

DO INSTITUTIONS PLAY A ROLE IN THE PERPETRATION OF TORTURE? (*)

¿JUEGAN LAS INSTITUCIONES UN ROL EN LA PERPETRACIÓN DE LA TORTURA?

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Abstract

During the late 1960s and early 1970s, most Latin American countries experienced military coups and military interventions in government affairs. In Chile, the military coup of 1973 established a military regime that lasted seventeen years, from 1973 to 1990. As a result of the military dictatorship thousands of people were killed, disappeared and/or tortured. This study examines the influence of the institutional framework on the occurrence of torture and the behavior of torturers. Perpetrators of torture are the main source of information. Depth interviews were conducted with Chilean military and policemen who were active during the military regime, National Reports and judicial files were analyzed. The study traces the realities that a group within in the military regime faced and examines the ways in which participants attempted to cope with the criminal behavior that was encouraged by the institutional framework.

Resumen

A fines de los años sesenta y principios de los setenta, la mayoría de los países latinoamericanos sufrieron golpes de Estado e intervenciones militares en asuntos gubernamentales. En Chile, el golpe militar de 1973 estableció un régimen militar que duró diecisiete años, de 1973 a 1990. Como resultado de la dictadura militar, miles de personas murieron, desaparecieron y/o fueron torturadas. Este estudio examina la influencia del marco institucional sobre la ocurrencia de torturas y el comportamiento de los torturadores. Los autores de torturas son la principal fuente de información. Se realizaron entrevistas en profundidad con militares chilenos y policías que estuvieron activos durante el régimen militar, se analizaron informes nacionales y expedientes judiciales. El estudio analiza las realidades que enfrentó un grupo de individuos durante el régimen militar y examina las formas en que los participantes intentaron manejar el comportamiento criminal mientras eran alentados por el marco institucional.

KW.- Torturer behavior, criminal behavior, police, militarized intuitions, torture

PC.- *Comportamiento del torturador, comportamiento criminal, policía, instituciones militarizadas, tortura.*

Introduction

One of the worst consequences of the Latin American military regimes was a considerable amount of human rights violations (Cottam, 1994; National Commission on Disappeared People, 1986; Amnesty International, 1984; Rettig et al, 1991; Servicio Paz y Justicia, 1989; Valech, et al, 2004). In Chile, the military coup of 1973 established a military regime that lasted seventeen years, from 1973 to 1990. As a result of the military dictatorship, 1,322 people were killed, and 957 people disappeared (Rettig et al, 1991). In

addition, approximately 27,255 people were tortured (Valech, et al, 2004). To prevent torture, we must know the role of State institutions in perpetrating torture. Based on these facts, this study examines how the Chilean army and police institutions encouraged their members to commit or deterred their members from committing torture. According to the United Nations (1974), torture is defined as any act through which severe pain or suffering, whether physical or mental, is intentionally inflicted by, or at the instigation of, a public official for such purposes as to obtain information or confession from the victim or a third party, to punish the victim for an act he has committed, or to intimidate him or other people. Torture is a systematic act that inflicts physical and psychological pain on victims who resist this aggression. In Chile, torture is an illegal action, and the law punishes individuals who perpetrate this type of crime (Código de Procedimiento Penal, 1906, art.323; Law 19696, 2000, art. 93 h)).

The variables that are most commonly argued to explain this behavior are the military structure, principles, values and training practices (Graziano, 1992; Hennings, Uribe y Guajardo, 1995; Kelman 1995; Baumeister, 1996; Payne, 1998; Conroy, 2000). Others studies show that the role of the institution appears to be the triggering factor, which promotes and supports the occurrence of torture. The common features are the training system, recruitment system, organizational structure, ideology, reward/punishment system, infrastructure facilities, hierarchical structure and command distribution (Haritos-Fatouros, 2003; Huggins, & Haritos-Fatouros, 2014; Zimbardo, 2008).

Gibson and Haritos-Fatouros (1986), Kelman and Hamilton (1989) describe torture as a crime of obedience in which a military system is structured in such a way that the subjects lose their capacity to discern between right and wrong and to follow orders without opposition. A crime of obedience is "an act performed in response to orders from an authority that is considered illegal or immoral by the larger community" (p. 21). The authorities of the same state order, encourage, and/or tolerate systematic policies or sporadic acts of torture. This type of crime takes place within a hierarchical structure that makes it difficult to pinpoint the responsibility of specific individuals. Social influence, under these circumstances, results from the authority's inducement for subordinates to change their behaviors, attitudes or beliefs. The important aspects to consider in the influence process are the influencing agent's characteristics, such as the agent's prestige, status, special knowledge or expertise, as well as the agent's control over certain resources, which enable the agent to apply sanctions.

