

THE IMPACT OF IDEOLOGIES ON RESPECT FOR HUMAN RIGHTS IN THE 20TH CENTURY

The dossier contains the speeches by socialist Senator Ricardo Núñez and attorney Andrés Allamand presented at the panel on “The impact of ideologies on respect for human rights in the 20th century,” which was held as part of the seminar entitled “The Army and Human Rights: A Commitment for the 21th Century,” organized by the Chilean Army on December 7, 2004 at the Bernardo O’Higgins Military School in Santiago.

PAPER GIVEN AT THE FORUM:
 “THE IMPACT OF IDEOLOGIES ON HUMAN RIGHTS
 IN THE 20TH CENTURY”*

Ricardo Nuñez

It is with great satisfaction and a sense of honour that I have accepted the invitation of General Juan Emilio Cheyre to participate in this seminar. My greetings to those who have organised it and I hope that they have made will contribute to strengthening of civil-military relations in our country.

This is happening at a particularly relevant moment in the history of our country. The document recently handed over to the public by the Commander in Chief of the Army, called “The Chilean Army: The End of a Vision”, as well as the Report on Political Imprisonment and Torture, drawn up by a commission headed by Monsignor Valech and made known to the country by President Lagos via an emotional television broadcast,** places us under the obligation to look to our conscience, to make political and academic debate more transparent and to take up our history again with force enough to illuminate and decide our future.

I have been asked to talk about the impact of ideologies on human rights in the past century. Allow me to make two definitions beforehand: the century which we are dealing with in fact extends from the First World War in 1914 to the fall of Communism in 1989. It is what the historian Eric Hobsbawm defined as the “short century” and is, in the opinion of many, the cruellest and most deadly in all humanity’s history. At the same time, the ideological concept has different meanings among social scientists. For me they are paradigm constructs that man tries to turn into concrete realities and that foreshadow an ideal future. During the 20th century, Great Powers fought about their interests and hegemonic pretensions in every area, trying to establish their own fields of influence. Like the Roman Empire in

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** The document “The Chilean Army: The End of a Vision” together with extracts from the Report of the National Commission on Political Imprisonment and Torture (also known as the Valech Report) and the text of President Lagos’ speech (which acts as the Prologue to the Report), are reproduced in this edition in the document “Report of the National Commission on Political Imprisonment and Torture and responses from Institutions”.

the past, there was nowhere, either in the political, economic or cultural sphere, where they did not try to leave their “mark” in order to secure a zone of influence, living space and area of action which they could camp on forever. In 1914 the struggles to conquer those spaces led the world into the First World War.

The existing empires of the time confronted each other in a brutal war that ended with the destruction of Austro-Hungarian Empire, the signing of the Treaty of Versailles and the Russian Revolution. England, France, and to a certain extent, Italy together with the emerging power of the United States were the central vertebrae of a world in which the power of one, albeit in an increasing unstable manner, was balanced by the power of the other.

The idea of the balance of power was the formula with which the world lived in the first part of the 20th century. While it was recovering from the wounds of war and having to meet the reparations that it had to pay to the victorious powers, Germany was slowly rearming for a new fight. Latin America, for its part, like Asia and Africa, was playing a secondary role. It was a passive witness to a new world, in which it only participated on the margins. After a brief interregnum, which was generally positive for the cause of democracy, the world once again was on the road to war. This time, however, it would involve practically all the continents.

Few could have imagined the consequences. Our country also could not escape this drama in which all humanity was involved. Thus the Second World War began. It cost the lives of more than 52 million human beings and incalculable losses of material. Europe was destroyed both politically and materially. Hitler’s Germany and Mussolini’s Italy were crushed by the Allied forces. Japan surrendered under the cruel and atrocious impact of the atom bomb. The world erected an Iron Curtain that divided it until the end of the century. The United States and the Soviet Union transformed themselves into the two great super powers.

