

# The Carter Administration and Human Rights in Chile, 1977-81

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## The Carter Administration and Human Rights in Chile, 1977-81

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This essay demonstrates that the administration of Jimmy Carter failed to fundamentally improve the situation of human rights in Augusto Pinochet's Chile and that Carter's election promise in 1977 to make human rights "the soul of our foreign policy" was disingenuous.[1] His promise was a tactical ploy, intended to unite a divided Democratic Party, and to give them a popular political identity that could match the Republicans' hardline anti-communism. Carter tried to limit the abuses of the Pinochet regime only if this was compatible with more important objectives of containing the communist threat in Chile—an identical objective to that of his Republican predecessor. Carter ensured this continuity with Nixon by routinely ignoring congressional legislation and side-lining progressive elements of his administration in favor of more conservative voices, such as that of his National Security Advisor, Zbigniew Brzezinski. The incoming administration's muted response to the assassination in 1976 of the American diplomat, Orlando Letelier, by members of Chile's secret police, the *Dirección de Inteligencia Nacional* (DINA), already indicated its support of the Pinochet regime, since too strong a condemnation of this killing risked revealing the intimate relationship between the CIA and DINA. Furthermore, Carter undertook a policy of deliberately compartmentalizing the economic and social policy of Chile's military junta. Repression in Chile was required to push through deeply unpopular economic reforms. Yet in the global context of the Cold War, Carter was reluctant to suggest that free-market capitalism could be the cause of oppressive state policies in the same way that communism was. Finally, Carter was also hindered by domestic constraints, as public opinion was indifferent to human rights abroad when the economy at home was failing.

Cold War foreign policy was aimed at maintaining regional hegemony in Latin America[2]. It was therefore antithetic to the ascension of Salvador Allende as the world's first democratically elected Marxist leader in 1970, and the reaction in the White House was predictable: "that sonofab\*\*\*h...that bastard Allende," Nixon reportedly said upon hearing of his election.[3] Chile had quickly become "a cause celebre in both the Western and the Communist worlds" and was now at "the front line of world ideological conflict." [4] The CIA director, Richard Helms, advised Nixon to "make the [Chilean] economy scream" and the US cut off most of its foreign aid to Chile.[5] The CIA also trained the Chilean military, imbuing them with a strong sense of anti-communism and a hatred of Allende.[6] US foreign policy designed to destabilize Allende's presidency therefore contributed to the 1973 coup orchestrated by Augusto Pinochet, which had the tacit approval of the CIA, if not its direct involvement. As a bulwark against communism in the Southern Cone, Pinochet enjoyed support from the US government in the form of economic and military aid. Carter's election seemed to signal the end of this; he explicitly criticized "the past destruction of elected governments, like in Chile, and the strong support of military dictatorship there" and vowed to respect the concept of universal human rights.[7] However, Carter's commitment to human rights was flexible, and ultimately, his foreign policy displayed a remarkable level of continuity with that of the previous administrations[8].

Human rights was a growing concern throughout the 1960s and 70s, stemming from the pacifist movement during the Vietnam War.[9] Revelations of US involvement in the 1973 Chilean coup sparked widespread revulsion and "reinforced the urgency for a new direction for American foreign policy." [10] Daniel Sargent suggests that this coup was a "catalytic moment" in the emergence of a human rights movement in the US. Kissinger had been notoriously flippant about repressive regimes allied with the US, remarking that "human rights are not appropriate in a foreign policy context." [11] In the bipolar political climate of the Cold War, Nixon's policy of *détente* was intended to preserve

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the delicate balance of power between the US and the Soviet Union at all costs. Consequently, Salvador Allende's example of politically independent and non-violent socialism was considered a dangerous model for the rest of Latin America. Nixon was worried about the implications of a Marxist leader of a major democracy, stating that "if we think that we can let the potential leaders in South America think they can move like Chile, we will be in trouble."<sup>[12]</sup> Pinochet, as a staunch opposer of communism, represented stability in the region, and as a result he was supported by the Nixon administration, which began transmitting secret messages welcoming him in and offering assistance within hours of the coup.<sup>[13]</sup> A declassified Department of State report to Henry Kissinger from November 1973 estimated the number of summary executions in the weeks following the coup to be 320, showing that, from the beginning of Pinochet's regime, the US was aware of the magnitude of his human rights violations.<sup>[14]</sup> Nonetheless, US provision of military aid continued during this bloody period.

