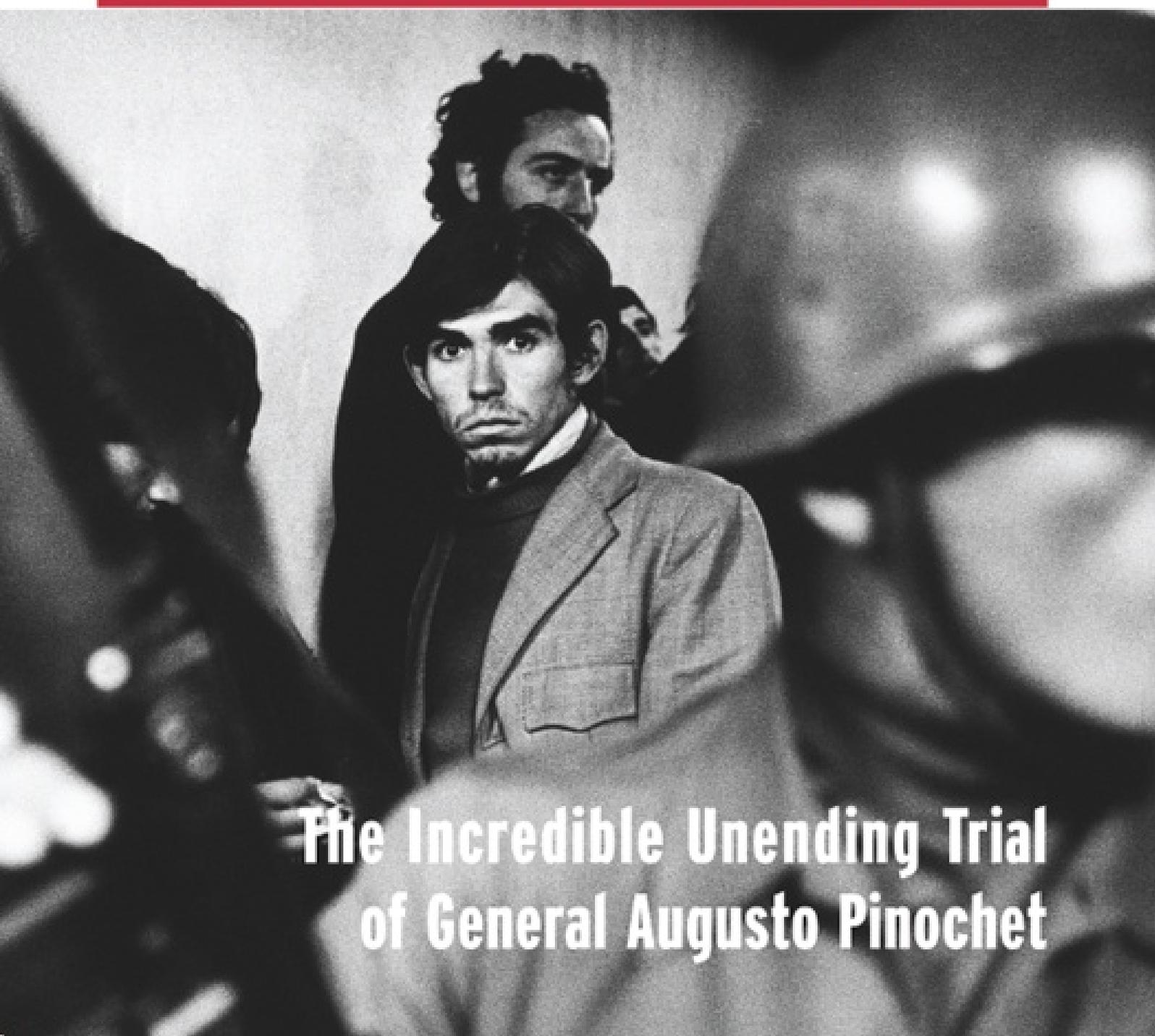


ARIEL DORFMAN

**EXORCISING
TERROR**



**The Incredible Unending Trial
of General Augusto Pinochet**

EXORCISING TERROR

**The Incredible Unending Trial of
General Augusto Pinochet**

Ariel Dorfman

AN OPEN MEDIA BOOK

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DEDICATION

IF YOU VISIT THE Cementerio General in Santiago, Chile, you will find, to one side and hugging its outskirts, a large, extended granite memorial, a Wall of Memory erected there in February of 1994, a few years after democracy returned to my country. A number—more than four thousand—of names have been chiseled into its surface, all of them victims of the security forces of General Augusto Pinochet during his dictatorship, which lasted from September 11, 1973, until March 11, 1990. Next to the names of 1,002 men and women on that wall no date of death has been engraved: These are the desaparecidos, the disappeared, whose families have not yet been able to bury them. Nor is the surface of the wall entirely full: The sculptor and architects left an enormous swath of stone to one side with no inscriptions. They anticipated that space would be needed for new casualties to be written down and, in fact, slowly and hesitantly, other families—now that they no longer fear reprisals—have decided to announce the execution or disappearance of their loved ones. When I visited a Mapuche village in the faraway foothills of southern Chile some years ago, the elders told me that they would not report many of those who were massacred during the dictatorship for fear that the soldiers would someday come back and wreak vengeance. The wall will never contain all the names still hidden in the mists of fear and forgetfulness.

This book is dedicated to five friends whose names are on that wall in our cemetery in Santiago:

Freddy Taberna, who was executed by a military firing squad in Pisagua on October 30, 1973. His body was never returned to his family for burial.

Diana Aron, who was shot and wounded by the Chilean secret police on November 18, 1974, and taken to the torture house of Villa Grimaldi in Nuñoa. Her body has still not been recovered.

Fernando Ortiz, who was arrested on December 15, 1976, at Plaza Egaña in Santiago by members of the Chilean secret police in the presence of numerous witnesses. The authorities denied having him in custody. In 2001, information was released by the military indicating that his remains might be buried somewhere in a forsaken and desolate range of hills known as the Cuesta Barriga in central Chile. The bones that were discovered there, after months of false leads and hard digging, proved, through DNA testing, to belong to the man who had once been Fernando Ortiz.

Rodrigo Rojas Denegri, who on July 2, 1986, was burnt alive by a squad of soldiers and then transported to the other side of Santiago and left for dead in a ditch. Four days later—at the age of nineteen—he died of his wounds in a Santiago hospital.

And Claudio Jimeno, who was arrested at the presidential palace of La Moneda in Santiago on September 11, 1973. For almost thirty years he had been missing,

