President Carter, U.S.-Chilean relations, and the surrender of justice for Orlando Letelier

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"Our moral sense dictates a clearcut preference for these societies which share with us an abiding respect for individual human rights. We do not seek to intimidate, but it is clear that a world which others can dominate with impunity would be inhospitable to decency and a threat to the well-being of all people."

—President Jimmy Carter, Inaugural Address[1]

On 21 September 1976, agents of Chilean dictator Augusto Pinochet assassinated former Chilean ambassador to the United States, Orlando Letelier, and a U.S. citizen, Ronni Moffitt, in the center of Washington D.C. This constituted what Peter Kornbluh called "the most brazen act of international terrorism ever committed in the capital of the United States" until 9/11.[2] After more than two years of investigation, the United States Department of Justice traced these killings to a direct order from the head of Pinochet's secret police, Manuel Contreras.[3] The United States requested the extradition of Contreras to stand trial for his crimes but was twice denied by the Chilean Supreme Court.[4] In retaliation, U.S. President Jimmy Carter reviewed four potential reaction plans and opted for the softest, "minimum protest" response: [5] an official statement of disappointment, a temporary recall of the U.S. ambassador to Chile, and four minor economic sanctions.[6] This muted reaction outraged

[1] Jimmy Carter, "Jimmy Carter, Inaugural Address" in *U.S. Presidential Inaugural Addresses from Washington to Obama* (The Floating Press), 2009: 565.
[2] Peter Kornbluh, *The Pinochet File: A Declassified Dossier on Atrocity and Accountability* (New York: The New Press), 2016: 341.
[3] Editorial Note, doc. 209 in *Foreign Relations of the United States* (hereafter FRUS) *1977-1980, vol. XXIV*.
[4] As the CIA would conclude, "Pinochet personally made sure that the Supreme Court would reject any U.S. extradition request." See Kornbluh, *The Pinochet File*, 408.
[5] Department of State, Briefing Memorandum for Secretary of State Vance, The Letelier/Moffitt Assassination Case: Extradition of Chilean Defendants, 2 April 1979, DNSA: U.S. Department of State Chile Declassification Project (hereafter State-Chile Project).
[6] These four economic sanctions were: the termination of $6.6 million in military sales, the phasing down of U.S. liaison work with the Chilean military, the suspension of Export-Import Bank financing in Chile, and the termination of guarantees by the Overseas Private Investment Corporation. Even these sanctions were less

many of Carter's fellow Democrats who had pushed for far stricter measures.[7] This article assesses the considerations that went into Carter's tepid reaction to Chile's refusal to extradite Contreras and argues that two considerations in particular informed his decision. First, Carter believed that U.S.-Chilean relations were at a nadir due to existing human rights sanctions against the Pinochet regime; to introduce still-harsher resolutions against the strongman, Carter feared, would accomplish little except squander the dwindling leverage over Chile the U.S. still held. Second, Carter was quietly optimistic about the possibility of a Chilean democratic government; in light of reports of Pinochet's plans for elections and an improving human rights situation in Chile, Carter hoped that a light-touch response to Chile's refusal to extradite Contreras would indicate displeasure yet keep the Chilean regime on a path toward alignment with U.S. interests.

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When General Augusto Pinochet's military coup was one week old, Secretary of State Kissinger received a report that at least 284 but perhaps more than 2,700 enemies of the Chilean junta had been killed. "Executed or killed?" he replied, "However unpleasantly they act, the [Pinochet] government is better for us than Allende was."[8] Such an attitude—one of uneasy endorsement—would characterize the relationship of the Nixon and Ford administrations to Pinochet's repressive administration. On the one hand, economic ties with the right-wing general made sense for the United States. Pinochet matched U.S. anti-

taxing than it would seem. Chile would receive most of the $6.6 million because of a sales delay and there had been no Export-Import Bank financing for five years nor any Overseas Private Investment Corporation loan for 9 years. Only eight staffers out of eighty from the U.S. embassy in Chile were recalled. See Alan L. McPherson, *Ghosts of Sheridan Circle: How a Washington Assassination Brought Pinochet's Terror State to Justice* (Chapel Hill: University of North Carolina Press), 2019: 218.

[7] Democratic Senators Edward Kennedy and Frank Church led the protests against Carter's decision. They pushed to recall the U.S. Ambassador to Chile indefinitely, to suspend all economic and military assistance to Chile, to recall all U.S. military from Chile, and to consider cutting off relations entirely. See Vanessa Walker, "At the End of Influence: The Letelier Assassination, Human Rights, and Rethinking Intervention in US-Latin American Relations," *Journal of Contemporary History* 46, no. 1 (2011): 127-128.

[8] Transcript of Secretary of State Kissinger's Staff Meeting, 1 October 1973, doc. 142 in *FRUS 1977-1980, vol. XXIV*.

communist rhetoric, adopted extreme free-market economic policy, and reversed his predecessor's industry-nationalizing efforts.[9] Accordingly, robust U.S. economic assistance was available for Pinochet in a way that it never had been for Allende.[10] On the other, as weeks of military control grew into months and years, the Chilean junta persisted in its use of internal violence such as torture and assassinations.[11] The United States seemed to be bankrolling a bloody dictator. Now, while a few liberal U.S. politicians had for years been pushing for a closer focus on 'human rights', the 1973 coup in Chile constituted what Barbara Keys has called a "watershed event that would grab headlines and bring liberal human rights concerns… into mainstream public consciousness".[12] Even though the early 1970s saw extensive terror in Uganda, Equatorial Guinea, Burundi, North Korea, China and more, many media outlets and NGOs found a special interest in Chile, a historically stable democracy, in part because the junta made little effort to hide its human rights abuses.[13] In Washington, Congressional Democrats such as Donald Fraser, Ted Kennedy, Hubert Humphrey, and James Abourezk, in light of these reports, led an unprecedented foray beyond Congress's traditionally limited role in foreign policy. With Chile as a "particular obsession", they challenged Kissinger's avowed aversion to human rights in international negotiations with persistent legislative efforts to link human rights with international economic aid.[14] The Foreign Assistance Act of 1974 declared that "the President shall substantially reduce or