The place of human rights in US foreign policy had been an issue of much contention between the Democrat-controlled Congress and the Republican executive branch during the Nixon-Ford years. Congress resented the unchecked "imperial presidency" of the post-Vietnam era, believing that the executive had become too powerful.<sup>[15]</sup> Pressure for greater consideration of human rights was a means for Congress to redress this power imbalance and attempt to regain a political voice in foreign affairs. The Foreign Assistance Act of 1961 was therefore increasingly emphasized during the 1970s, especially Sections 116 and 502B, which limited military and economic aid respectively to regimes which were shown to engage in a "consistent pattern of gross violations of internationally recognized human rights." Congressional concerns over human rights at the time of Carter's election meant that he was well positioned to change the direction of American foreign policy. Both branches of government were aligned on the issue, and with a Democratic majority still in Congress, Carter enjoyed enough support that he could have easily passed human rights legislation. Yet this did not happen. In part this was because emphasizing human rights was a tactical electoral strategy to unite a Democratic Party bitterly divided by losses in the 1968 and 1972 elections and struggling to find an electoral issue to counter the Republicans' anti-communism. Viewed in this way, and despite initial concessions to human rights, it becomes possible to understand why Carter increasingly became a conservative force within his own administration, maintaining the *status quo* of covert activity and military aid to US-allied authoritarian governments.

This retreat reflected the fact that the President was not the sole architect of foreign policy. Numerous actors were involved, with different outlooks. The Democrat-dominated Congress was a progressive force in policy formation, advocating for a more humane approach to foreign affairs. Yet Congress was ineffectual, and legislation was bypassed by all administrations, including that of Carter. The Bureau of Human Rights and Humanitarian Affairs, established in 1976, was supportive of congressional legislation. Secretary of State, Cyrus Vance, was an advocate of diplomacy and negotiation, rather than economic or military sanctions. One of the strongest voices within the administration was Zbigniew Brzezinski: a political realist, who stood in the tradition of Henry Kissinger. As such, human rights were not his priority, and he stressed that national security and regional stability should be the primary consideration in foreign policy. Carter himself was weak, and increasingly aligned himself with Brzezinski throughout his presidency.

The State Department was therefore fractured on the issue of human rights. The Bureau of Human Rights was initially promoted by Carter, and he appointed Patricia Derian, whose commitment to human rights was unwavering, to head it. However, within weeks of Carter's election, Cyrus Vance, stated that the administration would not take an "absolute" stance on human rights issues, but that instead they would display the same flexibility as previous governments, reviewing case-by-case.<sup>[16]</sup> Similarly, Carter stressed the need to avoid "rigid moral maxims" and to acknowledge "the limits of moral suasion."<sup>[17]</sup> Competing influence from other agencies, as well as from the White House itself, quickly undermined the Bureau, and by the end of 1980, it was as impotent as it had been under Kissinger.<sup>[18]</sup> This process began relatively quickly, when the Undersecretary of State for Security Assistance, Lucy Benson, demanded that all assistance under her purview, including military aid, be exempt from oversight by the Bureau. She threatened to resign if this did not happen, which would have damaged Carter domestically due to his promise to promote women in government, and he capitulated to her demands. This had the effect of limiting the Bureau's purview to aid from multilateral development banks. But even in this area it was relatively powerless. Under pressure from Brzezinski, Carter opposed a bill requiring the administration to vote "no" on loans to repressive regimes. Brzezinski argued that a more flexible approach to human rights was necessary, and that concrete

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legislation on loans to authoritarian regimes would lock the White House into a “sterile, ineffective position.”[19] Therefore, the Carter administration very rarely opposed loans to Pinochet’s Chile, voting against only one in 1977, and none in 1979.[20]

