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# ARABIC-SPEAKING IMMIGRANTS BEFORE THE COURTS IN TUCUMÁN, ARGENTINA, 1910–1940

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*This article studies the personal experiences and daily interactions of Arabic-speaking immigrants living in Tucumán, Argentina, during an era of intense economic dislocation and sociopolitical turbulence (1910–1940). Court proceedings make up the evidence of the following discussion to assess the varied experiences of non-elite Arabic speakers residing in Tucumán. Immigrants, like Argentine citizens, used the justice system to seek redress or answer allegations of aberrant behavior. Recent scholarship on émigré colonies generally focus on its institutions, including cultural organizations and the immigrant press, which offer the experiences and perspectives of a narrow group of people. While these works have added great depth to this field, much less attention has been paid to immigrants who did not associate with these institutions. A series of court proceedings related to violent crime and divorce demonstrate the difficulty of interpersonal relationships and life in Argentina and the consequences for certain actions.*

## Introduction

Juana Galip must have been anxious to reunite with her husband after more than a decade of separation. Arriving in Monteros in 1924 following the long journey from Mount Lebanon, Galip was enraged to learn that her husband of more than twenty years, Rachid Melhem Hauman, had taken a local Argentine wife with whom he had fathered five children. The public nature of the affair in this hamlet, located in the sugarcane zone of Tucumán province in northwestern Argentina, intensified this humiliation, which likely devastated the three children Juana Galip had with Hauman. Juana Galip sued for divorce and demanded a division of property. Before the court, Hauman denied that he had ever married Galip, rejected the accusation that he had married anew, and declared that the marriage certificate submitted by Juana Galip was falsified. He did admit to fathering Galip's three children but suggested that after more than a decade of separation, she was on a "judicial adventure," attempting to win a part of his modest wealth. The presiding judge, suspicious of the Arabic-language marriage certificate from Lebanon and its French and Spanish translations, ruled

in favor of Rachid Melhem Hauman, absolving him of the accusation of adultery. Galip appealed to the provincial Superior Tribunal.<sup>1</sup>

In reviewing the evidence, the justices noted that the copy of the marriage certificate was signed by the parish priest at St. John the Baptist Maronite Catholic Church in Mtein, a village on Mount Lebanon. The document furthermore received the stamp of approval from the vicar general of Beirut's Maronite diocese, the French governor of Greater Lebanon (then under a League of Nations mandate), and the Argentine consul in Beirut. The justices also observed that if Hauman assailed the integrity of the documents and the truthfulness of the translation, he had the legal right to seek a second translation by a court-appointed translator—an option he did not take. The justices concluded that while Hauman may not have married the Argentine Dolores Pinto, the facts that she had lived in his house for years, raised her children in this house—some of whom called Hauman “father”—and tended to Hauman's dry goods store indicated a relationship beyond mere employment. As a result, the provincial Superior Tribunal justices unanimously overruled the lower-court ruling, affirmed the request for divorce by Juana Galip, and declared Rachid Melhem Hauman responsible for the dissolution by virtue of adultery and willful abandonment. The justices then ordered a separation of property.<sup>2</sup>

The divorce case between Juana Galip and Rachid Melhem Hauman is but one example of the varied encounters and relations of immigrants and their children culminating in interaction with and intervention by such local state institutions as the Argentine judicial system. Much of the scholarship on migrant groups in Argentina and elsewhere in the Americas, however, has relied on the materials produced by its institutions, including cultural organizations, mutual aid societies, and the immigrant press. The source material is indeed rich; however, it presents the perspectives of a narrow selection of any immigrant group, generally its economic and cultural elites. As a result, the literature has focused on either the successful integration of a particular group or the bigotry by local societies targeting immigrants.<sup>3</sup> While both trends have contributed to understanding the variety and place of immigrants in Latin American politics, economy, and society, the scholarship offers little about less fortunate immigrants who suffered from the vagaries of economic cycles, the material consequences due to social and institutional prejudice, and the gendered experience of adaptation and integration into local Latin American societies in the era of mass migration—gaps noted by the historians Jeff Lesser and Raanan Rein.<sup>4</sup>

Scholars of gender have contributed greatly to understanding more fully how social conventions, intellectual currents, burgeoning notions of public health, and modern civil codes affect men and women differently. As women increasingly entered the public sphere and labor markets in the

late nineteenth and early twentieth centuries, for example, male intellectuals and policymakers sounded the clarion call of a perceived threat to the social order. Feminists, concurrently, demanded reform of women's legal status via journals and international congresses, achieving a milestone with the 1926 alteration of the civil code that gave single, married, and separated women civil status and rights outside the home.<sup>5</sup> While these gender studies have been sensitive to the experiences of immigrant women, recent criminological studies—which have centered on the impact of the discourses of crime, the creation of criminals and criminality, the popular understandings of criminality, and the ideological influences of Latin American institutions—have paid little attention to questions of how immigrants, in particular immigrant women, intersected with these institutions and experienced legal reforms.<sup>6</sup>

This article attempts to address these shortcomings to understand better some of the deeply personal experiences and daily interactions of Arabic-speaking immigrants living in Tucumán during an era of intense economic dislocation and sociopolitical turbulence. Like many sectors of society, Arabic speakers had a complicated relationship with the Argentine state, in particular the courts. Numerous cases like Juana Galip's demonstrate the difficulty of interpersonal relationships and life in Argentina and the consequences for certain actions. Court proceedings make up the evidence of the following discussion to assess the varied experiences of non-elite Arabic speakers residing in Tucumán. To assess the immigrant experience more fully, this article examines criminal prosecutions related to homicide and sexual assault and divorce litigation in the civil courts. In Juana Galip's case and others, gender clearly played a significant role by influencing the presumptions of jurists, highlighting systemic inequalities in the legal codes, and swaying strategies in utilizing the courts or avoiding them entirely.

Litigation records, hence, are a rich source, providing details into the actions of historical actors not usually included in the immigration literature, their motivations, their often-desperate personal situations, and the ways they intersected with the state. Immigrants, like Argentine citizens, used the justice system to seek redress or answer allegations of aberrant behavior. The court cases studied here range from 1914 to 1940, straddling the reform of the civil code. The periodization is important for several reasons for Tucumán and Argentina. First, this period marks a transition in political participation, as more men and women entered the public sphere demanding more services, better labor markets, and increased wages. This transformation happened in a context of economic instability and labor agitation. Second, this is a critical period in the history of the Syrian Lebanese colonies in northwestern Argentina, as these people transformed from an immigrant group into a clearly defined ethnic minority that was part of the larger Argentine social fabric, became leaders of trade, and entered success-

fully into local electoral politics. Finally, the examination of cases roughly during the interwar era allows an assessment of the impact of changes in the Argentine legal codes on litigants.

### **Tucumán from World War I until World War II**

Economic turbulence, social unrest, and political disorder provided important backdrops for immigrants, framing the contours of interpersonal relationships and adding further stresses due to weak labor markets and intense bouts of unemployment. Tucumán's economy suffered from persistent sugarcane overproduction because of an inability to devise effective policies for the sugar industry. The province, consequently, lurched from economic crisis to social crisis to political crisis and back again. These crises fit into a larger trend in Argentina as the Sáenz Peña Law of 1912—which provided universal male suffrage and the private vote—expanded the political sphere. In the wake of the law, the Radical Party—a political group made up of members from the traditional political and social elite, children of immigrants who increasingly made up the burgeoning middle class, university students, and other groups—won the governorship of Santa Fe province in 1914, the presidency in 1916, 1922, and 1928, and the governorship of Tucumán province in 1917, 1920, 1924, 1928, 1935, and 1939. The rise to power of the Radicals challenged the entrenched interests of local and national political classes while empowering larger numbers of people with a sense of participatory rights.<sup>7</sup> This contest for power mixed with economic malaises in Tucumán, producing a combustible environment during which four governors were deposed by federal intervention, sugarcane growers and field workers rioted in the countryside, and such violent crimes as homicide, aggravated assault, and sexual assault increased substantially.

