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Constructions of the *gaucho* as vagrant and idle and as a born criminal: Portraits of Juan Moreira (Argentina, 19th and 20th centuries)

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ABSTRACT: This article examines aspects of the discourse of power by which the figure of the Argentine *gaucho* was labeled as a "vagrant and idle" subject, based on the study of the archetypical Juan Moreira. In particular, the article explores analyses carried out decades after his death, influenced by the theories of Cesare Lombroso and Nicola Pende. Born in 1829 and killed at the hands of the police in 1874, Moreira became an emblematic personality of local folklore. Although his life has been the subject of extensive literary analysis, largely focused on the publication of Eduardo Gutiérrez's novelistic portrayal, there has not been as much focus on the attempt to validate scientifically his stigmatization using the theories of these Italian thinkers. This text, therefore, explores readings of Juan Moreira carried out during the 20th century by two doctors, José Ingenieros and Nerio Rojas. In methodological terms, triangulation techniques were used, taking as vertices the legislation in place at that time, the interpretations of his life made through his transformation into a literary and film character, and finally, the aforementioned psychodiagnostic evaluations based on the integration of hypothetical environmental and innate characteristics.

KEYWORDS: Stereotype; Stigmatization; Lombrosianism; Biotypology; José Ingenieros; Nerio Rojas.

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RESUMEN: *Entre la construcción del* gaucho *vago y mal entretenido y el delincuente nato. Retratos de Juan Moreira (Argentina, siglos XIX y XX).*— El artículo indaga aspectos del discurso del poder mediante el cual se convalidó la figura del gaucho argentino como sujeto "vago y mal entretenido," a partir del estudio del arquetípico Juan Moreira. En particular, se detiene en el análisis realizado décadas después de su muerte, influido por las teorías de Cesare Lombroso y Nicola Pende. Nacido en 1829 y muerto a manos de la policía en 1874 Moreira se constituiría en un personaje emblemático del folklore local. Su vida si bien fue bastante trabajada desde el análisis literario, fundamentalmente focalizado en la publicación del folletín en el cual Eduardo Gutiérrez novelara su derrotero, no habiéndolo sido tanto, empero, desde un enfoque que, como el presente, interpele la pretensión de validar científicamente su estigmatización valiéndose de las teorías de aquellos italianos. Al respecto, este texto recupera las lecturas de Juan Moreira realizadas durante el siglo XX por dos médicos, José Ingenieros y Nerio Rojas. Metodológicamente, utiliza una técnica de triangulación, tomando como vértices la legislación por entonces vigente; las interpretaciones de su vida hechas a partir de su transformación en personaje literario y fílmico; para presentar, finalmente, las referidas evaluaciones psicodiagnósticas, fundadas en la integración de hipotéticas características ambientales e innatas.

PALABRAS CLAVE: Estereotipo; Estigmatización; Lombrosianismo; Biotipología; José Ingenieros; Nerio Rojas.

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BY WAY OF AN INTRODUCTION: THE STEREOTYPE OF THE *GAUCHO* AS A DANGEROUS SUBJECT

Notwithstanding the colonial precedents of the concept of the *gaucho*, this denomination gained habitual use in the last decades of the 18th century to describe a certain type of rural, independent and rebellious man of Argentine origin, that did not accept the social routines and work imposed by authorities. Indeed, the expression *gaucho* came to mean wrongdoer, trafficker, thief, bum, or fighter.

Ethnically, the *gaucho* was the result of sexual relations between Spanish men and indigenous women and therefore deemed *mestizo* and not *criollo – criollos* were still to some extent considered to be Spanish (Carretero, 1964, p. 59). In effect, the word *criollo* has been used to describe descendants of Europeans born in the former Spanish territories of the Americas or certain European colonies on the American continent, and as such a person native to a Hispanoamerican country.

It has been said, not without reason, that the *gaucho* is "the most singular human type produced by the Argentine land," the product of a unique social, geographical and cultural configuration by which men were made by the horse, roaming over vast stretches of land inhabited by indigenous peoples, solitude, and cows (Pomer, 2007, p. 11). We can identify the *gaucho* as emerging in an era that began with the founding of the first city by the Spanish and ended – if a single event is to be mentioned – with Buenos Aires as the capital city in the last decades of the 19th century. The centrality of this iconic figure, while possessing attributes of its own, is related to that of the *compadrito* at the turn of the 20th century and the *cabecitas negras* in the middle of the 20th century (Carretero, 1964, p. 12).

Legislatively, once the Rural Code of the Province of Buenos Aires was passed in 1865, the state of servitude of rural workers or *peones* was conferred some degree of legality. At the same time, the fencing off of rural properties put an end to nomad pasturing and, in some ways, marked the end of the *gaucho* life. However, the legal framework establishing the status of rural *peones* came in conflict - or very nearly so – with the National Constitution passed in 1853. The principle of innocence included in the constitution was not applied to these workers, who, like medieval indentured servants, and had to remain under the domain of the owner of the property. In this way, if a landowner needed to employ one or more *peones* outside of their jurisdiction, they had to summon them with a dated document expressing the number of days that the commission or job would last. Once this stated period was over, if the *peon* was found outside of the area, and could not show he had worked in the period, gotten ill or any other obstacle that would impede his return, he was sanctioned (Rodríguez Molas, 1982, pp. 213-214). Throughout the 19th century, all non-property owners of working age in rural areas throughout the country were required to have such document, called a *papeleta* or *papeleta de conchabo*, in their possession.[1] Once conferred, this paper also proved that the *peon* holding it had work, preventing him from being deemed a vagrant with the subsequent punishment this implied. Clearly, the targets of this measure were the *gauchos* to "civilize" them, forcing them into paid work to cheapen the costs of rural labor and to prevent them from roaming the *estancias*, with the pretext of combatting the theft of livestock.

It could be said that the Rural Code incorporated many of the arbitrary aspects of legislation existing before its passing, as its author, Valentín Alsina, asked for the advice of the Comisión de Hacendados (Commission of Landowners) which was made up of the landowning *estancieros* with the greatest social prestige and economic power. The concept of vagrancy, which was considered a crime, faced several penalties ranging from being sent "if useful, to service in arms for the period of three years" to (if not considered useful for this purpose) being handed over to the police to "be assigned to public works for the period of one year" (Rodríguez Molas, 1982, pp. 214-215).

In this way, the *gaucho*, despite being a free man (slavery had been prohibited since 1813), possessed liberty limited by the constant suspicion of being "vagrant and idle" (Pomer, 2007, p. 42). The disparity of the *gauchos'* actions included their invaluable service in the wars for independence as well as their organization into *montonera* militia groups threatening the elite of the Buenos Aires port (Chumbita, 2007, p. 5). The injustice to which the *gaucho* was submitted is the object of many narrative works, iconically expressed in the 1872 literary work *El gaucho Martín Fierro* by José Hernández, the single most important text representing the *gaucho* identity.[2]

The *gaucho* is generally stereotyped and converted into a social metaphor that glorifies what appear as unmodifiable characteristics produced by the integration between an image and the moral qualities attributed to it. While a stereotype in itself is devoid of axiological qualification, in this particular case it is also associated with stigmatization, converting characteristics of the *gaucho* into attributes deplorable in any other collective considered undesirable.[3] It is precisely upon this concept of a stigmatized stereotype that the figure of the *gaucho* rests – or at least, the figure of certain *gauchos*, among which Juan Moreira is a paradigmatic example. As Hobsbawm highlights, since the invention of agriculture, the majority of rural dwellers have lived in societies in which they see themselves as a collective group separate from and inferior to the group of the rich and powerful, although often individuals forming part of these societies depended on one group or the other. In this context, resentment is at the same time an implicit sentiment (Hobsbawm, 2001, p. 20).

