

“Judges think of the judiciary as something that belongs to them” — Attorney Alan Lud

From 1976 to 1983 Argentina’s anti-communist military dictatorship engaged in what is known as the “Dirty War.” Between 30,000 and 45,000 men and women who expressed opposition to the dictatorship were disappeared -- kidnapped in the middle of the night — never to be publicly seen again. In some cases entire families were kidnapped. The disappeared people were brutally tortured, and it is known that some of them were taken up in airplanes and thrown out alive over the Atlantic Ocean.

During the dictatorship years many hundreds of infants and very young children were kidnapped by the military and “adopted” by high military personal, politicians, and judges. Women who were pregnant when taken into custody had their baby snatched from them after it was born.

In 1977 grandmothers of kidnapped children founded [Grandmothers of Plaza de Mayo](#) (A companion organization founded was [Mothers of Plaza de Mayo](#).) Members openly defied retaliation by the dictatorship by protesting and trying to locate kidnapped children and return them to their families. Thirty-seven years after it was founded, members wearing their trademark white head scarves continue to gather every Thursday at 3:30 p.m. and peacefully protest by marching around the Plaza de Mayo that is located directly in front of the President’s residence in Buenos Aires.

During the 37 years since its founding the Grandmothers of Plaza de Mayo has been able to locate 87 kidnapped grandchildren. The task has been difficult because not only are all the kidnapped children now adults, but



Grandmothers of Plaza de Mayo protesting in Buenos Aires (www.abuelas.org.ar)

the original identify of the children was wiped clean in many cases. To overcome that obstacle, DNA testing is being used to determine the true identity of persons who are likely to have been snatched from their parents.

Alan Lud is a human rights lawyer in Buenos Aires and lead counsel for Grandmothers of Plaza de Mayo. He is also an appointed substitute judge for the Criminal Cassation Court. He was recently interviewed by the *Buenos Aires Herald*. [Part of Lud’s interview](#) follows with the questions in **Bold**:

There are some sectors that suggest plea bargains to exchange information about the disappeared for a lesser sentence. Would the Grandmothers support this idea?

Historically, they have not. It’s difficult to express how this possibility affects them. Some Grandmothers say: “I couldn’t look my grandchild in his or her eyes if I had negotiated impunity for his appropriators, who might also have known what happened to his parents.” ... I find the proposal difficult in this particular context.

Why?

Those who are taken to court are members of the military or the security forces. They are not ordinary people who turned up there by chance. ... They have never acknowledged the systematic plan

to snatch babies. ... *There is a huge pact of silence among the repressors and they prefer not to talk in order to avoid being ousted from their circles.*

Next week, a trial against former judges for their role during the dictatorship will begin in Mendoza. Is there a need to purify the judiciary?

It’s clear that the judiciary was an accomplice in state terrorism. There are few magistrates these days who were judges during the military regime but there are many who began their careers then. We cannot expect the judiciary to purify itself, the boost for reform must come from outside. Last year, there were attempts to reform the judiciary but they were quashed by corporativism and the Supreme Court.

The Supreme Court created three commissions of criminal judges to propose changes. Can that be enough?

No. We cannot expect a beneficial reform from the judges. They think of their interests. They think of the judiciary as something that belongs to them, not as a state branch that has to guarantee the citizens’ rights. The best reform proposals have always been quashed by judges.



Alan Lud, human rights attorney (Buenos Aires Herald)

[Click her to read the complete interview](#) of attorney Alan Lud by Luciana Bertoia

[Click her to go to the Grandmothers of Plaza de Mayo website.](#)

Sources:

“[We cannot expect judges to reform the judiciary.](#)” Interview of Alan Lud by Luciana Bertoia, *Buenos Aires Herald* (Buenos Aires, Argentina),

February 9, 2014

Grandmothers of Plaza de Mayo website, www.abuelas.org.ar/english/history.htm

Stobaugh cont. from p. 8

The appeals court ordered Stobaugh released on \$25,000 bond while the State decides if it will appeal their ruling to the Texas Court of Criminal Appeals. However the Court left the conditions of Stobaugh’s release to be decided by the Denton County District Court. If the appeals court’s ruling isn’t appealed then Stobaugh’s indictment will be dismissed and his retrial for murder barred by double jeopardy.

Seven days after Stobaugh’s acquittal a bond

hearing was held and District Court Judge Bruce McFarling — who presided over Stobaugh’s trial in 2011 — [ordered his release](#) from the Denton County Jail on the conditions he wear a GPS tracking device, and that he not leave Denton, Tarrant or Cooke counties without permission pending either the State’s appeal or dismissal of his indictment. Stobaugh was accompanied by his son Tommy and daughter Charee as he left the jail after 2 years and 50 weeks of incarceration.

[Click here to read](#) the appeals court’s 176-page ruling in *Charles Stobaugh v. Texas*,

No. 02-11-00157-CR (2nd Dist. Ct. of Appeals, 1-23-2014).

Source:

[Charles Stobaugh v. Texas](#), No. 02-11-00157-CR (2nd Dist. Ct. of Appeals, 1-23-2014) (Opinion)

[Charles Stobaugh v. Texas](#), No. 02-11-00157-cr (2nd dist. ct. of appeals, 1-23-2014) (Judgment)

[Stobaugh conviction overturned](#), *Denton Record Chronicle* (Denton, TX), January 27, 2014

[Walking free](#): Stobaugh released after three years in prison, *Denton Record-Chronicle* (Denton, TX), January 30, 2014

[Denton County jury](#) finds Charles Stobaugh guilty of murdering estranged wife, *The Dallas Morning News*, February 17, 2011