and then news from Santiago confirmed that his body, along with the bodies of several other advisers to former President Salvador Allende, had been dynamited the day after the coup, blown to bits so that no one would ever be able to find it or prove the tortures that had been inflicted upon it. Excavations in a military fort by an investigating judge led to the discovery of fragments of a bone that, identified as Claudio's, will now, apparently, allow him to be buried.

But this dedication, like the wall itself, like this book, can never really be complete.

Not if we remember this: The Chilean memorial does not include the names of those who lost their jobs and their homes and their health insurance and their pensions after the 1973 coup, a number estimated to be over a million. It does not include the men from the shantytowns who, night after night, were rounded up by patrols and beaten and made to stand at attention, naked, in a soccer field while beyond the glaring spotlights their wives and mothers and children were forced to watch. Nor do the names on the wall include almost a million exiles or migrants—close to one tenth of Chile's population at the time of the military takeover.

And the wall cannot, of course, include this memory that was told to me by someone, a man who asked me many years ago not to reveal his name if I ever told his story:

"I was taken down into that basement, stumbling because of the tape over my eyes, taped like a second skin to my skin. Those hands scratched me as they tore the clothes, You son of a bitch, now you'll see what we do to bitches like you. Their fingernails were dirty, it was crazy that I should be worrying about getting an infection from those dirty fingernails, I had spent the last two weeks with hardly any food, unable to relieve myself, I was filthy and must have smelled worse than the worst sewer, but I nevertheless couldn't keep my mind off those fingernails, afraid that they would give me some sort of sickness. That was before they strapped me to the cot, one hand and then the other one, and someone else was binding my ankles, spreading me out under what must have been a blazing lightbulb. And then they attached something—a wire, a clasp, what was it?—they attached it to my genitals and then that voice said, Let's make him dance, let's make him sing, let's fuck him over. And then they made me dance. And they made me sing."

No, the wall does not include hundreds of thousands who were tortured and who survived, it does not include their memories.

PROLOGUE

DURING THE 1973 COUP, Chile's new military leaders, finding themselves with an excess of political prisoners on their hands, hit upon what must have seemed like an ingenious idea: Turn the National Stadium, our largest sports arena, into a gigantic concentration camp. Then, a few months later, after thousands of dissidents had been arrested and tortured, after hundreds had been interrogated and executed, the authorities scrubbed the floors and painted the benches and reopened the coliseum to the public. The referees again blew their whistles, the ball once again thudded across the field ... and gradually soccer fans began coming back.

