

## Political Polarization and Nisman's Death: Competing Conspiracy Theories in Argentina

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### **Abstract**

The death of Alberto Nisman, the chief investigator of the 1994 AMIA bombing in Argentina, unleashed conspiracy theories and significant political turmoil upon President Cristina Fernández. We study the case and trace two of these theories, asking what they tell us about the Argentine political system and what can be inferred with respect to other countries in Latin America. We confirm that nations with high levels of political polarization are fertile ground for the emergence of conspiracy theories and that domestic and international media play an important role in both giving credence to and spreading such theories.

**Keywords:** Argentina, conspiracy theories, Nisman, political polarization

On January 18, 2015, Natalio Alberto Nisman was found dead in an apartment in Puerto Madero, Argentina. He had been shot once in the right temple, and a .22 caliber handgun was found with the body. Nisman had been the lead prosecutor of the bombing of a Jewish community center (AMIA) on July 18, 1994, which killed 85 people. His body was found just hours before he was scheduled to report to Congress regarding his allegations that President Cristina Fernández de Kirchner and Foreign Minister Héctor Timerman had conspired to impede an investigation against Iranian agents involved in the bombing, allegedly in exchange for certain trade concessions. The timing of Nisman's death led to widespread conspiracy theories, as the family, media outlets, and sectors of the Argentine judiciary, all implied that the government might have been involved in his assassination, which, the theories claimed, had been disguised as a suicide. In response, the Argentine government—including President Cristina Fernández de Kirchner—proposed conspiracy theories that focused on rogue elements within the intelligence services and the interests of foreign actors. These and other conspiracy narratives included Iran, Hezbollah, Israel, Zionists, and New York financiers.

The purpose of this paper is not to resolve these conflicting accounts or to find the true history of events in the Nisman case. Rather, this paper will examine these competing narratives to understand why they flourished, how they reflected Argentine society, and where they fit within the broader context of the Americas. Conspiracy theories in which a president is accused of murder are not unique to Argentina. We can see similar cases, for example, with the Vince Foster case in 1993 in the United States, when the Deputy White House Counsel committed suicide. After his death, many conspiracy theorists alleged that President Clinton was responsible for his murder. In 2009, in Guatemala, Rodrigo Rosenberg Marzano allegedly hired hitmen to kill him, after he first created a video that blamed the president for his murder. Both cases created multiple and enduring conspiracy theories. This paper will explore the different conspiracy theories in the Nisman case, based on newspaper articles, documentary films, and books, as well as a small number of interviews.<sup>1</sup> We will then place this discussion into the broader context of Argentine political history and current Latin American trends. Throughout the region, the legacy of illegitimate military governments, political polarization, and economic crises have created an environment favorable to conspiracy theories, because of the breakdown of popular trust in government.

### **Conspiracy Theories**

At the most basic level, the core factor that all conspiracy theories share is the belief that people in power are controlling events in secrecy to achieve an evil end (Sunstein & Vermeule, 1994, p. 205; Swami, 2012, p. 280). In every account of a conspiracy theory, there are two narratives: a public version that is meant to be believed by the population and a secret version to which only those involved are privy—*i.e.*, the version that the conspiracy theorists have deduced (Kelman, 2012, pp. 4-5). Still, these characteristics alone are not enough to qualify a belief as a conspiracy theory. True conspiracies do exist, from President Nixon's authorization of the Watergate burglary to Nazi Germany's manufacture of the Gleiwitz incident to begin World War Two. What distinguishes conspiracy theories from actual conspiracies is that they are true "theories," in that they not only detail particular facts related to a single event but also form part of a comprehensive explanatory framework that accounts for many aspects of society and politics. These explanations typically entail collaborations amongst unlikely allies, the alleged plotters' extreme competence at shaping events while maintaining secrecy, and the belief that society is fundamentally threatened by the plotters' immoral agenda. In the end, whether a

narrative qualifies as a conspiracy theory is always a matter of judgement, given that true conspiracies do take place. Conspiracy theories fundamentally beg the question, “Whom do you trust?” and furthermore imply, “How do you know that you can trust them?”

As Steve Clarke (2002, p. 131) and David Kelman (2012, p. 3) have suggested, academics typically take a “dismissive attitude” towards conspiracy theories. Jeffrey Bale states: “Very few notions generate as much intellectual resistance, hostility, and derision within academic circles as a belief in the historical importance or efficacy of political conspiracies” (Bale, 1995, no page numbering). As a result, the entire field has long been understudied (Swami & Coles, 2010, p. 560). Indeed, social science theory courses generally exclude any discussion of conspiracy theories, even though such theories are far more widespread in popular culture than other theories that do receive extensive coverage. There are multiple reasons why academics dislike conspiracy theories. First, these theories downplay the role of experts and institutions, such as professors and universities. They also often circulate in alternative media that lack any gatekeeper, such as blogs, YouTube videos, or political speeches. Most importantly, true conspiracy theories entail a theoretical approach to understanding the world that may challenge conventional epistemologies. Sunstein and Vermeule emphasize that “those who accept [conspiracy theories] must also accept a kind of spreading distrust of all knowledge-producing institutions, in a way that makes it difficult to believe anything at all” (Sunstein & Vermeule, 2009, p. 209). Academics often also perceive conspiracy theories as being impervious to reason, or based on weak and problematic evidence (Sunstein & Vermeule, 210).

Academics are also aware of the political violence and discrimination that conspiracy theories have sometimes engendered. In the United States, conspiracy theories have been associated with moral panics or outbreaks of public hysteria (often because a minority allegedly has violated a social norm), such as in the cases of the Salem Witch trials of the 17<sup>th</sup> century and the McCarthyism hearings of the 1950s (Goldberg, 2008, pp. 3-4). Nativists have also used conspiracy theory narratives throughout US history to isolate and attack Catholics, Jews, and immigrants (Goldberg, 2008, pp. 8, 15). In Europe, conspiracy theories provoked violence against Jews, from the catastrophic violence in France, Belgium, and Germany after people blamed a Jewish conspiracy for the Black Death in 1348-50 (Foa, 2000, p. 14; Gottfried, 1983, pp. 73-74) to the anti-Jewish violence that followed the publication of the “Protocols of Zion,” which the Czarist secret police likely manufactured around 1902-03. Conspiracy theories continue to circulate globally, often in association with acts of violence: “. . . [I]n a poll of seven predominantly Muslim countries, Gentzkow and Shapiro (2004) reported that almost four fifths of respondents did not believe the 9/11 attacks were carried out by Arabs, believing instead that it was the work of the US or Israeli governments. . .” (Swami & Coles, 2010, p. 560). Within the United States itself, there is a small but active “9/11 truther” conspiracy theory movement.