People react to the authority system under which they are governed by submitting to the demands of the authority. Here, the individual aims to maintain his relationships with the group to which he is loyal and to define himself as a good group member. In this level of group identification, individuals cannot choose to disobey, because such action constitutes a violation to the norm of loyalty. Resistance becomes possible with an active redefinition of the situation, which, in most cases, does not happen, because authorities implement and reinforce penalties if individuals disobey them. By contrast, positive reinforcements, such as medals or other awards, reinforce compliance (Gibson and Haritos-Fatouros, 1986; Kelman and Hamilton, 1989). Another factor that helps people to cross the line and commits acts of violence is an imposed system that keeps the perpetrators ignorant of what they are doing. In such a system, the instructions become clear only moments before the action is to be done, providing little time and opportunity for the order to be rejected. Another tactic is the use of a group of perpetrators. When "the perpetrator" is a group of individuals, opportunities for ambiguities to arise increase. With ambiguity, the perpetrator's actions may have multiple meanings, making the individual uncertain about the correct one. Then, the responsibility for the actions can be divided among the individuals within the group so that no one person is to blame for the horrific acts. When individuals in a society commit criminal acts, they assume that they will be punished for their acts. However, with torture, perpetrators generally are not punished, and they may even be surprised by the lack of a condemnatory reaction (Baumeister, 1996). This lack of punishment also facilitates perpetrators' capacity to commit torture.

Haritos-Fatouros (1988; 2003) examines the use of learning models based on principles of behavioral change in military training and identifies the following strategies: *overlearning*, in which establishing unquestioning obedience is the ultimate goal, so that recruits are prepared to carry out orders for acts of cruelty that have little meaning to them; *desensitization*, in which servicemen are gradually desensitized to the idea of torture in such a way that they can commit torture as if it was a normal act; *role modeling*, in which older servicemen flog and degrade new servicemen; and *reinforcement*, in which negative and positive reinforcement are used to maintain the torturers' behavior.

Huggins, Haritos-Fatouros & Zimbardo (2003) and Huggins & Haritos-Fatouros (2014) state that in-service training does not appear to be a single determining factor in producing serial perpetrators of atrocities. Instead, the police organization plays important role in their socialization. Training was often given as reward after a good service, usually in association

with a promotion to a more prestigious position. The researchers assume that the learning outcomes were derived primarily from on-duty and informal socialization.

In Latin America, members of the military are strongly socialized within their profession. Training is used to keep the officers busy and to increase the effectiveness of the military force. Most Latin American countries teach officers military tactics, armed strategies, and broader matters of national importance in order to produce generals who are qualified for holding political leadership positions (Wesson, 1986), and the military actively participates in political matters (Skaar and Malca, 2014).

During the 1960s, in Latin America, the military started to participate in political decision making. As a result of this new approach, under the Security-Development ideology, strong central governments were created that were organized along military lines and fully controlled by the armed forces. The civil sectors demanded military intervention in economic and political affairs and, later, lost control over the military intervention (Wiarda & Collins, 2011). The National Security Doctrine defined targets who are enemies of the state as well as operative laws against the “delinquent subversives” and against “common delinquency” (Schirmer, 1998; Cottam, 1994). Kelman (1995) argues that the perceived threat to the security of the state provides a national policy that supports torture. Torture is justified to protect the state against internal and external threats to its security. Furthermore, in Chilean officer training programs, military soldiers are trained and socialized in isolation (Philip, 1985). The style of military training tends to create a psychological sense of distance between the military and civilians. Haritos-Fatouros (1988) and Creslisten (1995) argue that isolation during the military training aimed to create a sense of pride in belonging to a group of professionals, generating a gradual transition from the civilian world to the military. The military had its own selection system, ideological structure, and doctrine in which civilians were unable to interfere (Rouquié, 1987), and military intervention in political affairs was tolerated.

The secrecy and insularity of the organizations that perpetuated torture shielded operatives from potentially dangerous outsiders, guaranteed operatives’ anonymity, disguised victims’ humanity, and morally disengaged operatives’ sense of responsibility for acts of violence (Huggins et al., 2003; McKelvey, 2007).

Haritos-Fatouros (1988; 2003) and Creslisten (1995) note that specific police and military structures were created to torture, assassinate or kidnap victims. Each police and military

organization had specialized social control units and teams with their own internal division of labor. They had financial support as part of the institutional budget. The law also provided the military with legal entitlement to force compliance with the law, even to the point of physical injury or death, making the law part of the operations that provide security and peace. The military governments in Brazil, Argentina, Uruguay and Chile passed self-amnesty laws prior to transferring power to civilian authorities. These laws provided absolute legal impunity for the crimes that involved severe human rights violations (Zagorski, 1992).

A code of honor, according to Dixon (1976), is a set of rules for expected behavior. These rules are relevant for followers because breaking them induces distressing emotions, such as guilt or shame. Feelings of guilt result from knowing that a member of the military institution has transgressed the code of honor and, hence, might be found out. Feelings of shame result from being found out (p. 197). Another function of military codes of honor is to reduce fear. García-Rivas (1984) reported in his testimonies that not only feelings of guilt and shame but also the fear of being punished for breaking the loyalty toward the institution influenced his participation in the military. The military discipline in South American countries as rigid and oriented toward indoctrinating young recruits with military values (Philip, 1985). One of these values is the acknowledgement that the high command defines the absolute law, not only within the institutional system, but also in recruits' personal lives.

In the manifestation of the power dynamic, three basic principles appear to be relevant: personal interest, enemy perception, and institutional support. Personal interest is established by the authoritarian structure of the military system in which social privileges are awarded to those with high positions in the military hierarchy. The enemy figure is identified as the individuals who simply disagree with the principles of the military or police. Institutional support provides the financial resources and rewards (Zagorski, 1997). This study examines the institutional features that influence the use of torture, focusing on the organizational structure of the institution and the perception of the individuals who perpetrated torture inside the system.

