression across borders were created, for example, in Latin American and African armed forces, particularly in the former colonies. They can be defined as a process by which repression across borders is created through a kind of neocolonialism, defined as the 'last stage of imperialism' (Nkrumah, 1965).[22]

Neocolonialism results in the same kind of dependence of the colony upon the colonized as produced by colonialism, with the difference that neocolonialism does not use direct military force, but rather tools of soft power, such as the exchange of counterinsurgency know-how, as the latest bridge connecting the Global South to the Global North. Indeed:

> [t]hrough the long history of colonialism, in its various forms and moments, there have been constant importation processes from the metropoles to the colonies and ex-colonies. In some cases, they are simple dynamics of imposition and coercion that are based on the inequality, subordination and dependence that structure colonialism and neocolonialism. In others, they involve more complex dynamics in which actors from peripheral contexts play an active role promoting the adoption of crime control institutions, techniques and practices produced in central contexts as a form of incorporation into 'civilization', 'modernity' or 'development', but also as a way of obtaining benefits of various kinds.
>
> (Aliverti et al., 2021, p. 304)[23]

This notion of neocolonialism is key to understanding the transfer (or transplant) of violence through counterinsurgency strategies in the Global South (Jones and Newburn, 2019, pp. 16–20), and it is argued here that France's motivation for the transfer of expertise in Revolutionary War (which involved the use of torture) to Argentina was to maximize its military influence abroad.

One of the most important aspects of controlling the world military structure, in turn, is related to the 'development establishment' (Eide, 1977, p. 99). The French use of torture in Algeria was justified through the propaganda of the *mission civilisatrice*, 'civilizing mission', which was paradoxically founded on the Universal Rights of Man of 1789 (MacMaster, 2004, p. 5). France's colonial history was marked by the self-perception and notion of France as transmitter of the 'essence of French civilization, presumed to be the noblest in existence' (Confer, 1966, p. 3). The exercise of colonial

[22] In this context, this chapter differentiates between *imperialism* (a policy of forcefully extending a country's power and influence through (neo)colonization, use of military force, or other means), *colonialism* (a form of direct control over a territory and its people by an external power), and *neocolonialism* (a form of indirect control in which a dominating power uses newer and subtler modes of oppression and repression, such as economic, cultural, or military dominance). It adopts Nkrumah's (1965) definition of neocolonialism as the last stage of imperialism or *neo-imperialism*, which, in turn, can be defined as the domination and sometimes even hegemony over others primarily by way of formally free legal agreements, economic power, and cultural influence (see Koonings and Kruijt, 2002; Kuznetsov, 2006; Nkrumah, 1965).

[23] The commodification of torture through military and security training in counterinsurgency techniques can be linked to the research area of the 'transfer' or 'mobility' of institutions, techniques, and practices of crime control (Cohen, 1982; Jones et al., 2019; Jones and Newburn, 2019; Melossi et al., 2011; Newburn et al., 2018).

power is important in explaining the role of modern democratic states in the practice of torture (Peters, 1985, p. 138): in colonial settlements, torture presented a means by which economic and ideological control could be established, as it was used to 'encourage' productive bodies for labour (Fanon, 1963). Consequently, French initiatives abroad were justified on the basis of the understanding of its uniquely valuable contribution to the world: 'French culture' (Maran, 1989, p. 11). The peculiar inter-linkage of politics and culture led to the development of the 'civilizing mission ideology' (ibid, p. 12). The main assumption was that France—by virtue of its status as an enlightened civilization—had a duty to disseminate its *savoir-faire* widely. The ideology of the civilizing mission nurtured the Doctrine of Revolutionary War. It covered the field, motivating soldiers and generals, providing the government with another patriotic banner to wave, and slowing criticism of the policy on, and practice of, torture. Only with the end of colonialism did actions in the name of the civilizing mission dissipate, to be replaced by neo-imperialist and anti-communist ideologies in the discourse of 'development' (ibid, p. 12). Indeed, just as French trainers professed to believe that losing the war in Algeria would be 'synonymous with the decline of Christian civilization' (ibid, p. 16), the Argentine soldiers believed that if they were defeated within their own country 'world-wide communist domination would result' (Carlson, 2000, p. 74). This might be because the French Doctrine of Revolutionary War had its foundations in a range of historical components of the Catholic-military way of thought, most especially in the broad and all-inclusive conception of the 'enemy within' (Périès, 1999, p. 838; Ranalletti, 2005, p. 288). This ideological approach meant that the response to 'subversion' was generalized, and the use of torture became widespread (Carlson, 2000, p. 76; Ranalletti, 2005, p. 30).