[9] Pinochet's economic policy was spearheaded by former students of the renowned economist Milton Friedman at the University of Chicago. The country's fiscal policy under Pinochet was an experiment in extreme free market ideology and was watched with immense interest in the West. See Valerie Brender, "Economic Transformations in Chile: The Formation of the Chicago Boys," *The American Economist* 55, no. 1 (2010).
[10] Compared to the Marxist's three years in power in which the United States had sent the South American country $14.7 million in aid, Pinochet's government took $132 million in its first three years. See Kornbluh, *The Pinochet File*, 212.
[11] Kornbluh, *The Pinochet File*, 239.
[12] Barbara J. Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Cambridge: Harvard University Press), 2014: 148.
[13] In fact, Jan Eckel argues that the regimes mentioned "wreaked more havoc on the civilian population than the destructive rule of the Chilean junta." See Jan Eckel, "Under a Magnifying Glass: The International Human Rights Campaign Against Chile in the Seventies" in *Human Rights in the Twentieth Century* (Cambridge: Cambridge University Press), 2010: 326.
[14] Joe Renouard, *Human Rights in American Foreign Policy: From the 1960s to the Soviet Collapse* (Philadelphia: University of Pennsylvania Press), 2015: 79.

terminate security assistance to any government which engages in a consistent pattern of gross violations of internationally recognized human rights". It also cut all military assistance to Chile and placed heavy restrictions on CIA operations in foreign countries.[15] In 1975, the Democratic majority in Congress built on this act with further amendments to legislation; they forced the executive branch to provide annual human rights reports and, beyond military aid, amended economic assistance provisions to specific countries depending on human rights progress.[16]

Four months before Carter's ascension, U.S.-Chilean relations deteriorated still further. In what remains the only assassination of a foreign diplomat on U.S. soil, Orlando Letelier, as well as his research assistant, Ronni Moffitt, a U.S. citizen, were killed by a car bomb in Washington, D.C. on 21 September 1976. The event took the front page of most major newspapers the next day and remained a widely covered story in the press for years. Though the perpetrator of the attack was unknown, there quickly followed extensive speculation regarding their identity.[17] For Congressional Democrats, Letelier's killing fit seamlessly into their human rights message. After all, as the Chilean Minister of National Defense at the time of the 1973 coup, Letelier was among the first arrested by Pinochet's forces. For one year, he was tortured in a detention camp until, in the face of international condemnation, Pinochet released Letelier and exiled him from Chile. Letelier took up work at a Washington D.C. think tank where he became an outspoken critic of Pinochet's human rights abuses and economic policies and a friend of many on Capitol Hill.[18] With this

[15] Foreign Assistance Act of 1974, 1974 (Public Law 93-559).
[16] Barbara J. Keys, "Congress, Kissinger, and the Origins of Human Rights Diplomacy," *Diplomatic History* 34, no. 5 (2010): 836.
[17] Many journalists and many investigators initially believed that pinning responsibility for the assassinations on Pinochet was a deceptively simple conclusion to draw. As the New York Times published, "it is hard to believe that even as ham-handed a regime as Chile's junta would order the murder of so eminent an opponent as Mr. Letelier in the Capital of the United States." See McPherson, *Ghosts of Sheridan Circle*, 105.
[18] For Letelier, violent repression and Pinochet's "economic freedom" were "two sides of the same coin". See Orlando Letelier, "The 'Chicago Boys' in Chile: Economic Freedom's Awful Toll", *The Nation*, August 1976.

background, Senator James Abourezk, among others, felt it safe to assume the day after the murder that the "tyranny" of the dictatorship in Chile had been extended to the United States.[19] On the other side of the political aisle, largely because Letelier's Chilean citizenship had been stripped a week earlier, the U.S. Ambassador to Chile reported that it was "unlikely" to Ford's State Department that DINA (Pinochet's secret police) would have been brazen enough to mastermind such an attack in the U.S. capital.[20] DINA, as it turned out, was brazen enough. In 1978, the U.S. Department of Justice tracked down Letelier's assassin who in turn confessed that he had been directly ordered by the head of DINA, Manuel Contreras.[21] The Justice Department immediately demanded the extradition of Contreras but was denied by the Chilean Supreme Court and denied again, after appeal. The court in this instance, as commonly assumed at the time and as later proven by the CIA, was personally corrupted by Pinochet. To be clear, to hand over the head of his secret police would be taken as an admission of guilt and would radically weaken Pinochet's position with his military and ardently nationalist, right wing Chilean population. It is highly likely, furthermore, that Pinochet's actions were part of a cover-up for his personal responsibility in Letelier's murder—a quid-pro-quo with Contreras that would absolve Contreras of jail time and Pinochet of implication.[22] The 1976 election of Jimmy Carter, who had campaigned as an anti-establishment and deeply moralist candidate, to the U.S. presidency, seemed to institutionalize 'human rights' as a term of innate political value in the executive branch as

[19] David Binder, "Opponent of Chilean Junta Slain in Washington by Bomb in His Auto", *The New York Times*, 22 September 1976.
[20] The State Department assumed this position despite knowing that several international assassinations had been ordered by DINA in 1974, 1975, and that more were to come. Five days before Letelier's murder occurred, Henry Kissinger cancelled a diplomatic warning he had approved three weeks earlier aimed primarily at the heads of Chile, Argentina and Uruguay (the unofficial heads of Operation Condor, a political repression alliance) expressing "deep concern" over "the assassination of subversives, politicians, and prominent figures both within the national borders of certain Southern Cone countries and abroad". See Department of State, Cable, 'Actions Taken,' 16 September 1976, National Security Archive Electronic Briefing Book no. 312.
[21] Editorial Note, doc. 209 in *FRUS 1977-1980, vol. XXIV*.
[22] Kornbluh, *The Pinochet File*, 408.