Based on the theoretical approaches that are adopted in this study, this research identifies the following institutional influences: organizational structure, communication system and command distribution of the institution; institutional political interests; legal impunity of the torturers; linkage of the studied agency with other security services; infrastructure, facilities

and benefits of the institution; ideology and torture training practices of the institution; compliance with institutional orders; professionalization of torture; and use of isolation and institutional criteria for enrollment.

1. Method

The participants were inmates, who worked in the Chilean military and police institutions and units as intelligence agents where torture was carried out during the Chilean military regime. Chile appoints a prison solely for the purpose of imprisoning members of the military and police who were found guilty of murder and/or torture during the military regime. A letter describing the study and requesting their voluntary participation was sent to each inmate; six agreed to participate. This study was approved by the Institutional Review Board at Washington State University (05873-001).

When the Chilean coup occurred in 1973, each branch of the armed forces and police (the carabineers and the investigative police) had an agency or division that was in charge of intelligence tasks. The six interviewees belonged to three intelligence agencies: the CNI (*Central de Informaciones*, National Center of Information, between 1977 to 1990), the DINE (*Dirección de Inteligencia del Ejército*, Office of Intelligence of the Army) and the DICOMCAR (*Dirección de Comunicaciones de Carabineros*, Office of Communications of the Carabineers). The first two agencies were directly associated with different parts of the army, and the last one was associated with the police—the carabineers. All of these agencies perpetrated torture and homicides during the military regime.

Several measurement approaches were used in this study. These consisted of conducting semi-structured interviews with inmates and reviewing National Reports and judicial files. Each interview took approximately two hours. The interviews followed a gradual process that permitted the interviewer to cover more complex issues, such as the perpetration of torture against their victims.

Two State National Reports were analyzed: the National Report of the Committee of True and Reconciliation (NRCTR) (Rettig et. al., 1991) and the Report of the National Committee of Political Prison and Torture (NCPPT) (Valech et. al, 2004). Both reports describe the political violence and human rights violations that were perpetrated in Chile during the military regime.

Judicial files were reviewed to allow the researcher to identify the evidence that was presented during the judicial trials by the victims and offenders and to determine what arguments were used to avoid judicial punishment and what arguments were substantiated. The use of different data sources had the objective to compare the interviewees' statements with the national reports and what they stated during the judicial process.

The qualitative method used in this study allowed the researcher to discern the meaning of the data once compiled in a dataset (Neuman, 2005). Because this is an exploratory study, data analysis was guided by the possibility of new and unexpected information. The length and number (five to seven) of interviews with each of the six subjects made it possible to achieve data saturation (Strauss and Corbin, 2002). The content of all the interviews and written documents was codified into concepts, which were used to create categories. The content analysis was in Paillé's recommendations (2006). Relations within these categories were examined to achieve a central category based on theory. More specifically, the data were analyzed by using three different methods: successive approximation, analytic comparison, and agreement and difference (Neuman, 2005).

2. Results and analysis of the results

All interviewees were intelligence agents from the intelligence agencies of the army or police. To analyze the institution's influence in the perpetration of torture, the features of each intelligence agency are examined, and the results are presented.

2.1. Organizational structures and functions

Participant 1 (P1) noted that the CNI units had the same organizational structure as the army. Each unit functioned under the orders of a division chief. Participant 2 (P2) said that the DINE was and is part to the army. As the army is a strongly disciplined and structured institution, it does not allow one to perform actions or make decisions without orders to do so from the high command or the authority in charge of a unit. The DINE was an intelligence agency that directly served the high command, and its offices were centralized in Santiago. Because of its centralized structure, agents could be mobilized to regions and

gather information at the local level with the support of the local army authorities. Like the CNI, the DICOMCAR had an intelligence unit, SICOMCAR, in each region, and all of these units were run by the Director of Carabineers, who was also a member of the Junta. Orders to investigate a case were provided by the Director of Carabineers and/or the Director of the DICOMCAR.

2.2. Communication system and command distribution

The organizational structure of the CNI determined the forms of the communication between the high command, chiefs and subalterns, allowed the chiefs to monitor the subalterns' activities, and determined whether information was disseminated up or down the organizational hierarchy. Orders were generally received and distributed downward. One of the differences between the army and the CNI was that information was generally compartmentalized. For example, members were unaware of the missions of other groups. The agents generally did not trust the rest of their colleagues or other people with whom they had relationships. They believed that a person, regardless of their intention, could repeat information to an inappropriate person, thereby informing the enemy and risking an operation. Participant 3 (P3) confirmed that the communication system was the same in CNI and DICOMCAR, as well as the use of ranks. Superiors always had the highest rank and more seniority than subalterns. This structure allowed superiors to distribute responsibilities and made subalterns not question orders. Keeping information compartmentalized also protected agents from punishment for the perpetration of crimes.

P2 explained that the army had a regular procedure called *daily reading*, in which all the activities planned for a day are read. In the daily reading, the routine, actions and new assignments for the day are discussed. Each company uses its daily reading to inform each man of his own tasks as well as the company's activities as a whole. In this structure, each group knows the nature of the order, but the way in which each level carries out its tasks and functions is not necessarily defined by the authorities.

