




## GUERRA HÍBRIDA (VIA LAWFARE) NA ARGENTINA: DETALHES DE UMA INVASÃO

### HYBRID WARFARE (VIA LAWFARE) IN ARGENTINA: DETAILS OF AN INVASION

## GUERRA HÍBRIDA (VIA LAWFARE) EN ARGENTINA: DETALLES DE UNA INVASIÓN

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### RESUMO

O objetivo deste artigo é refletir sobre uma das expressões da Guerra Híbrida americana na Argentina, o uso do lawfare para depor governos. Na Argentina ocorreu uma grande articulação, por meio do “Caso dos Cadernos” (a “operação Lava Jato” porteña), para perseguir judicialmente sujeitos/as vinculados ao Partido Justicialista (PJ) e setores da imprensa progressista e culminou na condenação de Cristina Kirschner a seis anos de prisão e a tornou inelegível. Por trás dessa articulação havia uma rede internacional composta por juizes, grande mídia e agentes do governo norte-americano, que entre outras ações, protagonizaram operações de extorsão, espionagem e operações secretas para realizar golpes, o que ficou conhecido como “D'Alessiagate”. Para atingir o objetivo, coletamos os dados através de pesquisa bibliográfica.

### ABSTRACT

The purpose of this article is to reflect on one of the expressions of the American Hybrid War in Argentina, the use of lawfare to depose governments. In Argentina, there was a great articulation, through the "Case of the Notebooks" (the "Operation Car Wash" in Buenos Aires), to judicially persecute subjects linked to the Justicialist Party (PJ) and sectors of the progressive press, and culminated in the conviction of Cristina Kirschner to six years in prison and made her ineligible. Behind this articulation was an international network composed of judges, mainstream media and agents of the US government, who, among other actions, carried out extortion operations, espionage and secret operations to carry out coups, which became known as "D'Alessiagate". To achieve the objective, we collected data through bibliographic research.

**Keywords:** Hybrid war. Argentina. "D'Alessiagate".

### RESUMEN

El objetivo de este artículo es reflexionar sobre una de las expresiones de la guerra híbrida estadounidense en Argentina: el uso del lawfare para derrocar gobiernos. En Argentina se produjo una gran articulación, a través del «Caso de los Cuadernos» (la «Operación Lava Jato» porteña), para perseguir judicialmente a personas vinculadas al

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Partido Justicialista (PJ) y a sectores de la prensa progresista, que culminó con la condena de Cristina Kirchner a seis años de prisión y la inhabilitó para ejercer cargos públicos. Detrás de esta articulación había una red internacional compuesta por jueces, grandes medios de comunicación y agentes del Gobierno estadounidense que, entre otras acciones, protagonizaron operaciones de extorsión, espionaje y operaciones secretas para llevar a cabo golpes, lo que se conoció como «D'Alessiagate». Para alcanzar el objetivo, recopilamos los datos a través de una investigación bibliográfica.

**Palabras clave:** Guerra híbrida. Argentina. “D'Alessiagate”.



## INTRODUCTION

According to Korybko (2015), Hybrid War is the new model of warfare carried out by the United States in the twenty-first century, which uses the combination of two instruments to invade, conquer and control territories of states considered enemies: 1) "color revolutions" and 2) unconventional wars. These are indirect approaches to promoting conflicts.

Hybrid War is implemented in the target territory through a "color revolution", activated by an "event", any political event or a controversial domestic discussion, something that the interested agent can use and foment great popular movement<sup>2</sup>. This first stage consists of uniting the population around this cause and manipulating it through protests against the government and overthrowing it. The masses must occupy the streets and draw the attention of the media, which starts to disseminate the discourse that it is a spontaneous revolt. Usually some media groups already know about the false "revolution", when it is triggered, the narrative is already ready and the other press groups (which are not involved) adhere to the discourse (KORYBKO, 2015).

Thus, chaos is installed and the discourse of the press reaches the elites, depending on the agenda and the degree of involvement of some of its segments, the narrative of the media, increasingly influences the protests, supporting or agreeing with the protesters. The Elites (especially parliamentarians) usually activate the security forces (armed forces and police), which, when they go to defend the government, consolidate the setting of the stage for unconventional warfare (KORYBKO, 2015; MFA NEWS, 2024).