Argentina experienced a steep recession as a result of the outbreak of World War I in August 1914 but later enjoyed a general economic expansion in the 1920s. In the far northwest, Tucumán's economy collapsed in the early years of the war and struggled throughout the following two decades. As work in the cane fields disappeared, non-felony violent crime in San Miguel de Tucumán surged to seven times the level of Buenos Aires, and homicides increased between 1917 and 1920.<sup>8</sup> The social instability exacerbated an ongoing political crisis, culminating in the deposition of the sitting Radical governor in December 1920. Industrialists and *cañeros* (sugarcane farmers) expanded and modernized their facilities, earning them massive losses; at the same time, new legislation guaranteed a minimum wage and an eight-hour workday for laborers, increased existing taxes on the sugar industry, and promulgated new duties. Industrialists fumed, and violent

strikes manifested in 1923, as workers at sugar factories throughout the province demanded better wages than the minimum level.

As world sugar prices plummeted, totaling a 90 percent drop between 1920 and 1930, the persistent sugar crisis unified all interested parties around the need for tariff protection. By 1925, Argentina had the third-lowest sugar tariff of any major sugar consumer. Foreign sugar, consequently, flooded the market, depressing prices and plunging an already-struggling industry that serviced the domestic market into depression.<sup>9</sup> The countryside erupted again as cane farmers initiated increasingly violent strikes, climaxing in a march on the capital in June 1927 by thirty thousand people. This prompted mediation by President Marcelo T. de Alvear between the cañeros and the industrialists, culminating in the binding decision known as the *Laudo Alvear*, which guaranteed a minimum price for sugarcane.<sup>10</sup> Despite the agreement, cañeros and industrialists continued to bicker over the price of cane sold to factories.

The onset of depression in 1929 exacerbated the worsening economic situation in Tucumán. The provincial government desperately tried to deal with overproduction as well as intense social unrest. The economy abandoned the most vulnerable residents as the labor market contracted. The military coup in Buenos Aires in September 1930 led to an army-established interim administration in Tucumán. Democratic rule returned in 1932; however, little had improved for those dependent upon the seasonal labor of the sugarcane harvest, as “cities of misery” emerged in the suburbs, while violent strikes and demonstrations rocked provincial hamlets.<sup>11</sup> The debt-ridden government tried unsuccessfully to stem overproduction while endeavoring to reign in the debt, create public welfare programs, and pass pro-labor legislation. These contradictory events led to another federal intervention in June 1934. The subsequent democratic government reorganized the province’s finances and marked a decided course to arrest the economic slide by initiating a sustained series of public works between 1935 and 1939 to develop infrastructure and provide much-needed jobs. The government augmented public services—principally medical and social assistance—education, and police security, and the provincial legislature passed a minimum-wage hike for workers in 1939, complementing the executive branch’s initiatives.<sup>12</sup> While the economic, political, and social predicaments touched individual immigrants and other residents in particular ways, the overall milieu of the province between 1914 and 1940 created an environment that exacerbated interpersonal strife and personal insecurity.

## The Syrian Lebanese Colony in Tucumán

Of the more than five million immigrants Argentina received between 1857 and the start of World War I, half of which remained permanently, only a small portion of these arrivals (roughly 3 percent) settled in the northwestern provinces of Catamarca, Jujuy, La Rioja, Salta, Santiago del Estero, and Tucumán by 1914. This contrasted with the foreign born elsewhere, which accounted for 30 percent of the national population and half of the capital Buenos Aires in 1914.<sup>13</sup> This influx of foreign-born peoples, although small in contrast with other areas of the country, had a direct impact on the local economy, politics, and society. Spaniards, Italians, and Arabic speakers accounted for the largest immigrant groups in the Argentine northwest, equaling two-thirds of foreign-born inhabitants and 5 percent of the region's population. Sojourners from the eastern Mediterranean, most of whom spoke Arabic, first arrived in the region by 1885 and amounted to 11 percent of the foreign born in 1914, contrasting with their presence in Buenos Aires where they numbered just 2 percent of immigrants.<sup>14</sup> The province of Tucumán proved to be the most attractive destination in the northwest for Arabic speakers, drawing one of every two in the region.<sup>15</sup>

Unlike the Spanish, Italian, and French residents, the Arabic-speaking community did not establish mutual aid organizations prior to 1925. One lone attempt materialized in 1898 with the Turkish Argentine Society (*Sociedad Turco-Argentina*), a collection of traders and peddlers primarily of Maronite Catholics from Ottoman Mount Lebanon that attempted to secure lower prices by purchasing goods in bulk from wholesalers. Personal rivalries led to the dissolution of this association that culminated in a public dispute that included a criminal court proceeding for calumny.<sup>16</sup> The initial generation of Syrian immigrants in Tucumán nevertheless established itself as a commercial force by the first decade of the twentieth century, tapping an underdeveloped commercial sector in company towns near sugar factories where they serviced these burgeoning urban zones and the surrounding hinterlands.<sup>17</sup>

The size of the Syrian colony in Tucumán quadrupled between 1909 and 1914 to 4,155 residents and reached an estimated 15,000 by the early 1930s. Those who arrived with weak social networks and poor skill sets suffered in an economy that failed to provide a sufficient number of jobs in an era before broad-based state welfare programs. The dual characteristics of commercial strength and widespread unemployment led to two paradoxical features of the Syrian Lebanese colony in Tucumán. The Arabic-speaking merchant class figured as the wealthiest national group in 1920 and 1922, outpacing even Argentines, and consistently ranked as the wealthiest in Tucumán based on merchandise per merchant between 1901 and 1935. At

the same time, Syrians and Lebanese endured rates of arrest for disorderly conduct and aggravated assault at twice the provincial level between 1905 and 1931. Despite the propensity for arrest, the Syrian Lebanese colony in Tucumán continued its mercantile dominance throughout the 1930s and increasingly demonstrated its growing political strength, with its elite members achieving elected office by 1937.<sup>18</sup>

### **Arabic-Speaking Immigrants and Violent Crime**

Such violent crimes as homicide, aggravated assault, and sexual assault increased in Tucumán between 1910 and 1940. Arrest rates for these offenses surged in moments of peak sociopolitical unrest, mirroring the direst straits of the economy. For instance, homicide arrest rates doubled during World War I and doubled again by the chaotic year of 1927. Aggravated assault and sexual assault arrests followed similar patterns. Arrest rates for all three offenses interestingly dropped precipitously following the Laudo Alvear and bottomed out in 1931. The succeeding years witnessed a massive spike in arrest rates for all three violent crimes, more than tripling by 1935 for homicide and sexual assault and tripling for aggravated assault by 1939. While the statistical annuals produced by the provincial government did not specify the number of arrests for homicides and felonious assault stemming from domestic disputes, the available criminal court proceedings suggest several were the direct result of marital strife. Arabic-speaking immigrants were not immune to Tucumán's persistent social unrest and pervasive sense of disorder, experiencing personal tragedy and interpersonal violence, some of which was borne out of failed relationships.

