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“It Can’t Happen Here”

by Jacob G. Hornberger

In my article “[The Pentagon’s Power to Arrest, Torture, and Execute Americans](#),” I explained that the post-9/11 power to designate Americans as “enemy combatants” in the “war on terror” has revolutionized America’s legal system by enabling the Pentagon to circumvent the rights and guarantees in the Bill of Rights. In my article “[The Critical Dilemma Facing Pro-War Libertarians](#),” I explained that 9/11 has confronted pro-war libertarians with what undoubtedly is one of the biggest moral and philosophical quandaries of their lives — whether to remain committed to a conservative foreign policy, thereby giving up their commitment to a free society, or to embrace libertarian principles in both domestic and foreign affairs.

It might be tempting for people to avoid confronting these critical issues head-on by convincing themselves that there really isn’t any great danger to the American people by this post-9/11 assumption of omnipotent military power over the citizenry. There is no need to overreact to the assumption of such power, people might think. Let’s just wait and see how things develop. If it looks like the power is being abused, we can then do something about it.

There are big problems, however, with that wait-and-see attitude. One problem is that if circumstances present themselves in which the military is rounding up American “terrorists” and torturing and executing them, the environment of crisis and fear will inevitably silence the populace. In other words, it will be too late to protest because it will be too dangerous to protest. Another problem is that by the time any protests proved to be effective, lots of Americans will have already been tortured and executed.

If you don’t believe me, just ask the Chilean people. Several years ago, while I was traveling in Chile, I noticed a reticence among Chilean citizens to talk freely and openly about political matters. I finally asked one of them why this was so, and

she explained to me that even though Pinochet had left power a few years before, the fear of talking about political issues had still not disappeared from the psyche of the Chilean people.

Pinochet was a Chilean military general who took power in a coup, ousting the democratically elected socialist-communist president of Chile, Salvador Allende, and instituted a reign of terror through the exercise of the most tyrannical power that any government can ever wield over its citizens — the same post-9/11 power that the Pentagon now wields over the American people — the omnipotent power to arrest, torture, and execute people.

During the severe crisis environment in the weeks and months following the coup, Chilean police and military forces rounded up tens of thousands of Chilean people on suspicion of being communists or communist sympathizers. Like the U.S. government's war on terrorism, Pinochet's war on communism entailed no criminal indictments, no defense attorneys, and no trials.

The tens of thousands of victims included both men and women. The victims were subjected to the most horrendous techniques of torture that anyone can imagine, especially with respect to sexual matters. Many of the women were not only tortured but also raped by Chilean police and military officials. Out of an estimated 35,000 people tortured, some 3,000 were executed.

What does this have to do with the omnipotent power now welded by the U.S. military to arrest, torture, and execute American citizens as part of the “war on terror”? After all, what happened in Chile can't happen here, right? Americans are different, right? They don't have the dark side that exists in everyone else, right?

There's at least one big problem with those assertions. U.S. government officials, including those in the CIA and the Pentagon, supported Pinochet, despite the coup's obvious anti-democratic overtones, because Pinochet, the military strongman, was saving Chile from socialism and communism and bringing “order and stability” to the country. Not only did U.S. officials flood Chile with millions of dollars in foreign aid after Pinochet's military takeover, roundups, tortures, rapes, and executions, they even signed up many of his officials as paid employees of the CIA or U.S. military. The CIA also assisted Pinochet's Operation Condor, in which his infamous secret police force, DINA, along with its counterparts in Argentina, Bolivia, Paraguay, and Uruguay, murdered and “disappeared” tens of thousands of people, including Chilean Orlando Letelier and American Randi Moffet on the streets of Washington, D.C.

It comes as no surprise that U.S. officials are still keeping many of the files on U.S. government involvement in the Pinochet coup and its aftermath secret from

the American people. “National security,” they say. One disclosed document, however, does reveal an ominous fact: that during the Chilean “crisis” the CIA played an “unfortunate” role in the extra-judicial execution of Charles Horman, a young American journalist with liberal (that is, leftist) leanings.

