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## Pinochet's Chile: The United States, Human Rights, and International Terrorism

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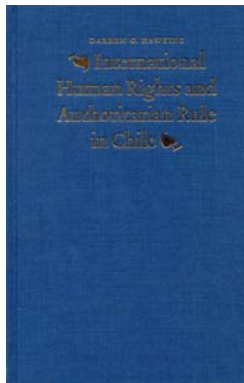
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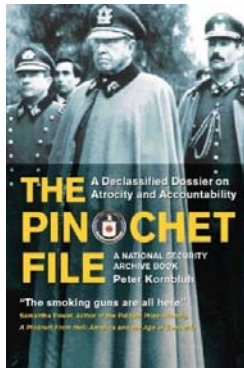
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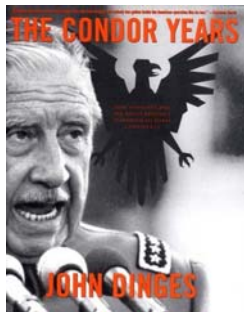
## Pinochet's Chile: The United States, Human Rights, and International Terrorism

By Todd Landman



**International Human Rights and Authoritarian Rule in Chile** by Darren Hawkins. Lincoln and London: University of Nebraska Press, 2002. 259 pp.

**The Pinochet File: A Declassified Dossier of Atrocity and Accountability** by Peter Kornbluh. New York and London: The New Press, 2003. 551 pp.



**The Condor Years: How Pinochet and His Allies Brought Terrorism to Three Continents** by John Dinges. New York: The New Press, 2004. 322 pp.

Ever since the “other” September 11th, the world has paid varying degrees of attention to political developments in Chile. Such attention has variously included widespread condemnation of the military coup in 1973, outrage at the subsequent and persistent abuse of human rights during the Pinochet years, academic studies of the 1988 plebiscite and democratic transition in 1990, and legal analysis of the arrest and detention of Pinochet in the UK at the behest of the Spanish Government seeking his extradition for prosecution for crimes against humanity.

The military coup in Chile formed part of a larger wave of democratic breakdowns in South America, including Brazil (1964), Argentina (1966 and again in 1976), Peru (1968), and Uruguay (1973) (Linz and Stepan 1978; Collier 1979; Foweraker, Landman, and Harvey 2003). Military juntas generally led the authoritarian regimes that took over in these countries, but Chile’s initial junta gave way to the more personalistic regime of Augusto Pinochet (Valenzuela and Constable 1991). He consolidated his authority in 1974 by announcing himself as the president of the republic and promulgated a new constitution in 1980. His defeat in the 1988 plebiscite (albeit with 43 percent

popular support) triggered a democratic transition marked by the 1989 election of Patricio Aylwin. During the period of democratic consolidation, Pinochet has become a “senator for life,” and the political right has enjoyed a disproportionate share of political power in the new democratic institutions owing to the rules and constraints laid out in the 1980 constitution.

In the early years of the Pinochet regime, dissidents and suspected subversives were routinely detained, tortured, exiled or killed. Such a pattern of repression continued into the early 1980s, when it was replaced by a strategy of forceful intimidation of civil society through the use of arbitrary arrest, detention, and torture (Foweraker and Landman 1997: 246-247). The main perpetrator of the violations was generally seen to be the National Intelligence Directorate (DINA), which was replaced by the National Intelligence Centre (CNI) in 1977. In response to increasing social mobilization in the early 1980s, the regime declared a state of siege and used emergency powers under the 1980 constitution to suspend guarantees of civil and political rights. Violations of human rights have been variously documented by the Vicaría de la Solidaridad (a human rights NGO) and the Chilean Commission for Truth and Reconciliation. While the Commission for Truth and Reconciliation confirmed a limited number of extra-judicial killings (3,428), estimates by other groups of these and other violations are much larger (Reiter, Zunzunequi, and Quiroga 1992: 116-124). While the arrest and detention of Pinochet in the United Kingdom set important precedents in international law concerning the liability of former heads of state, his return to Chile and continued impunity has for many scholars and practitioners in the field of human rights been an unsatisfactory result.