The Director of the Carabineers gave written orders by sending a memorandum F-L to the head of the DICOMCAR, who passed the order on to investigate someone. Like the other interviewees, P4 noted that not all of the orders were written; they were also verbal. Unfortunately, the archives were destroyed by fire when the DICOMCAR was questioned about the deaths of the left party's members.

2.3. Institutional political interests

Most of the CNI's personnel only analyzed intelligence. The CNI's actions were directed against the leftist groups and included infiltration, monitoring, arrests, torture, armed repression, and executions. Intimidation tactics aimed to disrupt organizations and movements and to intercept private communications between politicians, trade unions or church members. P1 believes that the authority used the CNI to thwart and even eliminate its political adversaries. The current judicial trials consider the DINE to be responsible for a number of assassinations, including assassinations of an ex-president, a labor union member, and important leaders of opposing political parties. The assassinations were selective and used methods that would conceal the crimes. The NCPPT Report confirms these facts.

P3 and P4 noted that the DICOMCAR's objectives were based on the needs of the authorities to investigate their enemies. P3 stated that, at the time, he did not consider himself to be fighting against political enemies; rather, he thought he was combating terrorism, which affected the entire nation and the Carabineers. The participants noted that the DICOMCAR submitted a report about matters of intelligence to the General Director of Carabineers and that this information was used in making political decisions.

2.4. Legal impunity

The CNI's agents had absolute impunity, acting under false names, and they did not even reveal their identities in court during the judicial trial. They acted without being subject to rules, with unlimited power (Rettig et al., 199, p. 981). They had the power to arrest people (without a judicial order). P1 stated that he never thought that he could be judicially processed and condemned for his crimes. He always felt free of any judgment or sanctions. He explained that he received economic support from the army to travel to other countries and to stay there in order to avoid the judicial trial. This information is also confirmed in the judicial file.

Impunity was experienced in the daily lives of the criminals. According to the prosecutor's allegations, provided in the judicial files, the army ascribed to the concept that the institution was responsible for keeping the traditional values of the nation. If this role was threatened by any one, the army members had the ability to use any form of violence in order to repress the offender, and they would not be questioned for doing so.

The DICOMCAR's agents never thought that they would be convicted of the crimes that they committed because the homicides were part of the violence perpetrated by the military regime. The work setting allowed them to use torture as a mechanism to obtain information. These agents were also removed from the DICOMCAR to avoid being identified in the judicial trial.

2.5. Linkage of the CNI with other security services

The CNI acted in conjunction with other law enforcement agencies and intelligence agencies (Rettig et al., 1991). The intelligence agencies exchanged not only personnel and information but also conducted some activities together. The judicial files established that operations were led by the DINE but that agents from the CNI were appointed to the DINE to conduct homicides. Three interviewees worked in two different intelligence agencies. P4 explained that agencies also used counterintelligence. The DICOMCAR—and other intelligence agencies—appointed its own agents in other agencies in order to obtain secret information from other agencies. Therefore, loyalty between the intelligence agencies was limited. In fact, the judicial files noted that one agency may have gathered information (even false information) in order to incriminate other agencies and accuse other agencies of crimes committed by its own personnel.

2.6. Institutional infrastructure and facilities

The funds were allocated by the Budget Law. The CNI could also acquire or receive resources from various sources, and nobody questioned the origin of these resources or audited the CNI. The National Director of the CNI had broad powers to manage the CNI's properties and funds (Rettig, et al., 1991). In the judicial files, it was established that the CNI owned numerous businesses and that it had its own detention units. The methods of torture that were used by the CNI did not require substantial resources or funds to

implement; certain devices, such as electric apparatuses, that were used for torture were acquired by the agents. The access to administrative funds without the need to follow the rules of the bureaucratic state system not only provided the CNI with ample means of acquiring supplies but also led to opportunities for corruption because of the lack of monitoring (Valech, et al., 2004).

The DINE had different departments that were in charge of providing support to various people. In the judicial files, it was noted that these departments provide agents with the equipment to perpetrate crimes.

P3 stated that “the DICOMCAR supplied all the equipment that was necessary to torture people, spy on them and keep archives of the victims’ information. This information was confirmed in the judicial files and the NCPPT Report.

2.7. Benefits and motivations

P1 and P6 noted that CNI members had salaries that were 30% higher than regular soldiers of the same rank. The Army gave P1 a soft loan to buy real estate. He was very careful about his personal image, and the job with the CNI allowed him to project an image of a strong man, like “James Bond,” he stated. He could use special identification (similar to police identification) out on the street, which allowed him to avoid being questioned by law enforcement authorities. Moreover, he could use weapons and a car siren. Military members generally do not have these privileges. He led a group of men, and he had considerable power to make decisions and use different methods to investigate and interrogate prisoners.

P2 explained, “In the army, if you refuse to execute an order, then you are asked to go into retirement. When you are 40 years old and have exclusively been in the military and you do not have a profession that allows you to work in the civilian world, you follow orders to prevent you from being fired from the army and ensure that you keep your job.” During his military career, he became one of Pinochet’s most trusted men, and he was appointed to a high state position, which provided him with a good salary, social recognition, and power.