It is clear in this context that the elites holding political and economic power in the country had an interest in installing a certain stereotype of the *gaucho* associated with innumerable stigmatizations that enabled the social construction of their potential dangerousness – which, read in legal terms, would constitute a presumption of

guilt. With this idea, this text is based methodologically in a technique of triangulation with the following vertices: the legislation in effect at the time; the interpretations of Moreira's life, as an emblematic figure of the stigmatized *gaucho*, through his transformation into a literary and film character; and finally, the psychodiagnostic evaluations founded in the integration of hypothetical environmental and innate characteristics.

In this way, the text seeks out a line of argument that examines the theoretical-scientific rationalizations justifying the stigmatization of the *gaucho.* To do so, the text posits as a starting point the stereotyping of the *gaucho* within the discourses of the elite; it then centers on the emergence of Juan Moreira, consolidating the image of the *gaucho* as vagrant and idle; and finally, it analyzes the post-mortem psychopathological examinations carried out by representatives of the scientific field, who sought to legitimize – in a sort of self-fulfilling prophecy – the preexisting stigmatization.

THE *GAUCHO* IN THE DISCOURSE OF THE ELITE

The stigmatized stereotype of the *gaucho* also came to constitute a point of convergence of knowledge and power, a circumstance expressed in the interactions among intellectuals, politicians and scientists that occupied the public sphere.

Among the primary exponents of high culture that sustained the consolidation of such stigmatization, Domingo Faustino Sarmiento can be highlighted, although his radicalized perspective on the subject is well known. However, other authorized discourses have perhaps received less historiographical attention concerning the matter at hand and that will be explored in this section, including those of Guillermo Enrique Hudson (1841-1922)[4] and Carlos Octavio Bunge (1875-1918).[5] Albeit with somewhat disparate views, they both attempted to explain – using arguments from an at times distorted reading of Darwinism – the characteristics possessed by *gauchos.*

Hudson was a great observer of the natural environment of the pampas, and therefore of the psychology of the *gaucho*. As an introduction to some of his ideas, it is worth examining the impression he was caused by the "singular variation in the human species" he came across while traveling through a region along the southern frontier of Buenos Aires. There, upon entering a tavern and general store known as a *pulperia*, he encountered a being whose characteristics impacted him and inspired in him an irresistible temptation to subject him to scientific analysis. This being, described in 1892 in his well-known text *The Naturalist in La Plata*, looked him firmly in the eye addressed him in an odd tone of voice, "reedy or screechy," as the author discovered when the man greeted him and invited him to have his favorite drink. Returning the invitation, Hudson paid for the gin the man had already drunk, remarking on how his insolent behavior was markedly different from the "usually courteous *gaucho*" (Hudson, 1997, p. 300). He also highlighted that the man's height was nearly 1.8 meters or five feet eleven inches, "tall for a *gaucho*." His face was round and flat, his hair black and coarse, his skin swarthy and reddish, his cheeks smooth and hairless, making it appear that he had "more Indian than Spanish blood in him," although his "round black eyes were even more like those of rapacious animal in expression than in the pure-blooded Indian." At the same time his "teeth were not as in other human beings – incisors, canines and molars; they were all exactly alike, above and below…like the teeth of a shark or crocodile." And to complete his description, Hudson clarifies that when the man showed his teeth, which was often, "they were not set together as in dogs, weasels and other savage snarling animals, but apart, showing the whole terrible serration in the huge red mouth" (Hudson, 1997, pp. 300-301). That is, he had the strange feeling of having "put myself into a cage with a savage animal of horrible aspect." These circumstances led the author of this description to ask himself whether this man might have similarities with a decidedly non-human living being, given that he felt this man's differences were marked in comparison to other individuals, be they "white, red or black." His curiosity went to such an extreme that, even when confessing a certain amount of guilt regarding its impropriety, Hudson admitted his macabre desire to obtain "possession of this man's head, with its set of unique and terrible teeth" to give it to "anthropologists and evolutionists" in the old and "learned" northern hemisphere, as he was sure this subject belonged to some remote past, being a more primitive human type (Hudson, 1997, pp. 302-304).

The narrative outlined here does not allow us to infer whether, according to Hudson's criteria, this monster constitutes a prototypical *gaucho* or if he was an expression of an atavistic degeneration of the *gaucho*. Nevertheless, in his later works, for example the biographical text *Far Away and Long Ago: A History of My Early Life*, published in English in 1918, a deep interest in describing the traits of the *gauchos* can be observed. Appealing to the undisputed authority of Darwin, among the *gaucho* customs he highlighted that the premise "not to waste powder on prisoners" – an unwritten law in the Argentine army – was obeyed with pleasure by *gauchos* who were clever with knives. The task was carried out leisurely and lovingly, as if delighting in their homicidal act (Hudson, 2007, p. 107). Here, the object of his analysis is quite clear. [6]

The thought of the Argentine Carlos Octavio Bunge (1875-1918) was a thorough expression of the influence of European science in Latin America, extrapolating Darwinian evolutionism to the explanation of the social and legal phenomena around him (Miranda, 2004). As is well known, the theory of evolution was traditionally categorized as anticlerical because it "disobeyed" the postulates of the flood narrative, according to faithful upholders of the univocal creation of all known species as they presently exist. Indeed, among the biological theses, evolutionism has had the most impact in areas not directly related to the context in which it emerged. Based on this theory, diverse disciplines were redesigned in epistemological

terms, with the veiled purpose of strengthening their often shaky theoretical and methodological underpinnings.

In this sense, Bunge's multifaceted profile allowed him to develop several works in which he incorporated new scientific hypotheses into the explanation of educational processes and Law; he was a clear exponent of positivism in the Faculty of Law of the Universidad de Buenos Aires (Anitua, 2005, p. 202). One of his principal contributions was an audacious comprehensive methodological proposal in which the postulates of 19th-century transformism coexisted with the most radicalized historical currents – always from a positivist perspective that, nevertheless, relativized the value of the "law" in itself to underscore (in a way similar to Friedrich Karl von Savigny[7]) the transcendence of custom and *volksgeist* in the construction of the Science of Law.

This line of thought allowed Carlos O. Bunge[8] to draft his perspective on Hispanoamerican psychology, based on which he reinforced his theses regarding the existence of a national soul[9] and organized his particular epistemological conception (Bunge, 1918).

The concern at the end of the century manifested by the elite of Latin America regarding race and the biological makeup of the population was a prevailing notion homogenizing different sectors of the ideological spectrum. The concept of race was posited as a limiting factor in the development of the populations, and observable phenotypical differentiations among individuals were related to evolutionary stages that, based on spurious hierarchies, implied intellectual or even spiritual gradients. Such ideas fit well with Bunge's concept of "apirability," "that impulse to infinitely perfect oneself" ("Conferencias de Sociología…," 1902, p. 156) that inferior races "not so different from animals" were lacking. [10]

These ideas brought Bunge in contact with the doctrines put forward by Ernst Haeckel regarding the biological legitimacy of racial superiority; based on this, he developed the belief that natural selection produced an indefinite perfectioning of the species (Bunge, 1934, p. 344). In harmony with his organicist conceptions, such a belief led him to interpret that phenomena related to adaptation or the struggle for life, inheritance, natural selection, and pleasure or pain pushed man toward an "ascendant evolution." Yet he also appeared to understand that all men could be "strong or weak, given opportunity and timing," highlighting that "the great ethnic differentiations rarely show true superiority for the civilization, and even then… the concept of 'superiority' cannot be posited but relatively and circumstantially." According to this explanation he thought it legitimate to explain human subsistence during the evolutionary process – despite man's "thin physical constitution and the circumstances of the environment" – as a process establishing the logical norms of the human intellect, the technical norms for the construction of material objects, and the ethical norms required for life in groups or societies.

In this way, the struggle among men had an analogy with the struggles of the rest of the species, although the triumph of some over others was "predetermined" by their "aspirability," a condition held by some races, of which the *gaucho* was clearly not a part.