well as the legislative.[23] In the immediate aftermath of the murder, President-elect Carter shared in the outraged sentiment of many of his fellow Democrats. Before a crowd, he proclaimed, "If [DINA] can do this and get away with it under the nose of the CIA and FBI, then no president can govern."[24] However, as Carter settled into the role of President, his stance on the Letelier-Moffitt case became more moderate; even though one might have expected him to, he did not take a hard line on Chile. In spite of explicit requests to bring up Chilean cooperation in the ongoing Letelier-Moffitt investigation from members of his National Security staff, Carter's first meeting with Pinochet was non-confrontational. After extensive and genial conversation on items such as Peruvian arms purchases, the Bolivian desire for a corridor to the sea and nuclear non-proliferation, Carter finished talks by complimenting Pinochet and laying out the U.S. desire for "prisoner releases, trial procedures and the proclamation of future elections".[25] Such dovish behavior kept up as Pinochet's regime was looking increasingly guilty in the Letelier-Moffitt case. When the final denial of Contreras's extradition was received from Chile, the State Department drew up a report for Carter. It read, "The Court's decision is long and complex; we will need to study it carefully before deciding on further steps." Carter had already largely made up his mind, however; in the margins of the report, he wrote, "I do not wish to break relations".[26] His weak stance infuriated many Democrats who wished to see Pinochet punished.[27] Two months before the

[23] Carter's embrace of the issue of 'human rights' amplified over the course of his 1976 presidential campaign. In fact, as Barbara Keys observed, the term, 'human rights', does not appear once in his chapter on foreign policy in his 1975 memoir. See Keys, *Reclaiming American Virtue*, 233.
[24] Donald Freed and Fred S. Landis, *Death in Washington: The Murder of Orlando Letelier* (Lawrence Hill), 1980: 171.
[25] Memorandum of Conversation, President Carter/President Pinochet Bilateral, 6 September 1977, doc. 205 in *FRUS 1977-1980, vol. XXIV*.
[26] Department of State, Memorandum from Acting Secretary Christopher for President Carter, Chile and Other Updates, 2 October 1979, DNSA: State-Chile Project.
[27] In what would have been a far and away more punishing set of sanctions, Senators Ted Kennedy and Frank Church wrote a letter to President Carter appealing for "1. Suspension of all assistance, credits and guarantees, including economic and miliary deliveries now in the 'pipeline', 2. Denial of bilateral and, to the extent possible, multilateral aid…, 3. Recall of all military personnel…, 4. Review of our entire relationship with Chile if its Government continues to decline to extradite these individuals." See United States Senate, Letter from Senator Kennedy and Senator Church for President Carter, 14 May 1979, DNSA: State-Chile Project.

Chilean Supreme Court had made a final decision on the extradition, a hasty Congress passed an amendment that cancelled the shipment of $24 million worth of military equipment to Chile. Hours later, after the Justice Department warned that such action would only provoke Pinochet, Republicans led Congress to repeal the amendment.[28] President Carter, in the face of his hyper-idealistic Democratic colleagues, agreed with his Justice Department. For many scholars, this affair fits seamlessly into an analysis of Carter's foreign policy as "ineffective", "unrealistic", and "naïve"—that after recognizing that a platform of 'human rights' projected weakness, Carter changed course.[29] A closer inspection shows that this is untrue. On the contrary: Carter's forbearance following the Letelier-Moffitt murders reflected a rational assessment of the situation and may have been the most effective way to pursue U.S. interests in Chile—and human rights in particular.

When Chile's involvement in the Letelier-Moffitt case was brought to light in the spring of 1978, relations between Chile and the United States, Carter thought, were already at a historic low. To push them any further on the extradition of Manuel Contreras, as the logic went, would be completely counterproductive to U.S. interests in Chile. There are at least four evidentiary planks to support this historical understanding. First, as has been shown, economic sanctions had been inflicted upon Pinochet's regime for its human rights abuses since 1974 and yet, human rights in Chile remained a major issue. Carter thought that inflicting a significant amount more sanctions would be counterproductive to remaining U.S. influence in the geographic area. [30] This is particularly observable in his response to urgent

[28] McPherson, *Ghosts of Sheridan Circle*, 216.
[29] David F. Schmitz and Vanessa Walker provide an excellent synopsis of the field of scholarship on Jimmy Carter's foreign policy. They interpret that the "overwhelming consensus on Carter's foreign policy… remains negative". See David F. Schmitz and Vanessa Walker, "Jimmy Carter and the Foreign Policy of Human Rights: The Development of a Post-Cold War Foreign Policy," *Diplomatic History* 28, no. 1 (2004): 114, 115, 117.
[30] In a 1977 meeting in Washington, Former Chilean President Eduardo Frei told Vice President Walter Mondale in Washington that "the position of the United States was key to the future of Chile", that more than it knows, the U.S. holds a lot of influence in the Chilean government's decision making and that the Pentagon is too supportive of the Chilean junta. Such remarks from a former Chilean President are useful when thinking about the tight position Pinochet was really in in relation to the United States and affirms the argument that if Carter wanted to, he could have served a severe punishment to the South American nation. See Memorandum of

warnings from Congressmen to act more aggressively against repressive and violent regimes. Acting more aggressively, Carter thought, was exactly where the United States had previously gone awry: "[the United States is] strongest and most effective when morality and a commitment to freedom and democracy have been most clearly emphasized in our foreign policy".[31] On 12 April 1978, Carter responded to Congress clarifying his desire to place a "greater emphasis on 'rewards' rather than 'sanctions'" and to use "positive actions and normal diplomatic channels in pursuing our human rights objectives".[32] That is to say, Carter believed that alleviating pressure from regimes whose human rights records were improving would send a message that the United States was not acting irrationally in its pursuit of global human rights, and convey the sense that the U.S. truly rewarded those who kept their desires in mind. Those who were being sanctioned would be more receptive to the U.S. goals if they were being rewarded, not attacked. If Pinochet, one of the world's most dreadful human rights offenders—in the view, at least, of many U.S. politicians—observed success and consistency in the U.S. process of human rights diplomacy both in his country and in the twelve others where U.S. human rights sanctions were active, the Chilean might work harder to reduce violence in his state.