P6 said that the job in the DICOMCAR gave him and his co-workers with benefits such as power, job security, relationships with people who had power and personal influence, prestige and a higher salary. To him, the intelligence agency protected him. He had

betrayed numerous members of his political party by denouncing, torturing and even killing them, so the political party was looking for him. Moreover, he did not graduate from high school, and he had received training in espionage. As a result, he could not find a well-paying job, and the intelligence agencies gave him a job and the possibility of developing his knowledge and skills.

According to P6, P4 was physically handicapped, and Carabineers did not require him to retire; instead, he was appointed to the DICOMCAR. This appointment made him feel committed to the institution, and he did not question orders from the high command to obtain its approval and to continue his career with the police. For P3, the agency allowed him to seek revenge upon guerrillas who had killed other Carabineers. P5 was able to buy three houses, which he would not have been able to do with a regular salary. Moreover, when he worked with the agency, he robbed the prisoners' belongings.

2.8. Institutional ideology and torture training practices

P1 stated in 1973, he killed someone the first time. He did not express any emotional response or remorse for this act and showed a similar attitude toward other crimes. The military ideology generated in him the notion that he was a hero and that he was acting in the interests of the nation. In his training, the image of the enemy was presented frequently. The enemy was purported to have the capacity to destroy the country. According to P1, the anti-Marxist ideology was taught by the School of Americas. The training provided him with information about "the dictatorship of the working class through the use of arms." He also recognized that in the School in Panama, he learned torture techniques. Once the training concluded, he was in charge of teaching other military officers. The enemy, according to him, did not recognize the value of life, and if they did not kill the enemy, the enemy would kill them and destroy society. Therefore, when he participated in shooting civilians, he did not have any doubts about his actions.

The training has two different dimensions: The first dimension refers to the military training of the army. The type of training that was used by the army desensitizes soldiers, making him more tolerant to violence. However, it does not explain why some military soldiers did not perpetrate torture while others did. Here, the selection criteria of intelligence agencies for agents are relevant, which could require that an agent had specific traits. The second dimension refers to the training that is given by other institutions in matters of torture.

Training in torture involves not only learning the techniques for torturing subjects, but also defining the danger of the enemy.

P2 did not admit to knowing the type of work done by the DINE and the CNI, which is impossible given to his position and his long career in the army. However, one observation from his interviews is his positive perception of the army.

P6 enrolled in an intelligence unit of the left party, and he received training from the KGB services of the U.R.S.S. The Soviet intelligence training offered courses in interrogating and infiltrating military forces to make allies. He stated that the DICOMCAR's members received training from Brazilian and Taiwan military officials and from the Army School in Chile. P5 received training from the CNI's School in the "*Tres Alamos*." P4 received training on dealing with guerrilla groups and terrorism in Bolivia and Colombia. They used the *Manual of Marijuela*, which gave instruction on how to thwart and fight against guerrilla groups. P3 stated that he received training from the School of Intelligence of the Chilean Army. He received training from the DINA (an old military intelligence agency) and Brazilian militaries, which were hired by the DINA. When he graduated from the Police Academy, he was exposed to violent murders, which gradually desensitized him to death.

2.9. Compliance with institutional orders

P1 openly admitted that he killed people and tortured captives. When the interviewer asked him why he committed these acts, he noted that he received orders from superiors to kill enemies of the state, and so, he did it. The same arguments were used by his defense lawyers in several judicial trials. From this point of view, he felt betrayed by the army because he followed orders, and thus, he should not be condemned for committing those actions by the courts. However, later, in a second interview, he stated that he did not feel betrayed by the army and that "*I did what I did it because I knew what I was doing*". He stated that he never felt obligated to do what he did because he believed in the need to defend the nation from Marxism and from the guerrillas. These statements are clearly inconsistent. He never felt that his life or the lives of his family would be threatened if he left the CNI or if he refused to do a "task." He stated that no one was forced to work in the CNI. He worked in the CNI because he liked the job. P1 voluntarily committed homicide and was aware of the magnitude of the crime, as noted in his statements in the judicial files and in his interview. His defense attorney asked for his charges to be dismissed, arguing that he

followed military orders and that he was unable to disobey *Código de Justicia Militar* (1944, art. 344 and 355). Nevertheless, the judge indicated that the order should be based on military needs and that it was not.

P2 was found guilty of being responsible for giving the order to kill a civilian. Although he did not acknowledge giving this order, but his involvement in the murder was proved in the judicial trial. He argued that he did not know of the actions of his subalterns, even though he explained in detail that such a lack of knowledge was impossible in the army system.

P6 noted that his police training made follow orders feel natural. Following orders was part of the daily routine since they were enrolled in the academy. P3 stated that orders were given and that his duty was to obey them. Nevertheless, he did not follow orders merely because the authority gave them or because he was afraid of punishment. Instead, he followed orders because he strongly believed that the orders were correct and facilitated the fight against the enemy. P4 stated that the orders were usually verbal and ambiguous, but in some cases, the orders were given to him directly from the DICOMCAR's director and via a written memorandum.