And in the detection of such conditions diverse (and complementary) lines of thought would offer contributions – not just in Hudson in Bunge – such as the criminology of Cesare Lombroso and the biotypology of Nicola Pende.[11]

As is well known, the Italian positivist Cesare Lombroso (1835-1909) sought to find the biological origins of crime, positing that criminality was related to physical and biological causes. His explanations centered on detecting the traits that would allow the "born" criminal to be distinguished biologically from those he considered "normal." The eugenicist biotypology variant later formulated by another Italian, fascist Nicola Pende (1880-1970), sought to legitimize his thesis through a discursive construction centered on affirming that "badness" could be hidden in the furthest corner of the human personality. For the task to be fully carried out, it was considered necessary to train professionals (called biotypologists) who could delve deeply enough; they were a sort of blend among doctors, Thomistic psychologists and reactionary priests, with the skills necessary to effectively "introduce themselves into" the most intimate parts of the person and evaluate, from there, their abilities for social life. Both the Lombrosian and the biotypology theses had a strong impact in Argentina, even when at the start of the 20th century "environmental positivism" began to impose itself over the more primary version (Anitua, 2005, p. 331), these theses nevertheless continued to intersect in the stigmatizing analyses of the figure of the *gaucho* as a dangerous subject.

JUAN MOREIRA, OR THE ENTRANCE OF THE ICONIC "VAGRANT AND IDLE" *GAUCHO*

It is important to reflect upon the affirmation that Argentina as a country tends to idealize its past of *gauchos* and armed *montoneros* outside the scope of the law (Hobsbawm, 2001, p. 216). The elites that lead the process of the national organization – as well as the elites that followed – found convergence in Sarmiento's dichotomy of civilization or barbarity as the basis for their intention to discredit the rural world through an association with an inheritance of both cultural and biological inferiority, attributable to the mixed character of the people and the persistence of indigenous or African customs. Further, these same elites considered the settlement of European immigrants and the strengthening of the "white race" as a central part their civilizing project (Adamovsky, 2016, p. 2).[12]

Nevertheless, it is undeniable that there is an association between the figure of the *gaucho* (both its pros and cons) and "Argentineness," which is a symbolic expression of the national identity. Although each political party took it upon itself to reconfigure the *gaucho* according to its own ideology, as the 20th century advanced all appealed to the figure's "nationalism" to celebrate the patriotic sentiments they purportedly upheld (Casas, 2017, pp. 267-268). Indeed, different representations were reinforced concerning the political interpretations functional to the

ideologies each party sought to defend. In this framework, the well-known magazine *Caras y Caretas* dedicated an entire issue in 1936 to dissecting the figure of the *gaucho* from a strictly nationalist perspective. Below a representative drawing, the cover reads:

> In this July 9, 1936 issue we evoke the figure of the Argentine *gaucho*, an expression of the *criollo* spirit that has never been dimmed by foreign influence, because it is still latent in our countryside and has been sung about and praised by poets and writers who were able to reach into the very marrow of this land (*Caras y Caretas*, 1936, cover).

Nevertheless, three years earlier the renowned writer Ezequiel Martínez Estrada had published his emblematic work *X-ray of the Pampa*, a text in which he analyzed the Argentine nature and condition through a conjunction of geographical, historical and cultural elements, arriving at fatalist and pessimist conclusion. In his narrative, the *gaucho* was not a figure still in construction but rather:

> a concluded type in nature that repeats on a larger scale the same forms. He is not the germ of anything new, but rather an invaded and finished being (…) When Azara saw him, he gambled and drank; now, he does business and regards himself smugly, which is the same thing. As long as cows and sheep graze, he will gamble and drink (Martínez Estrada, 2018, p. 109).

To sum up these negative characteristics, the author highlights that *gaucho* poetry from *Martín Fierro* onward is plagued with disdain for women, as the "*gaucho* considered it depressing to love and come together in marriage, as depressing as riding a mare" (Martínez Estrada, 2018, p. 23). At the same time, he suggested that to understand the psychology of the *gaucho*, as well as "the soul of the anarchical Argentine multitudes," the psychology of the "shamed child" should be considered, upon whom he deposited an inferiority complex exacerbated by ignorance, going so far as to produce an environment conducive to violence and impulsiveness (Martínez Estrada, 2018, p. 27).[13]

At the other ideological extreme from Martínez Estrada, Peronism would come to reappraise the *gaucho* in several contexts, among which the work of the existentialist philosopher Carlos Astrada is worth mentioning. He defined the *gaucho* as "the archetypical Argentine," the foundation of national life. And, when their progeny "wanted in this [life] their place and their share," they were denied by a "ruling class that, looking outward," turned its back on its origins, foregoing the path that would lead to "the mythical source, of which they themselves were, without knowing it, a branch lost and without connection." From this perspective, the gaucho is not a myth in the sense that he represents a type of human that has historically existed, but now no longer exists; rather, the Argentines hold "the *gaucho* myth as an expression of a biological and emotional style always capable of new life throughout changes and transformations." The *gaucho* myth in this way constitutes a sort of "vital and spiritual plasma of our breed" (Astrada, 1948, pp. 23-24). *Martín Fierro* is the faithful expression of this, with his counterpoint, Viejo Vizcacha, as the symbol of Argentine oligarchy (Astrada, 1948, pp. 88-89).

It seems clear that at least until the start of the last century, *gauchos* constituted a marginal sector of Argentine society; perhaps because of their erratic way o life in connection with their more or less just demands, they were not well tolerated by the elite and the authorities. The advance of landownership and the organization of production ended up excluding them – given the "threat" they posed to landowners – almost definitively from the social fabric. [14] And those who subsisted in spaces at the edge of the social order became a testament to the rebellion against authority and the law of the city. Precisely in this context of illegality, the figure of Juan Moreira grew notorious among *gauchos* and townsfolk alike, due to his confrontations, his ability to run from the *partidas* (groups of soldiers or police) and his ability with weapons, especially the dagger he was gifted by Adolfo Alsina – Moreira was his bodyguard – and that in his hands was transformed in a feared element of combat. Nevertheless, the misfortune of this *gaucho* appears to be rooted less in his overbearing personality and more in the loss of the political protection provided by Alsina once the latter left his office as governor and moved into the national office of Vice President with Domingo Faustino Sarmiento; also important was the change in political allegiance of the *gaucho* (Servicio Penitenciario Bonaerense, 2014, pp. 43-44). In this way, he went from guard of Alsina himself to the "vagrant and idle *gaucho*" par excellence.

Moving into a more careful examination of Juan Moreira's life story, it is interesting to note that he is registered as the child of "unknown parents." Nevertheless, it is very likely that he was the son of a member of the organization La Mazorca[15], part of the Mounted Body of Night Watchmen and Guards, and that he suffered a cruel death. As a child Juan Moreira learned the work of herding and taming, and was an excellent worker. However, his life underwent a dramatic change when, towards the end of the 1860s, when he killed the Genoese storekeeper Sardetti in a dispute over a debt that Moreira denied was his. After erratic comings and goings, he was at the center of a disturbance in a game of jacks that alerted the authorities to his whereabouts. The next day ¿sergeant Patricio Navarro went with two agents to arrest him, but Moreira fought them, injured the sergeant and fled stealing one of their horses and some of their clothes. In his escape, he lost his *papeleta*, dated March 1973, an event that, given the legislation at the time, proved crucial in the way his life unfolded. Having lost these papers, Moreira required a "*papeleta de resguardo*" (papers of accreditation) to move more freely, but his request was denied with the argument that the governor had decreed a few months earlier that all inhabitants of the province could move around "without the need for licenses or passes," even though it was still possible that the previous restrictions would continue to be applied at the whim of local authorities.