Behind the "color revolution" is an international network made up of NGOs, philanthropic and humanitarian aid institutions linked to the United States. This network acts with the support of political parties and the judiciary, which at the time of the outbreak of the protests have long been co-opted by external agents. In addition, there is the use of propaganda and Psychological Operations combined with the use of social networks, in addition to other articulations that take place behind the scenes. The demonstrations are just the "tip of the iceberg" (FERNANDES, 2022).

Psychological Operations prepare different social segments in advance to "spontaneously" adhere to the "event" through movies, television advertisements,

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<sup>2</sup> The "event" can be a complaint of electoral fraud, the arrest of an opposition leader, veto or approval of a controversial law, government sanctions, etc., an episode that will be planted or exploited by the external agent.

music, communication applications (such as whatsapp and twitter, etc.), in this way the target demographic is prepared with specific themes until the moment of the trigger being triggered (the "event") (KORYBKO, 2015)

In the "color revolution" the use of three tools is common, 1) the swarms of demonstrators, a network movement that advances by occupying spaces in a structured and programmed way (ARQUILLA and RONFELDT; ENGDAHL, 2009); 2) Gene Sharp's non-violent methods and 3) information technologies (Google Maps, YouTube, Facebook and Twitter) (ENGDAHL, 2009; KORYBKO, 2015; FERNANDES, 2022).

If the "color revolution" fails to overthrow the government, via parliamentary articulations and the judiciary, the second stage of Hybrid War comes into play: unconventional warfare. This phase consists of 1) the "incipient phase", 2) "guerrilla warfare" and 3) the "war of movement". At this time of the invasion, the action of terrorist groups and mercenaries is common (KORYBKO, 2015).

The "incipient phase" also occurs at the same time as the "color revolution", the external agent clandestinely installs the infrastructure of information and Psychological Operations and controls the behavior of the population to introduce violent methods in the midst of the demonstrations. The "guerrilla war" is installed when the first confrontations between police and demonstrators are already naturalized, at this moment there is a progression to paramilitary guerrilla actions, that is, terrorism, sabotage and the creation of *fake news* to get the adhesion of conventional forces from other states and mercenaries. The "war of movement" is the final phase, the process of seizing power, of overthrowing the government through the military offensive; it may not happen if the system of government (usually through parliament) promotes the deposition of the head of the Executive, however, if it is operationalized and fails, there may be a return to the phase of "guerrilla warfare" (KORYBKO, 2015).

Unconventional warfare, an instrument that enables indirect regime change, is used by the United States against states in which it cannot intervene directly, whether for military or political reasons, due to the rules of the international system, etc. Moreover, it is more economically viable; Spending on military operations is lower than the use of conventional armed forces, but unconventional warfare provides a political advantage, as it is an approach that makes use of other subjects, Americans can be absolved of direct culpability of any type of action, including war crimes (KORYBKO, 2015).

In this way, unconventional warfare as the next stage to the implementation of the "color revolution" subverts the boundary between the civil and military spheres, not only because it is produced from a typically civilian movement, but especially because it instrumentalizes actors not necessarily linked to the State, in addition to demonstrations and protests against the government, the action of terrorist groups and mercenaries is common. Both in Syria, from 2011 onwards, and in Ukraine in 2014, this network was used (KORYBKO, 2015).

However, in Latin America, Korybko's classic formulation, Hybrid War moves in the institutional field, above all, through parliaments and/or through the Judiciary. As Penido, A.; Stédile, M. E. (2021):

Parliaments and the judiciary, in the case of Latin America, can play a central role in legitimizing the outcome of the color revolution and, therefore, the overthrow of the government. In countries already marked by the legal "state of exception" – in which there is a law applied to the poor and another (not) applied to the rich, for example –, the use of legal manipulation measures for political persecution, the so-called *lawfare*, can go unnoticed or be taken as normal, and not as the continuation of politics by other means (PENIDO and STÉDILE, 2021, p. 78).

The Hybrid War in Latin America, through parliament and the judiciary, gave rise to episodes of events that some authors are naming neo-coupism (Silva, 2018; Vitullo & Silva, 2020). These are regime changes that occurred, in particular, commanded by parliament and/or with the support of investigative operations under the management of magistrates, based on legal procedures and that culminated in processes of *impeachment*. Events that were recorded in Honduras (2009), Paraguay (2012), Brazil (2016) and Peru (2020) (FERNANDES, 2022; FERNANDES, 2022b, IMG, 2023).

