

Queering Citizenship: LGBT+ Activism and Resistance Against Oppressive Police Powers in Democratic Argentina

Introduction

Despite often being regarded as a pioneering country in LGBT+ rights, Argentina is host to a rich history of queer activism born of unjust legal mechanisms, discriminatory police culture, and repression which is often under-represented. This research will focus on the application of **Police edicts** in Buenos Aires, which granted police the power to arrest and detain individuals on a discretionary basis, and clauses such as **articles 2°F and 2°H** were invoked to justify direct discrimination against LGBT+ individuals.

In the wake of Argentina’s transition to democracy in 1983, there was increasing discontent from LGBT+ communities surrounding these police powers, with **public demonstrations** and **activist groups** allowing for queer voices to, eventually, be heard.

The epicentre of this change was largely concentrated in **Buenos Aires City**, which gained regional autonomy in 1994 and, combined with persistent protest, would catalyse the eventual repeal of police edicts.

Key terms

Article 2°F: penalised dressing in clothes of the opposite sex.

Article 2°H: prohibited the public soliciting of sexual acts.

Travesti: a distinct feminine gender identity primarily used in Latin America by people who do not seek genital gender-affirmation surgery.



Aims

- Understand the **legal basis** of police edicts in Buenos Aires.
- Examine evidence of the police applying these powers discriminatorily through reports of **unjust arrests, raids, and violence**.
- Document protesting movements through archived reports and newspapers.
- Assess **protest strategies** used in retaliation.
- Evaluate how police powers and LGBT+ activism shaped one another to gain a broader understanding of the relationship between the law and its subjects.

Methodology

Archival research:

- Newspaper clippings
- Photos
- Diaries
- Interviews

Literature research:

- Journal articles
- Academic commentaries

Doctrinal research:

- Administrative decrees and police regulations
- Provincial legislation
- Case law

Analysis

Discretionary powers and due process:

The law on police edicts was very **inaccessible**, with little existing literature, yet it was responsible for the detention of over **35,000** people in 1992 alone.

The nature of police edicts gave officers the prerogative to detain people not for what they did, but for who they were. This led to the following unjust punishments against LGBT+ individuals:

- **Raids** on queer spaces;
- Mass **arrests**;
- Physical **abuse** from police, covered-up or ignored;
- Numerous **deaths**, such as Nancy’s (see Figure 1), due to the restriction and displacement of sex workers.

Protest and resistance:

- **Alliance and collaboration:** LGBT+ representative groups formed, such as Comunidad Homosexual Argentina (CHA), Frente de Lesbianas, Asociación de Travestis Argentina (ATA), AMMAR (a trade union advocating for female and travesti sex workers).
- **Corporeal protest:** In 1986 travestis gathered publicly and protested using their bodies, some removing their clothing to show their breast implants and display the bruises they received from the police.
- **Practical guidance:** activists shared resources to help vulnerable communities understand their rights and the legal process (see Figure 2).
- **Campaigns:** CHA demands to abolish police edicts, Campaña STOP Razzia (‘Campaign STOP Raids’) which systematically documented police raids.

Evidence



Figure 1:

A group of travestis in 1986 carrying a coffin containing Nancy de Villa Martelli’s body, a fellow travesti who died being struck by vehicles on the Pan-American highway in her escape from the police which had detained her.

This marked one of the first public gatherings of travestis, their public mourning bringing attention to violence driven by police through displacing sex work and travestis onto the dangerous highway.