There is an important point to note here: No matter how harmful and destructive Allende’s socialist and communist policies were, U.S. officials did not have to lend their support to the Pinochet regime. There is nothing inconsistent about refusing to support both communists and fascists.

Even today, many U.S. officials — indeed, most conservatives — still support the Pinochet coup and the “necessary” steps he took to combat socialism and communism. The gloves had to come off against the communists, they claim, just as U.S. officials had no choice but to “take off the gloves” against the terrorists after 9/11. They also never fail to remind us that Pinochet did some good things in the economic realm by adopting the free-enterprise and sound-money policies of Milton Friedman and the “Chicago Boys.” Why, some conservatives even assert that the actions of Pinochet and his henchmen were necessary and helpful steps to restoring freedom to Chile, a rather ominous assertion to say the least. After all, how would conservatives respond if a free-enterprise-oriented Pentagon general offered his Pinochet-type services to extricate America from an economic and terrorist crisis presided over by a democratically elected socialist president, such as Hillary Clinton.

This response of U.S. officials and American conservatives to the Pinochet regime exemplifies the dangers that Americans face with the U.S. military’s post-9/11 self-assumed power to arrest, torture, and execute Americans as illegal “enemy combatants” in the “war on terror.” After all, given their support of the Chilean military’s arbitrary arrests, torture, and execution of Chilean citizens as part of Pinochet’s “war on communism,” why would they not be just as supportive of the U.S. military’s arbitrary arrests, torture, and execution of American citizens as part of its “war on terror,” especially if America’s “national security” depended on it?

Permit me to digress a moment to emphasize something important here: Nothing, including Allende’s socialist-communist regime that was ousted, can morally or legally justify what Pinochet did to his own people. Not the arbitrary arrests, not the torture, not the rapes, and not the extra-judicial executions. If Pinochet believed that someone had committed a crime, such as blowing up a government building or shooting a government official, there was a legal remedy — secure an arrest warrant, take the person into custody, charge him with the crime, prosecute him in a court of law, and punish him if he is found guilty. Moreover,

there is never any moral justification, with or without following judicial processes, for government officials to torture or rape anyone, including someone in custody who is suspected of having committed heinous criminal acts.

It is Pinochet's torture, rapes, and murders that render his Friedmanite economic policies totally irrelevant. You read me correctly — irrelevant, as in *meaningless*. The fact that U.S. officials and American conservatives even cite Pinochet's Friedmanite economic policies as assets on a "balance sheet" of his regime only reflects their moral bankruptcy. When a ruler and his henchmen are torturing, raping, and murdering their citizens, the moral balance sheet is all liabilities and no assets, no matter if the ruler is reducing taxes and regulations and instituting "free-enterprise" economic policies. There can never be a moral trade-off between torture, rape, and murder, on the one side, and free-enterprise policies, on the other.

After all, would conservatives also say that, despite having killed six million Jews and having started World War II, which killed hundreds of millions more, Hitler also had his pluses, given his commitment to Social Security, national health care, public (i.e., government) schooling, a military-industrial complex, government-business partnerships, an interstate highway system, and other government programs that conservatives revere? No, Hitler's murderous crimes renders his other "achievements" meaningless.

What was a Chilean woman lying on a rape table supposed to think — "At least we now have sound money in Chile"? What was a man whose fingernails were being removed supposed to scream — "Viva Milton Friedman! "? What was a person being dropped into the ocean from an airplane supposed to think on his way down — "At least my wife and children will have to pay less taxes"?

Would the CIA and the U.S. military ever subject American citizens to what the police and the military subjected Chilean citizens? Why wouldn't they, especially in the midst of a major "crisis" or "emergency" in which "national security" was threatened by economic and financial chaos and by illegal "enemy combatants" who were threatening the security of the nation with terrorism? Isn't that why they supported — and continue to support — what Pinochet and his henchmen did in Chile?

Let's not forget another important point about the Pinochet coup and its painful aftermath: Many of the Chilean officials who did the torturing, especially many members of DINA, were trained in torture at the School of the Americas, the U.S. Army's infamous school that specialized in teaching the techniques of torture

to Latin American military brutes, such as those who loyally and faithfully served Gen. Augusto Pinochet.