The loss of the infamous *papeleta* notwithstanding, 1874 would mark the end of this *gaucho's* life. On April 6, he had

an encounter with the police in which he received a wound to the face and another to the hand. Four days later, in Navarro, on the eve of the presidential election, he and his companion in adventure Julián Andrade o Andrada as well as three other men who followed their lead, killed in his own house the *estanciero* José Melquíades Ramalhe o Ramallo as well as one of his *peones*, for reasons that were never made totally clear. This event was the beginning of the end. In effect, in Lobos, the military commander Francisco Bosch, a declared follower of Alsina, and the captain Eulogio Varela, with the collaboration of "Cuerudo" – a *gaucho* given to a life of crime who played the role of Judas – located Moreira in the inn and brothel La Estrella, where he favored a woman named Laura. His pursuers found him there, off guard, during the siesta, on April 30, 1874. And they killed him. The wounds inflicted by sergeant Andrés Chirino were so abundant that the doctor who carried out the medical examination excused himself from describing them.

The official information in the file that narrates the moment in which Moreira was killed, after describing the events, crowns the cold description in this way:

> To end, I must especially recommend to whom it may concern the Officials and Solider whose bravery has effectively collaborated in the capture of this famous criminal who had nearly the whole countryside terrified by his audacity.
> In congratulating the Substitute Judge for this splendid occurrence that has had such great importance for this part of the countryside in which Moreira was a scourge, it is a pleasure to offer my most distinguished consideration.
> Francisco Bosch ("Anexo documental. Sumario levantado contra Juan Moreira," 2004, p. 312).[16]

During his life, Moreira, likely dragged down by unjust circumstances that surrounded his marginalized existence, found protection with the rural political chiefs. His duels with the *partidas* became legends, and the classic image of the wanted *gaucho* earned him the sympathy of the countryfolk, who considered him a typical social bandit. Nevertheless, no gestures of solidarity with the dispossessed stand out among his deeds. He served as an instrument for the conflicts among political factions and the obscure maneuvers of electoral fraud. The judicial causes for the crimes he committed for no apparent reason – notwithstanding the deficiencies and evident manipulation of the police files – would lead to the presumption that they were assassinations charged to him by his protectors, who were settling local power disputes (Chumbita, 1996).

However, far from death silencing the memory of this iconic *gaucho*, just a few years later the appropriation of his life began, not without subtleties, first through literary fiction and later through film. In this way, Eduardo Gutiérrez would bring him back to life in a celebrated *folletín* (a type of pulp fiction),[17] published in the newspaper *La Patria Argentina* between 1879 and 1880 and published in its entirety in 1888 (Gutiérrez, 1888).[18] He would also become part of a pantomime (1884) and a play (1886), that, personified by José Podestá, inaugurated what has been called Argentine popular theater.[19]

Among the different films that have included Moreira as a protagonist, one of which was profiled by the 1936 issue of *Caras y Caretas* (*Caras y Caretas*, 1936, p. 100), the one that has had the largest impact was directed by Leonardo Favio and premiered on March 24, 1973.[20] His "Juan Moreira" is considered a classic and one of the most important works in the history of the big screen in Argentina. It was a film that, according to some critics "defended and even glorified the natural rebellion of a poor *gaucho* pursued at the orders of almost feudal masters" (Bazán, 2022, p. 37). For others, Favio's Moreira was "more than a martyr to a cause, or a revolutionary hero, a confused man, who started off as a victim of the system but then become more and more corrupt, and who feels overwhelmed" (Gamerro, 2014, p. 8).

MOREIRA AFTER MOREIRA: THE SEARCH FOR PSYCHOPATHOLOGICAL EVIDENCE *POST MORTEM*

Moreira's skull would become the object of a privileged study in the framework of criminological anthropometrics to contemplate the origin of his actions. It is a well-established fact that the skull itself was at first in the possession of a doctor in the Lobos area, Eulogio Del Mármol, who then gifted it to another doctor, the hygienist Tomás Perón. It would then be handed over to the phrenologist Octavio Chaves to detect any pathologies that could explain his crimes. Nevertheless, Chaves stated in 1928 that the skull was that of a "normal individual" (López Mato, 2022, p. 2). After the death of Tomás Perón, the skull became part of the collection of his widow, Dominga Dutey, who claims that as a child, her grandson Juan Domingo Perón would play with the cranium, trying to scare whoever was nearby (Muro, 2021).

The events associated with Moreira's death and then his skull were reported in the "Police Episodes" section of *Caras and Caretas*. The author of the story attempted to reconstruct the events based on the account of the "only living survivor of the tragedy," the very man who killed Moreira, sergeant Andrés Chirino (Carrizo, 1903, p. 37).

Several analyses have been carried out regarding both the "real" Juan Moreira and the "imaginary" one, transformed into legend by the pen of Eduardo Gutiérrez and later, the film versions he inspired. However, Moreira was also used by the scientific literature in the first half of the 20th century. Even though he was killed by police in 1874, his figure encouraged the application of criminological theories after his death that, using Lombrosianism as a base, ascribed themselves the possibility of predicting certain criminal behaviors according to the phenotypes of individuals.

In the majority of the chronicles centering on Juan Moreira, a crucial dichotomy regarding the protagonist can be observed – on the one hand, he is portrayed as a figure who speaks to the rights of the most unprotected, and on the other, as "vagrant and idle." Starting at the start of the 20th-century questions were raised regarding how "dangerous" it might be to call attention to his behavior

(Casas, 2017, p. 34). In this sense, the analysis carried out by José Ingenieros, who consolidated an image of Moreira as a popular bandit that was the antithesis of the previous heroizing view expressed in Gutiérrez's novel, was fundamental (Mahile, 2013, p. 211).[21]

Giuseppe Ingenieros (1877-1925) was the true name of the psychiatric doctor who was born in Italy and raised in Argentina, the country where his criminological studies had a broad impact and where he was known as José Ingenieros. His interest in the question of crime was strengthened through a trip to Europe in 1905 as a representative of the 5th International Psychology Conference in Rome, where Cesare Lombroso and Enrico Ferri – the highest representatives of Italian positivism – were also present. [22] His works dealt with untangling what was a simulation in those who, as criminals, were seen by the justice system as mad, to settle the difference between mental illness and crime (Huertas García-Alejo, 1991; Del Brutto, 2000). Ingenieros was director of the journal *Archivos de Psiquiatría y Criminología* between 1902 and 1913, where his study on the personality of the Moreira was published years after the *gaucho*'s death, in 1910. In a conference given by Ingenieros that same year at the Society of Psychology of Buenos Aires, he analyzed the "legendary personality of Juan Moreira," for which he collected the different criminal records generated by his crimes (Ingenieros, 1910, p. 630) to differentiate him from the fictional character created by Eduardo Guitiérrez.[23] He first examined his physical characteristics, highlighting that he was "a subject riddled with smallpox scars, with light eyes and of medium height," who had never had a beard and who was wearing pants the day of his death. According to Ingenieros, Moreira was "by trade, vagrant and idle," and his numerous murders were "treacherous and cowardly, many without any other reason than robbery." In his characterization, "far from rebelling against authority, he was maintained by the police chief, the justice of the peace, the mayor and the commander of the national guard in Navarro, who had him at their service for electoral purposes, like many other notorious criminals." He continued, "he was never known to have friends, only accomplices," "he was not fond of legal diversions," never having sung in the taverns, was "a thief when gambling, had no religious sentiments and lacked any feeling of nationalism to the point of selling his bloodthirsty qualities to the highest electoral bidder." In sum, Ingenieros qualified him as "amoral at birth, that is, a born criminal, with characteristics impressed upon him by the *gaucho* environment" (Ingenieros, 1910, p. 630).