Therefore, according to Penido, A.; Stédile, M. E. (2021), Hybrid War on the continent occurs through the so-called *lawfare*, a mechanism or strategy for overthrowing governments that uses the law to achieve military objectives, more specifically, it is the judicialization of politics or the politicization of the judiciary to destroy the adversary. To this end, its operators make use of violations of judicial rites [...] such as violation of the judicial rite, abuse of authority, absence or dispensation of evidence, and also abundant use of "indirect evidence", in which judicial interpretation is "direct evidence" (PENIDO and STÉDILE, M. E., 2021, p. 79).

For Martins et. al. (2020), who studied the case of conviction of President Luís Inácio Lula da Silva, "[...] *lawfare* is the strategic use of law for the purpose of

delegitimizing, harming or annihilating an enemy." In the Lula case, the conviction of the then former president of Brazil occurred on evidence, preventing him from running for president. The process was led by Judge Sérgio Moro, who later became Minister of Justice under far-right President Jair Bolsonaro (MARTINS, et. al., 2020). Bolsonaro, benefited from Lula's imprisonment and during his term was avowedly pro-United States, including several public demonstrations praising the Trump government, as in the case of the famous scene in which he saluted the American flag. Martins et. al. (2020), also highlight that [...] lawfare is one of the forms of manifestation of 'hybrid wars', provided for in the 2018 US Army manual".

That said, in this article, we will reflect on how the United States attacked Argentine territory through lawfare. The attack was led by the judiciary of the Province of Buenos Aires, which through the "Case of the Notebooks" judicially persecuted subjects linked to the Justicialist Party (PJ) and sectors of the progressive press, as well as was responsible for the conviction of Vice President (and Senator of the Republic) Cristina Kirschner, who was prevented from running in the 2023 election. The process was supported by the Argentine mainstream media, through the Clarín Group, the Argentine intelligence agency, and external agents, directly linked to the United States.

What happened in Argentina is very similar to the recent political processes in Brazil, specifically, with regard to "Operation Car Wash", the rise of former judge Moro interfering in party politics, the impeachment of Dilma and the imprisonment of Luís Inácio Lula da Silva in 2018 (which made it impossible for him to run in the presidential elections and "paved the way" for the victory of Jair Messias Bolsonaro in the election). The recent events in Brazil had direct and indirect interference from the judiciary, Grupo Globo and the United States (FERNANDES, 2022; FERNANDES, 2022b, FERNANDES, 2019).

To achieve the objective, we carried out a bibliographic research, whose data collection technique is based on secondary sources, that is, we resorted to books and scientific articles in the area of international relations, geopolitics, political science and international economics, in addition to accessing cyberspace (Lévy, 2000), exploring the internet, especially online journals and documentaries, interviews and reports found on video-sharing platforms. The theory that underpins our debate is that of Andrew Korybko.



Thus, in addition to this introduction, this debate is divided into two more sections. In the second, the central points of the American Hybrid War in Argentine territory through lawfare, we divided the segment into four parts to talk about aspects of the "Case of the Notebooks", the international network created to extort, spy and plan coups d'état in the Plata Basin and about the outcomes of the investigations into the "D'Alessiagate". The last section was reserved for our final considerations.

## **HYBRID WAR IN ARGENTINA: LAWFARE, SPIES, AND INVASION FROM WITHIN THE "CASE OF THE NOTEBOOKS"**

In Argentina, the tactics of Hybrid War are somewhat "similar" to the Brazilian case. Although there has not been a set of demonstrations (the "color revolution") against the Alberto Fernández government that would incite a turnaround that would lead to the opening of *impeachment* or that would contribute to an increase in the president's unpopularity; on Argentine soil, the judicial system directly interfered in the political scene through the conviction of Vice President Cristina Kirchner, preventing her from running in the 2023 elections, from a criminal investigation operation called the "Case of the Notebooks", the Argentine Operation Car Wash<sup>3</sup>.