Conspiracy theories and extremist rhetoric often appear during periods of crisis and societal strain, such as a pandemic (Smallman, 2015). Part of the reason that these theories are influential during a crisis is that they simplify complex problems and structural issues: “Conspiracy theories . . . provide their believers with a prism with which to understand complex local and global events. They make intricate historical patterns comprehensible by oversimplification, and claim to identify the underlying or hidden source of human misery” (Webman, 2011, p. 9). This effect is exacerbated when a crisis is combined with political polarization.

As Sunstein and Vermeule have described, there is an extensive literature on group polarization, in which people tend to adopt extreme positions: “Group polarization has been

found in hundreds of studies involving over a dozen countries. Belief in conspiracy theories is often fueled by group polarization” (2009, pp. 216-17). During periods of political and social polarization, different groups within society may adopt widely varying opinions on the validity of conspiracy theories: “Speaking with like-minded others, some people may come to find such a theory irresistible, [while] others may come to find it preposterous” (Sunstein & Vermeule, 2009, 217; see also McHoskey, 1995). Conspiracy theories also particularly attract people who do not believe that they have the ability to influence the political system, as Parsons and his colleagues found in their study of conspiracy theories amongst African-Americans in the US South (Parsons, et al., 1997, p. 215). While conspiracy theories have received little attention from foundational theorists in the social sciences (Swami & Coles, 2010), they can have political power, as the Nisman case demonstrates. In Argentina, a breakdown in public confidence in the government, combined with political polarization, created an environment in which conspiracy theories flourished.

### **Nisman's AMIA Investigation and Death<sup>2</sup>**

One of the reasons that the Nisman case is distinct is that it originates with a genuine conspiracy involving violence against a religious group—Argentine Jews—although the identity of the perpetrator remains unproved within the Argentine judicial system. On July 18th, 1994, a bomb leveled the headquarters of the Argentine-Israeli Mutual Association (AMIA), killing 85 people and injuring hundreds. The investigation that followed, which was mishandled and surrounded by allegations of corruption and cover up, resulted in the acquittal of all local suspects in 2004 and the removal of Judge Galeano from the investigation. Several Argentine officials, including former President Saúl Menem, were charged by judges with derailing of the investigation. Despite joining the investigation in 1997, Nisman was able to maneuver into the position of chief prosecutor in the case, displacing senior prosecutors and avoiding blame for the mishandled investigation.

In 2004, facing international opprobrium, President Néstor Kirchner declared the AMIA investigation a “national disgrace” and endowed the special unit investigating the bombing with a generous budget and abundant political support. Nisman's work led to the indictment of eight Iranian officials and one member of Lebanon's Hezbollah in October 2006. The case was built primarily on the testimony of Iranian defectors provided to foreign intelligence sources, and Judge Canicoba Corral requested the international arrest of those indicted in order to proceed with their cross examination. Iran refused to extradite the suspects, most of whom were high level officials of the state. The arrest warrants issued by Interpol remain in place to this day.

The AMIA case came to a standstill, with suspects identified but no way of moving forward. Argentine law requires the declaration of the accused before a judge in order to reach a verdict. Despite the lack of progress since the indictment, the AMIA special unit remained fully funded and in operation under Nisman's leadership. In fact, its budget continued to grow, going from Arg\$ 4 million in 2006 to Arg\$ 32 million in 2015 (Santoro, 2015, p. 62). However, a diversity of groups, some from the Argentine Jewish community, increasingly voiced dissatisfaction with the work of the AMIA special prosecutor unit. In 2013, Memoria Activa—a group of family members of the attack's victims—went as far as to demand the removal of Nisman as prosecutor.

In September 2012, Foreign Minister Héctor Timerman announced that negotiations would be started with Iran to explore ways of moving the case forward. On January 27, 2013, President Cristina Fernández de Kirchner announced that Timerman had negotiated a

Memorandum that would allow Argentine judges to interview the suspects in Iran. A Commission of International Jurists, none of whom could be nationals of the countries involved, would be convoked to set up the rules, examine the evidence, and interview the suspects with the participation of Argentine and Iranian judicial authorities. The commission would then issue a report with recommendations on how to proceed.<sup>3</sup>

The main achievement of the so-called Memorandum was to provide Argentine judicial authorities an opportunity to question the suspects and potentially arrive at a verdict. However, the Memorandum immediately became cause for controversy, as the leadership of both the AMIA and the Delegation of Israeli-Argentine Associations (DAIA) opposed its implementation. Memoria Activa supported it conditionally. The main concern among Argentine Jewish organizations was that Interpol arrest warrants would be lifted, something that Foreign Minister Timerman denied was a possibility. Opposition parties joined the chorus arguing that the division of powers between the Executive and the Judiciary were being violated. As a result, the Memorandum immediately got tangled up in court. Despite approval by the Argentine Congress, the courts declared it unconstitutional because it violated the division of powers. In any case, the Memorandum had reached the Iranian Parliament in March 2013, but the Iranian government demonstrated no interest in its implementation if the Interpol arrest warrants would not be lifted. The AMIA case had once again reached a standstill and made no progress throughout 2014.

In mid-January 2015, Nisman suddenly cut short a vacation in Europe with his oldest daughter and rushed back to Buenos Aires to submit a legal accusation against President Fernández, Foreign Minister Timerman, and five other Argentines. Nisman alleged that the Memorandum sought immunity from prosecution for the Iranian suspects with the ultimate objective to purchase Iranian oil in exchange for wheat. His evidence consisted of telephone conversations between Iranian operatives and Argentine supporters of the government, only one of whom—Andrés Larroque—was directly involved in affairs of state as an elected member of Congress.

The accusations worked like a bomb in the already tense Argentine political system, sending ripples of accusations and counter-accusations of cover up and conspiracy throughout the administration; the result was a media frenzy with Nisman at its center. Congresswoman Patricia Bullrich, a vocal opponent of President Fernández and member of the opposition party PRO, invited Nisman to give testimony of his accusation in Congress (Pastor, 2015, p. 60). He accepted as long as the testimony would be only in front of opposition legislators. When legislators from the ruling party found out, they demanded that his declaration be made open to all legislators and the media at large. Nisman's testimony was scheduled for Monday, January 19, and it promised to be a contested affair with a massive public demonstration in support of President Fernández.

