

The History of Eudoro Galarza Ossa, the first journalist assassinated in Colombia

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Abstract

The assassination of journalist Eudoro Galarza Ossa is a symbolic case in Colombia. He was the founder and director of 'La Voz de Caldas', a newspaper that circulated in Manizales for 13 years and 3 months. The case of Galarza Ossa is emblematic for two reasons. The primary one is that he was the first journalist killed in Colombia (on October 12, 1938) for doing his job. The second reason is that the Justice Department declared Lieutenant Jesús María Cortés Poveda innocent for the homicide of Galarza. This was achieved by the liberal candidate for the presidency of the Republic of Colombia and criminal defense lawyer Jorge Eliécer Gaitán Ayala, the night before his own murder. Gaitán Ayala argued the legal hypothesis of the legitimate defense of military honor. In the present constitutional framework of Colombia, such a hypothesis would be unacceptable, in the light of international protection of freedom of expression.

Keywords: journalism, assassination, censorship, violence, Galarza

Introduction

According to the Foundation for Freedom of the Press (Flip, [2017]), in Colombia, 153 journalists were killed in circumstances related to the practice of their profession, between 1977 and 2016. The first case reported in this registry, Most complete of all those in Colombia on attacks on freedom of expression, is the homicide in Cúcuta, Norte de Santander, of former mayor, announcer and journalist Carlos Ramírez Paris, owner and director of Radio Guaymaral, "(...) murdered by two Members of the Police in the vicinity of the police department of Santander. The journalist was mobilized in his private car and was shot to death with the butt of a revolver "(2017), on December 12, 1977 in the San Mateo de Cucuta dump, which was renamed the Carlos Ramírez Bridge in Paris. Honor to his memory.

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39 years before that crime, another journalist and director of a mass media was also assassinated in Manizales by a member of the public force. The director of *La Voz de Caldas*, Eudoro Galarza Ossa, died in broad daylight on October 12, 1938 at the premises of his newspaper, at the hands of Lieutenant Jesus Maria Cortés Poveda. But unlike the case of Carlos Ramírez París from Cúcuta, and many other journalists killed in recent times, there is no bridge, school, street or monument in Manizales, nor Caramanta, where he was born, to remember his name. His family lived first the tragedy of the brutal and early death of the journalist. Months later he saw the newspaper, *La Voz de Caldas* shut down, which failed to survive the absence of its director. In 1948 he suffered the affront that meant the acquittal of the criminal soldier, and then he suffered the pain of seeing that while the memory of Jorge Eliécer Gaitán gained notoriety over the years, the name of Eudoro Galarza Ossa was remembered only by a few friends nearby. What follows is a reconstruction of his history.

Eudoro Galarza and “La voz de Caldas”

In 1935, when he turned 40. Eudoro Galarza Ossa wrote an autobiography that the newspaper *La Patria* reproduced two days after the murder of the journalist. Thus began this reporter the story of his own life:

I am from Caramanta, Antioquia; I was born on April 4, 1895 in an amalgamation point called La Línea; Eladio Galarza and Delfina Ossa were called my parents, he was my first master of first letters and if I have big ears, it was so much that pulled me as gross as I thought. In 1905 my family came to Manizales and I began to study where Don Marco Tulio Arias Mejía, of whom I can say that he was the first and only effective teacher that I had (Galarza, Ossa, 1938, p. 3).

Eudoro Galarza was the oldest of five children. To the 15 years was interned in a military regiment where he remained 22 months. “I left at the age of 17, when the obligatory military service began, I went to Tolima disgusted by the one taken to the barracks that I considered and still consider unjust” (Galarza, Ossa, 1938, p. 3).

Galarza was a rural school teacher in Líbano, Tolima, then returned to Caramanta and later lived in Riosucio and Arrayanal (today Mistrató). He worked in Belén de Umbria as an officer of the Mayor of Juan de J. Jaramillo. From there he returned to Manizales where he was employed as porter of the Normal School of Men, an office that alternated with studies under the tutelage of Jesus Londoño Martínez and Francisco Marulanda “(...) well before the end of the third year I accepted a very attentive invitation that I Made Don Juan Londoño del Corral to accept a position of clerk in the 2nd Circuit Court, of which he was the judge. I became secretary of office” (Galarza, Ossa, 1938, p. 3).

After being a soldier, teacher and clerk, at the age of 22 began his journalistic work in Manizales.

In February 1918 Dr. Justiniano Macía called me to the lower editorial of his great newspaper “Renacimiento” where I was until 1922, after having been

Director; I went to the Directorate of the 'El Diario' of Pedro Luis Rivas, which was prohibited by the illustrious Bishop Hoyos (Galarza, Ossa, 1938, p. 3).

In the special edition of 158 pages edited on the occasion of the number 3,000 of La Voz de Caldas, published on April 10, 1937, are included, under the title Of Our Old History, some unpublished chapters on the history of Manizales written by Luis Londoño Ocampo, who died in 1929. In the journalism and its advances, the historian refers to the newspaper Renacimiento, where Galarza Ossa began as a journalist:

In 1905, Dr. Aquilino Villegas and his brothers brought a printing press endowed with first class types, as were their presses. This printing press that was called "Renacimiento" served for the edition of a newspaper of the same name, weekly at the beginning, became in its last times in a very important diary. He dealt with literary matters and general interest and almost nothing of politics. It was headed for a long time by Dr. Justiniano Macía and in his last days the skilful journalist Don Eudoro Galarza Ossa. When it reached its number 2,000 it made a typographical effort, or almost a miracle, to celebrate such a wonderful event. It launched a 72-page edition of chosen reading material and adorned with splendid and numerous photogravures. The owner of the printing press and founder of the newspaper had gone to settle in Bogotá, he established his workshops there and the publication ended (Londoño, 1937, p. 77).