Ten years after the coup d'état, when I was allowed back from exile, finally allowed back to Chile, one of the decisions I made was not to visit that stadium, and for the next seven years, living in my country at times and at other times visiting it, I kept that vow. It was only when democracy returned that I was also able to return myself to that place where I had watched so many sports events in democratic times. What I had desperately needed was to witness some sort of act that would transform the stadium, that would reject its purported normality as obscene and confront the terrible pain still echoing there, and on March 12, 1990, the day after Pinochet gave up the presidency to Patricio Aylwin, the people of Chile performed that act of exorcism against the backdrop of the majestic Andes. Seventy thousand supporters gathered in the stadium to listen to the new democratic president in his first official encounter with the renewed land—and Aylwin did not let us down. In his speech he referred to the horrors that had happened in these stands and on this field and pledged "*nunca más*," never again. Far more pivotal than his words, however, in ridding the stadium of its demons, was the communal act of mourning that preceded them.

Seventy thousand men and women suddenly hushed as they heard a solitary pianist playing, down on the green field, variations on a song by Victor Jara, the celebrated protest singer murdered by the military a few days after the coup. As the melody died, a group of women in black skirts and white blouses emerged, carrying placards with photos of their *desaparecidos*. And then one of the women—a wife, a daughter, a mother?—began to dance a *cueca*, our national dance, dancing all her immense solitude because she was dancing alone a dance meant for a couple. There was a moment of shocked silence followed by the sound of people, slowly, tentatively, starting to clap along with the music, a savage, tender beating of palms that said to the nearby watching mountains that we were sharing that sorrow, that we were also dancing with all our missing loves of history, all our dead, and that we were bringing them back somehow from the invisibility to which Pinochet

had banished them. And as if answering us from beyond time, the Symphony Orchestra of Chile burst out with the chorale from Beethoven's Ninth Symphony and the song adopted by the Chilean resistance in its street battles, Schiller's Ode to Joy, his prophecy of a day "when all men will once again be brothers."

I had never seen before—and would never want to see again—seventy thousand people crying together as they lay their dead to rest. And yet, that unspoken and painful task was the one we set ourselves that day: to repeatedly liberate, in the years to come, all the zones, one after the other, that Pinochet had invaded.

It turned out to be a task that we would be unable to accomplish by ourselves.

It turned out to be a task that would require a little help from our friends.



David Burnett captured this image of a young man being arrested in the cellars of the national stadium a few days after the coup. It took David over twenty-five years to find that the man had not been killed, but survived. For all that time, the prisoner had not wanted to reveal his name out of fear.

EXORCISING TERROR

“HAVE YOU HEARD about Pinochet?”

Oh, my God. Not him again. Not Pinochet. Not this early in the morning. Not ever. Pinochet? Pinochet? I was sick of Pinochet.

“Pinochet?”

I couldn’t stop myself. I pronounced those dreaded syllables. Maybe Victoria Sanford—a graduate student who had volunteered to come and pick me up at my Berkeley hotel so I could catch a pre-dawn plane on that October 17 of 1998—would not add yet another hideous bit of news to the dismal string of tidings always associated with that name, the sort I had been receiving for the last twenty-five years.

Instead, Victoria shocked me with something absolutely unexpected: “He’s been arrested in London,” she said. “Last night. Scotland Yard, acting on an order from a Spanish judge.”

I thought to myself, my mind automatically switching into the Spanish I bizarrely shared with General Pinochet: *Esto tiene que ser un sueño*. This has to be a dream. Which had been Victoria’s reaction, she told me as we headed for the San Francisco airport across the Bay, when she had awoken that morning—the detention of the former Chilean dictator could not possibly be true. But the radio had repeated the news a second time, as if the announcer himself wasn’t able to believe it: The night before, the police had, in fact, surrounded the London Clinic where Pinochet was recovering from a back operation, and then a squad had gone in to inform him he was being detained to await extradition hearings by order of Judge Baltasar Garzón—on charges of genocide, no less.