They dominated the world scenario with no counterweight. They divided up extensive zones of power and influence. We passed from the unstable balance of the pre-war years to the years of a nuclear balance, from a multi-polar world to a bi-polar one. Without a formal declaration, another war unfolded: the Cold War. Humanity was divided between the good and the bad, between capitalists and Communists, between a Judaeo-Christian civilisation and an atheistic and materialistic one, between the allies of the United States and those of the Soviet Union. Nobody was excluded from this perverse type of logic: not even our country. The Cold War installed itself here with its last shot in the world struggle.

It marked us deeply and in the middle of it the history of our country was shaken dramatically by the events that took place after the 11th of September 1973. What role did ideologies play in this historical process? What motivated the actors of this fateful period? Replying to these questions is difficult. We must bear it in mind that all actions undertaken by the countries and empires that existed at that time covered them with ideological justifications or their hegemonic pretensions via various ideals.

Let me give you a very brief description of those that had the most significance during this period. After the First World War, the principles inspired by the French Revolution and the irruption of liberal movements under their influence were an essential factor in the universality of the basic principles of democracy. Positivist rationalism, characteristic of liberalism, had the virtue of endowing political institutions with a strong lay content in which there was a harmonious balance between the powers of the State.

Fundamental rights, such as the right to meet, to form associations, to choose and be chosen through a popular vote spread throughout the Western world. Political parties consolidated themselves as intermediaries between society and the State. On the international scene, the League of Nations was formed, as an organisation destined to resolve and remove war from the life of peoples.

This encouraging process found itself affected by the violent emergence of totalitarian systems such as those headed by Hitler, Mussolini and Stalin. In spite of the enchantment that those exercised on some sectors of our political life and on the brief dictatorship of General Ibañez, Chile kept within the proper limits of democracy. The Socialist movement, for its part, was living through a vigorous process of expansion in different corners of the world.

The thoughts of the German philosopher Karl Marx strongly impregnated the social struggles and policies of the workers movement and other popular sectors, affected by the Industrial Revolution and the development of Capitalism. The misery, the feeling of exclusion and the exploitation of paid work all added to the deployment of socialist ideas. However, from the beginning, these underwent a process of division that culminated in the establishment of two great currents of thought. One was inspired by the Russian Revolution and the founder of the Soviet State, Vladimir Ilitch Lenin, and the other by European thinkers such as Friedrich Ebert, Eduard Bernstein and Kautsky. While Lenin favoured the establishment of a State ideology inspired by a specific interpretation of Marx's ideas, others, with similar inspiration, understood that the values and principles of democracy were not incompatible with the construction of Socialism.

For the first group Socialism was understood to be a State dogma, for the other as a process for organising society and the economy where liberty should not be sacrificed for equality. For Lenin the values of democracy were a means but for the others they were an end in itself. In Chile's experience, the Socialist movement had two great currents from the beginning of the century, one expressed by the Communist Party and the other by the Socialist Party. While the Communist Party tended to stick strictly to the Soviet model, the Socialists looked to be a great national and popular movement, as its founders wanted, among them Oscar Schanke, Air Commodore Marmaduke Grove, Enrique Matte Hurtado and Eugenio Gonzalez Rojas who used to be the Rector of the Universidad de Chile (the University of Chile).

The latter, with his acid polemics against Stalinism, maintained in 1947 that Socialism was essentially humanist and that "no end can be obtained through means that deny it: the education of the workers for the exercise of liberty has to take place in an atmosphere of freedom". During the 20th century another ideological current arose which strongly marked its development. National Socialism and Fascism emerged as an answer to the development of those liberal and socialist ideas that were alive in Europe.

Its sources of inspiration were the exacerbation of cultural elements of a nationalist character, the conviction in the superiority of one race over another and an understanding that the political leadership of the State should be in the hands of the strongest. Nourished by the poverty of certain social levels and an authoritarian vision that impregnated its political elite, both currents expanded into different European countries and those of Latin America, particularly after the Great Economic Depression of 1929.

In Chile, the National Socialist Movement led by Gonzalez von Mares, in the 30's and 40's and the Nationalist Land and Liberty Movement, founded at the beginning of the 70's, were its maximum expression. Conservative ideas, meanwhile, maintained a strong presence during the greater part of the century. The Catholic Church, and especially the Papacy itself, was its principal bastion. Under the papacy of Leo XIII and the Encyclical *Rerum Novarum*, a process of change in traditional conservative ideas began.