2.10. Professionalization of torture

P1 saw torture as a tool that was needed to obtain information as fast as possible but that also allowed them to physically and mentally handicap the enemy so that they could not fight back and show their scares the other guerrillas. The torture sessions were structured, and they looked for specific information. According to him, two forms of torture exist: professional torture and unprofessional torture. In professional torture, excesses were not allowed, because people received training to obtain information. In unprofessional torture, the perpetrator lacked self-control and he ultimately killed the person being tortured. During acts of torture, it was easy for someone to lose control, and such behavior was not punished.

Even though torture training provided trainees with torture techniques, torture was implemented differently by different agents. Crimes perpetrated to eliminate threats to the military regime were highly organized within the DINE. For the Carabineers, torture was a professional tool that was used to obtain confessions from delinquents. Moreover, torture

was used to obtain information for guerrilla groups, to identify other guerrillas and to prevent terrorist attacks.

2.11. Isolation

P1 perceived himself to be isolated from the civilian world. His close friends belonged to the CNI or the army. Therefore, the people that were close to him either implicitly or explicitly agreed with his behavior. Although the army did not prohibit its members from having relationships with civilians, he felt close to the other members of the military.

P2 was immersed in the army. His referent group was the army and its members, and his social life was contained within the military system. He described the role of the wife of an army official, and in this description, it can be observed that the military system crossed the family sphere. Even though the Carabineers are closer to civil society than the military is, members of the DICOMCAR spent long periods of time with their workmates. Operations required that they spend many hours in cars watching guerrillas' activities, and the job did not follow a regular schedule. As a result, they developed close relationships, went out together and shared family activities. They believed that the characteristics of their job brought them closer together and distanced them from the general society.

2.12. Institutional criteria for enrollment

According to the interviewees, the most qualified military men enrolled in the CNI. However, in fact, the best military officers were those who were most indoctrinated by the army, who did not question orders, who were disciplined, and who believed in the army's statements about the enemy. P1 stated that the CNI asked the police institutions to send them recruits, which is corroborated by the NCPPT Report. The interviewees explained that policemen had the most knowledge of torture techniques because they used torture techniques to interrogate regular criminals. The police and the other armed forces selected the men who would be enrolled in the CNI. P3 stated that the police generally selected the worst candidates, because they saw the new assignment as an opportunity to remove the worst officials from the institution. P 3, P4 and P6 noted that the enrollment criteria for intelligence agencies included previous experience with torturing individuals, adoption of

the Anti-Marxist political ideology, a motivation to participate in risky activities, the capacity to remember information, and a high level of commitment to the police.

3. Discussion

The intelligence agencies in Chile shared a common organizational structure. They were headed by a leader, who had highest rank and more seniority than subordinates. The structure defined who was responsible for giving orders and who followed orders.

The CNI and the DICOMCAR had diverse agencies at the regional level, and these agencies were commanded and supervised by the agency's head. This organizational system allowed the agencies' authorities to have control at the regional level. The most relevant aspect of this structure was the communication system, which facilitated the dissemination of information up and down the hierarchy. The authorities gave orders to the subordinates, but at the same time, the subordinates had to inform the authorities of their activities. These intelligence agencies gathered information about not only the political adversaries of the military regime but also the people who worked in these agencies, allowing the authorities to control both the agencies' members and the political opposition. The communication system allowed information to be disseminated rapidly and easily. All the agencies compartmentalized information to reduce the possibility of an operation or mission being jeopardized by an enemy. With this system, a group of individuals could perpetrate crimes without knowledge of the rest of the agents.

Daily readings that were used by the army were also utilized by the DINE. Daily readings allowed each member to know the planned activities and to report the results of these activities. Even though the other intelligence agencies did not identify "the daily reading" as an activity that was implemented for them, they used a very similar system to inform the authorities of the activities that were developed for each agent in relation to a given mission. In the communication system that was implemented, the leader of each group and the intelligence agency were the most informed entities, and they knew the types of activities that were carried out by their subordinates.

They always felt free of any judgment or sanctions, and by contrast, they received rewards from the authorities for their actions. Legal impunity was experienced in the daily

lives of the interviewees, and the people who were called upon to condemn such crimes justified and supported them.

The intelligence agencies were linked to each other through their aim to gather information about the adversaries of the military regime. These linkages were absolutely functional; the agencies were not loyal to each other. In contrast, the intelligence agencies gathered information about the criminal acts that were committed by other agencies to incriminate them in the judicial trials.

All the intelligence agencies had a designated a budget and a detention unit, which was designed to detain people. The equipment and infrastructure that were required for torturing individuals were financed by the police or the army.

The subjects believed that the person who was being tortured represented a threat and deserved to be killed or tortured. If the enemy represents a tremendous danger, s/he was removed of his/her humanity. The army as well as police embraced the National Security Doctrine, which established that subjects who endorsed the Marxist ideology or who were against the military regime were enemies of the state. The National Security Doctrine argued that the enemy was hidden to the civilians; therefore, anyone could be the enemy, which explains why they tortured and mistreated innocent people.

The military are trained to fight back against enemies, and this training was coupled with the attributes that were given to the enemy. Regardless of whether enemy's ascribed attributes were based on fact, the main point was that the enemy posed a threat to society and the lives of those who were fighting against them. The mission of the police is similar. That is, the police fight against criminals, who are the enemy. The institution offered them the structure and ideology to fight against someone. Therefore, it was not difficult to introduce the image of the enemy, in this case leftist party members and guerrillas, to them. One of the interviewed policemen explained that he was trained to fight a war and that he did not understand why the civilians complained of the methods that he used, because he was trained to use these methods.