Late on Sunday, January 18th, Nisman's dead body was found in a pool of blood in his luxurious apartment in Puerto Madero. Given the timing of the death, as well as the media attention and angry accusations that had taken place since his denouncement of the President, his death immediately became a political tool. The possibility that Nisman had been assassinated immediately took over the public's imagination, particularly for those people who opposed President Fernández. The assassination hypothesis was given credence by open speculation in the main media outlets of Argentina, which sparked similar coverage in many media outlets abroad.

The opposition quickly declared Nisman's death to be an assassination. As evidence of this claim, Patricia Bullrich (who had invited Nisman to testify in Congress) revealed that

Nisman had expressed fear for his life when they had met a few days earlier (Santoro, 2015, p. 217). The international media provided ample coverage of the story of journalist Damian Pachter, who broke the news of Nisman's death on Twitter and then fled to Israel because of alleged death threats. This case added credibility to the idea that Nisman was murdered for political reasons. Articles in *The Guardian* and *The New York Times* repeatedly made reference to Argentina's ties with Nazis during Perón's administration in the 1950s, reminding the readership that President Fernández belonged to the party created by Perón, thereby implying that anti-Semitism might be at play regarding the AMIA investigation and Nisman's death (see Goñi 2015a, Goñi 2015b, Goñi 2015c; Romero, 2015).

Argentine opposition media spread claims that the crime scene and the investigation at large had been mishandled from the start. The presence of Sergio Berni, Secretary of Security, at the crime scene was characterized as the meddling of the Executive Branch in the investigation. One of the people brought in from the street to witness the initial processing of the crime scene declared that the apartment was full of people and that the evidence had been tampered with. When this witness was asked by the Prosecutor's office to formally present her version of events at the crime scene, she retracted the statements she made in the media, but her retraction received little coverage.

On February 18, a month after Nisman's death, a massive demonstration took place in the Plaza de Mayo and other cities around the country. Organized by a group of prosecutors in a protracted confrontation with the Executive Branch over the reorganization of the Judicial System, and attended by the leadership of opposition parties and their presidential candidates, the march implied that the investigation was being manipulated by the government. The target of the mobilization was not Viviana Fein, the prosecutor of the case, but rather President Fernández. It was widely interpreted in Argentina as a political act against the President and an insinuation that the government may have had a hand in Nisman's death.

As the investigation made progress, details about the case became public. Nisman's body was found inside the bathroom, with his head blocking the door. Forensic experts established that the blood splatter pattern and angle of entry of the bullet were compatible with suicide. The .22 caliber gun that made the shot was found under Nisman's body. Diego Lagomarsino, an employee and confidant, claimed that it was the gun Nisman had borrowed from him the day before his death. Video surveillance of Nisman's apartment showed no suspicious activity, but at least one surveillance camera was not working the weekend of his death. The investigation pointed in the direction of suicide, but a homicide was not ruled out.

Despite the forensic evidence presented by members of the special prosecutor's investigative team, Judge Sandra Arroyo Salgado, Nisman's former wife, claimed that her ex-husband would not have committed suicide and was convinced he was murdered. She added to the investigation forensic experts of her own, as an affected party, and they arrived at different conclusions from those of the official experts. They proposed a murder scenario that they claimed could explain the blood splatter found in the bathroom. Their strongest argument came from the lack of traces of gunpowder on Nisman's hands. In her efforts to direct the investigation towards an assassination, Arroyo Salgado also revealed that Nisman had a Merrill Lynch account and other properties abroad and that Diego Lagomarsino (who had allegedly lent him the gun that caused his death) had access to the funds in these accounts. Lagomarsino was temporarily placed under arrest for possession of a handgun without a permit, specifically the one he had lent to Nisman. Because the evidence thus far pointed to a suicide, however, Lagomarsino did not become a suspect in the case. He had served Nisman as cyber-security and encryption expert, but

despite one of the highest salaries in the AMIA special prosecutor's unit, he was practically unknown in the office. Lagomarsino claimed that Nisman demanded that Lagomarsino personally pay Nisman half of Lagomarsino's salary at the end of every month as a kickback to continue Lagomarsino's employment.

Nisman's Merrill Lynch account, opened in 2010, revealed a previously unknown side of Nisman, who relished a high expenditure lifestyle sharply in contrast with the monthly income of a prosecutor. The account was in the name of Nisman's mother, his sister, and of Diego Lagomarsino, but Nisman enjoyed vast powers of attorney. The account held over \$600,000, with a diverse source of deposits. One deposit for \$150,000 was made by Damián Stefanini, a financier who vanished without trace in October 2014 and whose disappearance is being investigated by Judge Arroyo Salgado, who is Nisman's ex-wife.<sup>4</sup> Claudio Picón, a businessman with ties to US firms providing services to security agencies, and owner of the Audi Q3 used by Nisman at the time of his death, had deposited US\$75,000 into the Merrill Lynch account and issued a check for US\$200,000 made out to Nisman from a Bank of America account in Miami (Kollmann, 2015). Nisman had failed to declare these funds and a number of other real estate properties as required by anticorruption laws. The real estate properties were also in his mother's name, but he enjoyed full power of attorney over them.

The source and full extent of Nisman's wealth remains unclear. Although an investigation into money laundering has been opened, ties between these funds and foreign intelligence agencies may prevent collaboration from foreign governments.<sup>5</sup> Jorge Elbaum (2015), former director of Delegación de Asociaciones Israelitas Argentinas (DAIA), suggested that another potential source of funds was Paul Singer, who is the head of NML Capital, an offshore hedge fund specializing in defaulted sovereign debt. Singer, a staunch supporter of Israel, who openly opposed to lifting UN sanctions on Iran, allegedly offered Nisman support to oppose the Memorandum.<sup>6</sup> He also had a significant stake in undermining the Fernández Administration because he claimed over US\$830 million in defaulted sovereign debt.<sup>7</sup> Singer is a major donor to the Foundation for the Defense of Democracies, which published numerous reports condemning the Fernández Administration and in February 2015, established a website and a "prize of courage" in Nisman's name.