Second, although the influence that further punishment would have on Chile could not be confidently ascertained, U.S. business would certainly suffer. One State Department memo delivered to Carter on the possibility of outlawing private U.S. loans in Chile—a very strong sanction—read that in fact, "To impose these sanctions would be counter to stated U.S. policy [and] would be more costly to the US than to Chile".[33] This was because, for the

Conversation, Vice President's Meeting with Former Chilean President Eduardo Frei, 25 May 1977, doc. 194 in *FRUS 1977-1980, vol. XXIV*.

[31] Jimmy Carter, *Keeping Faith: Memoirs of a President* (Fayetteville, AR: University of Arkansas Press), 1995: 142.

[32] Schmitz and Walker, "Jimmy Carter and the Foreign Policy of Human Rights", 137.

[33] Memorandum for the Deputy Secretary, 'Potential Letelier Case Scenarios and Proposed Responses', 11 September 1979: State-Chile Project.

precise reasons Washington had turned away from Chile, U.S. business had turned towards it. During the Chilean Supreme Court's extradition trial, Anaconda Copper Mining Company invested $1.5 billion in Chile because of their extremely strong stance against unions; other companies such as Goodyear, Exxon, Chase Bank, and Superior Oil had also made significant transactions in the country.[34] Moreover, the 1970s stand out in U.S. history as a decade where corporate and government interests were especially intertwined. In light of inflation on a scale that had not been seen since the Great Depression, the Nixon, Ford, and Carter administrations all worked to undo the economic regulations of previous decades.[35] To add, corporate lobbying on Capitol Hill was beginning to run rampant. According to Lee Drutman, a scholar on the history of U.S. lobbying, ninety percent of corporate executives in 1979 said that their "concern with and involvement in federal government relations" had increased and were confident that involvement would continue to grow.[36] Thus, keeping in mind that Carter needed to have his sanctions backed by Congress and that U.S. business held remarkable and growing influence on votes on the assembly, it was not clear whether strong sanctions would be supported (despite the loud voices of liberal Democrats).[37] The same memo for Carter continued, "Not to be able to deliver our threats would leave the US appearing weak and embarrassed and by comparison, Pinochet would be strengthened".[38] To put forward strong sanctions would likely only end in one of two ways: either on one hand, they would hurt the U.S. economy, alienate big U.S. businesses against Carter's wishes, and

[34] Juan de Onis, "Chile Attracts U.S. Business", *The New York Times*, 4 October 1979.
[35] Daniel Sargent, "The United States and Globalization in the 1970s" in *The Shock of the Global: The 1970s in Perspective*, ed. Ferguson, Niall, et al. (Cambridge, MA: Belknap Press of Harvard University Press, 2010), 56.
[36] Lee Drutman interprets the 1970s as "the political awakening of corporate lobbying" and the 1980s as the "political entrenchment of corporate lobbying". See Lee Drutman, *The Business of America Is Lobbying: How Corporations Became Politicized and Politics Became More Corporate* (New York: Oxford University Press) 2015: 48.
[37] More generally, Carter was unusually keen to have bipartisan support on his foreign policy. On Panama, for example, Carter wrote, "I spent some time on the Panama Canal Treaty terms and in the evening talked to Senator Baker, President Ford, and Secretary Kissinger. It's important that I have Republican support, and that the terms we've reached are compatible with what they attempted to do while Ford was president". Jimmy Carter, *White House Diary* (New York: Picador), 2011: 80.
[38] Memorandum for the Deputy Secretary, 'Potential Letelier Case Scenarios and Proposed Responses', 11 September 1979: State-Chile Project.

push Chile even further away or, on the other, they would give Pinochet more leverage in human rights negotiations.

Third, Carter had reached a point of speaking congenially with Pinochet on human rights. Although the Letelier-Moffitt case was central to Chilean human rights talk in the United States, the case was an outlier to the message Carter was trying to send to the dictator: democracy and social freedom *in Chile*. The Carter State Department circulated this message: "It is important to emphasize that our actions resulting from the Letelier case are not, in the first instance, a human rights matter. They represent an expression of our national sovereign interests."[39] For all the human rights background that Letelier's story was steeped in, the fundamental issue with the Washington assassination for core members of Carter's administration was really in the act of international assassination—an act that to this point was rather unprecedented on U.S. soil and not yet a large focus in U.S. politics.[40] Many others in government, however, did not interpret the case this way. As the CIA identified in 1974, Manuel Contreras was the "principal obstacle to a reasonable human rights policy" in Chile.[41] Because Contreras headed DINA, which was responsible for both the establishment of torture in Chile and the murder of a diplomat and U.S. citizen one mile away from the Capitol Building, the two controversies, in the minds of many politicians and investigators alike, were inextricably linked. In the National Security Agency, the Letelier-Moffitt case was labelled the United States's "most serious" human rights issue with Chile[42] and in the State Department, in discussions of Chile's persisting human rights abuses, the Letelier

[39] National Security Council, Memorandum, 'U.S. Policy towards Chile,' 23 October, 1980, DNSA: State-Chile Project.
[40] "By the 1980s, the U.S. government had never developed a coherent policy against international terrorism, especially if aimed at targets inside the United States… the CIA had limited itself to preventing terrorism abroad." See McPherson, *Ghosts of Sheridan Circle*, 221.
[41] Christopher Marquis, "C.I.A. Says Chilean General in '76 Bombing Was Informer", *The New York Times*, 19 September 2000.
[42] Walker, "At the End of Influence," 128.