Chile has served as an important case study across a range of topics in the fields of comparative politics, economics, international relations, international law, and human rights. It has been used to examine US foreign policy toward Latin America, including the anti-communist policy of the Nixon administration, the human rights policy of the Carter administration, and the policy of “democracy promotion” of the Reagan administration. It is a case of democratic breakdown, military rule, and successful democratic transition. It is an example of the (un)successful implementation of neo-liberal economic policies and trade liberalization. It has been used as a case study on the politics of truth and reconciliation, and in the post-Pinochet years, it has served as a case study for historical institutional analysis of presidentialism.

In many ways, Chile has thus become the “ultimate” case study and even though the books considered here add to this long list of extant studies, they do make important new contributions to our understandings of the transmission of international human rights norms and their effects on the delegitimization of authoritarian regimes ([International Human Rights and Authoritarian Rule in Chile](#) by Darren Hawkins), the extent and nature of the US role in Chile ([The Pinochet File: A Declassified Dossier of Atrocity and Accountability](#) by Peter Kornbluh), and the degree to which Chile collaborated with other authoritarian regimes in the region in combating leftist insurgents and “terrorists” at home and abroad ([The Condor Years: How Pinochet and His Allies Brought Terrorism to Three Continents](#) by John Dinges). The Hawkins book is an academic monograph that tests a series of propositions drawn from international relations theory, while the Kornbluh and Dinges monographs are journalistic accounts of the Pinochet years drawn from the 24,000 recently declassified documents from the United States National Security Archive. Taken together, the three books provide a compelling portrait of how a relatively small country has embroiled itself in such “large issues” (Falcoff 1984), which have had implications for international human rights law and

advocacy, raise new questions about US complicity in subverting democracy and undermining the protection of human rights, and highlight the historical ironies of the new “war on terror.”

### **Transmission of International Human Rights Norms**

Developments in the fields of international law and international relations have shown a certain theoretical and empirical convergence around the idea of constrained state action, where states have become increasingly embedded in international “regimes” in which international law, customs, practices, and expectations lead states to act in certain ways that uphold a common set of norms and values. In international relations, traditional realist concerns over the raw pursuit of power have given way to neo-liberal institutional arguments about mutual gain through cooperation, while constructivist arguments focus on how human rights have increasingly become accepted norms for state action (Landman 2004). In international law, pure legal positivism and its emphasis on the neutral function of law have given way to legal proceduralism and legal pragmatism that demonstrate the ways in which law emerges from repeated state interaction and the development of mutual advantage (Higgins 1994). The international regime for the protection of human rights has been seen as relatively weak, or at best strongly “promotional” (Donnelly 1986). But the relative weakness and fragility of the regime is in some way compensated by activities within transnational advocacy networks at the international level that seek to translate global norms into mobilizational strategies for groups at the domestic level (Risse, Ropp, and Sikkink 1999).

It is against this backdrop of convergence that Hawkins’ study of Chile should be seen. It examines the degree to which mobilization by international human rights actors had an impact on delegitimizing the Pinochet regime and contributed to the democratic transition. Hawkins casts his argument in state-centric and state-interest terms by emphasizing that authoritarian states have more interest in maintaining their international and domestic legitimacy than previously thought, and that such concerns over legitimacy provide a useful link between international and domestic human rights pressures on the one hand and changes in state behavior on the other. In this way, “human rights groups and their allies are capable of seriously threatening government legitimacy” (5), which can lead to a series of domestic changes in state behavior, including a change of agenda, discourse, practices, and governing institutions (25-27).

In order to sustain this argument, Hawkins organizes his book into six chapters that move from theoretical considerations about the tension between power and norms, key stages of change adopted by the Pinochet regime, the democratic transition, and comparative lessons. Theoretically, the book combines constructivist, liberal, and rational insights to argue that “norms matter when states and nonstate actors pressure noncompliant states to conform and certain domestic characteristics lead targeted states to become concerned about their legitimacy” (7). In this way, Hawkins expands the notion of the “two level” game and combines it with insights from the literature on democratic transition to show that within authoritarian regimes, certain factions may register concerns over legitimacy owing to increased exogenous pressure, which can then lead to cracks developing in the authoritarian coalition between so-called “hardliners” (*duros*) and “softliners” (*blandos*). Methodologically, the book uses process-tracing to establish a causal link between human rights pressure and government response, where the key sources of evidence include US and Chilean press reports and reports from human rights groups, public documents and

pronouncements of the Pinochet regime, forty-one in-depth interviews, and twenty-five thousand pages of transcribed records from the junta's meetings.