One hour later, as my plane took off, I still knew no more than those meager details. I was up in the air—in more than one sense. I recalled something that had happened to a friend, a Chilean like me, on the afternoon of September 11, 1973. He was in Paris and had just boarded a train for Rome—the Palatino, an express that made no stops on the way—and, as the doors shut, he had caught a glimpse of the latest edition of *Le Monde* in someone’s hands, there, down on the platform. COUP D’ÉTAT AU CHILI. “Military takeover in Chile,” the headlines screamed at him. And kept screaming at him and within him for the infinite hours of the night it took the train to cross Europe, without my friend being able to descend or find out what had happened to his country, his family, his friends, his president. Trapped inside the news. Who was alive, who was dead, what would happen to us? Not knowing that at about the time the doors were hissing together in France, on the other side of the planet, way down in the Southern Hemisphere, in our country that hugs the Pacific Ocean like a dagger pointing at the heart of Antarctica, as

Kissinger once said—how could my friend guess that I was asking myself those same questions along with millions of our compatriots, huddled in front of a radio listening to a voice we would come to identify in the days and months and years to come, the gruff, nasal twanging bark of General Augusto Pinochet announcing the first decree of the military junta: Whoever was caught on the streets during curfew would immediately be shot.

Most Chileans had never before heard the voice that would henceforth accompany every moment of their private and public lives.

In my case, however, as an unofficial adviser to Fernando Flores, Salvador Allende's chief of staff, I spent all my days and many of my nights at La Moneda, the colonial building in the capital of Santiago that houses the executive branch and that's where, one afternoon in August 1973, the phone rang and, on the other end of the line, I heard the rasping growl of "El General Augusto Pinochet Ugarte," as he impatiently identified himself. During the tense waning weeks of Chile's experiment in creating socialism through peaceful means, Pinochet was known as the most loyal of all the military to the democratic regime. I rapidly passed him on to Flores—deaf to what that voice of Pinochet was hiding, the betrayal he was devising, the coup that had already happened in his mind.

That was it: no more than a fleeting phone conversation. But I spent the years that followed brooding over the other phone calls the General must have made in the days that were to come: the call ordering the air force to bomb the presidential palace, where Allende died; the call disbanding the Chilean Congress; the call to arrest Orlando Letelier and the call to mutilate and execute Enrique París and the call to disappear Carlos Berger and the call to cut the throat of José Manuel Parada and the call to burn Carmen Gloria Quintana alive.

I would register it all from exile, from Buenos Aires and Paris, from Amsterdam and Washington, carefully, almost perversely, almost as if I were punishing myself for not having recognized what the future was brewing for us, for my ineffectiveness at predicting what the hands that had dialed that number at La Moneda had in store for me and my adopted homeland. Yes, he was the one. Even if I knew that there were so many others to blame, that these crimes could only have been committed with thousands of others helping and millions standing by indifferently. It was Pinochet, always Pinochet. When I read in a human rights report that 180,000 people had been summarily detained in the first year of the dictatorship, an estimated 90 percent of them tortured. And when I greeted my friend Oscar Castro in France, expelled from Chile after a two-year term in a prison camp for having staged a play about the captain of a sinking ship who whispers to his crew to stay alive and continue the struggle, when I had to console him for his mother's disappearance at the hands of the secret police. And when I would read in one paper and another that 27 percent of Chile's population was receiving 3.3 percent of the country's income and would try to conjure from these dry statistics the faces of the poor, the families I had worked with for

years in the Santiago shantytowns and how they had to eat cats in order to survive. And when a letter informed me of the child prostitutes that now beggared the city. It was Pinochet, *ese hijo de puta Pinochet*, who was responsible, always Pinochet who stood between me and the land I was not allowed to return to, between all of us and the normal lives we could no longer live while he was in power. And yet, for all the satanic dimensions I attributed to his hands and his voice, at the same time he remained, for me, strangely ethereal, almost disembodied.

I scanned his past and newspaper clippings to discover traces of the man who controlled Chile—the man who could offhandedly remark that not a leaf fell anywhere in the country without his knowing about it. I looked for clues and found next to nothing, hardly an anticipation. As I pored over his autobiography—his carefree childhood in the 1920s at the port of Valparaíso, his pranks as a military cadet in the 1930s, his three undistinguished books on geopolitics where not a controversial statement or political position of any sort could be garnered, his lumbering, nondescript military career—I could not dispel the sense that he was hiding, that he had been hiding perhaps even from his own self all his life, learning from an early age not to tell anybody who he really was, perhaps not even revealing to his own mirror or wife the person he could someday become.