investigation almost always made its way into conversation.[43] Thus, to some extent, it can be said that Carter viewed the Letelier-Moffitt case as an unfortunate distraction from a potentially productive U.S.-Chilean relationship. 'Human rights in Chile' was a point of conversation on which Carter had stayed consistent with Pinochet, and one with which Pinochet paid lip service, at the very least. To start another fight with Chile over the issue of 'national sovereignty' would minimize the efforts on human rights that Carter had made central to his foreign policy. Recognizing, however, that many in the United States *did* feel that the Letelier-Moffitt case was very much a 'human rights' matter, Carter sought to "maintain [a] delicate balance" with Chile, as one State Department worker put it, expressing his disapproval without impairing other U.S. interests, "with the hope of improving [relations] thereafter".[44]

Fourth, diplomacy with Pinochet was a game of charisma. In the Kissinger era, personal ties were very important in keeping Chile and the United States together and Carter had made efforts in recent years to adapt to such a model of diplomacy. As these sanctions were personally laid out by Carter and approved by Congress, strong sanctions against Chile would send a personal statement from Carter and thus be counterproductive to his genial endeavor. As described by the U.S. embassy in Chile, the United States in the 1970s had two main interests in the South American country.[45] First, although economic ties between the two countries overall were relatively weak, the U.S. was heavily invested in Chile's large copper industry; retaining the status quo on this business was the fundamental focus of a bilateral relationship. Second, as Chile held a historically stable democracy in a politically volatile continent, it was also very important for the U.S. that Chilean affairs, for their

[43] McPherson, *Ghosts of Sheridan Circle*, 204.
[44]Memorandum, 'Recommended Actions Regarding the Letelier Case', 6 September 1979, Department of State, Freedom of Information Act Electronic Reading Room (hereafter DOS FOIA ERR).
[45] Telegram from the Embassy in Chile to the Department of State, 30 March, 1977, doc. 193 in *FRUS 1977-1980, vol. XXIV*.

influence on its Southern Cone neighbours, were peaceful and aligned with U.S. values. In the view of the Nixon administration, the ascension of a Marxist, Salvador Allende, to the Chilean presidency in 1970 threatened both of these criteria. On the first point, it was no secret that Allende wished to nationalize Chile's copper mines without compensation to U.S. businesses.[46] On the second, the U.S. government hated the idea of Chile turning to communism—both for Chile's own sake and also for the potential further spread of communism to South America the development might bring.[47] Nixon took matters into his own hands. Two months before Allende even took office, he ordered the allotment of $10 million to the CIA to make the Chilean "economy scream", and to make its political environment favourable for a coup.[48] His efforts would culminate in a failed coup attempt in 1970 with money and weapons directly supplied by the CIA and the death of the commander-in-chief of the Chilean Army. Moreover, as early as 1972, several leaks of CIA covert action had led newspapers globally to accept this U.S. intervention in Chile as a matter of fact.[49] While there is no evidence to support direct U.S. involvement in General Augusto Pinochet's military coup against the Chilean government in 1973, a shared and widely publicized dislike from leadership for Allende provided a large spark in the rekindling of U.S.-Chilean relations.[50] As Congress worked to make a global pariah out of Chile for its human rights record, however, the mood in Chile towards the United States changed once again. As Alan McPherson says, Chilean newspapers, which were heavily monitored by the junta, in a switch from the Allende era, now reflected intense anti-U.S. sentiment from the Chilean right

[46] Allende would go on to nationalize all copper mines with the approval of the Chilean Congress in 1971. See Simon Collier and William F. Sater, *A History of Chile, 1808-2002* (Cambridge: Cambridge University Press), 2004: 325.
[47] Tanya Harmer, *Allende's Chile and the Inter-American Cold War* (Chapel Hill: University of North Carolina Press), 2011: 78.
[48]Senate Select Committee Request, Notes from Mitchell/Nixon/Kissinger Meeting, 30 June, 1975, DOS FOIA ERR.
[49] John Dinges and Saul Landau, *Assassination on Embassy Row* (Pantheon Books), 1980: 50.
[50] Alistair Horne, *Kissinger: 1973, the Crucial Year* (New York, NY: Simon & Schuster), 2010: 198.

wing.[51] Yet, the tide of 'human rights' in foreign policy language could not be stopped. It is for this reason that by 1976, even Kissinger had modified his public stance on human rights; in a speech in Santiago, he declared, "Human rights are the very essence of a meaningful life, and human dignity is the ultimate purpose of government."[52] Kissinger, however, had privately alerted Pinochet before his speech not to take what he was about to say too seriously, that Congress had "impaired relations between the U.S. and Chile" beyond his wishes, and that "we"—presumably speaking for President Ford—disagreed with Congress's interference. Pinochet expressed his understanding.[53] One must note the length that Kissinger's personal reassurances went to protect the U.S.-Chilean relationship. After flattering Pinochet and shifting the blame for Chile's human rights issues, Kissinger would go on in the same meeting to work with the Chilean, citing Congressional pressure, to convince Pinochet to release political prisoners in larger groups and quicker, which Pinochet would soon do.[54] Jimmy Carter, whose professed dedication to human rights was a central tenet of his 1976 presidential campaign, seemed a great threat to such personable relations. In a presidential debate, Carter lambasted Ford for his failure to speak on political prisons in Chile: "This is a typical example, maybe of others, that this administration overthrew an elected government and helped to establish a military dictatorship."[55] In his inaugural address, Carter declared, "Our moral sense dictates a clearcut preference for these societies which share with us an abiding respect for individual human rights."[56] And in the first weeks of his term, Carter expanded the Bureau of Human Rights and Humanitarian Affairs and

[51] McPherson, *Ghosts of Sheridan Circle*, 203.
[52] Hugh M. Arnold, "Henry Kissinger and Human Rights," *Universal Human Rights* 2, no. 4 (1980): 62. Arnold also tracks Kissinger's mentions of 'human rights' in public during his tenure as Secretary of State. From just 6 references to the issue and just 2 of them in a "positive light" in 1974, Kissinger referenced 'human rights' 63 times publicly in 1976, 43 of them in a "positive light": ibid., 67.
[53] Memorandum of Conversation, Secretary of State Kissinger/President Pinochet Meeting, 8 June 1976, DOS FOIA ERR.
[54] Ibid.
[55] Sidney Kraus (ed.), *The Great Debates: Carter vs Ford, 1976* (Bloomington: Indiana University Press), 1979: 479-480.
[56] Carter, "Jimmy Carter, Inaugural Address", 565.