In the same text Luis Londoño Ocampo recalls the origin of El Diario, the other newspaper in which Galarza Ossa collaborated:

El Eco, a diminutive but combative newspaper, founded by Don Pedro Luis Rivas in 1914, defended republican ideas with ardor; was published or printed in a pedal press that its director was obtained and that baptized with the same name of its newspaper. It began as a weekly publication, then biweekly, and when it became a newspaper and a newspaper of greater format changed its name to El Diario, with which it has subsisted and considered assured its vitality because its workshops are provided with all the elements Necessary for publications of this class. Lately, the author Eudoro Galarza Ossa (Londoño, 1937) is the director.

For his part, in his History of Journalism in Manizales, Juan Antonio Díaz notes that El Diario was founded in 1920 "(...) taking care of the direction and orientation in which they were known as republican ideas. Pedro Luis Rivas was the director and Luis Eduardo Puerta the editor's head" (1989).

In 1923 Galarza Ossa lived for the first time and in his own flesh the intransigent fury that can generate a journalistic text between those who feel attacked and, ignoring the basic principles of freedom of expression, they believe with the right to do justice by their own hand. All a foreboding of what would happen 15 years later. In his essay The press in Manizales: history of censorship, the news editor of La Patria, Fernando Alonso Ramírez, documents the incident in the following terms:

In 1923 partisan intransigence had wrecked another conservative newspaper, *El Diario*, which by that time had already been three years of circulation. His editorial led to the onslaught of workers' liberalism and this led to the gathering of a group of its members after an exalted speech of the leader Gilberto Agudelo, and launched a stone against the headquarters of the newspaper, whose workers had to flee through the roofs of the neighboring houses. The street was completely unmade (Ramírez, 2015).

In his autobiography, Eudoro Galarza Ossa recalls the same episode in more detail:

I used to run 'El Diario' and talked once about how little the workers were worried about studying and illustrating, noting that their only concern was to dress very well, to polish their booties and to wear brand-new ties. The outrage that this produced to them was frightful, they protested in posters and organized a demonstration that began from the Plaza del Bolívar, with a speech of the poet Gilberto Agudelo. A great tumult of workers appeared in the office and threw the first stones that fell on my desk. Police inspector Don Jesús Correa Uribe ordered to close. In that company some of those who were with me were occupied, the stone and the vociferation continued in the street. Suddenly my friend Vicente Rivas says: 'They took the address', he gave me a revolver, because I had no weapon of any kind, and I came from the interior to the mentioned office. When I arrived, the door was opened, and a worker with a knife in his hand entered the crowd first. I held the revolver and said: 'To the first ... [I had a disagreeable memory for the respective virtuous mothers] who stepped forward, I killed him'. The worker retreated, the crowd too, and the people opened up in two wings. The door closed again, I examined the revolver after this event and it did not have a projectile. The stone that began at six o'clock ended at nine o'clock by consummation, for it rained torrents, and the people gradually dissolving (Galarza, Ossa, 1938, p. 3).

In the decade of the twenty three, great fires destroyed much of the center of Manizales. The first took place on July 19, 1922, the second and largest occurred on July 3, 1925 and the third was recorded on March 20, 1926. The second of the fires destroyed *El Diario*. For this reason, Eudoro Galarza Ossa traveled to Bogotá, when he found himself without a source of work, pointing out:

(...) where I settled in the writing of 'El Tiempo' by special invitation of Don Fabio Restrepo, manager of the company, and Dr. Eduardo Santos, owner and director. Only three months I was there, because I did not settle without my family, since since 1919 I had married and had three children: Nora, Lucía and Elí (Galarza, Ossa, 1938, p. 3).

(From his union with Magdalena Jiménez were born Nora, the eldest, who worked in the newspaper next to her father and died years later in Bogotá.) Lucía, the second daughter, also settled in Bogotá. She practiced as a lawyer and was a leader of the Conservative Party in Caldas under the guidance of Omar Yepes Alzate.

His work with “El Tiempo” was short but gave Galarza Ossa at least two transcendent teachings: his contact with the liberal press helped him to temper, at least in journalism, the partisan fanaticism that other contemporary conservative Caldenses professed. Likewise, the possibility of working in a modern and large newspaper gave him clues about how to organize his own company, in subjects related to printing, handling of photos, illustrations and inks, newspaper distribution, linking collaborators and access to international information cables.

Upon his return from Bogotá Eudoro Galarza Ossa was 30 years old and had dedicated more than seven to journalism. He decided to take advantage of this experience and concentrated on founding his own newspaper, a task that he undertook with the support of his brother Tiberius, who is owed numerous historical photographs of Manizales and other municipalities of Caldas in the 1920s and 1930s. He served as administrator of the newspaper La Patria, a newspaper founded in 1921 by Francisco José Ocampo.

In January 1926 I founded La Voz de Caldas in partnership with Juan Pablo Araque and Arturo Zapata. The newspaper liked the public and the economic breeze fertilized it to the point that we could buy a good typographic company, which was left of Mr. Zapata and I, by voluntary and friendly retirement of Araque. In 1929 I was left alone with the newspaper, starting the typography with the same Mr. Zapata, until last year (1934) in which I decided to suspend it as a journal and keep it in a journal due to economic fatigue, but not because of exhaustion (Galarza, Ossa, 1938, p. 3).