After such a visibly negative characterization of Juan Moreira, Ingenieros highlighted that he was not "an exponent of the psychological qualities of the *criollo*, but rather the antithesis," and therefore it was disastrous for "our collective morals" to pay tribute to "such a character." He highlights that it would be preferable to educate the people in deference to less atavistic traits; there is more value in the teacher that educates, the worker that produces, the wiseman who studies and the woman who knows how to care for her children than in that human beast trained only to satiate himself with the blood of others (Ingenieros, 1910, p. 631). At the time, Ingenieros was likely concerned by the social phenomenon known as Moreirism, seen in the city of Buenos Aires in the year 1900, in which certain people living a "life of crime" were adding to their habitual suits attributes of the former *gaucho* attire and were putting up armed resistance to the authorities (Mahile, 2013, p. 210). [24]

Years later, the case of Moreira would be reevaluated (adjusting the perspective of Ingenieros) by his disciple, the Argentine psychiatrist and forensic doctor Nerio Rojas (1890-1971). This well-known author is probably the clearest representative of criminological positivism in Argentina (Anitua, 2005, p. 329). Starting with his analysis of Ingenieros's positivist interpretation, Rojas incorporated the Italian biotypology of Nicola Pende, whose influence he openly recognized in his own thinking. Rojas had accumulated several accolades, among them having founded and directed, along with José Belby, the journal *Archivos de Medicina Legal* during the period 1931-1961. In addition to being a UNESCO ambassador in Paris (1964-1966), this member of the *Radical* political party served three terms in the House of Deputies and – regarding the issue at hand - was an emblematic representative of the eugenic thought with a bias towards biotypology predominant in Argentina starting in the 1930s. In his 1936 text titled *Legal Medicine* (or at least in the second edition, dated 1942), Rojas took it upon himself to analyze the personality of the *gaucho* Juan Moreira. In technical terms, he emphasized that the "Lombrosian structure of criminal anthropomorphology" had been destructed, qualifying it as somewhat prone to exaggeration (Rojas, 1942, p. 72). He then highlighted – as was done both inside and outside the positivist school – the importance of the physical and social environment, the reason for which he approached with greater interest the psychopathological classification of criminals carried out by José Ingeniero (Rojas, 1942, p. 79). Regarding this author, Rojas affirmed that his best work was found in *La simulación en la lucha por la vida* (Simulation in the struggle for survival), originally published in 1903, in which his hypotheses were based on "the ideas of Darwinism" (Rojas, 1926, p. 149). In this sense, Rojas highlighted the pertinence of Ingenieros to the positivist school, even when he recognized the author's divergence from many aspects of the Lombrosian thesis (Rojas, 1926, p. 150). Moreira becomes an excellent example of the transcendence Ingenieros ascribed to the "formidability of the criminal as a penal criterion" (Rojas, 1926, p. 151). In 1914, Ingenieros had examined the possibility of moral change influenced, according to him, by disconnecting from the "worthless Hispanic-indigenous" and consolidating "Europeanized molds" in which "the saints of *gaucho* mores, like Juan Moreria, would be replaced by representatives of a new morality, like Ameghino" (Ingenieros, 1914). In this way, the positivist emphasized that it was desirable to "dispel the misunderstanding that would incline the sentiments of the new nationality toward a regression to an old version of the *criollo* based on *gauchos* and *caudillos* [personalist

military and political leaders]," in a context in which "neither the war nor the *caudillos* will form part of the coming formulation of nationalism; refined Argentine greatness in peace and culture" (Ingenieros, 1914).

Nevertheless, as we have anticipated, the medical-psychological analysis of Moreira would not stop there and then. Years later, Nerio Rojas would affirm that one of the most modern aspects of the study of criminal anthropology delving into individual characteristics could be found in endocrinology, that is "the study of the internal secretion glands of delinquents." He particularly acknowledged the research of Nicola Pende and Giuseppe Vidoni, emphatically recommending their work (Rojas, 1942, pp. 83-84).

Rojas, who in 1915 published *Psicología de Sarmiento* (the psychology of Sarmiento), would in 1961 be driven to republish it with modifications. The proposal of this confessed admirer of the historical figure from San Juan was clear from the first edition of his work, favorably reviewed at the time by José Ingenieros y Carlos Octavio Bunge, among others: to demonstrate "scientifically" the mistake committed by those who called Sarmiento "mad" (Rojas, 1961, p. 7).

In this way, Rojas gives in to his desire to submit this national hero to a psychiatric study in absentia. Although he calls Lombroso "exaggerated," Rojas cannot resist mentioning him and, using his thesis, signaling the frequency of mental disorders in "superior men," in whom nevertheless "this abnormality is a possible characteristic of, if you will, a genius, but never the original cause" (Rojas, 1961, pp. 142-143). In this way, he highlights that "from a psychological point of view, the prodigy of Sarmiento is undeniably brilliant" and that the disorders he explores in Sarmiento constitute "one of the characteristics of his original superiority," making it impossible to classify them as signs of mental alienation. He was without a doubt "a genius" (Rojas, 1961, p. 152).

Faced with the explanatory weaknesses of Lombosianism, Rojas intersected these ideas with aspects of constitutionalist theses with a biotypology bias, among them, Pende's (Rojas, 1961, pp. 153-169).[25] Precisely in this framework, Rojas would seal his approval of Italian eugenics read in a local context, institutionally inaugurated in 1932 through the founding of the Argentine Association of Biotypology, Eugenics and Social Medicine, of which Rojas was a member.

It is in this context that Rojas's study of Moreira should be interpreted; it was carried out, with some mediation, from a criminological perspective with a clear Lombronsian influence, as can be seen in the affirmation of the existence of a "born criminal." In 1943 the journal *Archivos de Medicina Legal* immediately printed a transcription of the conference given by Rojas on May 3 of the same year in the Casa del Teatro, organized by the General Society of Authors of Argentina. In that contribution, the Tenured Professor of Legal Medicine of the Universidad de Buenos Aires, who was three times a National Deputy for the Radical party, focused on deconstructing the figure of Moreira (Rojas, 1943).

It is crucial to examine why a Deputy for the Radical party was interested in psychologically evaluating – via a report with characteristics of a legal medical examination and carried out in 1943 – a bandit killed at the hands of police in 1874. One possible explanation is Rojas's confessed devotion to Sarmiento who, it should be recalled, considered *gauchos* to be inferior beings, almost devoid of signs of humanity. In this way, we could say that Nerio Rojas viewed Juan Moreira through the lens of Sarmiento, whose advice in 1861 in a letter to who was then the governor of the Province of Buenos Aires and the next year became President of the Nation, Bartolomé Mitre, confirms his hostile position: "Do not try to spare *gaucho* blood. It is the fertilizer needed to make this country useful. Blood is the only human trait they possess."[26]

Here we can see an aspect worth analyzing further. The case of Juan Moreira, a *gaucho* characterized as "vagrant and idle," analyzed by the highest medicine of the first half of the 20th century, allows us to shed light on the cultural anchoring by which *gauchos* (in general) – and Moreira in particular – would be identified as dangerous, inclined to commit crimes, and only be excused if they possessed the *papeleta* as a document that would give proof of their innocence. This typification made use of phenotypical and behavioral criteria and generated, on many occasions, a terrible spiral acting as a self-fulfilling prophecy.

Rojas began his 1943 conference stating that "literary production creates characters that exist in spirit but then become reality," generating in this way "types that outlive even those who created them." He then moved forward in differentiating the Juan Moreira created in Eduardo Gutierrez's Argentine pulp novel from the real Moreira, arguing that in the fictional version his figure was highly transformed and, we could say, distorted (Rojas, 1943, p. 91). To do so, the psychiatrist proposed a new task, in his mind crucial: uncovering the "real" Moreira and comparing him to the "true" Moreira. And although Rojas largely overlooked the family context of the *gaucho*, he attributed him, in a stigmatic way, being descended from members of La Mazorca, even though he highlighted that in the police records against Moreira, his parentage was described as unknown (Rojas, 1943, p. 98).

Rojas's detailed analysis of the gaucho who was vagrant and idle also took into account Moreira's physical characteristics. He stated that although the "cause of seduction of the public," Podestá's artistic and Gutiérrez's romantic descriptions did not correspond to the legend. Rojas recovered a police file from 1869 profiling the "fugitive and murderer" Juan Moreira in the following way: resident of Buenos Aires, 28 years of age, unmarried, of a reddish-white complexion, of regular height, tallish and thick, with brown eyes, a regular nose, brown hair, no beard, and as a particular trait, a face riddled with pockmarks. His attire was described as made up of a *chiripá* (typical *gaucho* trousers), poncho, a hat of pressed wool, and calfskin boots, in addition to a silk scarf at his neck. He also rode a red, "mean-faced" horse (Rojas, 1943, p. 99). Another police file from the year of his death, 1874, emphasized that his parentage was unknown, described his occupation as "va-

grant and idle" and as a particular trait "a gunshot wound in the mouth from twelve days ago and a wound on the hand from the same date," as well as the *chiripá* and good clothing he was wearing (Rojas, 1943, p. 99).