There was, in the entire haystack of his past, only one intriguing incident. Back in 1946, President Gabriel González Videla, already choosing the side of the United States in the burgeoning Cold War, had expelled from his government the Communists who, as part of the Popular Front Coalition, had helped to elect him. González Videla rounded up thousands of his former allies and dispatched them to a concentration camp opened in the northern desert region, just outside the isolated, rundown port of Pisagua. In charge of this facility was the man who, almost thirty years later, would reopen Pisagua yet one more time to ship his own enemies there: Captain Augusto Pinochet. And it was in Pisagua, on a day in 1947, that Pinochet was to have his first encounter with another man from Valparaíso, Salvador Allende, who, as a *diputado* (member of Congress) from the Socialist Party, was heading a congressional delegation that had come to investigate the conditions under which the prisoners were being held. When Allende, stopped by the military, had announced that he would complete his visit with or without permission, Pinochet had answered with threats to shoot him if he tried. According to Pinochet's memoir, the man who was someday to become president of Chile had backed down.

Later on, the General was to worry that this violent confrontation would come back to haunt him, but Allende never again alluded to it, and certainly did not remember it when he designated Pinochet Commander in Chief of the Army on August 23, 1973, just nineteen days before the coup. So crafty Pinochet had fooled the savvy President and just about everybody else, swearing in a letter to Allende—written at about the time I had picked up the phone and initially heard his gruff voice—that he would give his life to

defend the president and the constitution. And Pinochet had not, in fact, joined the conspiracy to overthrow the man who had named him to his post until the last moment, but once he had taken the plunge, *el General* went about systematically eliminating or subordinating every rival and ally. This seemed to be his central characteristic: an unceasing, almost lethal, ability to dupe his enemies. Deep cunning cloaked under a mantle of gray invisibility. *Cazurro* is the word we use in Spanish. Hiding all his life and still hiding as I tried so many years later to pin him down from my banishment. Slipping away. Only corporeal for me in those three brief, innocent seconds when I had registered his voice over the phone. Pinochet was everything in my life. And yet, he was also nothing.

But someday ... someday this would change, I told myself, we all told ourselves, inside and outside Chile. Someday, I would return victoriously to my homeland and we would be given the satisfaction of watching Pinochet tried for his crimes, hearing that voice imploring forgiveness, we would witness those hands humiliated and handcuffed. Though it turned out that I was the one who, in 1983, had to return with my hands behind my back to a country where Pinochet was still very much in control. Nor did my return bring him any closer. The General lived behind an imposing wall of security, at a distance from Chile—as I had lived for the ten years of my exile. Nobody I knew had ever caught more than a glimpse of him. Even in Santiago, he continued to be everything and nothing.

It was one evening during that first visit home after exile, as I was returning to uptown Santiago from one of the city's miserable suburbs, that I finally saw General Pinochet for the first time—or saw at least part of him. I had spent most of the afternoon with a group of destitute youngsters who spoke of their addiction to benzene fumes, the cheapest, quickest escape from an infernal reality. They told me of brutal police raids and the lack of jobs in a zone where the unemployment rate was, according to a priest who ministered to the boys and their families, verging on 70 percent.

My then brother-in-law, the filmmaker Ignacio Agüero, had driven me to that slum, and on our way back, at the exact intersection of Antonio Varas and Eleodoro Yáñez streets, our car was brought to a halt by a screeching siren and a hive of braking motorcycles. "It's Pinochet, it's Pinochet," Ignacio murmured anxiously. A caravan of black cars raced by, and just as it passed us, a white-gloved hand darted out of one of the windows and waved, in the typical gesticulation of dignitaries acknowledging a cheering crowd. It was absurd: There was nobody there except us.

And then he was gone. An apparition.

Pinochet, of course, had no idea that I was watching him. And yet I felt that the General was mocking me—that his ghostly hand in the dusk was gesturing defiantly: I am here to stay, this is as near as you and your kind will ever get to me, this is the only farewell you will ever see from me. I am as far from justice as I am from your hungry eyes.

That incident turned out to be, in some vexing way, prophetic of what was

to come. He was protected, I came to feel, by those phantasmagoric gloves, dismissively eluding even the idea that he could be judged. Insulated from any possible accountability, those hands of his had signed into law an amnesty for himself and his men in 1978, and even after he lost a plebiscite ten years later and was reluctantly forced out of office in 1990, that voice I had first heard so many years earlier kept on threatening another coup if anybody in the new democratic Chile dared touch him, in fact staging two revolts to make sure that not one of his officers would ever be so much as called to testify—though he had also extracted from the authorities a promise that they would quash an investigation into the corrupt business deals that had turned Pinochet’s oafish son into a multimillionaire. No idle threats from the former dictator—who for the first eight years of the return to democracy stayed on as Commander in Chief of the Army. And when he left the army in March 1998, arrogant as ever, and became Senator for Life, he continued to dictate policy and warn his enemies not to move against him or his associates, while the Supreme Court packed with his own designated judges refused to consider any accusations of human rights violations. As all this happened, I told myself—now from afar, an expatriate who had decided not to return to Chile—that he would mock us forever, that we would never be rid of his person or his legacy. Those hands shrouded in white would go to the grave without once having had to confront what they had done, what they had made other hands do.