While walking through Plaza Alberdi on a late spring afternoon in November 1914, María Obas noticed her husband Salomón Matti and their two sons sitting on a bench eating oranges. Estranged from her husband, the marriage, which had been rocky for years, ended in June when Obas abandoned their home in the provincial capital and moved in with another Syrian immigrant in the hamlet of Simoca, a small town in the sugarcane region. She was currently locked in a legal proceeding with Matti over her alleged theft of 1,300 pesos. Matti had filed a criminal complaint, declaring that his wife stole the savings upon her departure. He maintained that the money was the product of his hard work as a day laborer, saved over a number of years, and that without these savings, he and his sons now lived in penury. The police then arrested María Obas and froze the assets of her lover Juan Elías until the matter could be resolved. Salomón Matti visited the courthouse everyday hoping for some resolution and demanded punishment for Obas, asking the court to cut off her hand.<sup>19</sup>

Upon seeing her husband and sons in the park, María Obas began to insult him. Salomón Matti, in his relating of the encounter, stated that he ignored her insults and begged his wife to come home. She spit in his face, affirmed her happiness with Juan Elías, and vowed never to return to her husband. In this altercation, Matti alleged that she continued to insult him and escalated the confrontation to the point where she began hitting him. Matti placed his hand in her face to push her away. She bit it. Mad with pain, Salomón Matti grabbed his knife, which moments earlier was used to peel oranges for his sons, and thrust it in her abdomen, spilling her intestines onto the park grounds. In a statement to the investigator, Salomón Matti said that after the initial strike, he did not remember stabbing her in the right lung and left eye, gashing her head, or leaving a huge wound on the right side of her face. The assault shocked the provincial capital, and rumors circulated rapidly as locals attempted to understand what transpired. The local newspaper *El Orden* noted the depressed mood of Salomón Matti and lamented that the true victims of this tragic encounter were their two children, aged eleven and four years respectively. As the case proceeded to trial, Matti and other witnesses testified about the behavior of María Obas.<sup>20</sup>

The court could not initially establish that Obas and Matti were legitimate spouses; however, it accepted the relationship in light of testimony from Matti and "the witnesses from the *colonia árabe*."<sup>21</sup> Subsequent testimony also confirmed the affair between Obas and Juan Elías. Matti claimed that since her departure, his wife had passed by the house occasionally to provoke and insult him. He insisted that María Obas was domineering and considered him an object of derision. The court's recognition of the marriage confirmed the case as one of uxoricide. While this specific classification of the crime gave the presiding judge wide discretion in the sentencing phase, it did not allow for exoneration. Yet the testimony before the court relating the lurid details of María Obas's affair and abandonment of her "conjugal home" became a key element in Matti's defense. Matti's defense attorney argued that he was in a moment of complete mental imbalance (*inconsciencia*) and a state of unawareness. His attorney furthermore suggested that his confession was also provided in a similar unaware state.

As a result of the lurid details of María Obas's affairs, the presiding judge demonstrated great sympathy toward Salomón Matti in his ruling. The judge noted Matti's ability to endure his wife's "acts contrary to peace in the household," shoulder the shame of his wife's affair with his compatriot Juan Elías, and suffer his wife and Elías's successful theft of money from Matti. The judge also commented that the medical report observed that Matti experienced a "nervous excitement" caused by the provocative and injurious behavior of his wife on the afternoon of the attack.<sup>22</sup> Taking the barbarity of the crime and the attenuating circumstances of marital

infidelity and his wife's provocations on the day of the attack, the judge sentenced Salomón Matti to twelve years in prison followed by five years of probation.<sup>23</sup> Matti's attorney appealed to the Superior Tribunal, arguing that the mental imbalance at the time of the assault absolved him of this charge. While the high court upheld the conviction, it unanimously reduced the sentence to ten years in prison and the full restoration of Matti's political rights after two years.<sup>24</sup>

Matti's case reveals how Argentine law shifted in its treatment of crimes of passion and uxoricide. Argentine justices did occasionally give out harsh sentences to men who killed unfaithful spouses but claimed passion as their defense. Crimes of passion touched a sensitive chord in Argentine society and fit within a larger debate on the social transformations wrought by a modernizing economy and mass immigration. Such Italian criminologists as Cesare Lombroso, Enrico Ferri, and Pietro Gori influenced Argentine policy-makers who came to view the margins of society, including immigrants, as the cause of such social ills as poverty, prostitution, and alcoholism. Eusebio Gómez, an important Argentine legal scholar, noted, "public opinion was excessively tolerant with crimes related to amorous passion that justified the murderer and denigrated the victim."<sup>25</sup> By 1904, passion had become "the internal force that was invoked when an external moral force occurred, and this exempted a person from responsibility or punishment."<sup>26</sup> Yet Matti's situation offered no such path to exoneration. The Argentine state changed the criminal code in 1903, declaring uxoricide a punishable offense, with the exception of homicides committed by husbands who discovered their spouses in *flagrante delicto*—in the midst of sexual activity with another man.<sup>27</sup> The judge, by accepting that Salomón Matti and María Obas were married, clearly noted that this was a case of uxoricide and that it carried a prison sentence ranging from ten to twenty-five years. The court and the Superior Tribunal hence empathized with the defendant; however, the justices were compelled to enforce the law and condemned Matti to the minimum amount of prison time possible. The medicalization of the Argentine legal system certainly influenced the sentencing of Matti. The scandalous actions of his estranged wife stoked his fury until he murdered her in front of their children in a public space. The male prerogative embedded into the legal system nevertheless mitigated the gravity of the offense and attenuated his punishment. Put another way, the honor of a cuckolded husband continued to carry important consideration in crimes of passion.

Matti's case contrasted with the concurrent debates regarding wife killing in Brazil. As noted by the historian Sueann Caulfield, despite the 1890 criminal code outlawing uxoricide provoked by adultery, many men escaped a guilty verdict by claiming they suffered from "blinding passion" resulting from the affront to their personal honor by an unfaithful spouse.

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Social reformers in Brazil led the charge by arousing public ire to the preferential treatment men received in these cases. Oddly, while Brazil waited until 1940 to disqualify the "passion" defense, public opinion supported reform of the law decades earlier. This contrasts with the 1903 legal reform in Argentina and the apparent public sympathy for the perpetrator of a crime of passion.<sup>28</sup>

The case of Luisa Miguel offers a counterexample to Salomón Matti, showing how the confluence of gender notions and assumptions of criminality could influence the outcome of cases. On the afternoon of June 3, 1919, curious onlookers gathered in the courtyard of the *conventillo* (tenement) located at Cordoba 949 following the discharge of a revolver. There they found the mortally wounded Dominga Azar de Jorge, who was eighteen years old and had given birth two weeks earlier to a son, lying in a pool of blood.<sup>29</sup> The police and investigators, including the chief of police and the head of investigations, were promptly summoned. These functionaries began their inspection, arranging for Azar's transfer to a hospital where she later died.<sup>30</sup> The tenants were all itinerant peddlers from the Syrian colony, and as the police conducted the inquiry, all declared that they did not know how to speak Spanish and avoided making a formal statement. The officials at the crime scene then summoned the investigative agent Abraham Alucín who also acted as an Arabic interpreter. The renters informed Agent Alucín that they did not know who the perpetrator was and had only heard the sound of the shot. In light of the intransigence of the residents, the police took nine into custody.<sup>31</sup>