Arturo Zapata Tirado was the main printer and editor of Caldas in the first half of the 20th century. He operated the machines of the newspaper Renacimiento and then founded his own company, Typography Cervantes, which printed almost a hundred books, as well as the Cervantes cultural magazine. In his book an important chapter of the history of the book in Colombia: Arturo Zapata, the historian and publisher Pedro Felipe Hoyos Körbel narrates the origin of the Voice of Caldas, counted by Zapata. In the report that was made to Zapata in 1981 following an exhibition of his work to organize the Cultural Coffee Fund in Manizales said:

I founded with Eudoro Galarza Ossa ‘La Voz de Caldas’. At the printing shop Blanco y Negro, by Marco Camargo, we launched a brand-new journal of general interest [and the question]: But then they had their own printing press? [Answered]: Yes, we imported the first complete press for a journal, with photogravure, which was then great and unknown its novelty (Hoyos, 2016).

In the History of journalism in Manizales Juan Antonio Díaz does not give an exact date on the beginning of the circulation of La Voz de Caldas. On page 74, he states that: “In February 1926, a new newspaper called La Voz de Caldas was circulated in Manizales. It was directed from the beginning to the end by a brave journalist, barbarously sacrificed in an instant, in his own trench: Eudoro Galarza Ossa” (Díaz, 1989, p. 74), but on page 126, in the chapter Chronology , Located in 1925 the birth of “(...) ‘La Voz de Caldas’, newspaper founded by Arturo Zapata and Eudoro Galarza Ossa; Of partisan orientation but welcoming subjects of general interest, promoting activity of correspondents and including in its first pages most of its editorial themes” (Díaz, 1989, p. 126).

Pedro Felipe Hoyos Körbel (2016), in his book on Arturo Zapata, states that from La Voz de Caldas circulated 3,624 numbers between January 17, 1926 and May 2, 1939. He notes that at his birth was an evening newspaper; from edition 2253 of 21 of October of 1933 it became magazine, and in 1935 recovered the format of newspaper. On November 1, 1928, it became a morning journal, and it remained in circulation for 6 months, until its definitive closure on May 2, 1939. However, La Patria news editor Fernando Alonso Ramírez (2015) says in its text The press in Manizales: history of censorship, that the Voice of Caldas disappeared in 1939, with number 3,564, and not with the number 3,624 that Pedro Felipe Hoyos Körbel points out.

La Voz de Caldas had only two months of circulation when Manizales was razed by the third and last of the three large fires of the 1920s, but unlike the 1925 fire that burned El Diario's press and forced Eudoro Galarza Ossa To seek new directions in Bogota, the fire of 1926 did not affect the facilities of La Voz de Caldas and on the contrary gave rise to the nascent newspaper, since people were eager for images and details of what had happened. The 54th edition of La Voz de Caldas, on Sunday, March 21, 1926, opened with the caption "A new fire threatens to destroy the city of Manizales", a five column column that is accompanied by two photos: , Where the fire began, and another one of La Catedral, destroyed by the fire. The lead of the front page information says:

It seems only that the spirit of doom had centered on the city of Manizales. In eight months two frightful fires have destroyed the most important areas of the center, where wealth is located. God seems to want to prove our faith, our belief in him, our resignation, our energy, our effort, our trust in his goodness and his justice (La Voz de Caldas, 1926, p. 1)

Hoyos Körbel states:

(...) contrary to the newspapers of that time, 'La Voz de Caldas' was founded by two businessmen and not by a prestigious politician belonging to the liberal or conservative party, as was 'El Universal' by Bernardo Arias Trujillo, which circulated in Manizales between the 3 of July of 1930 and the 30 of September of the same year. The conservative affiliation of 'La Voz de Caldas', was carefully nuanced by the editorial team of Galarza Ossa achieving a very fair newspaper, that for those times in Colombia was something different (2016).

That same informational balance was highlighted by El Tiempo in a note published on the then recent foundation of La Voz de Caldas:

Under the very right direction of Don Eudoro Galarza Ossa, an important personality of Caldas and writer of clear talents, La Voz de Caldas, a newspaper of general interest, has just appeared in Manizales, aimed at developing in the resurgent capital of the 'indomitable phalanx' a Patriotic work of culture and to be the spokesman of the great problems that confront the progress of the mountaineering department. It is more than a political newspaper, combative and exalted, as are usually those who in the province make an irremediable goal of politics, a newspaper of national tendencies, measured and serene, as

is the fine, spiritual and cultivated temperament of his worthy Director (Galarza, Jiménez, 1995).

His closest team of collaborators appears with name and photo in the special edition 3000 that circulated on April 10, 1937. There stand out Pablo Jaramillo J. as editor, his daughter Nora Galarza Jimenez, as director of the Woman Section, Jorge Alzate Avendaño (with the subtitle of Correspondent of the Century), the poet Ricardo Arango Franco and the administrators Gustavo Larrea, the aforementioned Arturo Zapata, Ernesto Arias Mejía, Gonzalo Jaramillo J. and his brother Tiberio Galarza Ossa. Pedro Felipe Hoyos points out that: "He had 'La Voz de Caldas', as editor-in-chief to doña Uva Jaramillo Gaitán, local writer; surely it was the first newspaper in Colombia to assign a woman to that position" (Hoyos, 2016). In his autobiography Eudoro Galarza writes about his journalistic concerns:

In journalism I liked the genre of the report. When I worked for the 'Renacimiento' I had a section called 'Men and Ideas'. They passed by: Aquilino Villegas, Victoriano Vélez, Blanca Isaza, Francisco Marulanda, Tomás Calderón, Julio C. Arce and many others. With these reports there could be a book. Then in 'La Voz de Caldas' I had another section with distinguished ladies from Manizales, some twenty psychological reports. This section served to reaffirm the concept I have of the Manizalite woman: awake, cultured, discreet, and intelligent (Galarza, Ossa, 1938).