And yet, it now seemed that history had other plans for the wrists and fingers of General Pinochet. Other hands, the hands of English policemen, had stormed into his life and ours; the hands of a Spanish judge had the tyrant cornered.

Perhaps my fractured visions of him through these years—the disembodied voice; those faded newspaper clippings; the fragments of a life in hiding; the white, white glove—were, after all, prescient, intimations of a possible farewell. Was I finally going to get the chance, was my country about to be allowed, to wave good-bye to General Augusto Pinochet?

•••••

Believe me, General: Your detention in London is the best thing that could have happened to you.

I understand that it can't be pleasant to find yourself arrested without warning, not to be able to amble along the streets of Chelsea whenever you feel like it, not to know what future awaits you. Just ask the many Chileans who, after your men came for them in the middle of the night, were not exactly lodged in five-star London clinics.

But if you're scared, and you feel alone, and you think you've been stabbed in the back, perhaps you should consider that destiny may have offered you at the very end of your life a providential chance to save your soul. You have, for the last twenty-five years, been living an illusion, constructing a sham version of yourself, obsessively justifying it. Knowing that you betrayed Salvador Allende, the man to

whom you swore eternal loyalty.

That first act of treachery was followed by others, an inevitable avalanche of betrayals. The first great crime always needs to be covered up with more crimes. Dictators aspire to total power in order to seek refuge from the demons they have unchained. As a way of silencing their ghosts, they demand to be surrounded by a rampart of flattering mirrors and genuflecting counselors that assure the tyrant that yes, you are the most beautiful of them all, the best, the one who knows more.

And you ended up believing them, General.

You defended yourself from what you had done, what you were doing, with the isolating walls of your supposed invulnerability, the conviction that nobody would ever hold you accountable, that there was one law for you and a different law for the rest of your compatriots. And even when the people of Chile forced you to accept democracy and leave power, you were still able, with an uncanny instinct, to trap the whole country in a transition where you would never have to answer for even one of your deeds or your words, a transition where you were the only one who was really free to say and do what you wanted whenever you wanted to, while your fellow countrymen always had to be careful of their mouths, careful even of our thoughts.

We couldn't, given the terms of the transaction we agreed to under the specter of your guns, express our true emotions, fearful that if you didn't like our latest move you would just up and kick the table on which the game was being played, shoot the player who had dared to trump your card. We got our democracy back, General, but you set the limits of how far and deep that democracy could go.

And then you confused your country with the world. You thought you could travel to England, a nation that symbolized civility and civilization to you. You thought you could walk along the Thames as if it were the Mapocho. You thought that the English would respect the rules and compacts of Chile, would be as subservient as Chile. You thought that sipping tea with Margaret Thatcher would protect you.

It is doubly sweet to think that you ensnared yourself, General, that it was the same hubris with which you governed that ended up blinding you, befuddling your sense of reality, lulling you into the fantasy that you could always impose your will upon everybody else, making sure you would never have to look at the nearby pain you had caused other human beings.

I want you to know, General, that I don't believe in the death penalty. What I do believe in is human redemption. Even yours, General Augusto Pinochet. That's why, for the last twenty-five years, I've wanted so much for this to come to pass: that at least once before your death those eyes of yours would have to look at the black and clear eyes of the women whose sons and husbands and fathers and brothers you kidnapped and disappeared, one woman and then another woman and then one more.

I wanted them to have the opportunity to tell you how their lives were splintered and ravaged by an order you gave or an order you never blocked. I am about to find out what would happen if you were required to listen day after day to the numberless stories of your victims. If you were forced to recognize their existence.

You believe in God, General, a comfort I have not permitted myself, but you may, therefore, be able to decipher what your wise and compassionate and severe Lord has sent you as your life draws to a close: the chance to repent. To penetrate into the fierce circle of your crimes and ask forgiveness. Do you know something, Don Augusto? Personally, as far as I am concerned, that would be enough. It would be punishment enough. And think of what a great contribution it would be to the country you say you love, you say you did all this for: You could help our shared motherland take one more step in the arduous, tentative task of reconciliation, which is only possible if the terrible truth of what has been done to us is revealed and acknowledged, if you participate in this bruising search for the truth without lying to us or yourself.