In December 2022, the then vice president of Argentina and senator of the Republic was sentenced to six years in prison by the Court of Comodoro Py (headquarters of the federal judges of the Province of Buenos Aires), becoming ineligible indefinitely and disqualified from holding public office, according to the Argentine judiciary the punishment was as a result of fraudulent administration

The conviction is the result of an investigation process that became known as the "Case of the Notebooks", it is about alleged "payments" to Cristina Kirchner from large businessmen to obtain public works contracts during her governments and her ex-husband Néstor Kirchner between the years 2005 and 2015. The scandal took over the news in 2018, prosecutors based themselves on notes recorded in eight school

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<sup>3</sup> In Brazil, Judge Sérgio Moro led Operation Car Wash, which convicted businessmen and politicians based on evidence that allowed interpretations and was not very reliable, including newspaper articles that made false accusations of corruption actions. In Brazil, Operation Car Wash was instrumental in endorsing the *impeachment* of Dilma Rousseff and arresting Luís Inácio Lula da Silva, which consequently led to the election of Jair Bolsonaro, who invited Sérgio Moro to be a minister in his administration. In Brazil, in addition to the "color revolution" (the 2013 demonstrations), there was direct and indirect participation of the United States training Brazilian magistrates and intelligence sectors of the Brazilian army in the use of Psychological Operations, of which *fake news* is a part. For more details on Hybrid War in Brazil, see: Proner (2016); Fernandes (2022); Souza (2020) and Leirner (2020).



notebooks handed over to justice by Oscar Centeno, a former driver for the Ministry of Planning (El PAÍS, 2018).

According to Oscar Centeno's testimony, he is the one who collected the bribe bags and delivered to the Kirchner family, money collected weekly for ten years. The former driver would have written down dates, payment times, vehicle license plates, names, addresses and values; his calculation is that he transported an amount of US\$ 56 million in cash. Allegedly, more than twenty companies participated in the corruption network. With the investigations, a series of arrests were made, especially of the businessmen involved in the scheme, who through plea bargains corroborated Centeno's information. Federal Judge Claudio Bonadio was in charge of the case (G1, 2018).

Throughout 2019, former President Cristina Kirchner repeatedly made public statements stating that there was a lawfare strategy underway against her, through the "Case of the Notebooks" operation (created to incriminate her and other subjects who opposed the government of Mauricio Macri), with the evident participation of the judicial system and the main media outlets in Argentina and the United States, through its embassy (LONO, 2019; FARINELLI, 2019; NORTON, 2022). Such statements were a reference to the so-called "D'Alessiagate".

#### "D'ALESSIOGATE"

But, after all, what was "D'Alessiagate"? It was the scandal that demonstrated to Argentine society the existence of an international network that invented false crimes, through the "Case of the Notebooks" to incriminate and make Cristina Kirchner ineligible. The network was formed by Judge Claudio Bonadio (in charge of the "Case of the Notebooks"); federal prosecutor Carlos Stornelli; outlets and journalists of the Clarín Group; the Minister of Security of former President Mauricio Macri, Patricia Bullrich; the DEA (acronym for US Drug Enforcement Agency); the Argentine intelligence agency "Agência Federal de Inteligência (AFI) and the CIA (NORTON, 2022; BARTOLI, 2022; MADSEN, 2019; DUPLO EXPRESSO, 2019; FARINELLI, 2019; VERBITSKY, 2019). The conviction of the former president paved the way for the election of Javier Milei (the Bolsonaro of the United States in Argentina).

The farce of the "Case of the Notebooks" and international network created to influence Argentine politics was discovered when Argentine businessman Pedro





Etchebest filed a complaint, in March 2019, with Judge Alejo Ramos Padilla – of the Judicial Department of Dolores/Buenos Aires – about an extortion action that was being carried out against him by a man named Marcelo D'Alessio (hence the expression "D'Alessiogate"). The businessman was contacted by D'Alessio – who identified himself as an intelligence spy and regional director of the DEA in Argentina – and asked him for a sum of three hundred thousand dollars to be cleared of the charges of his involvement in the "Case of the Notebooks" (FARINELLI, 2019; VERBITSKY, 2019, Bartoli, 2022).

Pedro Etchebest did not have the money, much less participated in the alleged scheme of bribes to the government, so he decided to collect evidence against Marcelo D'Alessio and his partner, federal prosecutor Carlos Stornelli, who worked in the court of Judge Claudio Bonadio, the magistrate responsible for the "Cases of the Notebooks", in which former President Cristina Kirchner was investigated. The businessman scheduled a meeting with D'Alessio and Stornelli, in January 2019, at a club in the resort of Pinamar:

[...] and it was on this occasion that Etchebest got most of the records he presented as evidence to charge them with racketeering. The businessman [...] states that the prosecutor and his partner said that his name was on the list of those who had paid alleged bribes to the Kirchner family in exchange for contracts with the State that benefited him, and that they soon tried to "sell" him the possibility of declaring himself as a "repentant witness" (a legal figure similar to a "plea bargainer" in Brazil), he could be released or have his sentence mitigated, "if his version was consistent" (FARINELLI, 2019).