ordered that the human rights reports demanded by Congress in previous years be greatly developed.[57] At the beginning of Carter's term at least, the champion in the White House that liberal Democrats in Congress had been waiting for seemed to have arrived. However, despite the sharp change in rhetoric from the United States executive, it is crucial to keep in mind that most fundamental U.S. interests in Chile stayed the same. Carter, like his predecessors, recognized the immense popularity of the Chilean extreme free market experiment in the United States and, unlike his predecessors, witnessed an economic 'Chilean miracle'. After a financial depression in the junta's first years, the Chilean economy in 1976, 1977, and 1978 saw growth of 4.1%, 8.6% and 7.3%, breezing past its South American neighbors and pleasing U.S. American capitalists.[58] As much as Pinochet decried the personal vendetta of the United States against him (especially as it related to the Letelier-Moffitt case)[59], Carter respected much about the Chilean government and held firm on his earnest belief, as he wrote in a letter to the Chilean leader in November of 1977, that "human rights considerations remain the major obstacle to restoration of… traditionally close relations."[60] Carter, furthermore, recognized what Kissinger had seen in Pinochet's personality: "When [Pinochet] appeared at the reception this evening… he was the center of attention and the women particularly seemed to be his admirers, although it's hard to look at him and tell why."[61] Indeed, while never mentioning Chile specifically in his diary, Carter emphasized his close correspondence with Kissinger during his presidency, the fact that he respected his

[57]. Although Congress, under section 502B of the Foreign Assistance Act of 1974, ordered Ford's State Department to deliver reports on human rights situations across the world, the work supplied was half-hearted, in large part due to the efforts of Henry Kissinger. See Edwin S. Maynard, "The Bureaucracy and Implementation of US Human Rights Policy," *Human Rights Quarterly* 11, no. 2 (1989): 179-180.
[58] Paul E. Sigmund, "The Rise and Fall of the Chicago Boys in Chile," *SAIS Review* 3, no. 2 (1983): 4.
[59] Timothy S. Robinson, "The Letelier Prosecutor: An Unlikely Celebrity in Santiago", *The Washington Post*, 3 August 1978.
[60] Telegram from the Department of State to the Embassy in Chile, 2 November, 1977, doc. 207 in *FRUS 1977-1980, vol. XXIV*.
[61] Carter, *White House Diary*, 91.

experience, and often heeded his advice.[62] As Joshua Muravchik argues, Carter came to realize on many issues that there were benefits in keeping a low profile in international diplomacy and, in fact, showed substantial continuity with the same predecessors whose terms are sometimes described as 'imperial presidencies'.[63] In a letter to Pinochet, for example, Carter's main aim seemed to be to convey reassurance about U.S. objectives with personal trust. He acknowledged that while Pinochet might feel attacked by the United States government of late, it was important that Pinochet keep in close relation with the U.S. Ambassador to Chile George Landau, in whom Carter had "complete confidence" and with whom he "urge[d]" Pinochet to "speak with him as [Pinochet] would with [Carter himself]".[64] Where the neoconservative Muravchik bundles this observation with a more general critique of a 'change of course' in Carter's foreign policy, this development, especially as it pertains to Carter and Chile, is better characterized as a 'change in approach' however. To be sure, Carter still set held the development of human rights as his prime objective in Chile; he had only modified his *method* of realizing this objective from the more idealistic and symbolic gestures of his first days as President.[65] Therefore, it stands to reason that, following Kissinger and Pinochet, and understanding the intricacies of Pinochet's quiet diplomacy, Carter did not set forth strong sanctions not only because they would worsen U.S.

[62] Carter wrote in his diary, "Despite our transient ill feelings toward Henry Kissinger when he made disparaging remarks about our policies or actions, all of us respected his knowledge of international affairs, his experience, and is apparent from other entries… Henry gave me very helpful support during some of the most crucial times, and I continue to value his wisdom and advice." Carter, *White House Diary*, 372-373.
[63] This is a popular argument, but Joshua Muravchik's interpretation of Carter's changing policy is among the most influential. See Joshua Muravchik, *The Uncertain Crusade: Jimmy Carter and the Dilemmas of Human Rights Policy* (AEI Press), 1988.
[64] Letter from President Carter to President Pinochet, 2 November 1977, doc. 207 in *FRUS 1977-1980, vol. XXIV*.
[65] In the very first hour of his presidency, President Carter walked from his inauguration at the Capitol Building to the White House, a display intended to signal the openness and humility he was to bring to the executive branch. Carter wrote, "I thought it would be a good demonstration of confidence by the new president in the people of our country as far as security was concerned, and also would be a tangible indication of some reduction in the imperial status of the president and his family." See Carter, *White House Diary*, 10.

relations with Chile more generally but also in part because they threatened his private, valuable contact with the General.

Yet, the decision not to retaliate severely on Chile's refusal to extradite Manuel Contreras was not rooted solely in the idea of containing a crumbling relationship. Carter also remained optimistic that working with Pinochet could lead to human rights improvements and the fulfillment of other U.S. interests in Chile. A light-touch response to the Chilean court's denial of extradition for Contreras could, Carter believed, keep these goals on track. For one, Carter was optimistic because a light-touch approach in other Latin American countries and, to some extent, Chile, had seen some success. Uprisings similar to Pinochet's in Chile also established juntas in Argentina, Uruguay, Paraguay, Bolivia, Brazil, Ecuador, and Peru from 1954 to 1976. In all of these countries, democracy had been suspended and in all of these countries, human rights violations were routinely committed. Led predominantly by Pinochet, 'Operation Condor' banded together these regimes to find and kill terrorists of the "Revolutionary Coordinating Committee".[66] That is, they sought to wipe out political dissent against their operations in every corner of the earth. Feeling that such South American cooperation would isolate the continent from the global West, the Ford administration's stated policy to Condor was, "to emphasize the differences between the countries at every opportunity", "to bring the potential bloc-members back into our cognitive universe through systematic exchanges" and "to depoliticize human rights".[67] Carter's policy to Condor kept these first two desires and dropped the last. Indeed, 'human rights' was a term introduced for politics and by their nature, politicized. Relative to the covert intervention approaches taken

[66] Orlando Letelier would become the most notable of the operation's victims. See Naomi Roht-Arriaza, *The Pinochet Effect: Transnational Justice in the Age of Human Rights* (Philadelphia: University of Pennsylvania Press), 2006: 29-30.