It could be said that Rojas constructed a personality to his own taste, centered on Moreira's actions as a guard to "important political figures." Although Moreira did not work, he always seemed to have the resources for gambling and drinking, "dirty" money coming not only from robberies but also payments from those who made use of his services for political ends (Rojas, 1943, p. 99). In this context, Rojas traces an unusual connection between Moreira's weapons and his skull, affirming that the weapons, "united with the courage of their owner, made him a hero capable of confronting the police, greater in number." And in the battle in which the gaucho, an "*hombre guapo*" (brazen man), was killed, Rojas described with some awe the appearance of Moreira "at the door with all of his weaponry in his hands." Moving into the crux of our analysis, Rojas also analyzed Moreira's skull, as he had done before with that of Sarmiento, highlighting the substantial loss of bone matter and the impossibility to determine with any certainty whether it was the result of "traumatisms in his final struggle or if it was destruction that occurred over time" (Rojas, 1943, p. 100).

From this perspective, Rojas examined Gutiérrez's characterization of Moreira as an infernal Fantômas. This is the description of his "criminal type" who

> we see arrive, kill and then flee. He is always a fugitive and reappears with weapons and with blood. He kills and again disappears. That is his life, until he dies. The police could never catch him alive, but even so, even though there was never a direct study of him, we can make deductions that logically emerge from the very crimes we just summarized (Rojas, 1943, p. 101).

Moreira is presented in the novel as a synthesis of ferocity and criminality in its "most extreme form." He is a person who cannot be caught, and who expresses undeniable signs of psychopathology: "I feel like killing someone;" "we have to murder Ramalhe, whoever is afraid can stay here." And his last phrase, uttered in the head of the unequal battle with the police: "Now you'll see if you can catch me." In each of these reactions, Rojas believed to find psychopathological signs about which he did not hesitate to make firm deductions: "He was a criminal, a fierce criminal, but removing ourselves from anything we could consider a moral point of view, we should ask ourselves: Was he truly an *hombre guapo*, or just a simple murderer? Let us recognize his *guapeza* [brazenness], let us concede him this honor: he was a brave man." He demonstrated this characteristic to the day of his death, in which he (Moreira) faced twelve men – all fully armed – on his own, fighting to his last breath, and even when mortally wounded, continued to attack them with ferocity and courage (Rojas, 1943, p. 101). Although he justified such courage as a fundamental survival instinct, Rojas emphasized that "the *guapo* gambles with his life, as Moreira did. He was a murderer, but he was a brave man."

Moving into the criminological interpretation, Rojas highlighted some facts he considered important in his analysis. Concretely, about the crime of which Ramalhe was a victim, Rojas highlighted that Moreira did not know him and therefore could have no personal reason or any cause whatsoever that would move him to the individual reaction of murder. These arguments led Rojas to suspect that someone had paid him to commit the murder, which implied cold premeditation, malicious forethought and the organization of a group to carry it out. This presumption induces Rojas to reflect on the penal and criminological qualification that could be made of the act, responding to the impulse of brutal perversity, an aggravating circumstance of the homicide, making it a crucial element to take into account. Rojas concludes that Moreira was "an instinctive criminal, what is known as an instinctive deviant, a murderer of 'instinctive tendency,' what criminology calls a 'born criminal'" (Rojas, 1943, p. 102).

Environmental factors were also the object of this posthumous analysis of Moreira. Among them, Rojas affirmed that alcoholism acted to disinhibit his instinctive tendencies and allow his criminality to flourish. Rojas lost no opportunity to highlight the impunity the gaucho experiences thanks to his connections with men of political influence, regardless of their political party. From these spaces of power, it was possible to impede the effective action of the police to arrest him. However, one key element is missing in this description, what Rojas called the "climate of legendary terror" that surrounded him and that is made abundantly clear in the diverse police files opened against him (Rojas, 1943, p. 102).

Nevertheless, Rojas posited the existence of "two Moreiras": the real one and the legend. The real was classified as a type of proof of the risks posed to society by the abuse of power. In this way "when the order of the law … [is broken by] the authorities charged with complying with it and making citizens respect it, society becomes unhinged; and this explains, in large part, crimes like those of Moreira" (Rojas, 1943, p. 104). In this way, he emerged as a "moral monster." This is precisely the Moreira that was killed.

The other Moreira, the true one, was born in popular art and is "a being that long outlives his own creator," found in the reality of our own social sentiments. This Moreira never existed, even as he remains alive. In this way, Rojas assures that the true Moreira was not the real Moreira, but rather the one created in the imagination of Gutiérrez (Rojas, 1943, p. 104).

Rojas highlights in his analysis that Eduardo Gutiérrez never intended to carry out a historical nor biographical work on Moreira, but rather, in the creation of his character, sought to outline the social drama of the wanted *gaucho*. In effect, "the *gaucho* is a pariah in his own land, that is no good for anything other than voting in the elections for the Justice of the Peace or for the Commander to swell the ranks of the front-line regiments" (Rojas, 1943, p. 105).

And this, the true Moreira, far from appearing as an unknown "vagrant and idle" *gaucho*, is the one who will remain in the soul of the Argentines.

Moreira, whose personality was like any of "our rebellious and arrogant *gauchos*," was buried in the Lobos

Cemetery 48 hours after his death, and during that whole period "the police station was constantly full of people who came from the countryside to see his body" (Carrizo, 1903, pp. 37, 40). His skull was exhibited as a museum piece for many years, and was then taken out of the view of the public after the legal prohibition to exhibit human remains in museums. Nevertheless, the trajectory of the skull of this *gaucho*, from Lobos to Luján, can be read as a certain persistence of the comings and goings the image of *gaucho* was subjected to in his homeland.

BY WAY OF CONCLUSION: JUAN MOREIRA, IN SUMMARY

Sarmiento's dichotomy of civilization or barbarity guided Argentina for a large part of the 19th century and, as the century came to a close, the prevailing schools of modern biology and positivism facilitated the articulation of racializing mechanisms through which the traditional inhabitants of the pampas were definitively relegated. In this way, the *gauchos* had no other option but to become part of the system, denying their identity, or become marginalized, prone to crime and obligated to serve sentences in the new prison establishments that were erected as symbols of authority marking the vast extension of the province (Servicio Penitenciario Bonaerense, 2014, pp. 51-52).

In this context, Juan Moreira constituted a type of Hobsbawmian social bandit (Hobsbawm, 1968), possessing a certain avenger aura with which he terrorized and evaded the authorities and offering the countryfolk an important "psychological gratification" by demonstrating that "those on the bottom" could also be formidable (Chumbita, 1996). However, the magnitude that the figure of this gaucho *reached* and the simultaneous fear among the elites that behaviors would be reproduced that put their privileges in danger made it necessary to examine him, even *post-mortem*, to saddle him with psychopathology and from there make arguments regarding his criminality. Lombroso's criminology and Pende's biotypology constituted ideal materials for this exhumation.

Even when, it should be stated, neither Cesare Lombroso or Nicola Pende ever took interest in the gaucho.

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NOTES

1 An account of the legal statutes of this institution can be found at: Storni, 1997, pp. 319-341.

2 Of such importance that it has inspired the celebration of the National Day of the Gaucho on December 6, the date the first part of *Martín Fierro* was published; and what is called the Day of Tradition, established in the 1930s on November 10, the day José Hernández was born. These events were largely celebrated in the Province of Buenos Aires until a decade later, when the dates were deemed of national scope by the government of Juan D. Perón.