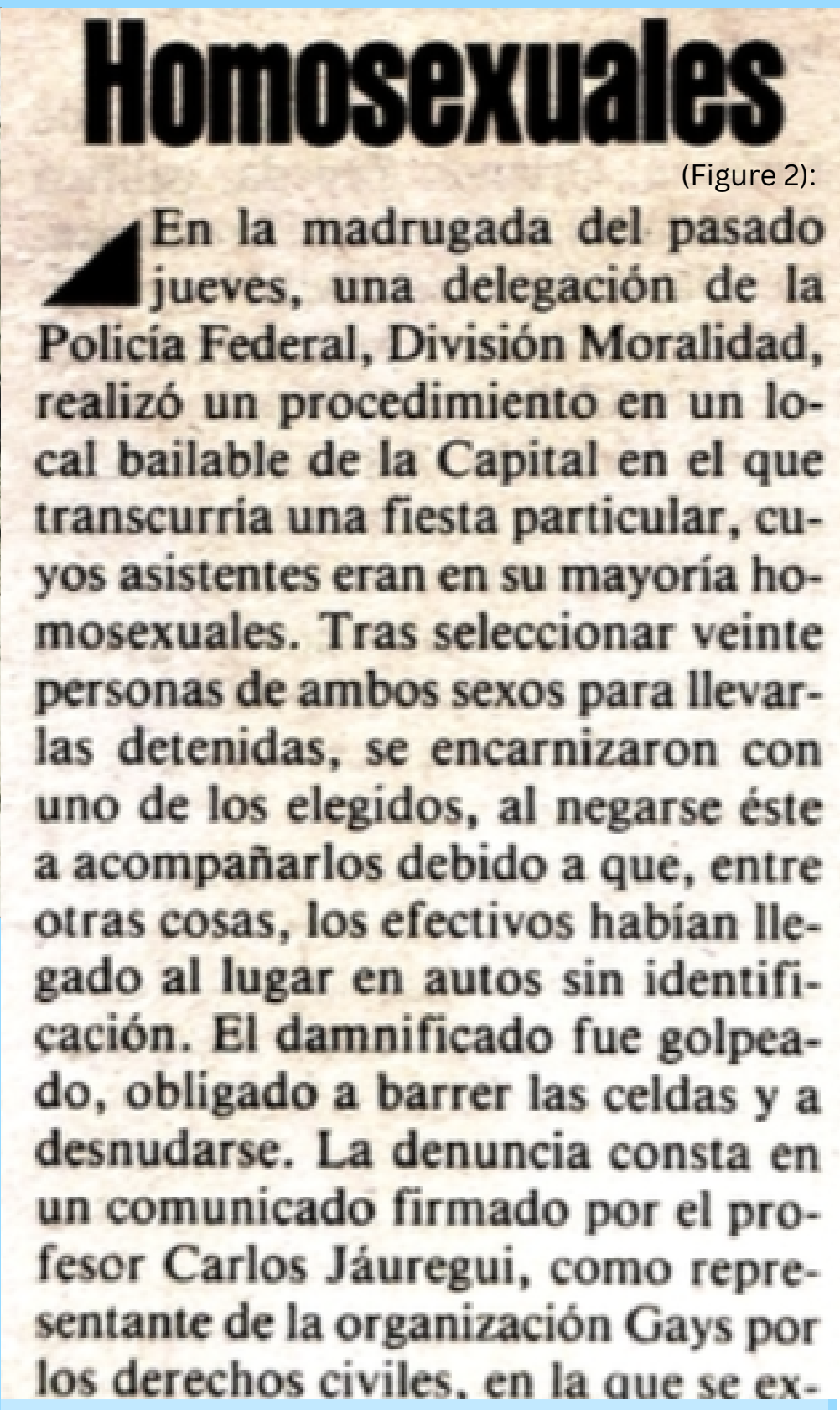


Figure 2:

A newspaper clipping from 1992 describing a violent arrest in which 20 people were detained.

Conclusion

This research demonstrates the **complex reciprocal relationship** between police powers and LGBT+ activism following Argentina’s transition to democracy.

Beyond the edicts’ text lay a deeper **prejudice** prevalent throughout society; a **repudiation of queer visibility**. It was due to this culture that police operated beyond the scope of their under-regulated powers and evaded public scrutiny, allowing abuse and violence to go unchecked.

Retaliatory protest therefore aimed not only to repeal formal law, but also to **confront the culture beneath it**, meeting police-enforced invisibility with deliberate visibility through public protest and legal campaigning.

In doing this, LGBT+ activism challenged not just the black letter of the law, but the discriminatory culture it was built to protect.

Spanish version: Bibliography:

