

Pinochet's detention deepens Chilean political crisis

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General Augusto Pinochet's detention has sharpened a crisis within the Chilean political establishment, threatening to unravel the settlement stitched up between the parliamentary parties and Pinochet's junta when military rule formally ended in 1990.

Survivors of Pinochet's repression, families of victims and youth are demanding that if Pinochet returns to Chile, he be placed on trial, a move that would require the abolition of the Amnesty Law agreed to by the political leaders in 1990. By police estimates, some 3,000 people rallied in support of this demand in Santiago's Parque O'Higgins last Sunday.

Among the speakers at the rally, organised by human rights groups and the youth movement of the ruling Christian Democratic Party (PDC), was Viviana Diaz, vice-president of the Group of Families of the Detained Disappeared, who said: 'Today history has reverted. Pinochet is judged for crimes against humanity, committed in Chile and elsewhere against Chileans and citizens from Spain, Switzerland, Italy and other countries.'

In the face of such demonstrations, the artifice of the democratic façade adopted in 1990 was revealed when the military commanders forced the government of President Eduardo Frei to convene the Consejo de Seguridad Nacional (National Security Council-NSC), the constitutional organ of the armed forces, on November 11.

The meeting--the fifth since the shift to an elected government in 1990--was held just hours before Frei travelled to South Africa and the APEC summit in Malaysia. Earlier in the day, various ministers had stated that such a meeting was out of the question.

Straight after the meeting, the government went into damage-control mode, claiming that there was nothing out of the ordinary discussed at the gathering. The military chief of staff stated that Frei had simply informed its members of the government's plans to establish Pinochet's immunity.

Far from being ordinary, government sources later revealed that the meeting was convened at the insistence of General Izurieta, commander-in-chief of the army. Izurieta moreover had warned Defence Minister Jose Florencio Guzman that if Frei did not call an NSC meeting, Frei ran the risk of the Armed Forces meeting in his absence.

The NSC was formed following the 1990 elections, but it was initially drafted in the 1980 constitution drawn up by Pinochet. Pinochet's Constitutional Commission declared the NSC to be an essential military organ with a tutelary function of 'representing' the concerns of the military. It continues to perform that role in Chile's present constitution with the tacit approval of the ruling centre-left Concertacion government, which is essentially a partnership between Frei's PDC and the Socialist Party (PS).

The 1990 Organic Constitutional Law of the Armed Forces ratified the NSC's existence, establishing the military as an 'autonomous entity' governed by its own rules. This constitution maintains that the military is not controlled by civilian institutions; the president cannot remove any commander-in-chief and can only appoint commanders from a selection chosen by the military itself.

According to the constitution, the NSC can express 'to any authority ...

its opinion regarding any deed, event, act or subject matter which in its judgement gravely challenges the bases of the institutional order or could threaten national security'.

The Armed Forces, it continues, 'exist for the defence of the fatherland, are essential for national security, and guarantee the institutional order of the Republic' and may solicit from any authority information that they deem a security matter.

The three commanders-in-chief of the military and the director-general of the Carabineros (paramilitary) police sit in the NSC, representing the armed forces. The country's president, the president of the Supreme Court, the president of the Senate and the comptroller-general also attend, with voting rights. The NSC can invite ministers of defence, the interior, foreign relations, economy, development and reconstruction, and finance, but they have no vote.

General Izurieta's threat to call the NSC on the eve of Frei's departure overseas formed part of a sequence of extraordinary events that, viewed in their totality, reveal a profound crisis provoked by ongoing demands for justice by the relatives and survivors of Pinochet's terror.

On October 30, Frei met with Izurieta and the other commanders-in-chief of the armed forces--Admiral Jorge Arancibia from the Navy, General Fernando Rojas Vender from the Air Force and the Director-General of the Carabineros Manuel Ugarte at La Moneda presidential palace. There he outlined proposals to establish a second National Truth and Reconciliation Commission (the Rettig Commission II).

The media has cynically dubbed these proposals as the 'golden seal' to secure Frei's reelection in 1999. At present Frei is due to step down, but right-wing moves are afoot for Frei to replace Andres Zaldivar as the PDC's presidential candidate.

According to *Que Pasa* magazine, the proposed Commission has been 'appointed the function of closing the chapter of the disappeared, the main 'open wound' regarding human rights [abuses in Chile]'. It will also present Frei as the individual who returned the country to the path of reconciliation.

The main purpose of holding another inquiry is to bury once and for all the whereabouts of the disappeared and other atrocities carried out by the military regime. Chile's ruling elite fears that the persistence of the disappeared issue, now extending internationally following Pinochet's arrest, will raise unresolved questions in the Chilean and Latin American working class arising from the bitter political experiences of the 1970s.

The first Reconciliation Commission

The first Rettig Commission, launched in 1990 and handed down in 1991, was unable to suppress these questions. It was convened by Patricio Aylwin, the first elected president since the 1973 military coup. Attorney Raul Rettig headed the eight-member commission. Not having any judicial powers, the commission handed over names of human rights offenders to civilian courts.

Thousands of people representing the victims and the disappeared came forward to give testimony, including some who had survived the detentions and torture. This was seen by many as the beginning of a settling of accounts with the military butchers. At the same time many thousands more did not speak out for fear of reprisals.

Not one file of the former secret police services was released. The DINA from 1974 to 1977 and the National Intelligence Centre or CNI from 1977 to 1990 were responsible for most of the disappearances. Operatives from DINA/CNI initiated a 'dirty war', clandestinely rounding up their political opponents at night, transporting them to the numerous torture chambers, and then burying them in unknown destinations. Despite the scale of these death squads, little is still known officially of their operations.

Likewise, the files of the Armed Forces were either withheld on legal grounds or were claimed to have been destroyed in a fire. Thousands of the public executions were carried out by the military almost immediately following the coup of September 11, 1973. The 400 war councils established around the country summarily executed political prisoners. In an infamous case called 'the caravan of death', Army General Sergio Arellano Stark commanded the execution of 72 political prisoners.

The Rettig Commission found that 2,025 persons suffered serious human rights violations resulting in death at the hands of agents of the state. Of these 957 were categorised as disappearances. Both figures are well below independent estimates that place the figure closer to 50,000.

Only last week, a mass grave was uncovered containing the bodies of 19 more victims of 'the caravan of death'. The bodies, found in the municipal cemetery in the northern resort of La Serena, 400 kilometres from Santiago, included that of Carlo Alcajaga, the former governor of Vicuña, near La Serena, who was arrested on September 12, 1973. Alcajaga's family has now filed a murder charge against Pinochet.

The motives behind the Rettig Commission became obvious when in releasing its 1991 report Aylwin called for the relatives of the victims to show forgiveness. He argued that all Chileans should put their past behind them. 'Many fellow countrymen believe it is time to close this chapter,' he said. 'Let us do whatever we can to heal the wounds of the past.'

'For the good of Chile, we must look to the future that unites us rather than the past that separates us,' he said, signalling that far from being punished, the military murderers were going to obtain a blanket amnesty.

In March 1993, when civilian courts named over 600 officers on human rights abuses and called on them to testify, the army launched a show of force. Officers and elite troops in full combat gear demonstrated outside a meeting called by the Corps of Army generals. This provocation, staged just opposite La Moneda palace, was interpreted by many as a preparation for another coup.

These demonstrations had the effect of concretising the amnesty law enacted in 1978, 15 years earlier, which protected the actions of the armed forces between September 1973 and March 1978 from civilian prosecution.

Rettig Commission II

At his October 30 meeting with the military, Frei aired two proposals to resuscitate the reconciliation process. In the first, Frei would convene 'Rettig Commission II', to be headed by the Archbishop of Santiago, Francisco Javier Errazuriz.

It would revive a failed 1993 project labelled the Aylwin Law. Under this plan, the commission would call on all those who had any information of the secret burial grounds to come forward and testify. Participants would be amnestied while officers who refused to assist would face prosecution.

The identities of the informants would be protected and their reports would remain undisclosed. The interrogations 'would be in secret and

outside Santiago. Furthermore the clerks, secretaries and those who elaborate the final text of the commission will have their identities protected,' said a spokesman familiar with the project.

At the October 30 meeting General Izurieta opposed the idea of granting amnesty only to those who testify.

Frei foreshadowed a second proposal that would assert that the terror in Chile was not initiated by the armed forces in 1973, but as early as 1965 with the emergence of deposed president Salvador Allende and the left. The scenario is based on the concept of 'mutual guilt'--that the actions of the military and the fascist forces were justifiable due to the activity of the PS, the Communist Party (PC) and the lefts while in government. The fact that the casualties under the reformist regime of Allende were nil--as opposed to the reign of death launched under military rule--is meant to be a side issue.

While this proposal was more in line with the military/fascist version of events, the army generals were evidently not impressed with it either.

The armed forces met once more on November 6, this time at the Metropolitan Army Garrison. Some of the 23 generals who participated in the discussions called for military exercises in the streets and for helicopters to rove around Santiago's suburbs. While these calls were rejected by General Izurieta, such measures cannot be ruled out if some form of the revamped commission proceeds, as appears likely.