Police later found the murder weapon on the tenement's patio beneath the mattress of Luisa Miguel, who was the property manager. The police began to focus on Miguel as the likely suspect, and in her initial interview, she declared that she knew nothing about the incident.<sup>32</sup> After hours of interrogation, however, Luisa Miguel admitted that she was party to the crime, calling it an accident. She told investigators that she saw Azar washing her newborn's clothes in the washroom next to Miguel's room. While sitting on her cot, Miguel decided to examine her husband's revolver and accidentally discharged a round that struck Azar in the head. Investigators were unconvinced and continued the questioning. It was finally revealed that Luisa Miguel, mother of a seven-month-old son, had a malady preventing her from producing breast milk and had asked Dominga Azar to breastfeed her son. Azar consulted with her husband who forbade her from breastfeeding Miguel's child because he did not want Azar to catch the same disease. On the day of the murder, Luisa Miguel again asked Dominga Azar to breastfeed her son, a request the eighteen-year-old declined. A distraught Luisa Miguel then grabbed the revolver, placed it close to the distracted and unsuspecting Dominga Azar's head, and pulled the trigger.<sup>33</sup>

During the court proceedings, the prosecution demanded a conviction with a prison sentence of seventeen years and six months. The police, however, could not produce eyewitness testimony incriminating Luisa Miguel, and, therefore, her confessions were the basis of the case. Her defense attorney, the prominent political figure Eudoro Aráoz, argued that the death was an accident, insisting that Miguel did not intend to hurt Dominga Azar. The case thus hinged on which argument was most convincing: the defense's argument that it was a tragic accident or the prosecution's theory of criminal will. There were two reasons why the judge did not believe the defense's premise. First, the judge dismissed the idea that this was a tragic accident because the story did not square with the evidence produced by the autopsy. The report detailed that the trajectory of the bullet entering into Dominga Azar's head could not have happened in the manner described in the ultimate testimony provided by Miguel, during which she also said her older son mishandled the weapon. Second, the judge reasoned, "the same background of the event reveals that Miguel had worked with criminal will, induced by her violent character." The multiple versions of the event offered by Miguel's interrogations demonstrated her guilt, if only because the court perceived her to be untruthful since the initial moments following the shooting of Azar. Miguel was convicted of murder and sentenced to fifteen years in prison.<sup>34</sup>

Luisa Miguel's attorney Eudoro Aráoz appealed the decision, sending the case to the province's Superior Tribunal, which made a final determination in March 1921. The court upheld the conviction; however, the decision was not unanimous. In the dissent, the minority argued that the conviction should not stand on both procedural and circumstantial grounds. First, the police conducted the interrogations in an irregular fashion, specifically two interrogations with Miguel. For these jurists, the damning interviews should be rendered null because the police utilized interpreters neither recognized by the court nor signatories of the interrogation report. Second, nobody witnessed the attack. Taken together, the court had no choice but to view the event as a tragic accident void of criminal intent, and thus Luisa Miguel's conviction should be overturned. Despite these arguments, the majority of the tribunal affirmed the lower court's ruling and sentencing.<sup>35</sup>

Contrary to the witnesses who testified on behalf of Salomón Matti during his murder trial, Luisa Miguel's investigation and court proceedings were not supported by the testimony of her peers in the Arabic-speaking colony in which she lived. Perhaps the tenants avoided participation in the proceedings to protect both themselves and Miguel. She was the tenement's manager and possibly held some say in their ability to lease space. In addition, the difference in the sentencing between Luisa Miguel and Salomón Matti is startling. Matti invoked adultery-fueled anger as his defense; his

personal pain was recognized, and his punishment was reduced to ten years. Miguel argued that the death was an accident and received fifteen years in the penitentiary. The judicial system recognized Matti's personal situation, whereas the prosecutors emphasized that Miguel's "criminal will" was "induced by her violent character." Luisa Miguel's perceived character flaw and propensity to criminality outweighed the irregularities committed by the police officers during the investigation.<sup>36</sup>

Although the courts often settled such cases, finding resolution to a violent crime was not always possible for members of the Syrian Lebanese colony in Tucumán. On the autumn afternoon of April 24, 1924, five-year-old Esther David Abdala appeared in the middle of Mendoza Street, just blocks from the tenement of Luisa Miguel and Dominga Azar, crying and unable to speak. Blood covered her underwear, and she had lesions on her genitals. Witnesses rushed to her aid, inquired what happened, and took her to her father. Her eight-year-old brother Elías accused Argentine Simón María Albornoz of doing *cochinadas* ("dirty things") with his hand to Esther Abdala while she was in his grocery store. The police initiated an inquiry and arrested Albornoz, who denied the allegation.<sup>37</sup>

The prosecutor charged Albornoz with rape and asked for an eight-year prison sentence. David Abdala, Esther's father, filed an additional brief demanding the fullest punishment allowed under the law. The defense argued its case on two points. First, Albornoz asserted that the Abdala family targeted him because of commercial rivalry. David Abdala was a merchant who had a small haberdashery on Maipú Street, the heart of the Syrian Lebanese merchant community—a wealthy group that likely generated some ill will from competing businessmen. Second, Albornoz's lawyer argued that the medical reports did not establish the crime of rape, and the witnesses did not know who abused the child. The investigating physicians observed that fingers of a hand, not a penis, caused the damage to Esther Abdala's genitals. The doctors concluded a penis would have caused much greater damage, and, as a result, the crime was not technically rape but rather *abuso deshonesto* (corruption of a minor). This information was consistent with Elías Abdala's initial accusation against Albornoz. The witnesses assembled at the offices of a local political committee next door to Albornoz's shop moreover found young Esther Abdala in the street and did not suspect the accused of perpetrating the crime. The case thus rested on the testimonies provided by Elías Abdala and Primitiva Aráoz, Albornoz's servant. Both witnesses placed the young girl in Albornoz's store at the time of the assault. Yet the testimonies contradicted each other in describing Albornoz's behavior towards her when she was in the shop. The provincial Code of Criminal Procedure declared that conflicting testimonies canceled each other. The judge accordingly applied this statute, stripping Elías Abdala's statement

of probative force. The removal of this testimony thus created substantial doubt about the defendant's guilt, and the judge absolved Albornoz. The provincial Superior Tribunal affirmed this ruling in 1925.<sup>38</sup>

The case of Esther Abdala is important for several reasons. First, the defense explicitly suggested that the commercial rivalry between the accused and Abdala's father was a factor in why David Abdala accused Albornoz of molesting Esther. This moment of the 1920s certainly was a trying time for merchants, and heightened competition between the two possibly existed. Second, the case illustrated the systemic complexity in achieving justice in a sexual assault case, regardless of social position. The historians Donna Guy, Arlene Díaz, and Christine Hunefeldt observe the great difficulty in successfully prosecuting rape accusations in nineteenth- and early twentieth-century Argentina, Venezuela, and Peru, respectively. Men accused of sexual assault who did not openly confess to the crime were rarely convicted. Physical evidence furthermore played a crucial role in determining whether or not the offense was rape or a lesser crime. In Venezuela, for instance, if the hymen of the assaulted remained intact, the judge declared that no crime had been committed and dismissed the complaint. In Peru, however, judges presumed that lower-class women bluffed accusations of sexual assault in order to secure financial remuneration from their erstwhile lovers. Accused men, as a result, developed a defense model made up of a code of silence that coupled with the importance of physical evidence to prevent convictions. The state moreover acted as a protector of men's good names and, by extension, the social order. In Albornoz's case, his silence and the medical examiner's report likely played decisive roles in securing his exoneration.<sup>39</sup>

### **Poverty, Marital Strife, and the Courts**

Many non-elite Syrian and Lebanese immigrants struggled for economic survival and attempted to escape failed marriages during the interwar years. Poor men and women, including non-elite Arabic speakers, suffered from abusive behavior, in many cases from their spouses. Victims of domestic abuse had several strategies to quit volatile relationships and broken marriages, principally abandonment and legal separation.<sup>40</sup> Divorce cases were rare among the Syrian Lebanese colony; however, the proceedings that exist reveal the vulnerable position in which Arabic-speaking women and Argentine spouses of Syrian Lebanese men lived and the strategies that they deployed to ameliorate, resolve, or quit a given situation.<sup>41</sup>