In fact, we should also keep in mind the ardent support during the 1970s and 1980s that the U.S. government, especially under conservatives, lent the brutal, right-wing military regimes in El Salvador and Guatemala, whose officials had also been trained at the School of the Americas and who were using their training to torture, massacre, and execute tens of thousands of their citizens. (Of course, I would be remiss if I didn't mention the ardent support that some American liberals lent to the brutal, left-wing regime in Nicaragua during that same period of time.)

Given the ardent support that U.S. officials provided Central American regimes that were torturing and executing their people as part of a "war on communism" that threatened the security of their nations, why would U.S. officials, especially those who trained those Central American regimes, be reluctant to employ such techniques in a "war on terror" that threatened the national security of the United States, especially if the appropriate "crisis" or "emergency" were to present itself?

While the U.S. government still refuses to release its files on that sordid part of U.S.–Central American history, there is considerable evidence that CIA or U.S. military agents were playing an active role in the torture of prisoners and detainees in Guatemala, El Salvador, and Nicaragua. For example, if you read the book *Truth, Torture and the American Way* by Jennifer Harbury, whose Guatemalan husband was captured, tortured, and executed by the Guatemalan military, the accounts of the icy indifference by unidentified Gringos who spoke Spanish with an American accent as they watched or supervised the unimaginable torture of both men and women will send shudders up your spine.

Contrary to whatever anyone else might think, Americans are not different from other human beings. They have the same dark side as everyone else — Chileans, Germans, Russians, Japanese, and Koreans. Lord Acton's dictum, "Power tends to corrupt, and absolute power corrupts absolutely," applies to Americans just as it does to everyone else. With the removal of constitutional and legal restraints on power, the inevitable result of "government gone wild" is, at one point or another, likely to be roundups, kidnappings, dungeons and concentration camps, torture, sexual abuse, rape, and murder. That's why our ancestors believed in the U.S. Constitution. It's why they adopted the Bill of Rights.

Would the CIA and the Pentagon ever subject Americans to the same kidnapping, renditions, torture, and executions to which they are subjecting foreigners? How can there be any doubt about it? Ask yourself, Which is worse: a

foreign terrorist or an American terrorist? Let me give you a hint before you answer: an American terrorist is also considered a traitor — someone who has betrayed his very own country.

There is no reason to believe that, given a massive “crisis” or “emergency,” the U.S. military, along with the CIA, would not be just as willing and eager to treat American terrorists and traitors in the same manner that they have treated terrorists in Cuba, Iraq, Afghanistan, foreign countries of “rendition,” or secret overseas CIA detention facilities. In fact, in the right “crisis” environment, when everyone’s fear is in hyperdrive, the military treatment for American terrorists would undoubtedly be much worse than for foreign terrorists. Again, keep in mind that in the mindset of the military, they would just be protecting our country from American terrorists and traitors, just as Pinochet and his henchmen were protecting their country from Chilean communists and traitors.

Ever since 9/11, it has been liberal groups such as the ACLU and Human Rights Watch fighting for habeas corpus, due process, trial by jury, right to counsel and other civil liberties and against torture, rendition, indefinite detention, military tribunals, Guantanamo, and Abu Ghraib, but to their credit and much to the chagrin of conservatives. Yet, as every libertarian knows, the big-government, welfare-state philosophy favored by liberals (and by many conservatives) is a constant and ever-growing threat to the economic liberty and well-being of the American people.

Nevertheless, as serious as the threat that the welfare state poses to our economic liberty and well-being, it pales to relative insignificance compared with the threat that the big-government, warfare state favored by conservatives (and by many liberals) poses to our freedom and well-being, especially given the Pentagon’s post-9/11 power to arrest, torture, and execute Americans who are labeled “enemy combatants” in the “war on terror.”

The only hope out of the liberal-conservative vise lies with libertarianism. To restore a free society to our land, libertarians must lead the nation toward libertarian principles, not just in domestic policy but especially in foreign policy, from which our liberties are in much greater danger. Waiting and watching is not an option. Libertarians must lead now because later might well prove to be too late.

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This article was originally published in March 2007.