

Pinochet Also Thought He Could "Legalize" Torture

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Opinion: Mark G. Levy

Pinochet Also Thought He Could "Legalize" Torture And Immunize Himself

By [Mark G. Levey](#)

On September 11, 1973, Gen. Augusto Pinochet headed a military coup that overthrew the democratically-elected government of President Salvador Allende. Chile at that time was one of the world's oldest constitutional democracies.

In the months that followed, in a round up of "terrorists", Chilean military and intelligence officers arrested 30,000 Chileans and some foreign nationals. Virtually all were tortured, and 3,000 "disappeared", many dumped alive from military aircraft into the Pacific Ocean. The Junta's secret police also sought out its critics abroad, a few weeks later blowing up the former Ambassador, Orlando Letelier, in his car as he drove through downtown Washington, DC.

In the years that followed, "President" Pinochet ruled through emergency "anti-terrorism" decrees, before he retired as a Senator for life. Before he left the presidential palace, however, the General assured himself that he would never be brought to trial for his crimes. While the country was still effectively controlled by the military Junta he headed, the runner-stamp legislature passed laws granting amnesty to those officials who had committed torture and murder during the "state of exception" to constitutional rule. The amnesty laws also granted lifetime "legislative immunity" to members of Parliament, including, of course, Senator Pincochet.

Even though Spain, France and several other countries had issued warrants for Pinochet's role in commanding the murder of their citizens in Chile following the coup, Pinochet travelled the world in luxury and, he thought, security from arrest. As former "head of state", most countries would not touch him. But, that changed in 1998, when during a visit to former Prime Minister Margaret Thatcher and other Right-wing friends in Britain, he was detained on an extradition request from Spain.

After a long court battle, a three-member Court of the House of Lords, the highest appellate tribunal in the UK, found that Pinochet's claims to immunity as former head of state and to legislative immunity were invalid in the face of charges of violation of international laws against genocide, torture and crimes against humanity. The Blair Government ended up sending him back to Chile, where the new democratic government and courts stripped his immunity, and placed Pinochet, now 87 years old, under indefinite house arrest.

There should be a lesson here for Bush and the GOP Congress. While you might believe today that you can legalize torture and other crimes against humanity, some day they will come for you. Power does not trump the law forever. You are naked before the world, and it's only a matter of time.

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