Congressional legislation was regarded as negotiable by the State Department. Section 502B was applied to eight Latin American nations, yet not to Chile, despite the numerous abuses of the regime.[21] Military aid was reduced, but it was not terminated, and ‘pipeline’ military aid continued to flow into the country unhindered. This was in line with Carter’s broader Cold War aims of equipping strategic partners, who were useful in preventing the spread of left-wing activity. For this same reason, military aid continued to flow also to Sukarno’s Indonesia. This selective concern for human rights was an established pattern in Carter’s human rights policy by the end of his presidency and undermines the notion that Carter had a commitment to ‘universal’ human rights. The administration displayed a similar level of contempt for Congress as that of Nixon. One Carter official from the Bureau of Human Rights jested in an interview that “we used the straight face test. If you could go up on the hill and testify and keep a straight face while making your arguments, you could probably get away with it.”[22] Carter’s lax interpretation of Section 502B was resented by Derian, who threatened to resign, reflecting deep divisions within the State Department, and a sense of disappointment from the more progressive elements. Furthermore, on occasions when sanctions *were* imposed, they were ineffective. David Carleton and Michael Stohl, in their analysis of sanctions on authoritarian regimes, found no significant relationship between human rights and US military or economic aid at any time under Nixon, Ford, or Carter.[23]

Congress and the executive had been aligned when Carter was first elected, at least in their public rhetoric regarding human rights. Yet by 1979, the administration had firmly shifted towards prioritizing national security in foreign affairs. This partially reflected Carter’s increasing favoritism of Brzezinski over more moderate voices such as Derian or Vance. Brzezinski saw the events of 1979, especially the Iranian Revolution and the Soviet invasion of Afghanistan, as threatening to global stability, and recommended a foreign policy more in line with that of previous administrations, of prioritizing regional stability over human rights. Brzezinski later wrote that in the last two years of the administration “we had to make up for lost time, giving a higher priority to more fundamental interests of national security [over human rights].”[24] Carter was seemingly aware of the failure of his own human rights policy: when forwarded a memo written by a prominent jurist lamenting the reduced emphasis on human rights, he wrote in the margin “I agree.”[25]

This range of calculations was very evident in the Letelier incident. The 1977 election had occurred in the midst of a major diplomatic crisis with Chile, relating to the assassination of Orlando Letelier in Washington by members of DINA. Letelier had been Chile’s ambassador to the US during Allende’s presidency, and was a vocal critic of Pinochet’s economic and political regime. The assassination represented an attack on American national sovereignty and was an extension of the repression Chile was willing to use domestically. As Senator James Abourezk stated in the immediate aftermath of the killing: “the tyranny of the Pinochet government has now been extended to Washington.”[26] The Carter administration’s response to this act of international terrorism would be taken as a measure of its commitment to human rights issues. A US embassy cable sent on the same day of the assassination stated that “suspicion will first fall on all of the GOC Directorate of National Intelligence,” due to their “obvious motivation,” whilst a 1978 CIA report raised the possibility that “the crime will be linked to the highest levels of the Chilean government.”[27] Two years after the killing, the US government sent a formal petition to the Chilean government to extradite Manuel Contreras, head of DINA, and his subordinates, for their role in the murder. The Chilean Supreme Court not only denied the extradition request, but essentially exonerated DINA of culpability in the assassination, riding a wave of anti-US nationalism to portray the request as a US attempt to destabilize the Pinochet regime. “That decision was much worse than any one of us had anticipated,” the National Security Council’s Latin America specialist Robert Pastor told Brzezinski.[28]

On October 19, 1979, Vance sent a memo to Carter. This memo recognized that “it is likely that this act of terrorism...will go unpunished [in Chile]” and drafted a list of options that Carter could take to respond to the Letelier case.[29] Vance wrote that “extreme measures” suggested by Congress “would not serve our interests in Chile or elsewhere.” These interests being, above all, to maintain the stability of the junta and ensure it could effectively contain left-wing activity. Similarly, the State Department’s number three-man, David Newson, stressed the need to