Pedro Etchebest handed over to Judge Alejo Ramos Padilla "[...] twenty-four digital files, screenshots, photographs and a USB stick with all the registered threats and testimonies he managed to collect. The magistrate took his testimony for 4 and a half hours [...]" (BARTOLI, 2022).

The investigations showed a set of articulations that related direct interference by the United States in the judicial system and party politics in Argentina, as well as the plan for a coup d'état, involving covert operations financed by drug trafficking, under the responsibility of the DEA, CIA and Mossad and the involvement of key sectors of the Argentine State (Madsen, 2019).

## REVELATIONS: ESPIONAGE, COUPS, DRUG TRAFFICKING, AND GEOPOLITICS

Judge Ramos Padilha discovered the relationship between the Trump administration and Mauricio Macri, the link created an international network of extortion

of millions of dollars extorted from opposition politicians and businessmen to finance a coup in Uruguay and sabotage Venezuelan state-owned companies, as well as secret international espionage operations, the Mossad was involved in the articulation. The investigations also showed that Marcelo D'Alessio worked for the CIA, in his possession were found letterheads from the US embassy in Buenos Aires and the Israeli Ministry of Defense, CIA manuals (whose content dealt with the modus operandi to infiltrate US agents in Venezuela and Argentina) and drones (MADSEN, 2019).

Eduardo Jorge Vior points out that D'Alessio was also a spy for the DEA and that in addition to being an informant, he managed the negotiations involving cocaine trafficking, which in turn generated the "secret budget" to sustain the "Case of the Notebooks", that is, to finance blackmail operations, the scheme of plea bargains in exchange for payments, whose objective was to accuse those disaffected by the judiciary, who were forced to denounce progressive politicians (DUPLO EXPRESSO, 2019).

In addition, Judge Ramos Padilha also found that the extortion operations yielded about \$12 million in bribes paid to Stornelli, who conducted the operations under orders from then-Security Minister Patricia Bullrich; D'Alessio exchanged numerous messages with the minister and they frequently held meetings, he reported directly to Bullrich and received guidance from high-ranking people in the government, companies and important sectors in Argentina. Likewise, it was discovered that anti-Macri journalists and Vice President and Senator Cristina Fernández de Kirchner were targets of the operation (MADSEN, 2019; RADIO CAPITAL 913, 2022).

Another element of paramount importance was the participation of the mainstream media, the Clarín Group assiduously published notes on the cases, pointing out names, ratifying the actions; the link between D'Alessio and the newspaper was reporter Daniel Santoro. The information was selected and surgically published in the press, as well as the open means of communication allowed D'Alessio to appear on radio and television programs, thus presenting himself as a lawyer and service provider for government agencies (FARINELLI, 2019; RADIO CAPITAL 913, 2022). Very similar to the Brazilian case, in Brazil, Judge Sergio Moro forwarded confidential information from the investigations to Grupo Globo outlets, which they disseminated to the general public (FERNANDES, 2019).

Thus, "D'Alessiagate" is the network that created and articulated the process that culminated in the conviction of Cristina Kirchner, whose expression in Argentina is the "Case of the Notebooks", an operation to interfere in the country's politics and which had tentacles with the operations of the Israeli Mossad, with members of the Trump administration and with Brazil (in particular, sectors of the Bolsonaro government). In addition, the accusations against former President Cristina Kirchner were made based on photocopies of pages of school notebooks, the justice system never presented the originals (Farinelli, 2019; Duplo Expresso, 2019).

The investigations related to the "D'Alessiagate" case revealed that in addition to promoting a coup against progressive sectors in Argentina, the network was involved in the attempted assassination of Venezuelan President Nicolás Maduro in 2015<sup>4</sup> and articulating operations to destabilize the government of Uruguayan President Tabaré Vázquez of the "Frente Amplio de Uruguay", through the CIA, Mossad, AFI and agents of the Bolsonaro government. the ultimate goal would be a coup d'état:

The Argentine/CIA/Israeli operation against Uruguay centered on an attempt to smear the leftist "Frente Amplio de Uruguay" government of President Tabaré Vázquez with a false link to an Iranian trade mission operating in Uruguay [...] The false Iran link was used as a predicate for Argentina to launch an illegal surveillance operation against Frente Amplio politicians, including President Vázquez, former President José "Pepe" Mujica, and Mujica's wife, current Vice President Lucía Topolansky.