His analysis shows that a “rule-oriented” faction in the regime rose alongside an increasing “normative fit” between the regime and external expectations of state behavior and a decrease in economic and security threats, all of which led to an initial decrease in repression and made continued hard-line rule increasingly less sustainable. The tension between the hard-line faction and the rule-oriented faction led to the promulgation of the 1980 constitution (to pay lip service to human rights and create a protected democracy), but continued opposition to the regime and concerns over legitimacy paved the way for the 1988 Plebiscite and subsequent democratic transition.

In factual terms, Hawkins provides an account that differs little from the case study of Chile in Risse, Ropp & Sikkink's The Power of Human Rights (1999), but he pays closer attention to the state of siege in the mid-1980s, and the changing nature of the authoritarian regime. Unlike Risse, Ropp, and Sikkink, he does not use the Chilean case to displace realism. Rather, he provides a theoretical and explanatory account that links international normative pressure with domestic authoritarian coalitional behavior, the result of which produced a democratic transition and subsequent improvement in the protection of human rights. The study does not appear over-determined since it considers the whole time period, concedes the existence of setbacks, and shows that the outcome was not inevitable. His comparisons in the final chapter show that this combination of international pressure with different domestic political factors explains the absence of change in Cuba and the presence of change in South Africa.

### **US Foreign Policy and the Regime of Terror**

Using recently released and declassified documents held at the National Security Archives, Kornbluh's The Pinochet File offers a descriptive account of the main phases of the Pinochet years in Chile, including the 1970 contested election of Salvador Allende, the subsequent fall of Allende and the 1973 military coup, the establishment of DINA, the consolidation of the dictatorship, the alliance of Southern Cone authoritarian regimes to fight terrorism (see below), the democratic transition, and the international case against Pinochet. Each of the seven chapters is followed by a compendium of declassified documents that provide an impressive and unparalleled evidentiary base that demonstrates the degree to which the United States was complicitous in destabilizing the Allende government, assisting the military in overthrowing Allende, supporting Pinochet, and ignoring the most unsavory practices of his regime—including the persistent violation of human rights and state-sponsored terrorism against enemies of the regime at home and abroad.

The Pinochet File demonstrates that everything the human rights movement believed to be true about the United States and the practices of the regime. Kornbluh shows how despite assessments from the CIA to the contrary, Kissinger kept open the possibility for the United States to foment a military coup. The book shows that during the period between the first and second round of the 1970 Presidential Election, the Nixon administration actively sought to destabilize Chile by communicating with political forces willing to kidnap General René Schneider who supported a constitutional solution to the succession crisis brought on by Allende's plurality vote. In the event, the kidnapers killed General Schneider and then received hush money from the Nixon

administration. Ironically, Schneider's death caused an outcry for democracy and constitutionalism, whereby Congress confirmed Allende as the next president.

The subsequent chapters document the different ways in which Pinochet consolidated his authority and constructed the repressive apparatus of the regime for it carry out what can only be described as "state-sanctioned terrorism". The DINA expanded its repressive capacity during the 1970s but in many ways had become a rogue force within Chile under the direction of Lt. Col. Manuel Contreras, with competing claims about who was ultimately responsible for its activities, which included harassment, arbitrary detention, torture, exile, and in some instances extra-judicial killings. There are chilling accounts of how DINA used a US-born operative named Michael Townley to carry out "counter-terror" measures designed to hunt down critics of the regime abroad. In the famous case of the Orlando Letelier assassination carried out in Washington DC in September 1976, Townley's original plot was to use a vial of Sarin (the deadly poison released on the Japanese subway system by Aum Shinrikyo cult members in March of 1995) but in the event a more traditional car bomb was used, which killed both Letelier and American Ronni Moffitt. Kornbluh argues that Pinochet had ultimate authority over DINA and that he was fully aware of its repressive activities, including those that were carried out on foreign soil (see below). The Letelier assassination led to the dissolution of DINA and its restructuring into the CNI.