Nisman's accusations against President Fernández and Foreign Minister Timerman initially floundered in the courts. On February 15, 2015, however, prosecutor Gerardo Pollicita indicted Fernández and Timerman on the basis of Nisman's accusation. The very next day, Judge Daniel Rafecas dismissed the indictment for lack of evidence. On March 4, Pollicita appealed Rafecas' dismissal. The case moved up the Argentine Judicial System and was decisively dismissed towards the end of 2015 for lack of evidence. However, the arrival of Mauricio Macri to the presidency in December brought profound changes to the political climate in the courts. Later that month, prosecutors accused former President Fernández and former Foreign Minister Timerman of treason over the Memorandum. In January, Judge Fabiana Palmaghini removed Prosecutor Viviana Fein from the investigation of Nisman's death, and by April, the case had been moved to federal court for investigation as the potential murder of a federal prosecutor. Both the investigation of Nisman's accusations over the Memorandum and Nisman's death itself are embedded within politically charged conspiracy theories. We turn to these in the following section.

### Competing Conspiracy Theories

Given the tense political climate prevalent in Argentina, and the high stakes of the approaching presidential election later that year, Nisman's death immediately unleashed wild speculations regarding conspiracies. Two conspiracy theories stand out for galvanizing public sentiment in a manner that reflected the political polarization prevalent in the country. Fanned by the large media conglomerates and leaders of the opposition parties—and seemingly credible given the timing of Nisman's death—the first conspiracy theory claimed that the government was involved, directly or indirectly, in the assassination of Nisman. An alternative conspiracy theory surfaced more slowly, as information about Nisman's death and details about his finances and political entanglements emerged. It claimed that Nisman was set up by disgruntled intelligence officers, possibly under foreign influence, to make the accusation against the President and Foreign Minister. Confronted with the political storm he unleashed yet unable to summon support from his key intelligence informant, Nisman committed suicide. Four of the six people Leopoldo Rodríguez interviewed believed that Nisman was murdered to cover up evidence implicating President Fernández. Only two believed that he committed suicide. Both theories had numerous adherents and detractors, and both merit further examination.

Given the environment of political polarization that prevailed in early 2015, it comes as no surprise that a large number of people, and primarily those who held unfavorable opinions of the government, believed that Nisman had been assassinated, probably with the complicity of the highest levels of the state. The large media conglomerates, which for years had been openly antagonistic to the President, wasted no time in giving these narratives credence. One of our informants stated: "Journalists openly gave their opinion. No one dared to say it was a suicide, [and] many thought it was an assassination" (Anonymous 1, 2015). Accounts of the allegedly disorderly performance of the security services upon arrival at the crime of the scene were interpreted as evidence of a cover up. The same informant told Leopoldo Rodríguez, "[Nisman] was murdered. Evidence was covered up, manipulated" (Anonymous 1, 2015). More likely causes for a less-than-perfect investigation, such as incompetence, poor training or lack of experience on the part of officials (given that it was Prosecutor Fein's first murder case), were not given due consideration. The Argentine judicial system had significant weaknesses. Likewise, when ballistic tests repeatedly failed to find traces of gunpowder on Nisman's hands, these were interpreted as evidence that someone else had done the shooting. The fact that small handguns such as the Bersa .22 that killed Nisman often do not leave gunpowder traces or that Nisman's hands were covered in blood, making detection of gunpowder traces less likely, were largely ignored by the mainstream media.

Arroyo Salgado's insistence that Nisman was murdered gave great weight to the political assassination narrative, keeping it alive in the courts and the media. As the former wife and legal representative of Nisman's two daughters, under Argentine law, Arroyo Salgado had the right to appoint her own experts to the investigation. Based on the position of the body, placement of the gun and blood splatter pattern, her forensic team disagreed with the official interpretation of events in the bathroom, proposing the possibility that Nisman was shot while kneeling on the floor. The idea that Nisman was murdered has taken such a strong hold of the imagination of large sectors of the Argentine population that even if a court of law were to rule Nisman's death a suicide, many people would nonetheless remain convinced that Nisman was murdered in order to protect former President Fernández from prosecution.



Despite the tarnished reputation of the term conspiracy theory, conspiracies do take place. We do not intend to prove or disprove the conspiracies surrounding Nisman's death, but find it worth exploring the likelihood that Nisman was in fact assassinated by someone aligned with the government. A starting point would be to ask who benefited from his death. President Fernández rapidly became a suspect in the minds of many people and an easy target of media attacks. Her legacy was tarnished by the prosecutor's death after he had accused her of criminal activity. Aside from Nisman's immediate family, however, it is hard to imagine who could have fared worse from Nisman's death than President Fernández, unless he had substantive and extremely damaging additional evidence that could be buried with his assassination. At least three of our informants believe that Nisman's death in fact had a very high cost for President Fernández and that it was the defining factor in her party losing the presidential elections that year.

Nisman's accusation lacked evidence directly linking high-ranking government officials to the crimes he alleged they had committed. While his allegations are supported by recordings of phone conversations between social movement leaders (Luis D'Elia and Fernando Esteche), a former judge (Héctor Yrimia), a Congress Representative (Andrés Larroque), an alleged intelligence agent (Allan Bogado), and Iranian citizens allegedly acting on behalf of the Iranian government, the accusation is based on the subjective interpretation of these phone conversations. Did Nisman have additional evidence directly implicating the President or other high level officials? Could this additional evidence have led pro-government agents to assassinate him? Despite claims by journalist Daniel Santoro (2015, pp. 26-27) that Nisman had additional evidence in various thumb drives, no new evidence has emerged from the prosecutor's office or other sources linking any member of the Fernández Administration with Nisman's accusation of covering up the Iranian suspects. Closer analysis of the accusation reveals other weaknesses.