There were false claims in the files held by d'Alessio that the Iranian trade mission in Uruguay was involved in business with Argentina through a Russian front company. The false information was apparently provided by Israel's Mossad (MADSEN, 2019).

According to Romulus Maya, the aforementioned international network and articulation is part of the geopolitical and geoeconomic strategic actions of the United States in the Plata Basin, especially in Mercosur. Controlling the Platino countries is of paramount importance for the U.S. confrontation against China, it means having dominance over world soybean production, especially because the Chinese government needs the commodity to feed its population and to meet the demand of poultry, pork, etc. producers, that is, the food industry in general. Thus, having power over soybean production in Brazil, Argentina and Paraguay would mean controlling almost 80% of

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<sup>4</sup> The operation that aimed to assassinate Maduro was based in Colombia and "D'Alessiagate" was related to the plan ((MADSEN, 2019, DUPLO EXPRESSO, 2019).

world production, so China would be in the hands of the Americans in terms of soybean purchases, while it does not finalize its seed production program adapted to its climatic and soil conditions (studies are being carried out in partnership with Russia). In other words, the United States would use hunger as a weapon of war against China (DUPLO EXPRESSO, 2019).

On the other hand, the United States – through the CIA, DEA and Mossad – has an interest in controlling cocaine trafficking in the Plata Basin. According to Eduardo Jorge Vior, it is essential to dominate the Argentine territory and system of government because it guarantees the CIA, DEA and Mossad control of the logistics of cocaine distribution. The profit from cocaine trafficking carried out by these agencies is used to finance covert espionage operations and coups d'état (DUPLO EXPRESSO, 2019b).

Jorge Vior also explains that Colombia is the great head of the structure of US domination via drug trafficking; from this country the cocaine is distributed via the Western Amazon (hence the coup attempts against Maduro in Venezuela), the route between the Andes and the Amazon is controlled by American agencies, with the support of sectors of the government and their links with the traffickers. On the other hand, distribution logistics in the Platina Basin begin in Paraguay, a territory from which cocaine is transported across the triple border (Brazil-Paraguay-Argentina) and reaches the urban centers of southeastern Brazil and Buenos Aires. In addition, the complex of the Paraná and Prata rivers are used; the drug is exchanged in northern Rosario, private companies that transport soybeans to different parts of the world are used; cocaine is usually hidden in soybeans (DUPLO EXPRESSO, 2019b).

It is known that the CIA and DEA actively participate in drug trafficking in the Americas, using the profits to finance their covert operations. The DEA, for example, is an intermediary for traffickers and receives "payments" in order to facilitate the operation of some groups in the cocaine trade, in other words, there are agreements between DEA and cartels (DUPLO EXPRESSO, 2019c).

Another well-known case is the relationship between the CIA and the "contras" in Nicaragua during the Ronald Reagan administration. The CIA, in addition to training them, had a commercial relationship with the group, the alliance made it possible to smuggle large tons of cocaine into the United States, and the profits were used to finance anti-Sandinista operations in Nicaragua. The

process contributed to the dissemination of the crack trade in neighborhoods on the outskirts of Los Angeles (WEBB, 1998).

As well as, the real objective of anti-drug campaigns, such as "Plan Colombia", is not to eradicate, but:

[...] alter market share: target specific enemies and thus ensure that drug trafficking remains under the control of traffickers who are allied with the Colombian state security apparatus and/or the CIA (DALE SCOTT, 2003, p. 89).

There are numerous cases of financing of covert operations with the use of funds from drug and arms trafficking by U.S. agencies. In addition, there are numerous suspicions and investigations of the participation of Brazilian agribusiness sectors in cocaine trafficking and money laundering in related sectors, especially in Mato Grosso do Sul, a federative unit that borders Bolivia and Paraguay and is a major producer of soybeans (DUPLO EXPRESSO, 2019c).

Therefore, the "D'Alessiagate" case is yet another expression of U.S. interests in the region, especially in Argentina, which started a pro-BRICS movement and was denouncing and fighting U.S. interference in the country. Argentina, for example, before the election of Javier Milei, was about to join the BRICS (which could go against US interests in terms of controlling soybean production and national companies in the sector), in addition, the party coalition headed by Cristina Kirchner began the process of reformulating the Argentine judicial system (NORTON, 2022).