The Church accepted that poverty and the marginalization of society, which had affected enormous masses of human beings, had their causes in the way in which the economy, the State and society were organised. Its teachings had a strong impact. In Chile a group of young people, moved by the misery and inequality in which vast sectors of the Chilean population were living, and inspired by the said Encyclical separated from the Conser-

vative Party and founded the National Falange, which, in the 1950's, gave birth to Christian Democracy. This took on board the teachings of Pope John XXIII, the Encyclical *Pacem in Terris*, the 2nd Vatican Council and the influence of the French thinker Jacques Maritain.

In this somewhat abbreviated synthesis, we still have one last ideology to revise. In the context of the Cold War and in front of the advance of ideas established by the Soviet Union, the foundation of the People's Republic of China and the consolidation of the Socialist camp in Eastern Europe the Western powers and the United States could not remain impassive. The wars in Korea and Vietnam increased the so-called "Communist menace".

The Doctrine of National Security, incubated in the academic centres of the Pentagon and the CIA, was the response to this challenge. According to this, all countries that were not part of the Soviet zone of influence ran the risk of being objects of internal subversion, orchestrated from Moscow. The underdeveloped countries, in particular, would be defenceless and incapable of confronting the danger. Thus there was no other alternative. It was imperative to meet it head on, even if it were necessary to use violence and eventually promote the intervention of the Armed Forces in those countries.

At bottom, this concept maintains that, facing a danger of such magnitude, democracy, freedom and human rights can be violated. The coups that ended democracy in such countries as Argentina, Uruguay and Chile and others further away, such as the Belgian Congo, the Philippines and Indonesia can all be explained by this doctrine. In the meantime, what was happening in the field of human rights?. As we have said before, the world of the 20th century not only suffered the horrors of two World Wars but also the emergence of totalitarian doctrines and the ideological confrontation that dragged us into the Cold War. In this context it is interesting to point out that, in spite of everything, the good sense and humanity of peoples were not crushed.

The fundamental rights of man were given a substantial push forward by making them the basis on which we could construct a more humane world that would distant itself definitively from barbarism and destruction. The newly established United Nations achieved an unprecedented success. In 1948, together with the process of de-colonisation, it proclaimed the Universal Declaration of Human Rights as being under its protection.

The Preamble is a magisterial piece of work. It says that all human beings are born free, independent of their condition, sex, race religion or political opinion. Thus human rights were established as an essential attri-

bute of human dignity. Independent of obstacles placed in the way by the United States and the Soviet Union, the majority of countries came together with one single desire: to make it possible that these rights were internationalised for every man and woman. Because of this, the same year the General Assembly of the United Nations asked all its members to distribute the Declaration and spread it around everywhere.

The fruits of this were that fundamental rights, such as equality before the law, freedom of association, meeting and expression, the right not to be subjected to torture or cruel, inhuman and degrading penalties or to be detained, imprisoned or exiled arbitrarily were all recognised as universal values. Humanity had thus advanced to a superior state in its civilised development.

Ladies and Gentlemen,

In conclusion, I cannot refrain from making an observation that is incumbent on us directly as Chileans. These rights, so dear and precious for humanity, were not duly appreciated by us, the actors in the events that took place at the end of the 60's and the beginning of the 70's. Let me make a painful comment. Not one political force had internalised, in a deep and profound way, the values of Human Rights. They were not in the curriculum of our main educational institutions. They did not form part of our cultural tradition.

This allowed narrow ideology, political polarisation, the loss of civil co-existence and totalitarian visions of life to convert themselves into the substratum that, in 1973, made the closing down of our democracy possible through the coup led by the Armed Forces, which ended with the bombardment of La Moneda (the Presidential Palace) and cost the life of President Salvador Allende.