Remember what history and religion and also literature—think of Dostoevski, yes, even if he is a Russian!—teach us: The best thing that can happen to a criminal is to be captured, because in his solitary cell, without the habitual defenses with which he has hidden his past from himself, at times the miracle of a minute window opens inside the prisoner’s heart, a window that might lead to self-awareness and redemption.

I am aware, of course, that it is not likely that you will use this occasion to act like a genuinely free man, someone who can forswear his fear and decipher the enigma of his life, can suddenly see himself as the immense majority of humanity sees him, can understand why we want to purge you from our existence. Purge you and so many other despots of this genocidal century.

Aunque nunca es demasiado tarde, General.

It’s never too late, General.

•••••

There was a moment, during that morning of September 11, 1973, when President Salvador Allende must have realized he was going to die. Yes, there are more Septembers of terror in history than most people remember; yes, there exists another Tuesday, the eleventh of September, when death also descended from the sky: The bombs and missiles were falling from the Hawker Hunters that day in Santiago, the leaders of the coup had rallied the armed forces behind them and were already exterminating civilians, an ultimatum had been delivered.

Allende convoked his hundred or so associates, those who, up till then, had been fighting by his side, and he demanded that all the women present, along with any man who didn’t know how to use a weapon, immediately leave the presidential palace. Among those saved by the president were his own pregnant daughter Beatriz and a twenty-nine-year-old Catalán lawyer, Joan Garcés, who had become Allende’s political adviser and his confidant over the last three years of democratic socialist government. Garcés was smuggled out of Chile by the Spanish Embassy and as his plane left the country that had attempted a revolution without blood, he swore he would not forget the dead president or the other victims of that military takeover.

Years later, the son of Augusto Pinochet—the very one who had

accumulated all those millions during his loving papa's reign—complained that his father should have driven a stake through the heart of Joan Garcés rather than letting him escape abroad.

For once, Pinochet's son was right.

During the decades that followed, without neglecting his work as a lawyer and later, as a parliamentarian in his Spanish homeland, Garcés always clung to the belief that it was possible to put General Pinochet on trial for his crimes. He created a foundation named after Salvador Allende; filled several rooms at his office and home with stacks of files and information; and, at the head of Progressive Lawyers, an association he helped to establish, led a campaign to make foreign dictators accountable in the Spanish courts. What seemed at first a quixotic endeavor began to appear more legally viable as Spain signed a series of treaties, in particular the European Convention on Torture. And when it became evident that the rulers of newly democratic Chile were unable or unwilling to bring Pinochet to justice, the relatives of those executed and disappeared turned to Joan Garcés, the man who had spent countless hours listening to their stories, their depositions, their accusations. Perhaps Garcés and his colleagues would be able to exact some measure of retribution.

On July 5, 1996, the Audiencia Nacional, Spain's Superior Court, accepted the right of a group of lawyers to present in the court of Valencia an accusation against General Augusto Pinochet and other members of the Junta for the death and disappearance of Spanish citizens in Chile. It was to be the first of many other criminal proceedings brought against Pinochet: Chilean victims were subsequently added to the growing dossier.

These efforts did not immediately bear any visible fruit—except to make Pinochet wary of entering Spain, misgivings he did not have regarding England, a country he visited frequently to cement the acquisition of arms for the Chilean military, business deals that included, it has been suggested, fat commissions for himself and his family. And, as he was invariably received in London and elsewhere with all the honors and privileges his rank and diplomatic passport commanded, Pinochet never seemed overly worried by these exertions by his enemies abroad.

And I thought he was right. I can, in fact, uncertainly remember one morning—it must have been sometime in the mid-nineties—when I received a breathless call from my Dutch friend Max Arian.

“We almost got him.”

“Who?”

“Pinochet. We found out he was staying here, in Amsterdam, at the Amstel Hotel—and Amnesty International convinced a judge to serve a warrant for his arrest. But he was warned and left before anything could happen. At least we made him leave hastily, we made him sweat.”

That seemed to be the limit of these pursuits: to make him sweat. An idealistic, almost chimerical quest, I thought to myself, like so many crusades in the world today fought by starry-eyed utopians battling for lost causes.

Even as I admired their tenacity, their refusal to give up, I did not doubt that they were deluding themselves.

And perhaps history would have confirmed my pessimism, if the mission Garcés had set himself had not been seconded by another Spaniard, whose last name, strangely enough, also started with the same letters, G-A-R. Baltasar Garzón had made a name for himself as the youngest judge at the Audiencia Nacional, fearlessly prosecuting drug traffickers, the officials of the Basque separatist organization, ETA, and later on, the members of the Socialist government who had created illegal squads to torture and eliminate the ETA terrorists. Since 1996, Garzón had been investigating the death of Spanish citizens during the Argentine military dictatorship and had demanded the extradition of the Argentine officers involved in those crimes. In mid-1998, Garzón took over the cases Garcés had been filing and that another judge had been working on.