[67] This report for Secretary of State Kissinger noted that regimes in South America were using phrases such as the "Third World War" and describing the continent as the "last bastion of Christian civilization". See Memorandum for Secretary of State Kissinger, 'ARA Monthly Report: The "Third World War" and South America', 2 August 1976, National Security Archive Electronic Briefing Book.

by the United States in the past decade, Carter, regarding South America, hoped that a quieter 'human rights' diplomacy might relieve tension. Perhaps the most symbolic show of his faith in this endeavor can be seen in the 1977 tour taken by Carter's wife, Rosalynn—a woman with activist experience but no formal political experience—around seven Latin American countries with "democratic elements". Chile was notably absent on the trip. One of the countries she did visit was Ecuador, which, similarly to Chile, was a rightist military regime on the west coast of South America. Ecuador, however, had a better human rights record and had promised a return to civilian rule; the mission of Mrs. Carter was to encourage these recent trends.[68] The White House would judge this tour as a huge success. When President Carter met the leader of Ecuador later that year, Carter wrote in his diary that the Ecuadorian was "highly complementary about Rosalynn's visit there earlier this year" and that "They are planning elections in 1978, and this is one of the emerging democracies in Latin America of which we are very proud."[69] If Carter could only have the same effect on Chile—a large focus of the human rights movement in the United States—then it would show that his new style of diplomacy was working. And for a moment, at least, it looked like the Ecuadorian effect had indeed extended south. Chile's human rights situation, as assessed by Ford's State Department in 1976, was the worst among Condor nations: "The Santiago regime provides the archetype of the reasoning that criticism can come only from international Marxist plotters."[70] Pinochet had so masterfully repressed any dissent within his country that a few years into his rule, his country's political atmosphere was, compared to other South American regimes, stable and loyal. Chile's leader was thus unusually resilient to international pressure. By 1977, as Carter noticed, this was beginning to change. He wrote in his diary, "[Pinochet]

[68] The countries with "democratic elements" chosen were Jamaica, Costa Rica, Ecuador, Peru, Brazil, Columbia and Venezuela. See Susanna McBee, "Mrs. Carter's Trip Carefully Crafted to Make Policy Points", *The Washington Post*, 29 May 1977.
[69] Carter, *White House Diary*, 94.
[70] Memorandum for Secretary of State Kissinger, 'ARA Monthly Report: The "Third World War" and South America', 2 August 1976, National Security Archive Electronic Briefing Book.

seems to be a very strong leader, sure of himself, beginning to be more worried about outside condemnation on human rights issues, and defensive of their attitudes because of instability in Chile".[71] Soon after, Pinochet's policy would change. On 9 July 1977, Pinochet gave a speech that Chile was in a "period of recuperation" and that, in increments, democratic rule would be restored to Chile by 1985.[72] Carter lauded Pinochet's decision but clarified that he would prefer an "earlier return" to democracy than the dictator promised.[73] The issue of human rights in Chile seemed to be making progress too. Although Pinochet's government was notorious for its fluctuating policies on political repression, according to the State Department's Bureau for Inter-American Affairs, between 1977 and 1979, there were "few if any killings by the security forces", "no credible report of a permanent or lengthy disappearance" and "fewer than fifty people… in Chilean detention for politically related crimes" (of an estimated 38,000 prisoners during the 17-year Pinochet regime).[74] On the open discussion of human rights in Chile, the report said that historically, both the courts and the press were afraid to push the matter but that in 1978, they found more courage to publish on the issue. It also warned, however, that the government "can, and will, resort to abuse if circumstances appear to require repressive action".[75] Not wanting to mess up a good thing, Carter trod very carefully. In a letter to Pinochet in November of 1977, he expressed his enthusiasm at Pinochet's willingness to accept UN human rights observers into Chile and, with characteristic subtlety, praised the work of human rights NGOs worldwide.[76] Chile, if it continued in the right direction, could come to be viewed as a friend.

[71] Carter, *White House Diary*, 91.
[72] Memorandum from Secretary of State Vance for President Carter, 11 July 1977, doc. 201 in *FRUS 1977-1980, vol. XXIV*.
[73] Dinges and Landau, *Assassination on Embassy Row*, 299.
[74] Pascale Bonnefoy, "Manuel Contreras, Chilean Spy Chief Under Pinochet, Dies at 86", *The New York Times*, 8 August 2015.
[75] Department of State, Briefing Memorandum for the Deputy Secretary, Assessment of Human Rights Situation in Chile, 28 February 1979, DNSA: State-Chile Project.
[76] Letter from President Carter to President Pinochet, 2 November 1977, doc. 207 in *FRUS 1977-1980, vol. XXIV*.