As it was common for the time, the journalist Galarza Ossa was not only journalist. He mixed his craft with literary mockery and also with political and civic activity.

I have not written any books, but according to my accounts, they exceed five thousand the editorials and articles I have written, without counting light and loose notes (...). I liked the genre of stories and wrote several, one of them 'Esperanza', laureate in Manizales. Some thirty or forty stories I wrote of which, many were published in Cartagena, Barranquilla, Bogota and Medellin, written with the pseudonym of Julio Tasarin, of whom Father Fabio speaks in his history of Manizales, in terms full of praise (Galarza, Ossa, 1938).

He was founding partner of the Rubén Darío Center in Manizales and a member of the Caldas History Center. In politics, he was councilman of Manizales in name of the Conservative Party, and in representation of this party was postulated in 1928 for the Assembly of Deputies, which rejected, and was substitute for the House of Representatives and the Comptroller of the Department. In this regard he expressed: "... but these applications I could not repudiate, because if you are launched as main, freedom has to say whether to accept or not, but the most basic political decorum obliges to accept all substitutions" (Galarza, Ossa, 1938).

Despite his partisan militancy, Galarza Ossa was aware of the value of independence in journalism. In the editorial published in the 3.000 edition states:

We have always wanted to leave behind us an unmistakable imprint of our own independence of a free and elevated character and on this day the conscience in our hearts tells us with a most loving murmur that we have fulfilled

with loyalty our own precept without having tarnished until now the crystalline ball of our ethics, that rolls and rolls but retains its own brilliance at all hours. We are proud, yes; but we are not proud of it, and we recognize and declare that the triumph reached today with our modest journalistic enterprise, not our only effort, is due, that we would have done little or nothing, if we had been alone, had we been the solitary Island Robinsons (La voz de Caldas, 1937, p. 1).

That independence allowed him to make accusations about members of his own party, which earned him deep enmity. In his autobiography recalls another episode of journalistic censorship, even more violent than that suffered in *El Diario*. Being director of *La Voz de Caldas* denounced inadequate managements in the municipal treasury, in charge of the conservative Eduardo Londoño Villegas clarifying:

(...) who sent me a tremendous letter requiring me to rectify or threaten me otherwise with lashes, with deadline for everything of 24 hours. I replied by refusing to rectify it and phoned to ask him if he had received the answer. He said yes, but he made the remark that I had a 24-hour term. I renounce the terms, I replied. He came to fetch me and invited me to go to a lonely place. At the corner of the Episcopal Palace we stopped. 'This is the point', he told me. 'I think it's very good', I replied. 'Are you armed?' 'Of course, I would have been sorry to come to such a throw without a needle', I stepped back seven steps, took out my revolver, pulled out his pistol and said 'Shoot first Don Eudoro', 'no Sir, "I said," Let's shoot at the voice of three and I'll tell ... one ... two ... three. I emptied all my shots, with good fortune for Don Eduardo, because he only appeared with a projectile slip on the left side of the forehead and with perforation of a thick overcoat that led to this singular duel. I escaped because, thank God, the pistol, a beautiful cavalry pistol, was masked, he said, and did not give the necessary fire to have issued me a passport for the afterlife (Galarza, Ossa, 1938).

There were multiple journalistic denunciations made in *La Voz de Caldas*. In the editorial written by Aquilino Villegas Hoyos and published in his newspaper after his death, the conservative leader highlights the journalistic and investigative qualities of Galarza in the following terms:

Nothing stopped him and with an unbridled rawness, with hunger and thirst for justice, against everything and against all, he advanced only the investigations and revealed them to the public, fulfilling the most difficult and threatening of duties, and his steel sponge passed on the stained life weaving to the entrails of purulent leprosy. Recall, if not, his investigations into the public education of the belligerent republic of Don Alfonso López or the horrendous crimes of the tuberculosis ward (Galarza, Jiménez, 1995)².

2 At the end of a century of the birth of Eudoro Galarza Ossa, the Bank of the Republic, Manizales headquarters, organized a tribute in his memory. There his son, Elí Galarza Jiménez read a document of his authorship without title, in homage to his father. Carlos Galarza Jaramillo, son of Elí Galarza Jiménez, gave me this manuscript within the article's research process. The quoted text is part of this conference, as well as the following.

That same courage was highlighted by La Patria in the editorial published after his death: “Valiant, of almost reckless value, he was able to respond as a man of each and every one of his words. Despite being a convinced Catholic, he did not shy away from personal duels or lances. He seemed to find his repose in the struggle” (Galarza, Ossa, 1938, p. 1).