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consider “this matter in the context of our entire range of bilateral relations with Chile” and Brzezinski opposed what he called “aimless punitive action.”[30] Divisions within the administration became apparent, as Assistant US attorney, Propper, responded to Newson with incredulity, stating that “the Letelier case is our relations with Chile.”[31] One of the “extreme measures” Vance opposed was legislation limiting private bank lending to Chile. His opposition to this reflected continued American faith in the Chilean economic experiment, and a desire to promote this economic system. Vance and the administration did not want to give the impression that Pinochet’s economic policy was linked to his abuse. Instead, Vance suggested that more pressure should be placed on Chile by expressing concern in private diplomatic channels. Furthermore, he recommended a termination of ‘pipeline’ military aid to Chile, which had been used to bypass Section 502B. Ultimately, the Carter administration’s response was weak and in the words of Peter Kornbluh, amounted to nothing more than “a set of largely symbolic sanctions which had no impact on the Pinochet regime.”[32]

The administration’s unwillingness to strongly confront Pinochet over the Letelier assassination demonstrates its lack of transparency. The Chilean secret police force responsible for the assassination had ties to the CIA. Too strong a condemnation of the Letelier case could have risked the nature of this relationship becoming public knowledge, which would have been immensely damaging to Carter. A CIA document declassified in September 2000 revealed that “during a period between 1974 and 1977, the CIA maintained contact with [the head of DINA] Manuel Contreras Sepulveda.”[33] As early as April 1975, the CIA had identified Contreras as “the principal obstacle to a reasonable human rights policy within the Junta,” yet contact continued for almost two years longer. In 1975, elements within the CIA even recommended establishing a paid relationship with Contreras due to his “unique position and access to Pinochet.” Although Contreras was never officially placed on the CIA’s payroll, he was given a one-off payment, which the document alleges was the result of a “miscommunication.” The Letelier assassination did not end this relationship between DINA and the CIA. “During 1977, CIA met with Contreras about half a dozen times” despite reports from as early as October 1976 suggesting that the Chilean government was “directly involved” in the killing.[34] Revelations about the level of intimacy between the CIA and the US government would be highly embarrassing for Carter, and his willingness to allow this kind of covert activity to continue displays a high level of continuity with previous administrations.

The FBI had also long held suspicions that the Letelier assassination was carried out as part of Operation Condor, a military and intelligence alliance of Southern Cone nations which participated in cross-border missions to eradicate Marxism in the region.[35] Condor had the tacit approval of the CIA, and one Paraguayan official had even alleged that the hub of the Condor system was located at a US military base in the Panama Canal Zone.[36] The aims of Operation Condor were broadly aligned with US foreign policy aims of eradicating communism, although their methods were far more brutal than the US government could get away with. In a sense, Condor represented an outsourcing of US foreign policy aims. If investigations into the Letelier assassination brought to light US complicity in Operation Condor, it would be ruinous for Carter. Furthermore, revelations about the existence of Condor could put pressure on Carter to challenge the Pinochet government, which he was reluctant to do, due to the strategic usefulness of Condor.[37]

Roberta Cohen has argued for a more positive evaluation of Jimmy Carter’s human rights policy. She says that “the Southern Cone government’s gross and persistent abuses became an immediate focus of the Carter administration,” which made concerted efforts to improve the situation of human rights in the region through a variety of methods, representing a racial departure from foreign policy patterns of previous administrations.[38] Cohen notes the ‘quiet diplomacy’ of the Carter administration: human rights’ issues were raised vigorously in diplomatic channels, even at the expense of bilateral relations.[39] She contrasts this with the ‘silent diplomacy’ of the Nixon-Ford era, in which criticism of repressive regimes allied with the US was regarded as unnecessary and damaging to US national interests. In a notable incident in 1976, Henry Kissinger publicly rebuked the US ambassador to Chile for raising human rights issues.[40] Whilst Carter did implement a policy of ‘quiet diplomacy’, it was largely ineffective. By the late 1970s, the Pinochet regime was increasingly isolating itself from the US, and the Carter administration’s criticism of Chile’s human rights record was regarded as interference in internal affairs. As a 1978 CIA report noted, Pinochet had moved from a position of “grudging cooperation” to “hardline posture.”[41] Furthermore, Carter was inconsistent in applying this policy. *The Washington Post* condemned him in July 1977 for a public statement appearing to bolster the military junta.[42] Carter stated that he was “pleased” by a plan announced by Pinochet to restore limited