Under Argentina's civil code and civil matrimony law, promulgated in 1884 and 1888 respectively, couples could celebrate a religious wedding; however, they later had to perform a civil service and register with

the state. Those couples who wanted a civil divorce had to proceed with a legal separation that allowed for the partition of the couples and their material wealth. This legal separation, however, prohibited these people from remarrying. There were three bases for a successful legal separation, namely adultery, a death threat from one spouse to the other, physical violence, and *malos tratos* (persistent interspousal abuse)—whether physical, psychological, or both. A judge presided over all civil divorces, and fault had to be assigned to one of the parties.<sup>42</sup> The assignation of fault was an important component of divorce proceedings. A spouse found responsible for the marriage's failure lost claim to financial support in the aftermath of the separation and ceded entitlement to previously negotiated property and cash. A spouse declared guilty of abuse or dissolution by virtue of adultery furthermore was liable to prosecution under the penal code and subject to a prison sentence ranging from a month to three years.<sup>43</sup>

The case of Hassan Cadir and Juana Díaz illustrates the controversial role of the court in divorce proceedings among the Syrian Lebanese in Tucumán. Cadir, a Syrian Muslim immigrant working as a stoker, petitioned for a legal separation from his Argentine spouse Juana Díaz, a housewife, in June 1930 after eleven years of marriage. Cadir admitted that this was the third time that Juana Díaz had abandoned their conjugal home. In the previous events, she returned, and Cadir forgave her for the sake of their children. This time, however, he argued that Díaz's repeated abandonment and neglect in the care of their four children revealed her poor character and infidelity to the family and proved voluntary and malicious abandonment.<sup>44</sup>

Juana Díaz's flight seemed to be permanent this time because, unlike previous departures, she took cash, a revolver, a gold watch, three gold rings, undergarments, a bed, and bedding. The differences between Cadir and Díaz were irreconcilable. The couple's maid testified that in the three months leading up to the departure, Díaz searched for any reason to become angry with her husband. The day Díaz left, she packed her things and walked out, leaving one of her children crying in the doorway. She moreover skipped several hearings attempting to reconcile the spouses after her final departure. The presiding judge ultimately faulted Juana Díaz and granted the divorce to Hassan Cadir.<sup>45</sup>

Juana Díaz never testified in this case, and, as a result, it is impossible to determine what led her to take such a drastic step. She nevertheless left her children and took a firearm. Perhaps she intended to pawn the weapon for additional money. The motivation may have also stemmed from a fear of physical abuse, and her perception of this threat was such that she willingly abandoned her children. She furthermore took other valuables that she would be able to sell in order to support her flight. Born in the neighboring

province of Santiago del Estero, it may be that Juana used the valuables to pay for transport to her family's home or to provide protection during the journey. The lack of Díaz's testimony prevents any definitive conclusion as to her motivations and discontent with her marriage to Hassan Cadir. The judge's decision nevertheless protected Cadir from future financial claims by Díaz, while it abrogated her claim to custody (*patria potestad*) over her children, as provided in the 1926 reform to the civil code. Whatever her motivation, Juana Díaz did not trust the courts to provide her with the resolution desired, and thus abandonment proved the preferred path to resolve her relationship with Cadir.

The case of Abraham Sale Ale and Martina Josefa Lazarte demonstrates that the threat of imprisonment did not necessarily persuade litigants to participate in the court proceedings or reconcile marriages. Ale, a Muslim immigrant from Beirut working as a vegetable seller, initiated separation proceedings in October 1935, arguing that his wife Martina Lazarte was guilty of three acts of physical and emotional abuse.<sup>46</sup> Ale provided witness testimony depicting Lazarte as a person possessing an irascible temperament who abused him and abandoned her conjugal home.<sup>47</sup> Martina Lazarte, who was born in Beirut and worked as a servant, moved out with the help of her brother, taking a bed mattress and ignoring Ale's pleas for her to stay.<sup>48</sup> Lazarte did present herself before the judge in November 1935 and declared that she began separation proceedings herself in 1932. Lazarte asked that the two trials be combined, a request that was denied.<sup>49</sup> Following this appearance, she never again attended a court hearing, many of which were designed for reconciliation. After much procedural wrangling, the presiding judge ruled in favor of Abraham Sale Ale and granted the legal separation on July 13, 1938, a judgment confirmed by the appellate court in December 1938.<sup>50</sup>

It is unclear why Martina Lazarte desired to quit her marriage to Abraham Sale Ale. There was certainly a gross age disparity; Ale was forty and Lazarte was twenty-two when they married in November 1931.<sup>51</sup> In addition, she thought it necessary to have her brother help her move, perhaps for personal security concerns. The judge's decision, moreover, opened Martina Lazarte to potential criminal proceedings had Ale decided to pursue such charges. The threats from the presiding judge and the potential of being found guilty of the union's dissolution tellingly did not move her to partake in the trial. Nor did the guarantees of the 1926 reform of the civil code, which protected the wealth women brought to marriages from spendthrift spouses, inspire her participation. It also seems that any form of extrajudicial mediation failed or was not pursued by Ale and Lazarte. For Martina Lazarte, the door was closed on this relationship.

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María Amado de Apud and Sara Margarita Rodríguez de Isa also possessed compelling reasons to seek legal separation, namely domestic violence. María Amado, an embroiderer, moved back into her parents' home in the winter of 1937 after a series of beatings by her husband Esper Makoul Apud, a baker. Her short marriage to Apud, which had produced no children, seemed irreconcilable. Amado's complaint described how she suffered continuous physical abuse by her husband, which brutally injured her. She also accused her husband of infecting her with a venereal disease, declaring that she showed symptoms fifteen days after their marriage and continued to receive treatment for it. Prior to her flight, Amado complained to the police that her husband hid firearms in the house, which prompted an investigation. In addition to legal separation, she wanted her husband to return various items, including her clothes, gold jewelry, bedding, some textiles and rugs, a watch, and her bank account book.<sup>52</sup> Esper Apud informed the judge that he only had the bedding and textiles, claiming that his wife had taken the jewelry when she moved out.<sup>53</sup> The presiding judge set a hearing of reconciliation for April 7; however, before it could take place, María Amado notified the judge that she had voluntarily reconciled with her husband, ending the trial.<sup>54</sup>

After ten years of marriage, Sara Margarita Rodríguez de Isa initiated similar legal separation proceedings against her husband Juan Isa, a Muslim immigrant from Beirut province, in October 1930, citing cruel treatment, grave injuries, *malos tratos*, and willful abandonment. In her complaint, she noted that she had left Isa in 1925 because she feared that he would kill her after she had openly complained about his behavior with their domestic servant. Isa asked Sara Rodríguez to return from her sister's home, which she only agreed to after he fired the maid. Two years later, in 1927, she discovered that Isa was living "in concubinage" with another woman named María. Rodríguez confronted Isa, who then returned and beat her severely, which provoked the intervention of the police and forced her to move in again with her sister and place their daughter in the grade school for orphans. Three days later, Juan Isa moved in with María, with whom he had a son, and stayed for two years. At the time of Sara Rodríguez's complaint, her husband was living with yet another woman who was presenting herself publicly as Juan Isa's legitimate wife.<sup>55</sup>

Sara Rodríguez used the legal separation proceedings to claim her economic rights protected under the civil code governing marriage. She claimed that she was entitled to a monthly stipend based upon the value of the former married couple's property, which was appraised at 15,000 pesos, and requested eighty pesos monthly. In addition, she convinced the court to seize Isa's property and capital assets.<sup>56</sup> In spite of past violence and her

success in moving the courts to seize the property, Sara Rodríguez accepted her husband's offer of reconciliation, and the case ended.<sup>57</sup>

These four legal separation cases from Tucumán demonstrate the desperation experienced by some men and women during a highly unstable economic period. In these cases, two men and two women filed petitions for legal separation from their spouse. Both men claimed abandonment, whereas the women declared physical and psychological abuse. Each plaintiff sought legal recognition of their poverty and used the public defendant provided by the province to argue the cases. In the marriages of Syrian Lebanese spouses, the husband was significantly older than his wife, likely a result of arranged marriages. Each male plaintiff achieved a legal separation with blame assigned to his wife. Their spouses, interestingly, did not participate in the proceedings, suggestive of a disbelief in the efficacy of the reformed civil code in 1926. The women plaintiffs ultimately agreed to reconcile with their husbands, which is perhaps indicative of extrajudicial dispute resolution within segments of the immigrant colony.