In the chapter *Semblanzas de su historia* (Resemblance of his History) on the journalism in Manizales Juan Antonio Diaz describes to Eudoro Galarza Ossa thus:

(...) He had collaborations on the outside but he had his newspaper in La Voz de Caldas, an evening paper. Not only having the responsibility of management, but on more than one occasion he wrote news, entered the workshop, asked about the events of the day to see if he would take them to the editorial or suggest a special presentation. He was so determined in defense of the truth that precisely because of this he died assassinated on his typewriter when the furious lieutenant Jesus Maria Cortes came and made demands that Eudoro did not agree to not lack his conscience and his ethics (Diaz, 1989).

For 1935, the year in which Galarza wrote his autobiography, La Voz de Caldas was a newspaper with more than 9 years of experience, with its own printing press, timely circulation and unrestricted support of many advertisers. It had a wide and varied list of collaborators, and circulated not only in Manizales but also in different municipalities of the department. His director not only took care of his diary but also wrote three weekly articles for La Patria. There was nothing to indicate that it was near the end.

The death of Galarza

Eudoro Galarza Ossa had already had at least two serious episodes related to censorship of freedom of expression (the one of the pedrea in El Diario and the one of the duel with Eduardo Londoño Villegas), so the text published in the edition 3.441 of the 10 of October Of 1938 in La Voz de Caldas should not offer him any more cause for concern.

The following note reads in this edition of the newspaper:

We have been informed that during the last days the soldiers of the regiment ‘Ayacucho’, quartered in this city, undergo serious personal insults by some officers. Specific case was the case last week when the official Mr. Jesus Maria Cortes slapped the soldier Mr. Roberto Restrepo and then throwing him from the first floor of the barracks to the patio. The soldier suffered serious blows. As these are not strictly the military rigor treatments that are established for the discipline, we inform the Departmental Government what is happening in the Ayacucho Battalion, so that an investigation can be carried out, since it is not possible to provide more information about The particular or other events of the same nature, because of the fear of the soldiers to make them know publicly, since they would certainly be victims of new outrages on the part of the accused officers (La Voz de Caldas, 1938).

The note, published without signature, was prepared by the editor-in-chief of La Voz de Caldas, Gonzalo Jaramillo Jaramillo, future director of La Patria and governor of Caldas, and was reproduced by La Patria newspaper on October 13, Informative that gave account of the murder of Eudoro Galarza Ossa. The complete details of what happened in the afternoon of October 12, 1938, the same day that Manizales celebrated 99 years of foundation, was announced by La Voz de Caldas in its extraordinary edition published at 11:00 pm of the same 12 Of October, and reproduced by La Patria in its edition of October 13, in the following terms:

At about two o'clock in the afternoon a soldier came to the doors of La Voz de Caldas. He met there with Don Gonzalo Jaramillo, editor of this newspaper. He asked if this was La Voz de Caldas, to which Jaramillo replied by inviting him to enter. "I come to get a newspaper where there was a news about one of the soldiers released"; Jaramillo handed him the newspaper; The soldier went to pay with a peso, paper money, but Jaramillo directed him to the Administration. Before arriving at this office Jaramillo asked the soldier: "But is it true what we publish in the newspaper? Yes, of course, I witnessed the affair, the soldier fell to the floor". Then he paid for the newspaper, turned it around, and left.

An hour later, the official of the Ayacucho Battalion Regiment No. 9, Jesús María Cortés, was brought to our offices, to whom he mentioned the release from above.

Don Ernesto Arias Mejia met Cortes. He invited him in. Don Eudoro was absent, and so was Gonzalo Jaramillo. Cortes asked for Galarza Ossa and then for Jaramillo. Finally requested the administrator. After a little time in the offices of the Administration, he asked: Who is responsible for this loose? (He carried it in his hand). The administrator replied: the newspaper, sit down and lie there.

The editor-in-chief arrived at that time. He was informed about the matter and invited to follow the offices of the Directorate. Immediately he appeared before Jaramillo, who sat in one of the chairs of the office of the Direction. Cortes stood in front of Jaramillo and refused to sit down.

Cortes, who from the beginning had expressed a bad mood to the people who received him, presented himself in the same way to Jaramillo. He declined a cordial invitation to sit down. Then there was a dialogue more or less like this:

Jaramillo: How can I help you lieutenant?, sit down, sit down, we are to serve you.

Cortes: Who is responsible for this loose?, this one that is here (newspaper in hand), in which they make charges to me? Who is the one who answers this?

Jaramillo: Naturally, everything published in the newspaper has a responsible. At your service.

Cortes: Well, I want to know who is personally responsible.

Jaramillo: We are at your disposal Lieutenant. I invite you to sit down and talk more quietly. As editor-in-chief, I take responsibility for the article. The information is provided by them to us and we have in turn responsible. But as you refer to the matter, I am the one responsible I repeat.

Cortes: I want to personally settle this matter. See here my revolver, get yours (and he actually pulled out a black pistol). He squared it against Jaramillo.

Jaramillo: I do not accept or make duels. But I'm not afraid of anyone (Cortes was with his gun in his hand, out of his left trouser pocket, pointing to Jaramillo, when our Director Galarza Ossa came to the offices of the editor, one of those present called him. He noticed the discussion and saw Lt. Cortes revolver in hand).

At that moment Lieutenant Cortes was told that the Director was present. Don Eudoro greeted him kindly, invited him to sit, which Cortes refused. Cortes put the revolver in his left trousers, keeping his hand on it.

Cortes: Who is responsible for this release?

Galarza Ossa: Let's see it. He took the newspaper in his hands and sat down on one of the arms of the chair that was near his desk; Cortes was standing a step and a half.