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elections by 1984 or 1985. One spokesman for the outlawed Chilean Christian Democratic Party was critical of Carter for taking “a cosmetic formula to make the face of the dictatorship more attractive” at face-value, in an apparent reversal of his previous human rights policy.[43]

The reasons for Carter’s failure to improve the situation of human rights in Chile were manifold. Crucially, his administration was unwilling to undermine the dichotomous assertion that communism is inherently bad, and capitalism is inherently good. In American foreign policy discourse, economic freedom equals social freedom, and to dispute this notion was seen as damaging to global order in the bipolar world of the Cold War. Therefore, to condemn Pinochet’s human rights record would also condemn his economic policy, as the two were inextricably linked.

From the outset, there had been an “inner harmony” between the economic and social policy of the junta.[44] The regime rested on the twin foundations of military force and economic theory devised by American economist Milton Friedman. Whilst “the theories of Milton Friedman gave him the Nobel Prize; they gave Chile, General Pinochet.”[45] Chile pioneered a form of corporatism, devised by the US-educated ‘Chicago Boys’, in which the police state was allied with large corporations at the expense of workers and the lower-classes, generating widespread popular discontent.[46] Only a repressive dictatorship could implement such unpopular economic reforms, and Pinochet’s own Chicago trained economics minister, Sergio de Castro, admitted that “public opinion was against [us], so we needed a strong personality to maintain the policy.”[47] Naomi Klein notes that “in the Southern Cone, where contemporary capitalism was born, the ‘War on Terror’ was a war against all obstacles to the new order.”[48] She argues that the destruction of Chile’s social welfare system, and the rapid deregulation of the market, resulted in a massive transfer of wealth upwards, and that left-wing resistance to the junta reflected the worsening economic conditions for millions of Chile’s poor. She refers to Pinochet’s combination of economic reform and military force as “an extremely violent armed robbery.”[49] This was the core reason for the authoritarian nature of Pinochet’s Chile.

Yet the Carter administration believed in a “particularly convenient concept of a social system in which “economic freedom and political terror coexist without touching each other.”[50] The abuses of the military junta were deliberately disassociated from its economic policy. This was consistent with previous patterns of foreign policy. A secret State Department report on Operation Condor from August 1976 had stressed the need “to depoliticise human rights.” [51] Therefore, Chile’s system of corporate capitalism was never blamed for abuses. Instead, repression was treated as the result of overreaction to the left-wing threat, not an organic and structural component of the capitalist regime. Significantly, the only major human rights report on the human rights record of Southern Cone nations to make an explicit link between economics and repression was written independently of state influence, and so did not reflect a pro-capitalist or anti-communist bias. Although this report was studying Brazil, the shared economic and authoritarian characteristics of many Southern Cone countries makes it equally relevant to Chile. This report stated quite simply that “since the economic policy was extremely unpopular among the most numerous sectors of the population, it had to be implemented by force.”[52]

Another fundamental problem with attempting to make human rights a foreign policy priority in Chile was public apathy. Congress found that the majority of Americans were not willing to pay the economic price that sanctions on Latin American dictatorships would entail for the promotion of rights abroad.[53] Carter’s promise to make human rights “the soul of our foreign policy” may have resonated with a minority of university-educated Democrats, but not so much with Republican Middle-class America, which was not aligned with the human rights movement. Carter finished his presidency with an average approval rating of 45.5%, lower even than Nixon, who had been forced to resign amidst an impeachment process against him.[54] Political scientist David Skidmore noted that by “rejecting the tried and true techniques of the Cold War period, the Carter administration left itself without a coherent strategy of legitimisation.”[55] Carter’s approach to foreign policy was inconsistent and uncertain, and his administration was divided between conservative figures such as Zbigniew Brzezinski, and more active champions of human rights, such as Patricia Derian. Richard Melanson argues that human rights was unsuitable as a “core value around which the public could rally,” compared to anti-communism, which was almost universally accepted by the public as a critical aim in foreign policy.[56] This is reflected by a 1978 Gallup poll: when asked how important “containing Communism” was as a policy aim, 60% agreed that it was “very important.”[57] This contrasts with only 38% who