One aspect of Nisman's accusation that stands out as particularly inconsistent with facts is the alleged motivation for improving relations with Iran. According to Nisman, Argentina was facing an energy crisis and needed to import oil. He argued that the deal with Iran was pursued in order to export wheat and import much needed crude oil. Given the restrictions on both Iranian shipping and banks in the aftermath of United Nations Security Resolution 1929 in June 2010, it was implausible that the Argentine government could have successfully concluded any trade arrangement. Moreover, cursory analysis of Argentina's energy sector belies this allegation. Bernal and DeDicco (2015, pp. 29-37) demonstrated that during the period in question (2003-2014), Argentina did not face an energy crisis and was actually exporting crude oil. Even if Argentina had been in desperate need of crude oil, Iranian oil would have been useless because Argentina's petrochemical industry can only process sweet, light (low sulfur) oil. Like Venezuela's and México's oil, Iran's oil is heavy and high in sulfur and therefore unfit for Argentine refineries.<sup>8</sup>

Riddled with weaknesses, Nisman's accusation has been repeatedly dismissed by Argentine courts. Under these circumstances, would it make sense for the government to assassinate Nisman at the very moment when all eyes would fall on the President as the most likely culprit?

If detractors of the government rapidly put forward a conspiracy narrative placing responsibility for Nisman's death on President Fernández, her followers responded with a narrative discrediting Nisman. It essentially alleged that Nisman was politically motivated, perhaps even conspiratorial, in his accusation against President Fernández. Facing a media storm of his own making, Nisman found himself vulnerable, without adequate political and intelligence

cover, and committed suicide fearing ridicule and shame given the weakness of his accusation and possible revelations about his private life.<sup>9</sup> One version of this theory had Nisman committing suicide of his own volition, without instigation. A more elaborate version argued that disaffected members of Argentina's intelligence community induced Nisman to commit suicide to create the political storm that followed. Of the two people that Leopoldo Rodríguez interviewed who believed Nisman had committed suicide, one believed that he may have been pressured into it by intelligence agents. The other believed that Nisman had snapped under intense public pressure and scrutiny.

In his years-long investigation of the AMIA bombing, Nisman had slowly but steadily become submerged in the world of international intelligence. On several occasions, Nisman traveled to the US and Israel for secret meetings with the FBI and Mossad (Pastor, 2015, pp. 81-84, 125-133, 178-182). WikiLeaks documents reveal that Nisman enjoyed close ties with the US Embassy, where he would report on the AMIA investigation and go as far as to modify reports and documents under embassy instructions, prior to their submission to Argentine courts. Over time, Nisman became increasingly reliant on Antonio Stiuso, chief operations officer of Argentina's intelligence agency (SIDE), for intelligence on the AMIA bombing. Having joined Argentina's intelligence community in 1972, Stiuso played a key role in Nisman's international relationships and was the source of the foreign intelligence reports that Nisman used to build and support his case against the Iranian suspects. Sheinin (2015) argues that these links by Nisman and Stiuso with US officials demonstrate that Argentina and the US were cooperating with regards to policy towards Iran and should not be interpreted as evidence of US interference with the independence of Argentina policy towards the Middle East. Stiuso was also the source of the telephone recordings that Nisman presented in early 2015 as evidence against President Fernández and Foreign Minister Timerman.<sup>10</sup> However, after Nisman's accusation, Stiuso failed to answer his phone calls. Telephone records show that Nisman repeatedly tried to get ahold of Stiuso and even tried to establish contact with him through third parties, but to no avail. When questioned about this by Prosecutor Fein, Stiuso alleged that his cell phone ringer was off that week and was not aware that Nisman was trying to get ahold of him.

Stiuso left Argentina by April 2015 because of alleged death threats. Argentine courts wanted him to testify on the AMIA case but could not establish his whereabouts. The Argentine government claimed Stiuso was in the US, but the US government did not cooperate. Shortly after the change of governments in December 2015, Stiuso resurfaced in the US, and in March 2016, he gave a 17-hour verbal deposition in front of Judge Fabiana Palmaghini. He presented no new evidence in the case but stated he believed Nisman had been assassinated, implicating President Fernández in some moments of his declaration, and Iranian secret agents in others. His declarations shaped Judge Palmaghini's decision to move the case to federal court for its investigation as a potential murder.

Stiuso was at the center of the second conspiracy theory, as the man setting up Nisman for wild accusations against the President, only to leave him standing on thin air at the time of public scrutiny. Without Stiuso's cover, and with the government declaring him *persona non-grata*, Nisman must have known that it was only a matter of weeks before his accusation was dismissed (as it was) and details of his lavish lifestyle were exposed, including his large Merrill Lynch account and his alleged trips to the Caribbean with for-hire models (Savoia, 2015, "Una Modelo... 2015; Basso 2015; Kollman 2015). Could this have led Nisman to commit suicide?

### **What Was Distinct about These Conspiracy Theories?**

The conspiracy theories about Nisman's death were unusual compared to many regional conspiracy theories in that they had deep historical roots. In essence, the alleged histories created a version of the past that stretched back to the July 18, 1994 bombing. These accounts sought to create a plausible explanation for why Argentina's judicial system had failed to bring the guilty to justice, or even to determine the true facts of the case. The theories suggested that there had been a conspiracy to conceal the perpetrators' identities, a conspiracy that may have even involved Carlos Menem, Argentina's president from 1989 to 1999 and a member of the same political party as Cristina Fernández de Kirchner. In this manner, the narratives created a version of the past that did not focus on the systemic failings of the Argentine state but rather on the malevolence of individuals. While such simplified narratives are typical of conspiracy theories, the historical depth of this account reflected the long-standing tensions within the Argentine political system.

Argentina was also unusual in that it created a narrative in which there was an international conspiracy in which the nation's Jewish population was victimized, rather than being the conspirators. Conspiracy theories often recycle older narratives, and often contain elements of anti-Semitism (Brotherton, pp. 33-35). Perhaps the classic anti-Semitic conspiracy narrative is that associated with the Protocols of Zion, a falsified document that purported to reveal a Jewish plot for global domination (Goldberg, 2001, p. 16; Brotherton, pp. 31-43). In the 1970s, Argentina's military government had drawn on these narratives to indoctrinate its members into the belief that Zionism represented an existential threat for the Argentine nation. Jacobo Timerman was an Argentine publisher who was arrested, imprisoned and tortured by the military government in the 1970s. He detailed these experiences in his best-selling work, *Prisoner Without a Name, Cell Without a Number*, in which he described how his guards would attend training sessions about the dangers of Zionism, after which they would come to ask him questions:

Once I briefed them on the Jewish lobby in the United States. They had to be taught how to spell "lobby" in English. Another time, I told them about the first Zionist Congress in Basel, and they wanted to know when a decision had been reached to have two Zionist states, one in Israel and one in Uganda, and why the idea of Uganda had been abandoned in favor of Argentina. (Timerman, 1982, p. 103)

Army officers sympathized with Nazi officials and their anti-Semitism. Indeed, many of the most brutal figures in the military regime adopted fascist ideology with Nazi overtones: "The notoriously anti-Semitic Interior Minister General Albano Jorge Harguindeguy, was one. Two of his closest advisers were Nazi ideologues, experts in the writing of Hitler and other fascist authors" (Feitlowitz, 2015, p. 31). Even teaching about Einstein was considered suspect because he was Jewish. Timerman ultimately was released and fled to Israel in 1979. He later returned to Argentina in 1984, after sharply criticizing Israel's invasion of Lebanon. It was his son, Héctor Timerman, whom Nisman accused of making a deal with Iran that would protect guilty parties from the Argentine judicial system in exchange for trade arrangements.