The perception of the danger of Marxist as an enemy was created in the training and reinforced by peers. The training for Carabineers and army soldiers made them unquestioningly follow orders. Therefore, when a superior gave an order, their duty was to obey it. Nevertheless, three of the interviewees did not follow orders to obey the authority

or to avoid punishment. Instead, they followed orders because they strongly believed that the orders were correct responses in the fight against the enemy.

Torture was regarded as a tool that was needed to obtain information as quickly as possible. Therefore, torture was the method that was used to achieve this goal, but they also wanted to physically and mentally destroy the enemy by using torture. The degree of organization and the divisions of tasks in operations indicate that torture was not a new activity for the agencies. Furthermore, the crimes were highly organized and perpetrated in the context of professional work.

The theory that the crimes were crimes of obedience does not hold. On the one hand, some interviewees claimed that they were following orders; on the other hand, they acknowledged feeling gratified by their job and voluntarily joining the intelligence agencies. When they are asked whether they were able to refuse orders, they claimed that they could refuse to commit a crime and that they did what they did because they believed that they were doing the right thing. The crimes are argued to be crimes of obedience by the lawyers of the accused in the judicial trials to reduce their responsibility in the crimes.

The interviewees and the interviewed victims' lawyers did not report that dissidents of the institutions' ideology and the "procedures" of the intelligence agency were murdered. Instead, the dissidents may not have been appointed to high positions or may not have had a successful career. One of the victims' lawyers explained that during the military regime, dissenting military soldiers or policemen may have been separated from the institution or murdered, and this fact may have created a myth about what happened to the dissidents of the military regime.

The agents admitted that their jobs in these agencies required that they spend time away from their homes and that they spend a considerable amount of time with other agents. Thus, they were isolated from the civilian world and established close relationships with other agents within the same unit. This isolation limited their ability to relate to other social groups, which could give them another point of view regarding their actions.

The institutional criteria and age for enrolling agents were not very precise. However, most of the interviewees noted that candidates were required to share the anti-Marxist ideology, to assume risky behavior and to be able to commit illegal acts.

Conclusion

One of the most important contributions of this study is that it allows one to visualize the institutional elements that are present in the perpetration of torture by state agents. When we talk about prevention in the manifestation of torture, we need to know its origin, and how through the institutional role we can prevent its occurrence. This was the first empirical study conducted in Chile, which permits us to observe the different aspects presented in the human rights violations to have a better comprehension of this phenomenon and help other nations to prevent it. Carver and Handely (2017) argue that torture is an act that can be prevented if detention practices are modified within an institutional context. In the practice of social work, we have worked with the victims and perpetrators of human rights, and in these experiences many times the victims wonder why so much horror. This study helps to understand this type of crime and how it can be definitively stopped as well as the deep scars that this makes the victims and the entire society.

References

- Amnesty International (1984). *Torture in the Eighties*. London: Amnesty International Publications. Retrieved from <https://www.amnesty.org/en/documents/ACT40/001/1984/en/>
- Baumeister, R. (1996). *Evil: Inside Human Cruelty and Violence*. NY: W. H. Freedman & Company.
- Carver, R. and Handley, L. (2017). *Does Torture Prevention Work?* Oxford –U.K.-: Oxford University Press.
- Código de Justicia Militar de la República de Chile (1944). Decreto nº 2226, de 19 de diciembre de 1944. Santiago de Chile: Presidencia de la República. Retrieved from <https://www.leychile.cl/Navegar?idNorma=18914&idParte=0>
- Código de Procedimiento Penal Chileno de la República de Chile (1906). Ley 1853 de 13 de febrero de 1906. Santiago de Chile: Congreso Nacional. Retrieved from <https://www.leychile.cl/Navegar?idNorma=22960>

- Conroy, J. (2000). *Unspeakable Acts, Ordinary People: The Dynamics of Torture*. New York: Alfred A. Knopf.
- Cottam, M. (1994). *Images and Intervention: U. S. Policies in Latin America*. Pittsburgh: University of Pittsburgh Press.
- Creslisten, R. D. (1995). In Their Own Words: The Words of the Torturer. In Ronald D. Creslisten and Alex P. Schmid. (Eds). *The Politics of Pain: Torturers and Their Masters* (pp. 35–64). Boulder, CO: Westview Press.
- Dixon, N. (1976). *On the Psychology of Military Incompetence*. 2nd Edition. London: Jonathan Cape Ltd.
- García Rivas, H. (1984). *Hugo García Rivas: Memorias de un Ex-Torturador*. Edited by Eduardo Varela-Cid. Argentina: El Cid Editor.
- Gibson, J. T. & Haritos-Fatouros, M. (1986). The Education of a Torturer. *Psychology Today* 20(11), 50-58.
- Graziano, F. (1992). *Divine Violence*. Boulder, USA: Westview Press. Inc.
- Haritos-Fatouros, M. (1988). The Official Torturer: A Learning Model for Obedience to the Authority of Violence. *Journal of Applied Social Psychology*, 18, 1107-1120.
- _____ (2003). *The psychological origins of institutionalized torture*. London and N.Y.: Routledge Research International Series in Social Psychology.
- Hennings, E., Uribe, V. & Guajardo, G. (1995). *Informe, Detención y Destino Final de Detenidos Desaparecidos por la DINA (1974-1977): Un Studio Preliminar*. Informe elaborado para la Corporación Nacional de Reparación y Reconciliación en Chile.
- Huggins, M. K., & Haritos-Fatouros, M. (2014). Bureaucratizing Masculinities Among Brazilian Torturers and Murderers. In Ruth Jamieson (Ed). *The Criminology of War* (pp. 431-460). London: Routledge.
- Huggins, M. K., Haritos-Fatouros, M., & Zimbardo, P. (2003). *Violence Workers: Police Torturers and Murders Reconstruct Brazilian Atrocities*. CA: University of California Press.

