

1-23-1998

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LADB Staff. "Pinochet Puts Off Retirement; Pressure Mounts to Bar General from Senate." (1998).
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Pinochet Puts Off Retirement; Pressure Mounts to Bar General from Senate

by LADB Staff

Category/Department: Chile

Published: 1998-01-23

Efforts are increasing by opposition politicians and human rights organizations to block Gen. Augusto Pinochet from assuming a lifetime seat in the Chilean Senate. The determination by both the general and his opponents has resulted in the first civilian-military crisis of President Eduardo Frei's administration. The crisis unfolded when Pinochet threatened future colleagues in the Senate, triggering a swift response from deputies, who demanded a congressional hearing.

As tensions mounted, Pinochet postponed his retirement as head of the military, resulting in the resignation of Defense Minister Edmundo Perez Yoma. And, in a surprise decision, a Santiago court agreed to hear evidence on charges of human rights violations against Pinochet. On Jan. 4, pro-government lawmakers accused the former dictator of violating Chile's Constitution when he threatened to publish secret documents he said would prove damaging to two senators who criticized him. The Constitution bars active military officers from making political statements.

Pinochet's comments also prompted a government reprimand, which in turn brought warnings from the army to politicians criticizing Pinochet. The army's second in command, Gen. Rafael Villarroel, said any criticism of Pinochet was a criticism of the army, and the army would defend Pinochet even after he retires. "We are upset," said Villarroel. "The army does not like it when the commander in chief is insulted. It would be good if some people were more careful when they spoke." On Jan. 7, by a 56-26 vote, the Chamber of Deputies passed a nonbinding resolution opposing Pinochet's entrance into Congress. The resolution said Pinochet's presence in the Senate "does not contribute to reconciliation among Chileans nor to relations between civilians and military."

The same day, more than 40 deputies from the Concertacion requested a special session to hear evidence on "the role of Gen. Pinochet Ugarte in the transition to democracy." Deputies Mario Acuna and Zarko Lusic, who led the call for a hearing, said Pinochet should be barred from taking a seat in the Senate not only because of his threats against other legislators but also for "having ruptured constitutional order and the state of law" with repeated political acts and statements as head of the army.

Chaos erupted during the special session, with heckling from both sides. When a scuffle broke out, security forces cleared the chamber and the session was suspended. Voting was canceled after political parties sympathetic to the general walked out, preventing a quorum. Pinochet supporters called the hearing "a kick at reconciliation."

Proposals to block Pinochet have strong support in the lower house, where the pro-government coalition holds a majority. But pro-Pinochet legislators control the Senate and are expected to veto any motions against the general. Pinochet's postponed retirement brings Cabinet resignation Hours

before the congressional hearing began, the 82-year-old Pinochet sent a message to the president postponing his retirement, which he had set for Jan. 23. The postponement to March 10, the last day he can constitutionally remain as head of the army, was interpreted as defiance against his attackers and an effort to intimidate the government (see NotiSur, 10/03/97 and 11/07/97).

Pinochet's rightist supporters warned against any pressure on the general to forfeit the seat. "The Concertacion is playing with fire," said deputy Alberto Cardemil of the right-wing Renovacion Nacional (RN). As efforts intensified to keep Pinochet out of the Senate, Defense Minister Perez Yoma called the military-civilian situation "delicate." This angered the Frei administration, which had insisted that any difficulties were only minor. Government Minister Jose Joaquin Brunner made a point of calling civilian-military relations "completely normal" and within institutional channels.

On Jan. 16, Perez Yoma resigned, citing the growing controversy regarding Pinochet. President Frei named Raul Troncoso to replace him. Although Perez Yoma's resignation had been expected since last November, he had agreed to stay on through the transition to a new army chief when Pinochet steps down. In announcing the resignation, the administration praised Perez Yoma for "normalizing civilian-military relations, developing a defense policy, and modernizing the armed forces." Not everyone within the Concertacion lamented Perez Yoma's leaving. His critics distrusted his cordial relations with Pinochet, which they said were "too tight." Guido Girardi, vice president of the Partido por la Democracia (PPD), called Perez Yoma's resignation "timely" given his closeness to "the vision of Pinochet and the military." Girardi also said the government had been lax in responding to the threat from the military. "The crisis needs to be confronted," said Girardi. "If it is not confronted now, it will reappear tomorrow with more force. The military is a permanent threat with its saber-rattling, and now with its clear blackmail that we cannot accept."

Pinochet charged with genocide

Meanwhile, on Jan. 12, Gladys Marin, head of the Partido Comunista (PC), filed a criminal complaint in the Appeals Court of Santiago against Pinochet, charging him with genocide, kidnapping, illegal association, and illegally burying bodies during the dictatorship (1973-1990). Marin, whose husband disappeared during the repression, said the aim is to prevent Pinochet from taking the Senate seat and to see that he goes to prison, "where he belongs."

On Jan. 19, in a historic decision, the court agreed to preliminary hearings in the case. "This is the first time in this country that a court has agreed to hear a case against Gen. Pinochet," said Eduardo Contreras, lawyer for the plaintiff. "It is the start of moral and ethical vindication for the victims of the repression." According to the official government report, 3,197 people were killed for political reasons during the dictatorship, including 1,102 who disappeared after being arrested by Pinochet's security force. Marin appeared before Judge Juan Guzman Tapia on Jan. 21 to present evidence to support her charges. Prospects for the lawsuit are considered dim, however. Many of the rights violations are covered by an amnesty law issued during Pinochet's regime, and the general enjoys immunity now as head of the military, which he will continue to enjoy if he becomes a senator.

On Jan. 12, the presidents of the four Concertacion parties agreed to promote a plebiscite to end "authoritarian enclaves" in Chile, including abolishing the nine nonelected Senate seats. However, the Constitution would have to be amended to authorize Frei to call a plebiscite, which is unlikely

given the makeup of the Senate. Nevertheless, Concertacion legislators are pulling out all stops including an appeal to the Inter-American Human Rights Commission to eliminate the nonelected seats, which account for more than 20% of the 38-seat Senate. [Sources: Excelsior (Mexico), 01/11/98; Inter Press Service, 01/06/98, 01/13/98; Associated Press, 12/30/97, 01/04/98, 01/08/98, 01/12/98, 01/14/98; CNN, 01/14/98, 01/20/98; Notimex, 01/06/98, 01/07/98, 01/13/98, 01/15/98, 01/16/98, 01/21/98; Clarin (Argentina), 01/07/98, 01/15/98, 01/21/98; Reuter, 01/12/98, 01/14/98, 01/18/98, 01/21/98; BBC, 01/15/98, 01/21/98; Spanish news service EFE, 01/07/98, 01/12-16/98, 01/19-22/98; El Nuevo Herald, 01/15/98, 01/22/98; CHIP News (Chile), 01/22/98]

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