Still, international media narratives of the case often questioned whether anti-Semitism might underlie an alleged government conspiracy in Argentina to conceal Iranian involvement in the bombing. This narrative drew on the memory of real Nazi and Wehrmacht figures who fled to Argentina after World War Two, such as Otto Adolfo Eichmann, a key architect of the Holocaust; Josef Mengele, who had conducted horrific human experimentation at the Auschwitz concentration camp; and Adolf Galland, a German fighter ace who worked to develop fighter

airplanes during World War Two and who later served Argentina as a test pilot. Of course, the United States had brought Wernher von Braun to the US to develop its rocket program despite his involvement in Nazi Germany's V-1 and V-2 rocket program, which not only killed thousands of British civilians but also led to the deaths of many slave laborers. The Soviet Union similarly brought Nazi scientists to that country after World War Two to develop its own military technologies. Nonetheless, this historical background gave resonance to conspiracy narratives internationally. These narratives inverted older conspiracy traditions to argue that there was a deep conspiracy against Argentina's Jewish population, including against Argentina's Jewish Foreign Minister. In this way, conspiracy theorists drew upon, but also adapted, existing theories in a manner that was not only distinct to Argentina but also which drew media attention globally. Argentina's own Jewish community was divided over the validity of these narratives.

The conspiracy theories concerning the Nisman case were also unusual in that political parties and elements of government publicly embraced them. This endorsement of conspiracy theories seldom happens in democracies, perhaps because public figures fear ridicule. For example, in May 2015, the governor of Texas, Greg Abbott, announced that the Texas National Guard would monitor a US military exercise named "Jade Helm 15." Conspiracy theorists in Texas had argued that the federal government intended to use this event as a cover to impose martial law in the states in advance of a Chinese invasion that would either take place through tunnels in abandoned Walmart stores, or draw on weapons stored in these empty buildings. The internet and media widely scorned Abbott's statements for seeming to pander to conspiracy theorists (Beckhusen, 2015). While conspiracy theories are often used in US politics (such as in the Vince Foster murder case in 1993), members of the government itself typically do not publicly support these theories and when they do they often pay a political price.

Within Argentina, news programs and videos on YouTube included the voice of prominent officials, editors, and other authority figures, which greatly augmented the power of these narratives. For example, soon after Nisman's death, a documentary about the Nisman case called *Los Abandonados* circulated on YouTube, which included interviews with the former Secretary of Intelligence and two National deputies (Taylor, 2015). The film suggested that the President had sought to protect the Iranians responsible for the AMIA bombing and that Nisman's investigation had led to his death. One of the final scenes in the film showed a pair of scissors cutting the yarn on the bulletin board that Nisman had used to tie together the key figures in the AMIA bombing. The implication was clear: Nisman's death had unraveled the investigation into wrongdoing not only by the perpetrators of the bombing but also by the members of Fernandez's government who wanted to conceal Iranian complicity in this atrocity.

The Nisman case was also unusual in that numerous members of the judiciary were sympathetic to accusations that a conspiracy had taken Nisman's life. Over the previous years, numerous prosecutors and judges had become active opponents of President Fernández in a protracted battle over the reform of the Judiciary, leading to the defeat of her proposed reforms when the Supreme Court ruled it unconstitutional in 2013 (Rodríguez Niell, 2014). A month after Nisman's death, a group of prosecutors organized a massive protest demanding the rapid resolution of the case, which insinuated that the government was hiding something and might be involved in Nisman's death (Marcha del Silencio, 2015). When Rodrigo Rosenberg Marzano was murdered in Guatemala in 2009—after filming a video of himself saying that if he died, the President was guilty—United Nations investigators (working for the International Commission against Impunity in Guatemala) were present in the country. The investigators ultimately

reported that the dead man had hired the hit men who had killed him (Carrol, 2010; Avila, 2010). Their report had the authority to defuse the crisis, even though doubts about his death remained. Given its weaknesses, the Argentine judiciary could not play the same role in determining what happened in the Nisman case.

As in folklore, narratives are more likely to be embraced after an authority figure supports a particular version of events, in part because it reassures people that they will not face public criticism for endorsing this belief, or that they will not be isolated (Sunstein and Vermeule, 214). This public endorsement of the conspiracy theory by elements within the government itself vastly increased the power of these narratives within Argentine political culture. The divisions that polarized Argentine political society were reflected not only within the nation's elites, but also within the government itself.

### **What Accounts for the Strength of Conspiracy Theories in Argentina?**

The power of these conspiracy narratives reflected the weakness of the Argentine state and the deep divisions with Argentine society itself, which caused a loss of public trust in the government. Argentine society has been deeply politically polarized since at least the government of Juan Domingo Perón (1946-55, 1973-74). Argentina later experienced a devastating period of military rule (1976-1983), characterized by a Dirty War, in which tens of thousands of Argentinians vanished. This period of terror was so extreme that it even changed Argentine's use of language (Feitlowitz, 1998, pp. 14, 37, 50-62). During this period, torture was referred to as "work" or "intensive therapy" (Feitlowitz, 1998, pp. 59, 64). The pervasive influence of the military's intelligence service (particularly the navy, the branch of the military most implicated in terror) and the fear and self-censorship that this period engendered had a corrosive impact upon public trust in Argentine institutions. One of the informants who believes Nisman committed suicide stated: "The system is corrupt, lacks transparency and credibility. There is a lack of trust in everything.... A great deal of impunity exists. When someone gets in [their] way, they get rid of him. This has historic precedent, the Military Junta for example. The institutions are broken. Judicial procedure[s] do not work" (Anonymous 2, 2015).