Many of us have asked whether Chilean society was in a condition to avoid the coup or not. It is clear that political life had degenerated to unimaginable extremes. Also that those who had possibilities to prevent it either did not do so or lacked the strength to do so. I am one of those who believe that there was not enough will to prevent it and that life in society had become unhealthy. Also that the ideological confrontation expressed in slogans like "avanzar sin transar" (advance without compromise) and "Yakarta viene" (Jakarta is coming) reflected a deep hatred which we have found difficult to get rid of. From our perspective, whatever doubts there may be, we made a mistaken reading of the situation.

We did not understand the role ideology played in an important sector of society, which was in no condition to accept the radicalisation of

the “Chilean way to Socialism”, which did not want to follow us in our proposal for change and which wanted security rather than the historic jump we were trying to achieve. We failed to listen to Salvador Allende’s call for prudence and to open up to other political forces. This, unfortunately, made the coup inevitable. Our fragile democracy, authoritarian and disciplined, a lover more of order than liberty, collapsed.

We are still living with the consequences. Political imprisonment, torture, the enforced disappearance of people and repression were an institutional practice of the State which has been authenticated in the Rettig Commission’s Report, the conclusions of the Table for Dialogue and the recent report from the Valech Commission. The task of determining the intellectual and material responsibility for these unfortunate events must be continued by the Courts of Justice.

The President of the Republic has said that “ the breakdown of democracy and the bases for our co-existence happened in the midst of political and ideological storms that we were incapable of controlling. The rupture of institutions and the installation of arbitrariness and terror were the consequence of these collective errors”.

For his part, the Commander in Chief of the Army, Juan Emilio Cheyre has pointed out: “Does the scenario of global conflict described previously excuse the violations to human rights that occurred in Chile?. My reply is one and unequivocal: no. Violations of human rights can never ever have ethical justification”. As I expressed a few days ago in a public letter addressed to General Cheyre and from which I quote textually: “ I was one of the many Chileans detained and tortured after the military coup. And even though the violation of Human Rights has enormous repercussions in the personal life of those who suffer it and leaves a pain that can never be diminished, I have to say that his declaration regarding the responsibility of the Army in these events is a great step forward. Tremendously positive, from every point of view”. The sincere recognition of these events, the truth about them and the critical action of justice allow us to recognise that we belong to the same national community, to heal wounds and reconcile feelings. Among other things, this implies an understanding that Human Rights are our basic patrimony and should be used to inspire all political currents and dialogue between civilisations in the 21st century and within whose framework, everyone, unambiguously, has to condemn terrorism wherever it may come from and whatever its ideological or religious foundation might be.

This also supposes the existence of institutions that can once again regain their ascendancy over the whole of Chilean society. The time has

come for us to think about the future of Chile together. To strengthen its democracy, to expand the frontiers of freedom, to foment mutual respect and tolerance and to end social exclusion, poverty and discrimination.

To all that we have to add that Chile is a pluralistic country and that, out of this diversity, we have to construct a common destiny. The Chilean Army, born in the dawn of our Independence, is a permanent institution of the country and represents the dearest values of our Republican life. Within our society we want all Chileans to be recognised, without distinction as to their political, ideological or religious outlook.

We are taking this path and we must not leave it.

Many thanks.

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PAPER GIVEN AT THE FORUM:
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Andres Allamand

I should like to begin by expressing my thanks for the invitation to participate in this important seminar, which without doubt will be another important step in the task that the Army has set itself of incorporating a firm respect for human rights in its doctrine.

The success of this, which is a major cultural change, will, in my view, depend critically on two factors: firstly, in the way the impact of the ideologies in the previous century is viewed, since these influenced the way in which the Army viewed the theme of human rights, and secondly, in the manner in which situations are resolved that affect the Army today, since the present political and judicial scenario will influence the success and fluidity of the process.

What can I add to what has already been pointed out about the impact of ideologies? Only to insist on one point: that the fundamental conflict of the 20th century was the antagonism between democracy and the different forms of authoritarianism and/ or totalitarianism that are on the retreat today. The ideologies that divided, despised or aspired to replace democracy have two things in common: contempt for the law and the resort to force. And maybe a third: the utopian belief that force separated from law is controllable. Nevertheless history shows time and again that force ends by being self-perpetuating, bursting out of the fragile borderlines in which—faced with the absence of law—one tries to contain it. Force outside law is an animal that cannot be domesticated and that blinds and dehumanises those who possess it. Why “dehumanise”? Because the only thing that guarantees a properly human life, one not shaken by violence, is the existence of a political community, in which only the legitimate power can make use of force.