3 For more information see: Vallejo and Miranda, 2021.

4 William Henry Hudson, as was his true name, was born in the Province of Buenos Aires and died in London. In 1874, the same year Moreira was killed, Hudson – very ill – was moved to London, England. Many of his texts were originally published in English.

5 Although Bunge was born a year after Moreira's death, his discourse would undoubtedly permeate later readings of the *gaucho* way of life, of which Moreira was an icon. For more information see: Miranda and Vallejo, 2006.

6 In this brief reference to Hudson, it is worth citing, among his most noteworthy literary productions, *The Purple Land*, a novel first published in 1885; a reedition was published with modifications in London in 1904, and the novel was reprinted several times, among them: Hudson, 1941. It should be recalled that Hudson's text gained the admiration of Jorge Luis Borges (1952).

7 The influences of von Savigny's thought in the conformation of the legal *corpus* of Argentina are many, starting with the Civil Code of Vélez Sarsfield (1869/1971).

8 For more information, see: Terán, 1987.

9 "... the individual psychology of a Frenchman, an Englishman, a German, is a compendium, a reflection of the psychology of the national soul of France, England, Germany…The psychological inheritance and the environment make every man a summary of the character of his country. This fact is more evident, naturally, in the men of the ruling class than in the common people." Excerpt from the article: ("Conferencias de Sociología y Pedagogía dadas en la Escuela Normal de Profesores por el Dr. Carlos Octavio Bunge, profesor de Ciencia de la Educación," 1902, p. 150). For a review of Bunge's psychological theories, it is crucial to consult the text: Soler, 1968. A more recent and complete panorama of Bunge's psychological thought can be found in the books: Biagini, 1985 and 1989.

10 Expression taken from a letter from C.O. Bunge to Roberto Bunge during the former's first trip to Europe, in which he saw on display, at the London Zoo, a group of "Eskimos" in a cage near the white bears (cited in Terán, 2000, p. 156).

11 Regarding Pende, see: Vallejo, 2004.

12 With respect to this issue, the following work is of interest: Dreher and Figueroa-Dreher, 2011.

13 This author also, sometime later, highlighted the figure of the aforementioned Guillermo Enrique Hudson (Martínez Estrada, 1951).

14 Regarding this interpretation, see: Chumbita, 1996.

15 La Mazorca was a parapolitical organization at the service of the Governor of Buenos Aires at that time, Juan Manuel de Rosas. It was made up of two special bodies of policemen and guards. One of its members, Cirilo José Moreira, an extremely fierce Spaniard, the hypothetical father of Juan, was shot in 1842 at the order of Rosas himself.

16 Juan Moreira's criminal record, which started in 1869 and closed in 1879, is in the care of the Historic Archive of the Province of Buenos Aires.

17 The *folletín* format allowed mass literary products to be distinguished from more cultured ones – that is, to distinguish the "low" from the "high." In the *folletines*, Argentine tradition and national identity were often expressed (Laera, 2015, p. 65).

18 Gutiérrez, 1888.

19 For more information see: Recalde, 2019.

20 The full movie is available on this website with free access: https://play.cine.ar/INCAA/produccion/405

21 In footnote 47, Mahile refers to the interpretation made by (Ludmer, 1999). Regarding "*mala vida"* or "a life of crime," several different texts can be consulted, starting with the emblematic work of Gómez (1908) have looked at the matter historiographically. Among these see: Conde, 2018; Campos, 2009.

22 See: Miceli, 2006.
23 To explore in greater depth the relations between science and literature in the period, we recommend the following works: Miceli, 2006; Stecher, 2014.
24 The expression "*Moreirismo"* signals the development of a style that sought to emulate the attributes of courage and virility characterized by – in the popular imagination – the celebrated hero that was "Juan Moreira," an archetypical "bad *gaucho*" whose transgressions of state law were interpreted as expressions of popular justice (Haidar, 2021, p. 208). For more information, see the emblematic text: Ludmer, 1999.
25 It may be that references to Pende were absent in the 1915 version of the text and were incorporated by the author in the later reedition, as in the prologue Rojas states having somewhat modified the original version. Our presumption is based on the fact that in 1915 Pende was not well-known in Argentina; he became a crucial point of reference starting in the 1930s.
26 A full transcription of this letter is available from: https://www.educ.ar/recursos/128668/carta-de-sarmiento-a-mitre-sobre-gauchos [last consulted 4 Aug. 2022].

REFERENCES

Adamovsky, E. (2016) "La cultura visual del criollismo: etnicidad, 'color' y nación en las representaciones visuales del criollo en Argentina, c. 1910-1955." *Corpus*, 6, 2, pp. 1-14. doi: https://doi.org/10.4000/corpusarchivos.1738

"Anexo documental. Sumario levantado contra Juan Moreira" (2004) *del Instituto de Historia Argentina*, n° 4, pp. 305-312. Universidad Nacional de La Plata, La Plata, 2004. Available at: http://sedici.unlp.edu.ar/handle/10915/12365 [accessed 24 Jul. 2022].

Anitua, G. I. (2005) *Historia de los pensamientos criminológicos.* Buenos Aires: Ediciones del Puerto.

Astrada, C. (1948) *El mito gaucho. Martín Fierro y el hombre argentino.* Buenos Aires: Cruz del Sur.

Bazán, J. O. (2022) *Santos y bandidos. Historia de los Robin Hood de Sudamérica.* La Plata: Arte Editorial Servicop.

Biagini, H. (1985) *El movimiento positivista argentino*. Buenos Aires: Editorial de Belgrano.

Biagini, H. (1989) *Filosofía americana e identidad. El conflictivo caso argentino*. Buenos Aires: Eudeba.

Borges, J. L. (1952) *Otras inquisiciones.* Buenos Aires: Sur.

Bunge, C. O. (1918) "La evolución del Derecho y de la política." *Revista de Filosofía*, 4, 7, 1, enero, p. 46-73.

Bunge, C. O. (1934) *El Derecho. Ensayo de una teoría integral*, Séptima Edición. Buenos Aires: Espasa-Calpe. [Primera edición: publicada con el título de *Teoría del Derecho. Principios de Sociología Jurídica*, Nicolás Marana, Buenos Aires, 1905].

Campos, R. (2009) "La clasificación de lo difuso: el concepto de mala vida en la literatura criminológica del cambio de siglo." *Journal of Spanish Cultural Studies*, 10 (4), pp. 399-422. doi: https://doi.org/10.1080/14636200903400199

Caras y Caretas (1936) Año XXXIX, n° 1971. Buenos Aires, 11 de julio.

Carretero, A. M. (1964) *El gaucho. Mito y símbolo tergiversados.* Buenos Aires: Escorpio.

Carrizo, F. (1903) "La muerte de Juan Moreira." *Caras y Caretas*, año VI, n° 235, 4 de abril, pp. 37-40.

Casas, M. E. (2017) *Las metamorfosis del gaucho. Círculos criollos, tradicionalistas y política en la provincia de Buenos Aires 1930-1960.* Buenos Aires: Prometeo.

Chumbita, H. (1996) "Nueva versión de Juan Moreira." *Todo es Historia*, 346, mayo, s/d. Available at: https://hugochumbita.com.ar/index.php/component/content/article?id=123&Itemid=437 [accessed 25 Jul. 2022].

Chumbita, H. (2007) "Prólogo. Sobre gauchos y gauchiletrados." In: L. Pomer. *Historias de gauchos y gauchisoldados.* Buenos Aires: Colihue, pp. 5-8.

Conde, O. (2018) "La mala vida en Buenos Aires. Entre el ensayo criminológico y la literatura marginalizada." *Zama. Revista del Instituto de Literatura Hispanoamericana*, 10(10), pp. 37-56. doi: https://doi.org/10.34096/zama.a10.n10.5391

"Conferencias de Sociología y Pedagogía dadas en la Escuela Normal de Profesores por el Dr. Carlos Octavio Bunge, profesor de Ciencia de la Educación" (1902) *Revista Nacional*, XXXIV-Entrega I, pp. 148-158.