The Argentine military government had denied that people were disappearing—or incarcerated in secret prisons—throughout authoritarian rule (Feitlowitz, 1998, pp. 13, 28, 31). The military went to extreme lengths to conceal reality (Feitlowitz, 1998, p. 64). The armed forces even disposed of opponents by throwing them from planes flying deep over the South Atlantic while drugged but alive, so that their bodies would never be found (Verbitsky, 2005). At the same time, officers alleged that the disappeared had secretly fled the country or had hidden with family members within Argentina in order to bring discredit to the government (Feitlowitz, 1998, p. 66).

Argentina successfully prosecuted senior members of the military after the collapse of military government (Stepan, 1988, p. 71). Nonetheless, this legacy meant that the idea of political murders did not seem far-fetched within Argentina, even in 2015. One of the people interviewed stated: "Peronismo has no problem with assassination. They are capable of killing to move forward" (Anonymous 1, 2015). In addition, the Argentine judiciary emerged from this period of military rule significantly weakened, and efforts to rebuild it have faced limited success. This relative weakness of the Argentine judicial system has endured to the present. As expressed by one of the people interviewed by Leopoldo Rodríguez: "Our Justice System will not change much. [President] Menem established a partial [Supreme] Court. Our Justice System

is not independent as [it is] in the US. Our judges are politically influenced” (Anonymous 4, 2015).

These political issues were exacerbated by a terrible recession from 1999-2002, which followed a failed attempt to dollarize the Argentine economy. In 2001, Argentina entered a banking crisis so severe that by the end of the year, bank accounts were frozen by the government, and the country defaulted on its national debt, leading to a long-standing conflict with Argentina's creditors. This history led to a deep popular mistrust in Argentina's political leadership and lingering resentment against international investors and bankers, who were blamed for Argentina's suffering. While Argentina reached an agreement with some of its bondholders in 2005, some hedge funds refused to participate, and these investors have continued to pressure Argentina through legal means to satisfy its debts. These hedge funds are called vulture funds in Argentina, and they have been the subject of deep popular resentment and were subject to frequent criticism by then President Fernández.

In sum, Argentina has suffered from political polarization, the legacy of military rule, and a sense that the nation has been victimized by powerful external forces. This latter narrative echoed earlier rhetoric during Argentina's military regime, which claimed that Argentina faced threats from the foreign agents of Communism (Feitlowitz, 1998, p. 44). Even before a wave of coups swept much of South America between 1964 and 1976, regional armed forces sought to remake their nations' understanding of the past (Smallman, p. 2002). During military rule in the nations that underwent coups, there were different versions of political reality, which created not only different memories but also different histories. After the transition to democracy, these same countries struggled with difficult political legacies related to how to interpret their histories and how to restore public trust in authority (Stern, 2010). In Argentina, all these factors combined to fuel the two dominant and competing conspiracy narratives surrounding Nisman's death, which shared as a common factor a lack of trust in Argentine authorities. At the same time, the particular context that surrounded the presidency in 2015 also exacerbated the crisis.

The election of Cristina Fernández de Kirchner to the presidency in 2007 was soon followed by the further polarization of Argentine politics. Within a few months of her arrival in office, she faced widespread protests from agricultural producers who opposed changing the taxes imposed on agricultural exports. At roughly the same time, the largest media conglomerate made a marked turn against the policies of her government. The Grupo Clarín owns the newspaper with the largest readership in the country (Clarín) as well as numerous radio stations, TV stations, and cable services. Over the years that followed, the largest media outlets became increasingly critical of the government, often publishing unsubstantiated accusations of corruption and openly promoting the position of opposition parties and other groups.

### **Conspiracy Theories in a Regional Context**

One common element of conspiracy theories is that they reflect a fear of chaos. Conspiracy theorists almost never believe that events take place at random; rather, they believe that events reflect the deliberate and evil actions of people who are dangerous to society. In this sense, belief in conspiracy theories may represent a form of denial—denial of the random nature of a tragic or otherwise devastating event—whether it be that a pandemic of avian flu took place primarily because of a simple mutation in a virus's genetic code (not because a new virus had been created for the purposes of biological warfare) or that Kennedy was shot by a lone and disturbed gunman (not as a result of a plot carried out by mobsters or the KGB). Within

Argentina, the true events of the AMIA bombing have not yet been proven within the judicial system. It is likely that the polarization that drove the conspiracy theories within the country reflected not only continent-wide trends but also a common frustration with structural issues within the Argentine political system.

Within Latin America, the 1980s were commonly called a “lost decade,” as a host of economic factors, including excessive national debt, led to stagnation. The following decade saw the “Washington Consensus” at the height of its global power, as the United States, United Kingdom, World Bank, and IMF all advocated a package of neoliberal reforms, which they attempted to impose upon developing countries through conditionality and structural adjustment plans. This perceived hegemony of both the United States and the Bretton Woods Institutions (the World Bank, International Monetary Fund, and World Trade Organization) was interpreted in many developing countries as a violation of sovereignty, or even a form of neo-imperialism. Partly for this reason, a host of populist leaders emerged in South America in the late 1990s, beginning with Hugo Chávez in Venezuela in 1998, followed by Evo Morales in Bolivia in 2005. By the end of that decade, left-of-center and often populist governments had come to power in most of Latin America, with some notable exceptions, such as Colombia.

After the 2007 financial crisis, however, a number of factors combined to undermine these governments. With the slowing growth of the Chinese economy, the commodities boom that had driven regional growth for the previous decade ended. The rise of fracking led to the collapse of oil prices, which put severe pressure on some Latin American nations, particularly Venezuela. Throughout the region, political scandals undermined confidence in some leaders, such as Brazil’s moderate left leader, Dilma Rousseff, who was impeached, and her predecessor Luiz Inácio Lula da Silva, who has been interrogated by the police related to corruption. Moreover, from Venezuela to Argentina, the inclusion of the working class into the political system saw a parallel sense of alienation amongst the middle class, which heightened political tensions. A political backlash against populist movements was reflected in the ballot box, including with the election of President Mauricio Macri in Argentina. He was sworn into office on December 10, 2015. Throughout the region, populist governments have been facing major political challenges.