Donna Guy notes that women "frequently used divorce as a mechanism to end unbearable relationships" to abusive spouses.<sup>58</sup> Like in Argentina, women in Venezuela initiated divorce proceedings to call attention to abuse meted out by their spouses in defense of their bodily integrity and personal self-respect. In Peru, women sought shelter and protection in *beaterios* (women's shelters) from abusive spouses. Legal separation cases show that domestic violence was a very real danger experienced by women throughout Latin America. Husbands accused their spouses of adultery, which was difficult to prove, as a strategy to punish their wives. Accused women were incarcerated during the trial and, in the cases consulted by Guy, men ended their complaints, viewing time served as punishment enough. In examples from Peru, husbands who accused their wives of adultery had their spouses placed in *beaterios*. Because of the difficulty in applying burden in cases of legal separation and the general disposition of judges to preserve marriages, individuals in a failed relationship used the legal mechanism in many instances to inflict punishment. Others simply chose abandonment.<sup>59</sup>

The cases of María Amado and Sara Rodríguez are inconclusive in terms of the final outcome of the relationships with their respective spouses. The actions of these two, however, suggest that women used the threat of legal separation to rein in abusive partners or pursue their economic rights from deadbeat spouses, thus compelling a violent husband to come to terms in an extrajudicial agreement, which was likely guaranteed by family members of the wives, like the parents of María Amado. The civil code moreover subjected abusive spouses found guilty of the dissolution of marriage to the

criminal code.<sup>60</sup> Incarceration was a real possibility and was probably used as leverage by the women plaintiffs, a phenomenon during the late colonial and early independent eras in Buenos Aires and Montevideo as well.<sup>61</sup> It is also likely that women used extrajudicial forms of dispute resolution and avoided the legal system. It is probable that the complaints by Hassan Cadir and Abraham Sale Ale did not compel their wives to appear before the judge or accept reconciliation. Abandonment and permanent separation from their husbands was seemingly more desirable than attempting to lay a counterclaim against their husbands for the dissolution of the conjugal relationship. In each of these divorce cases, women experienced personal insecurity in the form of poverty, fear of interpersonal violence, or both. As such, socioeconomic class is an important variable when assessing the immigrant experience. In certain cases, women achieved alternative forms of dispute resolution; however, the ultimate success of these arrangements remains unclear.

## Conclusion

The court proceedings in which poor immigrants and their spouses enter the historical evidence demonstrate both the limitations and opportunities of litigation records. In many instances, once an outstanding issue was resolved, the actors disappear from the historical record. The life courses of these people, their personal goals, and pursuit of meaningful lives become very difficult to locate, contextualize, and interpret. These cases also present historians with people at their most vulnerable or most vicious and are not fully representative of the complex individuals caught in intense personal circumstances. Moments prior to Salomón Matti's horrific attack on his wife, he was sharing an orange with his two sons in a park—an example of humanity and tenderness between father and children that was shorn by the intense violence meted out just minutes later. These cases also provide important insight into the lives, many of them tragic, of non-elite actors who suffered in a socioeconomic milieu marked by rising violence, poor labor markets, and weak social aid institutions. Put another way, these case studies reveal the daily insecurities that many residents suffered and the violent crime and realities of interpersonal strife for women and men of the Syrian Lebanese colony in this epoch.

The litigation records reveal that a series of variables interacted in particular ways and shaped the outcome of proceedings related to homicide. Assumptions about gender and criminality, as well as gender and fidelity, influenced the sentencing of perpetrators of violent crime. The perpetrators of these crimes faced very different challenges and beliefs with the Argentine legal system due to their gender, while victims were not guaranteed

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justice. Despite the violent nature of Matti's assault, the court rendered him the shortest sentence possible after recognizing the suffering caused by his deceased wife's behavior. In the case of Luisa Miguel, the assumptions about her criminal will, certainly influenced by the positivist criminologists of the era, overwhelmed the facts that no one witnessed the shooting and procedural errors were apparently committed in securing the confession. Sensitivity to these interactions with the state will help provide a more nuanced and subtle understanding of the immigrant experience during a period of extreme social distress and economic unrest.

Interpersonal relationships among spouses were subject to such important considerations as poverty, violence, adultery, and abandonment. Women used the courts to seek their financial share of the marriage or escape the brutality of a husband. In some cases, women used the court to remove an immediate threat and then pursued alternative forms of dispute resolution outside of the judicial system to resolve the issue. Arabic-speaking men who sued for divorce cited willful abandonment and pursued decisions that applied burden for the marriage dissolution to their estranged wives. These women guilty of abandonment willingly gave up their right to any financial partition of the marriage.

Finally, the litigation records challenge historians to cast their net wider in using source materials to craft the story of immigrant life in Argentina and more broadly the Americas. With perhaps the exception of the merchant David Abdala, none of the other case studies features an immigrant from the colony's elite—economic or cultural. Most men and women in these court cases were indeed poor, working as unskilled laborers or housewives, some with brutish husbands. The stories of these immigrants add texture to the migrant experience in Argentina during moments of economic, political, and social transformation, affecting their lives in deeply personal and often tragic ways.

#### NOTES

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<sup>1</sup>Adolfo S. Carranza and Rafael García Zavalía, eds., *Jurisprudencia de Tucumán*, vol. 4, 1927 (San Miguel de Tucumán, Argentina: Escuela Tipográfica Tulio García Fernández, 1928), 127–29.

<sup>2</sup>*Ibid.*, 129–33.

<sup>3</sup>Theresa Alfaro-Velcamp, *So Far from Allah, So Close to Mexico: Middle Eastern Immigrants in Modern Mexico* (Austin: University of Texas Press, 2007); Samuel Baily, *Immigrants in the Land of Promise: Italians in Buenos Aires and New York City, 1870–1914* (Ithaca, NY: Cornell University Press, 1999); Jeffrey Lesser, *Negotiating National Identity: Immigrants, Minorities, and the Struggle for Ethnicity in Brazil* (Durham, NC: Duke University Press, 1999); Mollie Lewis Nouwen, *Oy, My Buenos Aires: Jewish Immigrants and the Creation of Argentine National Identity* (Albuquerque: University of New Mexico Press, 2013); José C. Moya, *Cousins and Strangers: Spanish Immigrants in Buenos Aires, 1850–1930* (Berkeley: University of California Press, 1998); and Alberto Tasso, *Aventura, trabajo y poder: sirios y libaneses en Santiago del Estero, 1880–1980* (Buenos Aires: Ediciones Índice, 1988).

<sup>4</sup>Jeffrey Lesser and Raanan Rein, "Challenging Particularity: Jews as a Lens on Latin

American Ethnicity," *Latin American and Caribbean Ethnic Studies* 1, no. 2 (2006): 249–63.