Del Brutto, B. A. (2000) "José Ingenieros, de *La Montaña* a la sociología de la simulación." In: H. González (comp.), *Historia crítica de la sociología argentina. Los raros, los clásicos, los científicos, los discrepantes.* Buenos Aires: Colihue, pp. 141-160.

Dreher, J. y Figueroa-Dreher, S. (2011) "De bandido a héroe: el poder integrador del simbolismo gaucho en la Argentina." In: S. Figueroa-Dreher (comp.), *Construcción de identidad y simbolismo colectivo en Argentina.* Buenos Aires: Prometeo, pp. 153-186.

Favio, L., dir. (1973) "Juan Moreira." Film available at: https://play.cine.ar/INCAA/produccion/405 [accessed 14 Aug. 22]

Gamerro, C. (2014) "Cuatro versiones de Moreira." *Cuadernos LIRICO*, 10, pp. 1-11. doi: https://doi.org/10.4000/lirico.1704

Gómez, E. (1908). *La mala vida en Buenos Aires.* Buenos Aires: Roldán.

Gutiérrez, E. (1888) *Juan Moreira.* Buenos Aires, N. Tomassi Editor.

Haidar, V. (2021) "Los planteos de José María Ramos Mejía (1849-1914) y José Ingenieros (1877-1925) sobre la simulación: sus aportes a los debates sociológicos acerca de la incidencia de la mímesis en la vida social." *Revista de la Carrera de Sociología. Entramados y perspectivas,* 11, 11, pp. 200-227.

Hobsbawm, E. (1968) *Rebeldes primitivos. Estudio sobre las formas arcaicas de los movimientos sociales en los siglos XIX y XX.* Barcelona: Ariel.

Hobsbawm, E. (2001) *Bandidos*. Barcelona: Crítica.

Hudson, G. (1941) *La tierra purpúrea: un idilio uruguayo.* Buenos Aires: Pluma de oro.

Hudson, G. (2007) *Allá lejos y hace tiempo*. Buenos Aires: Terramar.

Hudson, W. (1997) *El naturalista en el Plata*. Buenos Aires: El Elefante Blanco.

Huertas García-Alejo, R. (1991) *El delincuente y su patología. Medicina, crimen y sociedad en el positivismo argentino.* Madrid: CSIC.

Ingenieros, J. (1910) "Psicología de Juan Moreira." *Archivos de Psiquiatría y Criminología aplicadas a las ciencias afines,* IX, pp. 630-631.

Ingenieros, J. (1914) "El nuevo nacionalismo argentino." *Caras y Caretas*, año XVII, n° 841, p. 44.

Laera, A. (2015) "Encuentros y desencuentros de la tradición nacional: los folletos populares en la década del 30." In: G. Chicote (ed.), *Redes intelectuales en América Latina. Los universos letrado y popular en la primera mitad del siglo XX.* Rosario: Prohistoria, pp. 59-74.

López Mato, O. (2022) "La cabeza de Juan Moreira." *Historia Hoy,* 22 de abril, pp. 1-3. Available at: https://historiahoy.com.ar/la-cabeza-juan-moreira-n928/ [accessed 14 Aug. 2022].

Ludmer, J. (1999) *El cuerpo del delito. Un manual.* Buenos Aires: Perfil Libros.

Mahile, A. (2013) "«El laberinto de la soledad» del genio o las paradojas de *El hombre mediocre*." *Varia Historia*, 29, 49, jan/abr, pp.197-216,

Martínez Estrada, E. (1951) *El mundo maravilloso de Guillermo Enrique Hudson*. México DF: Fondo de Cultura Económica.

Martínez Estrada, E. (2018) *Radiografía de la pampa*, ebookelo.com, s/d. Available at: https://www.academia.edu/58147173/Ezequiel_Mart%C3%ADnez_Estrada_Radiograf%C3%ADa_de_la_pampa [accessed 24 Jul. 2022].

Miceli, C. M. (2006) "José Ingenieros y los Archivos de criminología." *XIII Jornadas de Investigación y Segundo Encuentro de Investigadores en Psicología del Mercosur.* Facultad de Psicología - Universidad de Buenos Aires, Buenos Aires. Available at: https://www.aacademica.org/000-039/85 [accessed 9 Aug. 2022].

Miranda, M. A. (2004) "Recepción del evolucionismo en la epistemología jurídica argentina: aspectos de la iusfilosofía bungeana." *Anuario del Instituto de Historia Argentina,* 4, pp. 127-142.

Miranda, M. A. y Vallejo, G. (2006) "Sociodarwinismo y psicología de la inferioridad de los pueblos hispanoamericanos. Notas sobre el pensamiento de Carlos O. Bunge." *Frenia. Revista de Historia de la Psiquiatría*, VI, pp. 57-77.

Muro, G. (2021) "Caras, caretas y calaveras." *El quirófano fractal*. Available at: https://elquirofanofractal.wordpress.com/2021/02/01/caras-caretas-y-calaveras/ [accessed 12 Aug. 2022].

Pomer, L. (2007) *Historias de gauchos y gauchisoldados,* Buenos Aires: Colihue.

Recalde, H. E. (2019) "Estudio preliminar." In: *Eduardo Gutiérrez. Juan Moreira*. Buenos Aires, Grupo Editor Universitario, pp. 7-18.

Rodríguez Molas, R. E. (1982) *Historia social del gaucho.* Buenos Aires: Centro Editor de América Latina.

Rojas, N. (1926) "Ingenieros criminalista." *Verbum,* 19, 65, pp. 148-152.

Rojas, N. (1942) *Medicina Legal*, Tomo II. Buenos Aires: El Ateneo.

Rojas, N. (1943) "El verdadero Juan Moreira." [Versión taquigráfica de la conferencia dada por el autor el 3 de mayo de 1943 en la Casa del Teatro, organizada por la Sociedad General de Autores de la Argentina]. *Archivos de medicina legal,* XIII, 2, mayo-junio, pp. 91-106.

Rojas, N. (1961) *Psicología de Sarmiento*. Buenos Aires: Guillermo Kraft.

Servicio Penitenciario Bonaerense. Archivo Histórico y Museo (2014) "La banda de Juan Moreira. In: *Otros documentos de la historia.* La Plata: Dirección Provincial de Impresiones del Estado y Boletín Oficial, pp. 37-53.

Soler, R. (1968) *El positivismo argentino*. Buenos Aires: Paidós.

Stecher, P. (2014) "Estudios científicos y estética literaria. Un análisis del discurso médico-académico en la Argentina (1890-1910)." *Acta Poética,* 35, 1, pp. 119-147. doi: https://doi.org/10.19130/iifl.ap.2014.1.435

Storni, C. (1997) *Investigaciones sobre historia del Derecho Rural argentino. Españoles, criollos, indios y gauderios en la llanura pampeana.* Buenos Aires: Instituto de Investigaciones de Historia del Derecho.

Terán, O. (1987) *Positivismo y nación en la Argentina*. Montevideo: Puntosur.

Terán, O. (2000) *Vida intelectual en el Buenos Aires fin-de-siglo (1880-1910). Derivas de la cultura científica*. Buenos Aires: Fondo de Cultura Económica.

Vallejo, G. (2004) "El ojo del poder en el espacio del saber. Los Institutos de Biotipología." *Asclepio*, LVI, 1, Madrid, pp. 219-244. doi: https://doi.org/10.3989/asclepio.2004.v56.i1.78

Vallejo, G. y Miranda, M. A. (2021) "Masculinidades y feminidades: estereotipos, estigmas e identidades colectivas (Latinoamérica en el siglo XX). Del arquetipo al estereotipo. Modelos generizados para normalizar sociedades modernas." *Historia y Sociedad*, 41, pp. 8-14. doi: https://doi.org/10.15446/hys.n41.96348