## COUNTER-ACCUSATION?

As soon as the revelations about the case were published by Judge Ramos Padilha the accusations of what he called a "parastatal criminal organization" involving domestic and foreign sectors with more than fifty operations of espionage and illegal operations and extortion (Caram, 2020), the Macri government began numerous incursions to remove the magistrate from the case, including asking for his impeachment, with the Ministry of Justice initiating an investigation against Ramos Padilha (MADSEN, 2019).

According to the government's complaint, when the magistrate published the details of the case to the Commission on Freedom of Expression of the Chamber of Deputies, he violated the rules of impartiality and did not protect the rights of the parties



involved (PATRICK, 2019), in other words, he was accused of presenting to society the plot in which the Macri government was involved. In December 2021, higher courts removed responsibility for the D'Alessio and Alejo Ramos case from the Judicial Department of Dolores Padilha was removed from the process.

It must be said that a series of demonstrations were held in Argentina in favor of the magistrate and in repudiation of "D'Alessiogate" (CRÓNICA, 2019; C5N, 2019). The case was widely publicized in the press, however, the focus of the debate was on the impartiality of Ramos Padilha and the alleged non-compliance with technical procedures (INFOBAE, 2019). The discourse of impartiality turned into a smokescreen, that is, there was a control of the narrative, the mainstream media confirmed the plot, but stressed that Ramos Padilha was moved by political issues, in this way, "went unnoticed" the fact that the political, media and judicial system in Argentina was corrupted by external agents, in this case, from the United States.

## FINAL CONSIDERATIONS

The American Hybrid War in Argentina has details of a detective novel, a typical suspense film with obscure and sinister characters; But it is the purest reality.

D'Alessio's discovery shows the direct intervention of the United States in the Argentine judiciary, economic and mainstream media, it is an intervention from within the system, a silent invasion that uses formal mechanisms of democracy (judiciary, media, state agents elected by the people and public officials). As well, "D'Alessiogate" reveals the secret side of state institutions, such as the DEA, acting together with organized crime, in drug trafficking.

There are no coincidences, the same tactic, the so-called lawfare, was used in Brazil (as well as in Paraguay, Ukraine, Pakistan, Bangladesh, Honduras and other countries affected by the Hybrid War). The "Case of the Notebooks" is Argentina's Operation Car Wash, judges and prosecutors acting with partiality and external support to influence politics in the country. In Brazil, Lula's imprisonment paved the way for Bolsonaro's election; in Argentina, the conviction of Cristina Kirchner made it possible to open an opportunity for the election of the "Argentine Bolsonaro", Javier Milei.

In February 2024, a new stage of the legal battle began in Argentina, Cristina Kirchner's defense asked for the conviction to be annulled, but the prosecutor's office



wants to increase the sentence from six to twelve years (BRASIL DE FATO, 2024). In our opinion, the former president will be acquitted, just as Lula was in Brazil.

However, there is a clear message: the judiciary controls politics and the will of the people. Why do we think so? Even with the denunciations to the public about "D'Alessiogate" and the espionage and extortion network, the former president was convicted and the pro-United States candidate was elected (even with the arrest of Marcelo D'Alessio). Apparently, the plotters have institutional strength, even with the hundreds of pieces of evidence against them. On the other hand, the conviction of Cristina Kirchner, it seems, may mean that future political leaders have their hands tied in the face of judicial articulations.

The message became even clearer because Cristina Kirchner soon after the conviction, although she again denounced the lawfare, declared that she will not participate in future electoral processes, that is, she understood the message. That is why we believe that his conviction will be annulled. With the public statement, he gave a supposed guarantee to his enemies that he will stay out of political life. Apparently, the outcomes show that if she does not comply, future events such as the "Case of the Notebooks" may happen<sup>5</sup>.

In short, Argentina is an invaded country, a pro-American/puppet president, nullified opposition leaderships, media articulating coup narratives and endorsing undercover agents (D'Alessio, for example), a judicial system co-opted by the United States, and agents of the DEA, CIA, and Mossad operating in communion with organized crime and with a free pass from security agencies and forces.

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<sup>5</sup> It should be noted that the interference of the judiciary in the political scene, as occurred in Argentina and Brazil, is increasingly frequent because the neoliberal structure favors such a process. Nicos Poulantzas called this phenomenon "authoritarian statism", a form of capitalist state in which the judiciary takes the place of parliament and the executive in the functions of the state.





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