<sup>5</sup>Asunción Lavrin, *Women, Feminism, and Social Change in Argentina, Chile, and Uruguay, 1890–1940* (Lincoln: University of Nebraska Press, 1995); Francine Masiello, *Between Civilization and Barbarism: Women, Nation, and Literary Culture in Modern Argentina* (Lincoln: University of Nebraska Press, 1992); and Donna J. Guy, *Sex and Danger in Buenos Aires: Prostitution, Family, and Nation in Argentina* (Lincoln: University of Nebraska Press, 1991).

<sup>6</sup>See, among others, Ricardo D. Salvatore, Carlos Aguirre, and Gilbert M. Joseph, eds., *Crime and Punishment in Latin America: Law and Society since Late Colonial Times* (Durham, NC: Duke University Press, 2001); Pablo Piccato, *City of Suspects: Crime in Mexico City, 1900–1931* (Durham, NC: Duke University Press, 2001); Kristin Ruggiero, *Modernity in the Flesh: Medicine, Law, and Society in Turn-of-the-Century Argentina* (Stanford, CA: Stanford University Press, 2004); Eugenia Scarzanella, *Ni Gringos Ni Indios. Inmigración, Criminalidad y Racismo en Argentina, 1890–1940*, trans. Irene Theiner (Bernal, Argentina: Universidad Nacional de Quilmes, 2002); and Lila Caimari, *Apenas un delincuente: crimen, castigo y cultura en la Argentina, 1880–1955* (Buenos Aires: Siglo Veintiuno Editores Argentina, 2004).

<sup>7</sup>See David Rock, *Politics in Argentina, 1890–1930: The Rise and Fall of Radicalism* (Cambridge, UK: Cambridge University Press, 2009); and Matthew B. Karush, *Workers or Citizens: Democracy and Identity in Rosario, Argentina (1912–1930)* (Albuquerque: University of New Mexico Press, 2002).

<sup>8</sup>Lyman L. Johnson, "Changing Arrest Patterns in Three Argentine Cities: Buenos Aires, Santa Fe, and Tucumán, 1900–1930," in *The Problem of Order in Changing Societies: Essays on Crime and Policing in Argentina and Uruguay, 1750–1940* (Albuquerque: University of New Mexico Press, 1990), 117–47.

<sup>9</sup>Daniel J. Greenberg, "'The Dictatorship of the Chimneys': Sugar, Politics, and Agrarian Unrest in Tucumán, Argentina, 1914–1930" (PhD diss., University of Washington, 1985), 355–67.

<sup>10</sup>Carlos Páez de la Torre, *Historia de Tucumán* (Buenos Aires: Plus Ultra, 1987), 626, 630–31; Greenberg, “The Dictatorship of the Chimneys,” 401–3; and Daniel J. Greenberg, “Sugar Depression and Agrarian Revolt: The Argentine Radical Party and the Tucumán Cañeros’ Strike of 1927,” *The Hispanic American Historical Review* 67, no. 2 (1987): 301–27, 322–25.

<sup>11</sup>“Levantán una Ciudad de Miseria en pleno suburbio de Tucumán,” *El Orden*, August 23, 1932, 5; and Páez de la Torre, *Historia del Tucumán*, 640–42.

<sup>12</sup>Páez de la Torre, *Historia de Tucumán*, 641–42, 649–55; and David Rock, “Argentina, 1930–1946,” in *Argentina since Independence*, ed. Leslie Bethell (Cambridge, UK: Cambridge University Press, 1993), 173–241, 180–81.

<sup>13</sup>Moya, *Cousins and Strangers*, 45–59; Dirección General de Inmigración, *Resumen estadístico del movimiento migratorio en la Argentina, Años 1857–1924* (Buenos Aires: Talleres Gráficos del Ministerio de Agricultura de la Nación, 1925), 24–25.

<sup>14</sup>Immigrants from the Arab lands of the Ottoman Empire were called locally “turcos” (“Turks”) due to their political identity. Following the Young Turk Revolution, many Arabic-speaking Ottomans embraced the return of constitutional rule, celebrating the sultan and revolutionaries. During World War I, such competing nationalist ideologies as Arab, Lebanese, and Syrian pulsated throughout these émigré communities. Following the collapse of the Ottoman Empire and the rise of French rule in Lebanon and Syria in the early 1920s, the Arabic-speaking cultural elite in Argentina crafted a Syrian Lebanese identity, which was fragmented definitively in the 1930s. The use of signifiers in this article attempts to match the terms in their particular historical moments. See “En la colonia siria,” *El Orden* (San Miguel de Tucumán), September 22, 1908; Hugo Luis Ponsati, *Aportes para una reseña de la colectividad árabe tucumana* (Tucumán, Argentina: Kalco Editorial, 1975), 25–32; and “El Centro Libanés. Causas de su fundación,” *al-Hurriyya* [Freedom] (San Miguel de Tucumán), February 3, 1931, 1.

<sup>15</sup>Alberto M. Martínez, ed., *República Argentina Tercer Censo Nacional levantado el 1º de Junio de 1914*, vol. 2 (Buenos Aires: Talleres Gráficos de L. J. Rosso y Cía, 1916), 295, 303, 329–30, 334–35, 344, 350.

<sup>16</sup>See Amado M. Hairuz, José Anon, Amado S. Farrall, Julian Lloudlat, M. Bacha, F. Baracat, Antonio Jeye, Pedro Francisco, José Caram, J. Bacha, Pedro Tomás, Abraham Antonio, and Joaquín Jorgeet, “Solicitada,” *El Orden* (San Miguel de Tucumán), June 10, 1898; Félix H. Saad, Felipe Malcún, Felipe Herrera, Fortunato H. Saad, Abraham Antonio, José Milén, Tomás J. Borashit, Feres Mrad, S. Gelip, Pedro Francisco, Julian Amino, Pedro Tomás, Nazer Abdelnor, Samía Abdu, Salomon Abdelnor, Emilio Namén, José Caram, Aiub Vieshua, and Felipe Francisco, “Solicitada,” *El Orden* (San Miguel de Tucumán), June 23, 1898; and “Injurias a Manuel Malcun,” box 220, file 13, Archivo Histórico de la Provincia de Tucumán, Argentina.

<sup>17</sup>“Los árabes en la República,” *La Prensa* (Buenos Aires), November 17, 1906.

<sup>18</sup>*Anuario de estadística de la Provincia de Tucumán correspondiente al año de 1909* (Buenos Aires: Compañía Sud-Americana de Billetes de Banco, 1911), 108; *Tercer censo nacional*, vol. 2, 303; and *Censo de la Capital de Tucumán (República Argentina)*,

1913 (Buenos Aires: Compañía Sud-Americana de Billetes de Banco, 1914), 40–47. For a population estimate, see “La Colectividad Sirio-Libanesa como factor de triunfo en la lucha política del país que nos acoge con tanta cordialidad y simpatía,” *al-Mahjar* (San Miguel de Tucumán), July 27, 1933, 1. The data for creating probability tables was taken from the multiple years of the *Anuario de estadística de la Provincia de Tucumán*. I used the 1914 national census population figures as a constant in calculating the results.

<sup>19</sup>“En la Plaza Alberdi, el uxoricidio de hoy,” *El Orden* (San Miguel de Tucumán), November 12, 1914; and “El uxoricidio de ayer,” *El Orden* (San Miguel de Tucumán), November 13, 1914.