When the political community is fractured, force begins to dominate political power. It is because of this that we need to take care of all the

*Complete text of the presentation made by the lawyer and member of the National Renovation Party (Partido Renovacion Nacional), Andres Allamand, in the forum regarding the impact that ideologies had on human rights in the 20th century, which took place as part of the seminar “The Army and Human Rights: Commitments for the 21st Century”, organised by the Chilean Army at the Military School (Escuela Militar), Santiago on December 7th 2004. Behind every violent social conflict and every abuse of human integrity there lies a political community, be it local, national or even supra-national, that was not adequately taken care of and protected.

elements that make up a political community, always bearing in mind its endemic fragility.

Taking into consideration many views from previous speakers that coincide with my own and so as not to unnecessarily repeat concepts, I should like to concern myself with aspects that are more relevant to the present but which, in my opinion, must be tackled, from an academic point of view.

The Army after the Commission on Political Imprisonment and Torture

On this point I have to begin by highlighting the importance of Report on Political Imprisonment and Torture. It was a painful step, but a necessary one. It talks about confronting the truth. In the second place, it is necessary to put on record that the whole country has totally condemned torture. More than that it has become clear that the historical context does not justify the violation of human rights. In the third place, it is also important to emphasise the sensible orientation that President Lagos has given to the Report.

He has said that the proposal behind this is to heal wounds, not to re-open them. But what is there lacking so as to heal the wounds and not re-open them?. How many people, inside this room and outside, are fundamentally worried that the country is on its way towards re-opening those very wounds that we have to heal?. In my opinion, the commitment with respect to individual rights and the rejection of any ideology that differs from this is what it falls to the Army to do.

But there are other elements that have to come from society itself—from its authorities, organisations and citizens—to help the process terminate in the way the country needs.

These elements are at least four.

1. *That the truth should be the whole truth.* President Lagos, after reading the Report on Political Imprisonment and Torture, wondered “How can such horrors be explained? What could produce such behaviour as appears here? I just do not have an answer for it”. These were his words. Can this question remain up in the air? No, it can’t.

First, because if the country resolves to ignore the facts that generated this horror, it would always be open to repeat them. And second, because all of us know what causes provoked the horror and there is no reason for not expressing them clearly. The horror did not appear overnight. It was

gestating in the undermining of Chilean democracy, in the validation of political violence, in the irresponsible revolutionary enthusiasm for armed struggle, in the systematic alimentation of class hatred, in the heavy influence of the “Cold War”, and finally in the “ideological drunkenness” that murdered the tolerance between us.

When the political community was fractured —a process in which the Armed Forces had no responsibility— they saw themselves as obliged to act, with they did so with a violence that was prolonged and unjustifiable. This process was the tragedy of Chile. A few days ago, Bishop Valech said that “we have to ask ourselves what responsibility we all had in what happened in Chile”. And we must do so without fear. There will be responsibilities, both direct and indirect, remote and near, principal and accessory, through action or failure to act, and penalties, legal, political and moral.

We have to differentiate between them to avoid the idea that as we were all responsible, nobody was responsible and also to break with the vicious circle of reciprocal justifications. What is this vicious circle? On one side of the line, those leaders who proclaimed their adhesion to a violent political path and threatened a dictatorship of the proletariat and now hide themselves behind the excuse that everything was just rhetorical exaggeration and that they had no responsibility for the volcanic political processes that they themselves had unleashed.

And on the other? Let us also state this very clearly. Several supporters of the military regime and older leaders of the Armed Forces who argue that they became involved in a situation that they were not prepared for, that violations of human rights were inevitable, and that, because of that, they have no responsibility for what happened. After 30 years the country continues getting tangled up in a sterile game, making excuses such as the following: “As I am not to blame for what happened before, I am therefore exempt from blame in what happened afterwards. As I was a victim of what happened afterwards, I am therefore nothing to do with what happened before”. Both premises are false. The problem is that people use this foggy explanation to exploit their own political interests.