- Kelman, H. C. (1995). The Social Context of Torture: Policy Process and Authority of the Torturer. In Ronald D. Creslisten and Alex P. Schmid (Eds). *The Politics of Pain: Torturers and Their Masters* (pp. 19-32). Boulder, CO: Westview Press.
- Kelman, H. C. and Hamilton, V. L. (1989). *Crime of Obedience: Toward a Social Psychology of Authority and Responsibility*. New Haven: Yale University Press.
- Law 19.696 (2000) por la que se establece el Código Procesal Penal de la República de Chile. Santiago de Chile: Ministerio de Justicia. Retrieved from <https://www.leychile.cl/Navegar?idNorma=176595&idVersion=2018-03-01>
- McKelvey, T. (2007). *Monsterring: Inside America's policy of secret interrogations and torture in the terror war*. New York: Carroll & Graf Publishers.
- National Commission on Disappeared People (1986). *Never Again: A Report by Argentina's National Commission on Disappeared People*. Great Britain, Somerset and London: Butter and Tanner Ltd. Frame.
- Neuman, W. L. (2005). *Social Research Methods: Qualitative and Quantitative Approaches*. 3rd Edition. Boston, USA: Allyn and Bacon.
- Paillé, P. (2006) *La méthodologie qualitative: Postures de recherche et travail de terrain*. Paris: Armand Colin.
- Payne, L. A. (1998). *Confessions of Torturers: Reflections on Cases from Argentina*. Paper presented at the Latin American Studies Association Meetings, Chicago.
- Philip, G. (1985). *The Military in South American Politics*. London: Croom Helm Ltd.
- Rettig, R., Castillo, J., Cea, J.L., Jiménez, M., Martín, R., Novoa, L., Vial, G., & Zalaquett, J. (1991). *Informe de la Comisión Nacional de Verdad y Reconciliación*. Gobierno de Chile. Retrieved from <http://bibliotecadigital.indh.cl/handle/123456789/170>
- Rouquié, A. (1987). *The Military and the State in Latin America*. LA: University of California Press.
- Schirmer, J. (1998). *The Guatemalan Military Project: A Violence Called Democracy*. University Pennsylvania Press.

- Servicio Paz y Justicia Uruguay (1989). *Uruguay Nunca Más: informe sobre violación de Derechos Humanos, 1972-1985*. 2ª edición. Montevideo: Servicio Paz y Justicia.
- Skaar, E. & Malca, C. (2014). *Latin American Civil-Military Relations in a Historical Perspective: A Literature Review*. Bergen: Chr. Milchesen Institute (CMI Working Paper WP 2014:6). Retrieved from <https://www.cmi.no/publications/file/5189-latin-american-civil-military-relations-in-a.pdf>
- Strauss, A. L. & Corbin, J. (2002). *Bases de la Investigación Cualitativa*. Colombia: Universidad de Antioquia.
- United Nations (1974). *Torture and other Cruel, Inhuman or Degrading Treatment or Punishment in Relation to Detention and Imprisonment*. General Assembly Resolution 3218 (XXIX). Retrieved from <http://digitallibrary.un.org/record/663632?ln=en>
- Valech, S., Sepúlveda, M. L., Amunátegui, M., Fouilloux, L., Gómez, J., Lira E., Sierra, L., and Varela, A. (2004). *Informe de la Comisión Nacional de Prisión Política y Tortura*. Gobierno de Chile. Retrieved from <http://bibliotecadigital.indh.cl/handle/123456789/455>
- Wesson, R. (1986). *The Latin America Military Institution*. New York: Praeger Publishers.
- Wiarda, H. & Collins, H. (2011). *Constitutional Coups? Military Intervention in Latin America*. Center for Strategic & International Studies. CSIS. Retrieved from https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/110627_Wiarda_ConstitutionalCoups_Web.pdf.
- Zagorski, P. W. (1992). *Democracy vs. National Security: Civil-Military Relations in Latin America*. Boulder –Colo- and London: Lynne Rienner Publishers.
- _____ (1997). The Military. In Richard S. Hillman (Ed.). *Understanding Contemporary Latin America* (pp. 95-118). Boulder, Colo: Lynne Rienner Publishers.
- Zimbardo, P. (2008). *El Efecto Lucifer: El porqué de la maldad*. Barcelona, Spain: Ediciones Paidós, S. A.