<sup>20</sup>*Ibid.*

<sup>21</sup>“Matti Salomón homicidio de su mujer María Obas o Aperas,” Fallos Superior Tribunal de Justicia, vol. 2, 471–74, Archivo de Poder Judicial de la Provincia de Tucumán, Argentina (hereafter cited as APJPT).

<sup>22</sup>For a full account of the medicalization of the Argentine legal system, see Ruggiero, *Modernity in the Flesh*.

<sup>23</sup>“Matti Salomón homicidio de su mujer María Obas o Aperas,” Fallos Superior Tribunal de Justicia, vol. 2, 471–74, APJPT.

<sup>24</sup>*Ibid.*

<sup>25</sup>Scarzanella, *Ni gringos ni indios*, 84.

<sup>26</sup>Kristin Ruggiero, “Passion, Perversity, and the Pace of Justice in Argentina at the Turn of the Last Century,” in Salvatore, Aguirre, and Joseph, *Crime and Punishment in Latin America*, 211–32, 220.

<sup>27</sup>Scarzanella, *Ni gringos ni indios*, 76–94. See also article 81, subsection 12 of the *Código Penal de la República Argentina* (Buenos Aires: Félix Lajouane, Editor, 1887), 102. National Law 4189 of 1903 reformed the 1886 criminal code, definitively criminalizing uxoricide.

<sup>28</sup>Sueann Caulfield, *In Defense of Honor: Sexual Morality, Modernity, and Nation in Early-Twentieth-Century Brazil* (Durham, NC: Duke University Press, 2000), 42–44, 85–95.

<sup>29</sup>“El crimen de la calle Córdoba,” *El Orden* (San Miguel de Tucumán), June 4, 1919.

<sup>30</sup>*Ibid.*

<sup>31</sup>*Ibid.*

<sup>32</sup>Abraham Alucín led the interrogations because of his ability to speak Arabic. “El crimen de la calle Córdoba,” *El Orden* (San Miguel de Tucumán), June 4, 1919.

<sup>33</sup>*Ibid.*

<sup>34</sup>"Luisa Miguel, homicidio de Dominga Azar," Superior Tribunal de Justicia, Fallos, serie C, vol. 4, 50–55, APJPT.

<sup>35</sup>Ibid.

<sup>36</sup>Ibid., 52.

<sup>37</sup>Fallos del Superior Tribunal de Justicia, vol. 7, 46–51, APJPT.

<sup>38</sup>Ibid.

<sup>39</sup>See Donna J. Guy, "Rape and the Politics of Masculine Silence in Argentina," in *Changing Men and Masculinities in Latin America*, ed. Matthew C. Guttman (Durham, NC: Duke University Press, 2003), 370–92; Arlene J. Díaz, *Female Citizens, Patriarchs, and the Law in Venezuela, 1786–1904* (Lincoln: University of Nebraska Press, 2004), 209–11; and Christine Hunefeldt, *Liberalism in the Bedroom: Quarreling Spouses in Nineteenth-Century Lima* (University Park: University of Pennsylvania Press, 2000), 184–93.

<sup>40</sup>For a classic account of divorce in nineteenth-century Latin America, see Sylvia Arrom, *The Women of Mexico City, 1790–1857* (Stanford, CA: Stanford University Press, 1985), 206–58.

<sup>41</sup>Of the 235 complaints featuring an Arabic-speaking plaintiff or defendant filed before the Third Clerk of the Court of Common Pleas between 1915 and 1942, only four divorce petitions were filed. There were four Courts of Common Pleas (*Primera Instancia en lo Civil y Comercial*) in Tucumán, and each court had two clerks (*Secretarias*). Surely additional divorce petitions exist in the indices of the additional seven clerks. Between 1934 and 1942, an average of eighty-one separation proceedings were initiated, more than double the average of thirty-nine from the 1920s.

<sup>42</sup>Donna J. Guy, "Volviendo del silencio . . . : Divorcio y violencia familiar en la Argentina de fines del siglo XIX y comienzos del XX," *Feminaria* 15, no. 28/29 (2002): 45–46.

<sup>43</sup>Article 224, *The Argentine Civil Code (effective January 1st, 1871): Together with Constitution and Law of Civil Registry*, trans. Frank L. Joannini (Boston: The Boston Book Company, 1917), 38; for aggravated assault, see article 120; for criminal punishment for adultery, see articles 122–26; and for grave injuries, see article 180 in Julian L. Aguirre, *Código Penal de la República Argentina anotado y concordado con las notas del Proyecto primitivo* (Buenos Aires: Félix Lajouane, Editor, 1887), 190–99, 251–53.

<sup>44</sup>"Defensor de Pobres al Juez," 25 June 1930, caja 586, expediente 9, serie E, Archivo General de la Provincia de Tucumán, Argentina (hereafter cited as AGPT).

<sup>45</sup>"Denuncia de Rosario Herrera," 9 September 1931, caja 586, expediente 9, serie E, AGPT; "Hassan Cadir al Juez," 17 April 1931, caja 586, expediente 9, serie E, AGPT; and "Autos y Vistas," 4 February 1932, caja 586, expediente 9, serie E, AGPT.

<sup>46</sup>"Defensor de Pobres al Juez," 19 October 1935, caja 1704, expediente 1, serie E, AGPT.

<sup>47</sup>"Audiencia," 3 July 1936, caja 1704, expediente 1, serie E, AGPT; and "Audiencia," 16 August 1937, caja 1704, expediente 1, serie E, AGPT.

<sup>48</sup>"Testimonio de Abel Salomon," 9 August 1937, caja 1704, expediente 1, serie E, AGPT.

<sup>49</sup>"Martina Josefa Lazarte al Juez," 28 November 1935, caja 1704, expediente 1, serie E, AGPT.

<sup>50</sup>"Autos y Vistas," 13 July 1938, caja 1704, expediente 1, serie E, AGPT; and "Autos y Vistas," 6 December 1938, caja 1704, expediente 1, serie E, AGPT.

<sup>51</sup>Submission of "Acta de Casamiento," 21 November 1935, caja 1704, expediente 1, serie E, AGPT.

<sup>52</sup>"Defensor de Pobres al Juez," 3 March 1937, caja 1327, expediente 11, serie E, AGPT; and "Defensor de Pobres al Juez," 4 March 1937, caja 1327, expediente 11, serie E, AGPT.

<sup>53</sup>"Esper Makoul Apud al Juez," 6 March 1937, caja 1327, expediente 11, serie E, AGPT; and "Oficial de Justicia al Juez," 13 March 1937, caja 1327, expediente 11, serie E, AGPT.

<sup>54</sup>"Aclaración de María Amado de Apud," 3 April 1937, caja 1327, expediente 11, serie E, AGPT.

<sup>55</sup>"Defensor de Pobres al Juez," 23 October 1930, caja 465, expediente 1, serie E, AGPT.

<sup>56</sup>Ibid.

<sup>57</sup>"Juan Isa al Juez," 19 November 1930, caja 465, expediente 1, serie E, AGPT.

<sup>58</sup>Guy, "Volviendo del silencio," 50.

<sup>59</sup>Díaz, *Female Citizens*, 231–34; Guy, "Volviendo del silencio," 45–50; and Hunefeldt, *Liberalism in the Bedroom*, 147–76, 324–31.

<sup>60</sup>"Artículo 77," *Código Civil y Leyes Complementarias*, ed. Manuel Ossorio y Florit and Mateo Goldstein (Buenos Aires: Editor Bibliografica Omeba, 1963), 103.

<sup>61</sup>Silvia C. Mallo, "Justicia, divorcio, alimentos y malos tratos en el Río de la Plata, 1766–1857," *Investigaciones y Ensayos* 42 (1992): 373–400, 375; and Díaz, *Female Citizens*.

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