Kornbluh also documents domestic repression against Chilean citizens and includes accounts of the assassinations of American citizens Charles Horman (the subject of the film *Missing*), and Frank Teruggi, as well as the detention and disappearance of Boris Weisfeler, a University of Pennsylvania professor. He estimates that 2,800 Americans were caught up in the events in the 1970s, and including the Moffitt assassination in 1976, a total of four Americans were killed by agents of the regime, which enjoyed covert and overt support from the United States government. The Letelier-Moffitt case soured relations between the United States and Chile during the Carter and Reagan years such that active support of the regime waned through the 1980s and the democratic transition was welcomed in Washington. Even though President Reagan lifted President's Carter's sanctions against the regime, Kornbluh (395) argues that between 1978 and 1988, "Washington's posture slowly evolved into an unequivocal rejection of the still violent and bloody Chilean military dictatorship."

The arrest and detention of Pinochet in the UK in 1998 put the United States in an uncomfortable position. As an ostensible promoter of democracy and human rights, it necessarily has had a general foreign policy aim to prosecute those responsible for carrying out crimes against humanity. As an historical supporter of the Pinochet regime, the case necessarily led to calls for the full disclosure of information concerning the US role in Chile during the 1970s and 1980s. Indeed, the Clinton administration resisted attempts by Spanish authorities to get the release of classified documents relating to the Pinochet years and the United States relations with Chile during the period. For Kornbluh the arrest vindicated the thousands of victims of the regime and empowered the principle of universal jurisdiction, a notion that lies at the heart of the establishment of the International Criminal Court (ICC) (457). The arrest and request for documents produced tensions in the Clinton administration both within the White House and between the White House and the CIA over the full extent of what should be declassified. Ultimately, four tranches of documents were declassified by November 2000 and Kornbluh's book presents a very readable and compelling account of the Pinochet years.

## Operation Condor and International Terrorism

In *The Condor Years*, John Dinges offers a detailed account of “Operation Condor,” an attempt by the authoritarian regimes in the Southern Cone to share information and run counter-insurgency and anti-terrorist operations at home and abroad. Pinochet’s Chile was a partner in Operation Condor. Dubbed the “first war on terror,” the Condor Years lasted from 1973 to 1980, during which the military regimes of Argentina, Brazil, Uruguay, Paraguay, and Bolivia were arguably at their most brutal. The alliance sought to “track down “terrorists” of all nationalities, wherever they resided” (4), and an “extraordinary list of military and political leaders from the countries of southern South America lost their lives or were targeted for assassination” (1). While the activities were initially limited to Latin American countries, from 1976 onwards, Chile, Argentina, and Uruguay created multinational teams that carried out operations outside Latin America, including the Letelier bombing and two other foreign assassination attempts. Like Kornbluh, Dinges draws on the newly declassified documents on US-Chilean relations and shows that along with information gathered from his interviews that the US State Department and intelligence agencies had “amazingly complete and intimate details about the functioning and planning of Condor” (5). Importantly, Dinges is careful to argue that the US did not actively support the activities of Condor, but neither did it send a clear signal of opposition to them. In many ways, the intelligence agencies sought ways to send out conflicting information so as to guarantee future “plausible deniability” for the US government.