I never participated in the military regime: moreover I also lived through some bitter moments when, a few years ago, I put forward the idea that the violations to human rights should be recognised and reparations made and that we had to purge the 1980 Constitution of the authoritarian parts that would inevitably keep the field of politics dependent on the Armed Forces.

Because of this, I believe I am in a position to reject the political stigmatisation and moral discrediting of those who, with different

intensity and in different positions, supported and worked with the military government, starting with the Armed Forces themselves. Moreover, life and history are woven together through paradox and contrast. In that sense, nobody should forget that the Army of 1978, the same one that some people present as an inhuman and deranged horde, is not only the Army of Maipu, Yungay and La Concepcion but also the one that with inferior means but great courage prevented an external invasion the same year.

The theme is not a minor one: mutilated truth does not help to rebuild the political community, does not open the way to reconciliation, does not facilitate the full integration of the Army into society or make the adoption of new codes of conduct easy.

2. *That we adopt a new approach to the theme of political responsibilities.* Universities teach that there are two ways of understanding responsibility. One is a responsibility that is demanded. The other is a responsibility that is assumed. Responsibility that is demanded is a judicial concept: it supposes that someone has been hurt and therefore has the right to demand amends from his or her aggressor.

However such an idea, transferred to the field of politics, is completely inoperable for making any progress towards reconciliation. Responsibility as a demand is at the core of the vicious circle in which we find ourselves. The adversaries of the military government are demanding that all those who participated in it should be recognised as responsible for what happened in the area of human rights.

At the same time, the supporters of the military government reply that those who should assume the responsibility are those who provoked the conditions which led to the violations of human rights. The latter return the argument by saying that the sole purpose of the demands the former are making is to justify what happened. The reply, of course, does not take a second: as you sow, so shall you reap. The argument goes nowhere. What is needed is that each sector should think about its responsibility, not as one demand leading to another, but as a must, whether or not there is someone with legitimate cause to complain.

The responsibility that we assume—as opposed to the responsibility that we demand—is an act which is voluntary, unilateral, truthful and self critical. This type of responsibility is truly political and differs from the act of pardon in so far as the latter is a personal act of an eminently moral character and one therefore that is not demanded. Nobody can be forced to forgive and the pardon that is demanded under duress loses all significance.

To assume this responsibility would heighten the image of the rulers of the country and make transparent what is obvious to a large majority of the Chilean people. The people do not ignore the fact that the Unidad Popular government brought the country to the edge of the abyss or that the military government committed violations of human rights: they do not ignore the fact, also, that the Courts fell back on red tape so as not to offer protection to those who needed it or that the press was too timid to denounce the abuses.

What would help the process of reconciliation is that the protagonists of the last 30 years (or 40 years as some would say) assume their responsibilities not like a game of counter proposals and reciprocal alibis but as an act of frankness and a move for the reconstruction of bonds in the political community that is Chile. Let each and every one stop preaching to his adversary about what he should or should not do and simply get on and do his duty.

3. *That we fully understand the significance of “The end of a vision” and institutional responsibilities.* The document entitled “The end of a vision” is a perfect expression of that type of responsibility that is assumed.*A great majority of the country has applauded it, but many supporters of the military government have criticised it, seeing it as an error or a show of weakness and demanding that the declaration be “negotiated”. All their reasoning is inspired by the logic of a responsibility that is demanded and they fail to understand the intrinsic value of the responsibility that is assumed.

Moreover, “The end of a vision” is indispensable simply because the thesis that the violations of human rights were the result of “individual excesses” was both unacceptable and absurd. It was unacceptable intellectually because it is unlikely that we are dealing with individual excesses when the practices went on for years and numerous persons and institutional resources were involved. It was conceptually absurd because it collides head on with the unquestioned professional, hierarchical and disciplined character of the Armed Forces. That thesis should have been abandoned a long time ago.