The military's implacable defence of Pinochet is not simply a product of loyalty to the aging former commander-in-chief. The majority of the officers are either directly or indirectly implicated in torture, executions and other crimes against humanity. If Pinochet is extradited many other heads in the Chilean armed forces could roll.

Flowing from this is also a fear of losing the privileged existence that the armed forces have had since the 1973 coup. The Organic Constitutional Law of the Armed Forces enshrined the military's fiscal autonomy. No civilian government can tamper with its self-regulated budgetary allocations. Furthermore, the military chiefs receive 10 percent of all profits from Codelco, the state-run copper industry. By the 1990s the military was drawing more than \$400 million annually from these profits.

Besides having free education, health care and other perks guaranteed, the armed forces have more than doubled their pay levels in the last quarter century, placing them in the privileged echelons of Chilean society.

Socialist Party seeks to appease the military

The generals have expressed outrage that a delegation of PS deputies travelled to London to support the extradition requests of Spanish judge Baltasar Garçon. These PS parliamentarians, including Isabel Allende and Fanny Pollarolo, have also been in discussions with PDC and right-wing National Renovation (RN) deputies to form a bloc aimed at reforming the constitution. Their reforms call for the resignation of Pinochet as senator-for-life, the elimination of nine designated posts for the military in the senate, and reform of the NSC.

Their manoeuvres within parliament are an attempt to save what remains of illusions in the 'transition to democracy and reconciliation in Chile'. At the same time their moves threaten to break up the Concertación coalition and other political alliances that the bourgeoisie has rested on in the so-called democratic transition.

While the PS deputies were in discussions with the centre-right, Ricardo Lagos, who is the PS and Party for Democracy (PPD) presidential candidate, has moved to further ingratiate himself with the military, the Chilean bourgeoisie and the powerful Catholic Church.

One prominent media outlet commented that 'prior to the detention of Pinochet, few doubted that Ricardo Lagos would end up wearing the tricolour [presidential] ribbon,' but warned that 'today, the future of

Concertacion looks uncertain as his conduct throughout the crisis has generated open opposition from the principal influential sectors of Chilean society'.

Deeply concerned by this revelation, Lagos made two symbolic gestures. First, he met with Sergio Espinosa Davies, who was recently appointed brigadier-general. Espinosa has been accused of overseeing the execution of four PS leaders while heading the Pisagua War Council in 1974. Lagos went as far as to support the general's promotion, claiming that Espinosa's participation in the executions was unsubstantiated.

Next Lagos dined with Archbishop Errazuriz, to both dispel any objections the Church might have towards him and to indicate a willingness to support the Reconciliation Commission, toward which there is also opposition on the left.

Meanwhile Foreign Minister Jose Miguel Insulza, a PS leader, has emphatically restated his defence of Pinochet, who executed many of his party colleagues and exiled Insulza himself 25 years ago. In a recent interview Insulza stated: 'It is a year since Minister for Justice, Soledad Alvear, officially declared in Madrid that we do not recognise the Spanish courts as having the jurisdiction to judge this case.

'Secondly, senor Pinochet is a senator and has a diplomatic passport. The British may not accept it but Chileans do. And if I give a diplomatic passport to someone, I am committed to defending him. The government has to guarantee to all citizens that it will defend the constitution and the law.... Pinochet has rights as any Chilean citizen and its constitution and laws bestows him with these rights!'

It is now 10 years since tens of thousands of youth and working class people voted in a national referendum that ultimately led to the replacement of the military junta. A record 92 percent of eligible voters registered to participate in the referendum, a measure of the desire of broad masses of people to end the reign of terror.

Many people who voted in the referendum thought that democracy was on the agenda. They hoped that the new political order would make efforts to find and rehabilitate the countless political victims who were tortured and executed, bring to justice the Armed Forces and the secret police, and reverse the economic hardship imposed on working people by the regime's pro-market policies.

Finally, they expected that the transition to democracy, as it was popularly coined, would bar the Armed Forces from intervening again as they did in 1973. The recent experiences since Pinochet's arrest have unveiled the true character of the democratic veneer in Chile.

See Also:

An answer to Pinochet's defenders

[17 November 1998]

Interview with the general secretary of the Association of the Relatives of the Arrested & Disappeared in Chile:

'The principle of justice and human rights has to be rescued'

[12 November 1998]

Political lessons of the Chilean coup

[Statement issued by the Fourth International on September 18, 1973]



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