When the revelations of the Letelier-Moffitt case were made public and Manuel Contreras of DINA was implicated in the crime, Carter was optimistic for the future of U.S.-Chilean relations for yet another reason. Diplomatically, Pinochet was now on his back foot. The Carter administration's approach to the Letelier-Moffitt murders, until the spring of 1978, was generally to keep quiet and to try to suspend judgement as to who the assailant was. While Democrats in Congress had taken Isabel Letelier, Orlando's widow, on tour as a figure of protest against Pinochet's tyranny, the truth was that neither Congressmen nor the victims' families had any more knowledge about the ongoing investigation into the murders than did anyone else.[77] In fact, the Justice Department kept such a low profile on the case that a counsel to President Carter had to reassure the Letelier and Moffitt families that the investigation was truly still ongoing.[78] Then, at a press conference, the widow of Ronni Moffitt questioned, "If Carter is serious about human rights, why doesn't he welcome Isabel and [Moffitt himself]" to the White House "like he's welcoming Pinochet?".[79] Yet when, in the spring of 1978, the Justice Department neared the end of its investigation and made public its implication of DINA head Manuel Contreras in the Letelier-Moffitt murders, the U.S. dynamic with Chile changed drastically. The Chilean army, as reported by the U.S. Ambassador to Chile George Landau, was becoming afraid that the recent development had completely killed all relations between the two countries. The ambassador predicted, "The Letelier investigation is the catalyst which will finally galvanize the Chilean Generals to take the inevitable step."[80] Pinochet, in other words, was personally vulnerable. Suddenly, in an ironic twist, keeping the Chilean dictator in power would make it more likely that the U.S. applying pressure on their interests would be successful. In the words of Carter's team, while "Pinochet appeared to be the main stumbling block" to a transition towards democracy, now,

[77] Taylor Branch and Eugene Propper, *Labyrinth* (Viking Press), 1982: 64.
[78] Walker, "At the End of Influence", 122.
[79] McPherson, *Ghosts of Sheridan Circle*, 118.
[80] Memorandum for National Security Advisor Brzezinski, 28 June 1978, DOS FOIA ERR.

he may have "a sizable stake in a speeded up transition".[81] Carter was hopeful for a quicker change in Chile towards democracy and away from repression. Though circumstances between the President and Pinochet had changed for the worse as the knowledge that Chile had committed an act of international terrorism, there was also a chance, Carter saw, that by applying personal pressure, he could get what he wanted—human rights and democracy in Chile—and quicker. The United States, in other words, would help Pinochet if Pinochet worked with the United States.

…

Jimmy Carter opened his inaugural address by stating his desire to alter the fundamental U.S. approach to foreign policy: "We must adjust to changing times and still hold to unchanging principles."[82] The conventional historiographical understanding, as interpreted by David Schmitz and Vanessa Walker, is that he failed in this goal.[83] David Skidmore, for example, critiques Carter's policy for "reversing course" on key issues beginning in 1977 by removing 'human rights' from his foreign policy considerations.[84] Jerel Rosati expands on this argument, claiming that Carter's gambit was doomed to fail: "Many of Carter's foreign policy beliefs were quite naïve".[85] Carter's weak response to Chile's refusal to extradite the mastermind of the Letelier-Moffitt assassinations, Manuel Contreras, to the United States, it would seem, might extend this charge against Carter to Chile. For example, Senator Ted Kennedy, speaking with the support of many human rights groups and while

[81] Telegram from U.S. Embassy in Chile to Secretary of State Vance, Survivability of Pinochet: From 'What If' to 'So What', 20 April, 1978, DOS FOIA ERR.
[82] Carter, "Jimmy Carter, Inaugural Address", 561.
[83] Schmitz and Walker, "Jimmy Carter and the Foreign Policy of Human Rights", 115.
[84] In addition to his approach to Chile, Carter is charged with changing course by ending détente with the Soviet Union as well as by normalizing relations with the People's Republic of China. See David Skidmore, *Reversing Course: Carter's Foreign Policy, Domestic Politics, and the Failure of Reform* (Nashville: Vanderbilt University Press), 1996: 47-48.
[85] Jerel Rosati, "The Rise and Fall of America's First Post-Cold War Foreign Policy," in *Jimmy Carter: Foreign Policy and Post-Presidential Years*, eds. Herbert D. Rosenbaum and Alexej Ugrinsky (Westport, CT: Greenwood Press), 1994: 44.

polling ahead of Carter in the 1980 presidential race, told the press, "President Carter's decision [fell] far short of tough and vigorous action".[86] The findings of this article, however, demonstrate a rupture in this historiographical understanding. Instead, it has shown that the foreign policy of President Carter regarding Chile before, during, and after the Letelier-Moffitt investigation was consistent with and motivated by the values he had lauded at the start of his term.

Economic sanctions had been put in place against Pinochet's Chile beginning under the Ford administration but had evidently not been entirely successful. Especially as bilateral relations were at such a low point, Carter saw no reason to believe that sanctioning the dictatorial regime a great deal more would alleviate Chile's political repression. To add, as the Letelier-Moffitt case marked an anomaly to a broader issue—an act of international terrorism with a background in human rights abuse—the Carter administration worked to publicize that they viewed the issue as a complication to their previous efforts in South America. On the other hand, Carter believed the United States had interests in Chile they would certainly lose if he struck a hardline response. As U.S. enterprises had invested heavily in Chile in recent years, Carter risked alienating influential business owners at best, and an embarrassing display of congressional opposition at worst. As Carter was predominantly responsible for the scale of sanctions against Chile, he would also lose influence in his personal relationship with Pinochet, a tool he had come to realize was effective in obtaining results on his human rights agenda. What's more, during the Letelier-Moffitt investigation, Carter saw Chile as moving in the right direction. His quiet diplomacy had seen the flourishing of U.S. interests—democracy and human rights—in other Latin American dictatorships, and Chile, the toughest nut to crack, provided early signs that it was going the

[86] Edward C. Burks, "Kennedy Assails Carter's Actions on Chile as Weak", *The New York Times*, 1 December 1979.

same way. When a high-ranking Chilean official close to Pinochet was implicated in the notorious crime, the Carter administration pounced on Pinochet's personal vulnerabilities, modifying their efforts to orientate Chile with democracy and human rights. What may be perceived as inconsistency on Chile by some critics, therefore, should be attributed to Carter's comprehension of the intricacies of the U.S-Chilean relationship, his willingness to "adjust to changing times", and his steadfast and narrow focus on "unchanging principles"—'human rights' at the fore.

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