It is a grave error for any institution to argue evading the truth. The cost in prestige that institutions pay by doing so is enormous. On the other hand, the thesis about “individual excesses” ignored the evident responsi-

* The text of “The Army: End of a Vision” appears reproduced in this edition in the document “Report of the National Commission on Political Imprisonment and Torture and Institutional Responses”.

bility of the commanders involved. With such a thesis, nobody was responsible for what happened, but it would be completely erroneous to jump to the opposite extreme and maintain that every member of the Armed Forces was responsible.

I am sure that the great majority had nothing to do with these practices and during the military government unselfishly carried out their professional duties and/or held positions where they contributed to the modernisation of the country. They had no responsibility for what happened and so the country should recognise this.

Finally the recognition of institutional responsibility. Do you suppose that the Armed Forces had incorporated such aberrant practices before as part of their doctrine? Categorically no. To make such a doctrine one's own it has to be validated both inside the institution and outside. And neither one thing nor the other ever happened in our country.

What did happen was that some members of the high command set aside the Army's teachings and carried along with them subordinates who either did not want to, did not know how to or couldn't oppose them.

4. That we advance in the truth and leave this judicial quagmire behind us. I cannot end these thoughts without making a brief allusion to the judicial aspects that are affecting the Armed Forces today. I assume that just by bringing up the point I am going to be accused of favouring impunity. One only has to see how often the President of the Council of State is discredited on a daily basis for defending the applicability of "inappropriate amnesty". I should like to emphasise that our political leaders have continued assuming, with a certain sense of fatalism, that nothing can be or should be done as far as this is concerned and that the solution (if there is one) will have to come some day from the law courts.

In this way our leadership is going to fail: it was not capable of preventing the tragedy and neither is it now capable of finding the means to "heal the wounds". So they are sticking to judicial methods to solve problems that have obviously marked political implications. And what does the Judicial Power do? Simply the opposite. Nothing better exemplifies this than the Byzantine thesis of permanent abduction. The President of the Supreme Court himself has indicated that the formula adopted is contrary to common sense. It's not only that. It seriously undermines the due process of decreeing that it is not up to the State to prove that a crime happened but for the accused to prove that it didn't. If things were clearer, the Supreme Court could definitively resolve whether to apply amnesty or not, but what it could not do is to take advantage of a pretext so as not to do either one

thing or the other. Allow me to make a prediction: the same thing will happen to the Judicial Power regarding the thesis of “permanent abduction” as happened to the Armed Forces with the thesis of “individual excesses”. Because it is only a fiction with no substance to it, they will have to abandon it and pay the price for adopting it. Moreover, looking at it from the perspective of obtaining information that might be lacking as regards the whereabouts of the detainees who disappeared, the actual situation is completely counterproductive. There is no incentive for it and all the legislative formulae that Presidents Aylwin, Frei and even Lagos have tried to use so as to advance along the road of truth, reparation and justice have not prospered simply because of parliamentary blocking. What is the result of all this? Keeping the present day Armed Forces as hostages of the past, which is unreasonable when they themselves have shown that they do not seek to forget about the past but rather aspire to learn from it.

Final Words

The country is entering a new era. The commitment of the Army to human rights is one of the most important elements in finishing the reconstruction of the political community that has been fractured for over three decades. It is a process of considerable magnitude. The process will also be helped by the group of constitutional reforms that have recently been agreed and terminate the occasions and mechanisms for the involvement of the Armed Forces in the political arena.

The Army and society are leaving an exceptionally painful stage behind them, where there were cruel confrontations between parts of each. It might seem obvious but Chile has only one Army and one society. I have never been convinced that the “civilian world” and “the world of the military” are separate spheres. A country with an Army that is isolated is, by definition, vulnerable and unpredictable.

The fact is that the civilian class and their political leaders can either help or obstruct such a process. General Prats, whose memory the Army have done well in vindicating, once alluded to the “suppressed resentment” that was incubating inside the Armed Forces, triggered off by the incomprehension of the civilians regarding their legitimate fears and anxieties. Chile must never make this mistake again.

Many thanks. □