Galarza Ossa: Let's see Lieutenant to see what it is (and read aloud the first paragraph of the loose in reference). Is it true what is said here lieutenant?

Cortes: That's true, but I want something else.

Galarza Ossa: (read the second paragraph and asked) Is it true what is here said lieutenant?

Cortes: Yes, it is true.

Galarza Ossa: Is it true that you slapped the soldier and threw him into the yard?

Cortes: Yes, it is true.

Galarza Ossa: Finally let's look at the third paragraph. Is it true lieutenant?

Yes, Cortes replied emphatically, but I do not want that, he added.

Galarza Ossa: What do you want Lieutenant Cortes?

Cortes: Understand me, replied Cortes, personally with the person in charge. That has to be rectified, he added. And you (addressed Galarza) have to rectify that.

Galarza Ossa: Lieutenant here is the machine and the paper for you to do it. Or send me a letter on the subject, I publish it with pleasure.

Galarza then reiterated his invitation to Cortes to rectify the matter. Galarza Ossa held out his hand to say goodbye to him, but at that moment Cortes drew his pistol and said: 'This we

will fix it and raked his pistol three times. Galarza had no weapon, he was careless; The first shot did not go white, Galarza tried to defend himself, but another shot made him white in the throat, then a third shot made him white on the left collarbone (...)’ (La Patria, 1938).

Journalist Orlando Cadavid, says Galarza, was bathed in blood, his face tucked into the keyboard of his typewriter. He was rushed to the Restrepo Clinic (near the newspaper), but the efforts of the doctors to save his life were useless, due to the deadly nature of the impacts. (...) La Voz de Caldas, according to his only son, worked on the lower floor of an old house situated where the Banco Agrario building stands today, in the 23rd street between streets 20 and 21. However, some historians site the tragic episode at a point adjacent to the Hotel Escorial, in Carrera 21 with 21st street (Cadavid, 2011).

For its part, the October 13, 1938, *La Patria* states that:

Meanwhile, Calle 14, where the workshops of La Voz de Caldas were located, were literally filled and there was a state of exacerbation such as to raise fears as imminent serious events, for the military perpetrator was still locked in an office Of ‘La Voz de Caldas’, protected by several police officers (1938, p. 3).

Don Eudoro was still transferred to a medical center. As reported by *La Patria* (1938) in its October 13 edition: “At six o’clock in the afternoon the doctors confirmed that the health of the wound was worsening at times so that the X-ray was prepared in the office of Dr. Roberto Restrepo”. The patient was unconscious from the moment he received the wounds and “(...) Dr. Julio Zuloaga tried with some insistence to get him to answer some questions”. It indicates *La Patria* that “(...) after 8:00 pm the announced surgery was suspended because the patient entered the agonizing period and was considered unnecessary. The clinic was filled from now until 10:15 p.m., when he expired in the midst of general consternation” (1938, p. 4).

Gaitán and the thesis of the legitimate defense of the military honor

The death of Eudoro Galarza Ossa occurred on October 12, 1938 caused great stir not only in Manizales and Caldas but also in Bogota. There were editorials and columns of opinion in numerous media, recalling the trajectory of Galarza and condemning his crime, as well as the tense relations between the press and the Army, since a week before, on October 7, 1938, an attack occurred in Bogotá Against the editor-in-chief of *El Espectador*, Huilense Alberto Galindo, who was attacked with saber and club by two army officers in a drunken state. The attack almost cost the journalist his life.

This tension between the media and the armed forces was recorded in the October 13, 1938 issue of *La Patria*, which under the subtitle One incident, reads as follows: As a note clearly demonstrates an incredible prevention of some officers against journalists, it is worth mentioning the case of Lieutenant Varona, who, on being called by the well-known journalist Harry, director of

the radio station Pregones de Manizales, replied: “I do not discredit myself by talking to a journalist like you” (La Patria, 1938, p. 4).

This incident between the correspondent of *El Espectador* Hugo Jaramillo (Harry) and Captain Gerardo Varona, generated a formal protest of the Association of Journalists of Manizales PAM, of which Harry officiated like vice-president.

On the day of the murder, Lieutenant Cortés Poveda was transferred from La Voz de Caldas to a cell in the Ayacucho Battalion. However, the intervention of President Eduardo Santos himself, who already had a warm atmosphere with the media in Bogotá because of the critical state in which the editor of *El Espectador* was located, managed to be handed over to the ordinary justice system and transferred to Imprisonment in incommunicado detention. The investigation was initiated by the permanent inspector of the Permanence, Guillermo Rivera, who was transferred to the second judge of criminal investigation Guillermo Gómez Latorre. In the questioning session held on Thursday, October 13, Lieutenant Cortes Poveda was assisted by Manuel Ocampo, Senator of the Republic and head of liberalism in Caldas. *La Patria* reports in its edition of Saturday October 15 that at the end of the stagecoach.

(...)Now he was not in isolation and he was released in part within the barracks of the regiment (...). Without any comment we give the information of the partial freedom of the inmate. From the Ministry of War no communication has arrived that orders the suspension of the perpetrator (La Patria, 1938, p. 2).

In 1998, on the occasion of the 50 years of the Bogotazo, I interviewed Elí Galarza Jiménez, son of Eudoro Galarza, who related the following:

The process began in Manizales and the family hired attorney Mario García Herrerros. The case was transferred to Bogota because they said that in Manizales there were not enough guarantees since he was a military man. In the capital, the lieutenant’s defense was assumed by Gaitán (Villegas, 1998, p. 7).