The book tracks the development of the Condor alliance from its beginnings in Santiago to its final demise in the late 1970s. The account begins with the 1998 Pinochet arrest in the UK to show how the Condor project featured in Judge Garzon’s case against the General. This account is then supported by a careful and fascinating historical and political narrative about the organizational dynamics of the armed left in Latin America and the response of the generals that assumed power during the period. Dinges is careful to show that the armed left posed a real threat to the political systems in Latin America, and was in many ways effective in creating the perception that its looming revolutionary campaigns would be successful. The Cold War climate coupled with Cuba’s revolution, Che Guevara’s campaign, and a series of high-profile kidnappings of US businessmen in Uruguay was enough for the generals to respond by creating the Condor alliance and to unleash a campaign of domestic repression, regional cooperation, and international assassination. The first international assassination occurred in the leafy suburb of Palermo in Buenos Aires, in which General Prats—formerly of the Chilean military—was blown up along with his wife on September 29 1974. General Prats had moved to Buenos Aires after resigning over the events that had precipitated the 1973 coup in Chile. His assassin was none other than American-born Michael Townley, who would later be responsible for the Letelier-Moffitt assassination in Washington DC (see above). Condor also targeted Senator Edward Koch (who would later become Mayor of New York), who in his early days as a Congressman set up a series of hearings on human rights abuses in Uruguay. The fact that the CIA picked up on the assassination plans and that the then-head of the CIA George Bush Senior issued a warning to Koch suggests that knowledge of Condor went straight to the top of the US government.

## Drawing the Lessons

There are several lessons that can be drawn from these three books, which in their own way, are all about the pursuit of political ends through means that seriously compromise the notions of rights, democracy, accountability, and human dignity. They raise important issues about the theory and practice of human rights and challenge scholars and practitioners in the field to recognize the political limitations in the promotion and protection of human rights. Each of these books demonstrates that the work of the human rights movement, both domestically and internationally is fraught with difficulties, but it can lead to change where authoritarian regimes under increasing pressure at home and abroad make incremental concessions that give ground to the ideas of justice and human rights. The accounts show that rights protections are always precarious, that setbacks in their advance are the rule and not the exception, and that closing the gap between their *de jure* and *de facto* protection requires vigilance, perseverance and patience from human rights groups.

These books show the ends to which regimes will go in the pursuit of certain political ideals, including the capacity of the United States to support such activities in the name of combating Communism, subversion, and terrorism. Threat perception is a powerful political force that can lead to many of the draconian outcomes detailed in these studies. Ironically, in a reaction to the utopian ideals of the armed left in Latin America, authoritarian regimes of the kind in Chile came to power seeking to clamp down on their “unruly” societies and reconstruct them through a combination of order and progress. Like many of their leftist “enemies” they saw the use of brute force and the capture of state power as an instrument to bring about their own vision of the “good life”. The victim of such brutal social engineering has been the individuals whose rights have been violated, the families that have had to endure the insecurity of not knowing the truth about their loved ones, and the civil societies whose political experiences had been so privatized through state violence that entire generations are still coming to terms with questions of justice and accountability.

Theoretically, the three books show the enduring relevance of the realist perspective. Hawkins builds a heterodox realist account of democratic transition based on an analysis of the costs and benefits associated with continued authoritarianism in the face of increased international and domestic pressure from the human rights movements. Both Kornbluh and Dinges show that “reasons of state” within the United States and Chile led to an authoritarian solution with severe and perverse unintended consequences, where the ends justified the means and individual citizens suffered egregious rights violations at the hands of the state.

In many ways, these books are as much about the United States as they are about Chile. The US claims to be a promoter of democracy and human rights, but these accounts show that such aims are pursued only when they are in line with its other geo-strategic interests. As Jeane Kirkpatrick (1979) argued immediately before the beginning of the Reagan years, it was in the interest of the US to support right-wing dictatorships since they were opposed to Communism and were inherently more susceptible to liberalization than left-wing authoritarian regimes. In the post Cold War period after such rigid regimes, *contra* Kirkpatrick, did liberalize, the US continues to engage in a human rights double-standard. On the one hand, it supports international action in Kosovo, Afghanistan, and Iraq to rid the world of evil regimes and despots, yet it will not (and has not) engaged in similar such actions in Rwanda, North Korea, China, Cuba, and other states with notable unsavory human rights records. The current “war on terror” and its associated by-product of human rights abuse are eerily



reflected in these accounts of Chile, where the hunt for subversion leads to the curbing of liberties, moral relativism, complete disregard for hard fought international standards, and the persistence of impunity.

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