And when these two men—the lawyer who had brought the accusation and the judge who was trying to determine the merits of that accusation—were alerted by Amnesty International to the fact that Pinochet had gone into a London clinic for a back operation on October 8 and would be immobilized for the next ten days, unable to escape—as he had done when the Dutch had attempted to capture him—they made their move.

Working secretly and with great haste, Garzón issued an international warrant for the arrest of one Augusto Pinochet Ugarte, a fugitive from justice, and sent the order of apprehension to Interpol.

It was a race against time. The great crusading journalist Hugh O’Shaughnessy had published an article in the *London Guardian* on October 15 denouncing the General’s presence in England and hoping that this man who had tortured British surgeon Sheila Cassidy and killed so many others would be arrested. When the Chilean Embassy had asked the Foreign Office if any action was pending, apparently the British concealed what was about to happen and answered that it had no information to that effect. Alarmed, nevertheless, people in Pinochet’s retinue were planning to decamp with the ailing former dictator on October 17.

They were too late. The night before their flight, at around 9:00 PM, the English magistrate Nicholas Evans, at home after a long day’s work, agreed to sign the arrest warrant. A few hours later, exactly at 11:25, detectives from Scotland Yard stormed into the clinic and informed the man who had made the mistake of not killing Joan Garcés that he was under arrest. They read General Augusto Pinochet his rights and let him know that Judge Baltasar Garzón was waiting in Madrid to put him on trial for genocide and crimes against humanity.

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So now I have been awakening every morning before dawn. At 4:48, to be precise. Ever since Pinochet’s arrest, to be even more precise—since that first

dawn in Berkeley. I can't help it, my eyes automatically snap open at that insane hour and I switch on the radio here in the silence of my house in North Carolina and, trying to dodge the unpublishable imprecations of my wife, Angélica, I listen anxiously to the BBC newscast on our local station—ten o'clock in the morning, London time. Some compulsive inner watch demands that I tune in to the latest developments, I have to know *immediately* if something new has happened to the dictator, what recent clue may have just surfaced about his ultimate destiny.

In spite of my hurry, I am aware that it will not be easy and it will not go quickly, this trial of General Pinochet. The man is being afforded, as he should be, each and every one of the rights he denied to his victims. Nobody will rape his daughters to extract a confession from him or gouge out his eyes to make sure he cannot identify his jailers or hang him from his thumbs for fifty days and nights until he pleads for mercy or tape his mouth and knock out his teeth so he cannot speak out in his own defense. He will not be refused counsel, his relatives will not be lied to about his whereabouts, medical attention will not be withheld.

I cannot argue with this: The General, like every human being born on this earth, should be presumed innocent until proven guilty. Which means, in practical terms, an excruciatingly endless series of judicial proceedings. As in any case where the defendant has the resources to pay for the best lawyers, the road ahead is fraught with petitions and writs and hearings and statutory wrangling. Each day has brought and will bring yet again a fresh assault on the case for extraditing the General: In fact, the hasty provisional warrant that led to Pinochet's arrest on October 16 turned out to be insufficient, as it only mentioned Spanish citizens murdered during the first decade of the dictatorship, and was impugned by the Chilean government on October 17 as not constituting an extradition crime in England; it was therefore followed by a second warrant issued by Garzón on October 18, carefully tailored to English law, one that recognizes torture as an offense wherever the act of torture may have been committed, which resulted in Pinochet's re-arrest on October 22 on new charges of genocide and terrorism.

This new warrant has also been challenged by Pinochet's lawyers and there is now a writ of habeas corpus and a petition for dismissal being argued at a Divisional Court (also known as the High Court). Whatever those three justices may decide, what awaits those of us who are watching seems interminable: requests for judicial review and requests for the revision of the review, appeals and counterappeals, all of which will snake ever farther up the judicial ladder of England, all the way to the Law Lords who sit in the House of Lords as a British equivalent of the Supreme Courts of other lands. Indeed, the never-ending suit will probably end up there in front of them who knows how many times more before this is over, that is, if the home secretary does not decide to intervene at his discretion and send the eighty-two-year-old Chilean General packing home, an eventual decision that does not yet seem forthcoming but that, if it were to materialize, could also, according to some,