Journalist Orlando Cadavid Correa worked with the historian Arturo Alape, author of *El Bogotazo*, in the reconstruction of the events prior to April 9, 1948, among which is the defense of Lieutenant Jesus Maria Cortés Poveda, who would be the last defense Court of Gaitán. Orlando Cadavid writes quoting Alape:

The criminal process began in Manizales, but was quickly transferred to Bogota to surround him with guarantees, because he was allegedly a military man and could be acquitted. Gaitan assumed the defense of Lieutenant Cortés Poveda, and his judicial thesis was based on the fact that the officer simply acted in legitimate defense of his tainted honor. With more speech than legal arguments, on April 9, 1948 he obtained the acquittal of his client. That would be his last act as a penitentiary (Cadavid, 2013).

Jorge Eliécer Gaitán Ayala was not only mayor of Bogota, Minister of Education, congressman and presidential candidate for the Liberal Party, but also a noted criminal, graduated in law and political science from the National University and a doctorate in jurisprudence at

La Real Universidad de Rome. His thesis the positive criterion of premeditation, was magna cum laude and was a distinguished student of Professor Enrico Ferri, known for his theories on criminal psychology.

The defense that Gaitán structured to obtain the acquittal of Lieutenant Jesus Maria Cortés Poveda was based on the legal thesis of the legitimate defense of the military honor. The defense is based on two concepts: on the one hand, legitimate defense, and on the other the right to honor, and in this case in particular the military honor, which is considered by Gaitán as a special class of honor.

In “Defensas penales” (Criminal defenses), the book that collects some of the most known defenses assumed by Gaitán, is included the defense of the professor Jose del Carmen Acosta, accused of homicide. In this defense, Gaitán, obtains the absolution of the defendant arguing legitimate defense. Citing the Criminal Law Treaty of E. Florián, he says: Speaking about the element of necessity, which is indispensable to self-defense, he explains: “Necessity functions as a limit of self-defense. It must be understood in a double sense: 1) proportionality between the aggressive fact and the defensive fact; 2) the inevitability of this latter fact to reject the imminent violence” (Gaitán, 1945). And he adds later, citing the Treaty of French Criminal Law of Garraud:

In his already well-known treatise, in commenting on the general legitimate defense, he offers us a good advice: In every case, to examine whether there has been an excess of defense and what should be the conclusion, the judge must be placed from the point of view of the person attacked. No other abstract and general rule can be usefully formulated on this point (Gaitán, 1945).

The jurist Eduardo Velásquez Chacón in his book Criminal military justice, includes some excerpts of the defense that made Gaitán of the lieutenant Cortés and that they are mentioned in *El Espectador*:

The basic elements in self-defense are only two: the aggressor and the aggressor. In the legitimate defense of honor, the elements are three: the agent who assaults, the aggressor, who is the possessor of honor, and society, who is the one who appreciates whether or not he dishonored, according to the concrete action (Villegas, 1998, p. 7).

This is a legal argument impossible to sustain today. The proportionality between the (alleged) offense and the reaction now demands that there are material conditions that prevent the person from reacting differently. In the case in point, Colombian jurisprudence has been reiterated in pointing out that if a citizen considers that a means of communication has violated his rights, it is firstly necessary to request the rectification of the published information, in which case he must show where the Falsehood, incompleteness, misrepresentation or decontextualization of what is informed. It would not be possible to argue legitimate defense today, but it could not be claimed as a violation of the right to honor or military honor because the jurisprudential development of article 21 of the Political Constitution that enshrines the right to honor (and which is commonly linked with article 15 which enshrines the right to good name), demands that honor, understood as the social recognition of a person, is only violated

if what is said about that person does not correspond to reality, since he can not claim the right to honor who with his acts has been tasked to tarnish his own reputation.

However, another was the legal context of the mid-twentieth century. After 9 years and a half of the murder of Galarza Ossa, the judge fixed for the 8 of April of 1948 the final hearing in the process against the lieutenant Jesus Maria Cortés Poveda. The hearing took place at the Court of Justice, located at Calle 11 with race 6 of Bogotá, and the judge in charge of the case was Pedro Pérez Sotomayor, who in the novel *The Crime of the Century*, which is included in the *Trilogy of 9 Of April*, of the writer Miguel Torres, is presented like Perepe, judge of the fifth superior court of Bogota and person near Gaitán.

Gaitán's arguments convinced Judge Perepe, who acquitted Lieutenant Jesús María Cortés Poveda for the murder of Eudoro Galarza Ossa. The hearing ended at 2:05 am. Recalling the hours prior to the assassination of Gaitán, the professor of law and former National Registrar of Civil Status, Carlos Ariel Sánchez Torres, states:

Gaitán Gaitan, was with his closest friends in his office of the Carrera Séptima, Calle 14 in the building Agustín Nieto. In particular he commented on the resounding legal triumph obtained in the dawn in the courts, in defense of the army Lieutenant Jesus Cortés, who had killed the journalist Eudoro Galarza Ossa in Manizales. Gaitan called for his acquittal on the grounds that the officer acted in self-defense of military honor. Cortes was acquitted in accordance with the thesis presented by Gaitan. The jury, in a hearing presided over by Judge Pedro Perez Sotomayor, said of Lieutenant Cortes, that he had acted in legitimate defense of military honor, the defense was proportional to the aggression. The acquittal was complete in justification of the fact. The applause and cheers in honor of Gaitán did not wait, he was carried on shoulders to the cold of the night. From the Palace of Justice they went to celebrate the Morocco grill in the 23rd, where Gaitán barely stayed for some time, without anyone imagining what would happen only a few hours later (2001).