Events in Argentina and local interpretations of the Nisman death reflected the increasing political polarization of Argentina as the power of the left declined. Many studies of conspiracy theories have emphasized the connection between these beliefs and group polarization, as Sunstein and Vermeule have stressed (2009, p. 216). In Argentina, the government and its supporters perceived that they were embattled, and facing threats both internally and externally, including by the “vulture funds.” In contrast, the political right believed that the government was keeping the nation in a perpetual state of economic crisis, in which not only was the country locked out of foreign markets but also its currency flows out of the country were tightly monitored. At the same time, there was a sense of frustration that President Fernández retained considerable political appeal. Nisman’s death, therefore, took place in the context of a politically polarized society that was undergoing substantial economic strains. In the aftermath of Nisman’s death, a frightened government faced a reinvigorated opposition. In a larger sense, this period seemed to be marked by a waning tide of populism throughout the region, which made many populist leaders vulnerable. This regional environment fostered the emergence of conspiracy theories within Argentina after Nisman’s death. As is typical, these conspiracy theories created an explanation for a political crisis that focused on individuals’ malevolence rather than

structural failures, and thus simplified the Argentine experience. They also reflected a deep lack of public trust in Argentina's government and institutions.

### Conclusion

Just because a political narrative focuses on a conspiracy does not mean that the theory is untrue. The Klu Klux Klan really did conspire against the US government (Goldberg, 2001, p. 11). An FBI program called COINTELPRO (1956-1971) really did carry out clandestine activities against civil rights figures and dissidents in the United States, using tactics that were illegal. Still, most conspiracy theories reflect core beliefs more than external evidence. In Argentina, Nisman's death led to the widespread adoption of conspiracy theories by members of the judiciary, the media, and the President's political opponents. These narratives reflected (1) a lack of public trust in the government because of the perception that the government suffered from corruption, (2) the mistrust of investigating authorities, (3) the legacy of military rule, (4) the country's long-standing political polarization, and (5) the perception that outside powers influenced local events. In response, the President and her supporters advanced their own conspiracy theories. The ensuing polarization in Argentine society mirrored political trends in the hemisphere, where populist governments are losing power.

Other Latin American nations have recently faced crises similar to Argentina's but were able to better uncover the truth because an outside actor could investigate the crime. On January 12, 2010 the International Commission against Impunity in Guatemala announced that Rodrigo Rosenberg had planned his own murder (Avila, 2010). This absolved President Álvaro Colom in this case and prevented a serious political crisis. In 2014, 43 students from a teacher's college in Guerrero, Mexico (south of Mexico City) disappeared after a violent attack by police. The government asserted that the police had turned over the students to members of a local drug organization. In 2016, however, an international panel (convened by the Inter-American Commission on Human Rights) issued a report on the case that challenged the government's version of events (Leveille, 2016). In this case, the true events of that night have not been established in court, and the international investigation has stopped. At the least, however, the international panel was able to assert an alternative narrative to the government's, based on careful documentation. Given that Argentina has not successfully investigated the 1994 bombing of AMIA, its state institutions do not likely have the capacity to restore public trust through a convincing investigation of the Nisman case. The best path forward would likely be for the Argentine state to ask for a panel of international experts to investigate both the AMIA bombing and Nisman's death. This step is unlikely, given the interests of different political actors and the power of nationalism in Argentine political discourse. Nonetheless, only this step is likely to restore public trust and thereby weaken the power of conspiracy theories in Argentina.

### Notes

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<sup>1</sup> Leopoldo Rodriguez conducted six interviews in Buenos Aires, Argentina in December 2015. The interviews consisted of ten open-ended questions and lasted over an hour each. All interviewees were college-educated professionals between the ages of 30 and 80. The interviewees were purposely selected to represent people in favor and against the government of Cristina Fernández de Kirchner. The sample was not meant to be representative but rather to give a sense of peoples' opinions on Nisman's death. The authors wish to acknowledge the support of Elliot Young and Fred Nunn, as well as the interviewees in Argentina.



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<sup>2</sup> This section draws on numerous articles and reports from Argentine newspapers available online, including *La Nación*, *Clarín*, *Página12*, and *Ambito Financiero*, as well as Facundo Pastor, *Nisman: ¿Crimen o Suicidio? ¿Héroe o Espía?*; Margen Izquierdo, Buenos Aires, 2015; and Daniel Santoro, *Nisman Debe Morir*, Ediciones B, Buenos Aires, 2015.

<sup>3</sup> For the full text of the Memorandum see “Texto Completo del Acuerdo” (2013).

<sup>4</sup> In October 2015, Prosecutor Fein requested information about Stefanini’s disappearance from Arroyo Salgado, but the Judge never replied. See “La fiscal Fein le pidió a Arroyo Salgado copias de la causa de la desaparición de Stefanini” *La Nación*. September 9, 2015 and Hauser (2015).

<sup>5</sup> For example, Picón’s business partners have close relations with former CIA agent Frank Holder, who runs a private security firm operating in the US and Latin America. See “El extraño vínculo” (2015). Other contacts with foreign intelligence agencies were provided by Antonio Stiuso (see below).

<sup>6</sup> For a brief description of the intricate ties between organizations backed by Singer, US politicians, Jewish community organizations in Argentina and Nisman, see Elbaum (2015). Jorge Elbaum is the former director of the Dirección de Asociaciones Israelitas Argentinas (DAIA), an umbrella organization of Jewish community organizations in Argentina.

<sup>7</sup> NML Capital had paid US\$48 million for the bonds back in 2002. Singer had become an arch-enemy of the Argentine government, pursuing a lawsuit in US courts with major implications for the Argentine economy. In mid-2014, New York Judge Thomas Griesa ruled in favor of NML Capital and other so called “vulture funds,” but the Fernández administration did not abide by the ruling, and the confrontation escalated. See Stiglitz and Guzman (2014). After the arrival of Mauricio Macri to the presidency, the Argentine government paid these defaulted debt obligations.

<sup>8</sup> For a detailed analysis of these points, see Bernal and DeCicco (2015).

<sup>9</sup> Not long after his death, pictures of Nisman with diverse VIP escort-type models, some of them during unauthorized vacations in the Caribbean, emerged in the media (“Difunden...”, 2015”).

<sup>10</sup> Judge Canicoba-Corral, who presides over the AMIA case, accused Stiuso of conducting unauthorized recordings of phone conversations and manipulating Nisman’s investigation. See “Canicoba Corral” (2015, January 15).

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