In the postcolonial era, it remained a major concern that local forces should be equipped in order to help them to defend and expand imperial interests, increasingly in the context of the Cold War and the bipolar imperial confrontation between the United States and the Soviet Union (Collard, 2018, p. 69). For instance, the arming of the 'forward defense areas' (the very notion shows the continued impact of imperial thinking) by the United States in the 1950s and the 1960s was aimed at the containment of the Soviet Union and China (Galtung, 1994, p. 131). However, none of those 'forward defense areas' ever used the weapons provided to them for the purpose for which they had been intended—that is, defence against attack by the Soviet Union and China—but all the areas made use of their military training, directly or indirectly, for internal control (Eide, 1977, p. 102). It was in this context that the French military started advising the Argentine army in the ways and means of dealing with a 'new type of enemy'. The use of violence against the domestic population—such a prominent feature of the role of military in the Global South—was an outgrowth of counterinsurgency strategies developed in the West in the 1960s: 'A combination of a vast training program for officers from the ["]Third World["], and the pushing of weapons sales' (ibid, p. 99). Indeed, according to Eide, 'imperialism is the monopoly stage of violence' (ibid, p. 100). The period from the 'great' explorations, through the setting up of trading posts and missionary stations, to the establishment and exploitation of colonies, was characterized by violent European conquest. European conquest of the Global South during the history of colonialism meant the elimination of all its independent armed forces. These were replaced by subservient colonial armies, controlled

by the colonial metropolis. Their main function was to suppress resistance to the accumulation of wealth through exploitation by the colonial powers (Grimal, 1985). It is easy to understand the psychological factors underlying the demand for independent armed forces by Global South regimes. Political independence, as a result of the elimination of colonialism, made it possible to break the monopoly of violence.

However, the process of militarization in the Global South did not lead to autonomy or to independence from the former imperial masters and from any new imperial pretenders: 'For this to be the case, it would require, first of all, that the armed forces being developed have as their prime function the defence of their country from external attack, primarily from the industrialised countries. But this is clearly not so' (Eide, 1977, p. 100). The notion that Argentina was developing its forces in order to prepare against external attacks in the early 1960s was ridiculous (Ranalletti, 2005). Studies of armed conflicts in the Global South show that most of them were internal, not international (Grimal, 1985). They were neo-imperial actions of expansion. Far from being used to protect their countries from imperial onslaughts, most Global South military forces served the same main function as the colonial army of the past: the repression of its own population.

It is therefore plausible to use a hypothesis which is the exact contradiction of the 'autonomy' assumption (Collard, 2018, p. 68). This would be that the militarization of the Global South *intensified* the domination by the Global North: 'It is possible that such militarization served to facilitate further penetration of external capital and technology, bringing the international and unequal division of labor to apply even to the remotest corners of the ["]Third World["]' (Eide, 1977, p. 100). On the political level, there might have been a façade of autonomy. On the economic level, however, there was an increasing subordination, not necessarily by serving some former colonialist industrialized metropolis, but rather 'by serving the totality of the old international economic order' (ibid, pp. 100–101). While it is true, however, that the personnel who actually carried out torture in the Argentine military were not French, these officers had been trained and influenced by France in their choice of techniques and strategies, as well as in the selection of targets (Collard, 2018, p. 69).

The motivations driving the French government were historical, political, and ideological factors that persisted from periods of colonization; the French neo-imperialist motives very obviously shaped patterns of criminal behaviour, both before and during the Argentine Dirty War. Such factors laid the foundations for the later state crime of transnational complicity in torture.

Conclusion

Torture is an individualized form of crime that tends to be 'embedded in entrenched structural violence' (Farmer, 2003, p. 219). Torturers are not born: they are nurtured, trained, and supported. In many countries 'they rely on the willingness of foreign governments to provide not only equipment but also personnel training and know-how' (Amnesty International, 2001, p. 41). The case study of the criminal cooperation between France and Argentina illustrated what Herman calls the 'institutional structure of domination built to violate human rights' (1991, p. 91). The French training

in a methodology of anti-subversive warfare, which relied heavily on an ideology that promoted dehumanization, helped to justify the use of torture in Argentina during the Dirty War. France's motivation to become a 'torture trainer' after its own decolonization wars was to expand its neo-imperial interests by maximizing its military influence abroad through the development of militarization and, more specifically, counterinsurgency strategies. The French military *savoir-faire* was not transferred to help Argentina to protect its territory from potential threats, but rather served the same main function it did in Algeria: the repression of a state's own population. This type of transnational state crime, which illustrates the *persistence*—and not the *resurgence*—of torture, was directly related to neocolonial settings.

It follows that the use of torture amidst human rights dialogue must be discussed in its broader structural context, and not merely as an issue about the infraction of human rights in the country where it is employed. And if criminology is to offer a varied and useful set of perspectives to understand the politics of state torture, then it should 'revise its histories too' (Aliverti et al., 2021, p. 300). In line with the overall objective of this collection to 'reassess the premises and assumptions of theoretical and empirical perspectives in criminology by bringing to the fore the colonial effects in the production of such scholarship' (ibid, p. 299), this chapter suggests that the transnational institutionalization of torture as a form of social and political control could be better understood by looking at the broader picture and taking into account the global transfer of military knowledge and practices rooted in neocolonialism. This concept warns us of the potential regressive impact of unregulated and under-scrutinized exchanges of counterinsurgency know-how in relation to the Global South. The initiative of 'decolonizing the criminal question', of which the transfer of counterinsurgency expertise is a part, could also promote the denunciation of the commodification of torture through security and military training in counterinsurgency techniques for governing new global 'threats', such as terrorism and drug trafficking, by focusing on the broader structures enabling torture.

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