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agreed that “promoting and defending human rights in other countries” was “very important.” Andrew Katz suggests that Carter failed to demonstrate “the ways in which US interests could be advanced and US security enhanced through the pursuit of this [human rights] policy.”[58] The omnipresent exceptionalist strain in the American public favored a strongman, who would take a hardline approach to Communist activity, and would not let issues such as human rights place a limit on American power. Carter was regarded by many Americans, including Democrats, as weak and ineffective, in both domestic and foreign policy. Ronald Reagan’s election campaign was welcomed by Americans dissatisfied with the apparent weakness of Carter.

Many people in America were looking to Chile’s economic experiment with interest. As a “living laboratory of Chicago School economics,” Pinochet’s Chile was appealing to libertarians and right-wing economists in the US.[59] Carter was facing backlash domestically for a slow economy and stagflation. This was particularly true by 1980, when recession hit. Unemployment was at 12.5%, and the national GDP contracted by 0.3%. The public was becoming more economically right-wing, and the idea of a ‘Chilean miracle’—the revitalization of a sluggish, socialist economy through the implementation of *laissez-faire*, free-market policies—was appealing in the US. The libertarian think-tank, the Cato Institute, was established in 1974, and reflected this trend in public opinion towards less constrained free-market capitalism. Chile’s dramatic shift to the right in many ways preceded that of the US, as Reagan was elected directly after Carter with a similar economic policy as Pinochet, focusing on cuts to government spending and privatization. Pinochet was seen by many Americans as a champion of the free market, and Carter was cautious to be too critical of a regime many applauded, as his own position domestically was weak, and his economic policy was widely despised.

Carter’s foreign policy was confused. He had run on a campaign of human rights, but he was inconsistent in applying this. His flexibility on the issue removes any credibility from the notion that his concern was genuine. Carter’s words contrasted with his actions, and he increasingly reverted to old patterns of foreign policy, displaying a lack of transparency that was consistent with that of previous administrations. Covert CIA interaction with the Pinochet regime, as well as Operation Condor, continued unchallenged. Sanctions were applied sparingly, and executive privilege was routinely utilized to bypass congressional legislation limiting aid to oppressive regimes.

The reasons for Carter’s failure were threefold. Firstly, his personal conviction to human rights was not as unwavering as his rhetoric suggested. He certainly considered them in the process of forming foreign policy, but he was also willing to ignore them if necessary. Secondly, his administration was divided. Figures such as Zbigniew Brzezinski were more aligned with Nixon/Kissinger *Realpolitik* than with the idealism of Carter’s public statements. His was a strong voice, and Carter was increasingly swayed by his assertion that national security and maintenance of American regional power were of paramount concern. Meanwhile, Congress and the Bureau of Human Rights were strong advocates for a more humane direction to policy. These competing influences prevented a coherent foreign policy from emerging, with the end result being a sanitized and impotent version of previous Republican policy. Finally, human rights proved to be uninspiring as a basis for policy. The public proved largely indifferent to the repression of the Pinochet regime, especially amidst a climate of economic recession and widespread unemployment. In the face of his domestic unpopularity, Carter returned to anti-communism, which had bipartisan support amongst the electorate. The election of Ronald Reagan proved that Americans were discontent with the direction of Carter’s foreign policy. Ultimately, the Carter administrations approach to human rights showed great continuity with that of its predecessors, and any changes were largely cosmetic. Carter should not have made human rights the basis of his presidency. It was an issue he was not committed to, and evidently neither was the electorate.

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