Although Gaitán celebrated the ruling and so did Lt. Cortes, not all shared the sense of judicial decision. The journalist and former liberal president, Alberto Lleras Camargo, wrote in *Semana* magazine, which he had founded in 1946, about what happened in the judicial office:

On Thursday, April 8, the public hearing of an old and controversial process was held: the one followed against Lieutenant Jesús María Cortés for having killed in Manizales the journalist Eudoro Galarza Ossa. It was the second that was followed for having declared the first acquittal, notoriously unfair. Mr. Gaitan defended the military and obtained, for the second time, his acquittal by unanimity of the jury of conscience. At the end of the proceedings, the criminal lawyer, with a small group of friends, directed to the restaurant 'Morroco' (...) with the purpose of taking a light refreshment before retiring to rest in his residence, where he arrived past the four of the dawn on Friday 9. Despite the intense work, Mr. Gaitan arrived at his office building Agustín Nieto (...) before eight in the morning. He was euphoric and his professional victory satisfied him (Lleras, 1948).

Even the Nobel Prize for Literature, Gabriel García Márquez, immortalized what happened on the eve of El Bogotazo in his biography *Vivir para contarla*:

However, on Friday, April 9, Jorge Eliécer Gaitán was the man of the day in the news, for the acquittal of Lieutenant Jesús María Cortés Poveda, accused of killing journalist Eudoro Galarza Ossa. He had been very euphoric at his law office, at the populous crossing of the Carrera Séptima with Avenida Jiménez de Quesada, shortly before eight o'clock in the morning, although he had been in the trial until dawn (García, Márquez, 2002).

Epilogue

The little that was spoken about Eudoro Galarza Ossa after these events was to link his name with the motives of the death of Gaitan. El Tiempo published in 2001 a document of the CIA classified until then like reserved, in which it is said that Jose Sierra killed Gaitan in revenge for having exonerated the assassin of his uncle. The author of the death of Gaitan was Juan Roa Sierra, not Jose Roa, and had no consanguinity or social bond with Eudoro Galarza. However, according to El Tiempo, the declassified CIA document includes the transcript of a closed-door hearing held a week after the Gaitan crime:

Clarence Brown (Chairman of the Special Subcommittee on Disbursements for Executive Branch Departments): Can you give us information on who killed Gaitan? Admiral Roscoe H. Hillenkoetter (Director of the CIA): Gaitan was assassinated by an individual named José Sierra. Brown: May I ask who is Sierra?

Hillenkoetter: Do you want me to tell you the whole story? Sierra was the nephew of an army officer named after Galarza Ossa. Galarza Ossa was assassinated by Cortes (Lieutenant Cortes) in 1938. Cortes was tried for this murder and Gaitán was his lawyer. He was exonerated by the death of Ossa before noon on April 9. McCormak (legislator): At what time was the death of Gaitan?

Hillenkoetter: Gaitan was assassinated at one o'clock by the nephew of this Mr. Ossa.

Hoffman (lawmaker): Was it a pure act of personal revenge?

Hillenkoetter: Yes, it was a reprisal ... (Gómez, 2001).

After declassifying this document, the reactions between historians and those who have studied the Bogotazo were of bewilderment and discredit. The same daughter of Gaitán noted, on hearing this file, that "Roa Sierra was not a nephew or relative of Galarza, it does not appear anywhere in the file or in the report of Scotland Yard" (Gómez, 2001).

Carlos Galarza Jaramillo, son of Elí Galarza Jiménez and grandson of Eudoro Galarza Ossa, says that once the journalist Darío Arismendi invited his father to a television program to tell the story of Eudoro Galarza. "At some point Darío Arismendi asked my dad if he wanted to

meet Lieutenant Cortes and he very radically replied that he did not. We think maybe the lieutenant was behind the scenes, ready to go on set, but my dad did not want to see him” (C. García, personal interview, May 3, 2017).

Lieutenant Cortes never repented of his crime. The journalist Jorge Consuegra recounts it this way:

I remember one occasion that I managed to interview Lieutenant Jesús María Cortés Poveda who had killed the first journalist in Colombia, on October 12, 1938. It was Eudoro Galarza Ossa who directed *La Voz de Caldas* and received two fatal hits at the hands of the uniformed. Ten years later the officer was defended by Jorge Eliécer Gaitán who took him free on the grounds that the journalist had “offended the military uniform”. When I interviewed him, four decades later, I told him that if this situation were repeated he would kill him again and told me firmly that yes ‘the uniform is to respect it’ (...). Speechless (...). With the journalism we do, every day we die a little (2011).

Elí Galarza Jiménez, the only son of Don Eudoro who stayed in Manizales, died on December 8, 2012. I interviewed him in 1998 at his lawyer’s office in the Edificio Plaza Centro de Manizales. He had a Christ on the wall and a picture with his father’s portrait. He told me that none of his children or relatives had followed the course of journalism and that he kept the archive of *La Voz de Caldas* (the same one that was later donated to the Banco de la República). About Gaitán he said that he was a demagogue and that he managed to convince the judges with the force of oratory rather than with legal arguments. When I asked for Cortes he was silent. He did not use qualifiers. He said he knew he lived in freedom somewhere in Santander.

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