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Justice Stalks Chilean Dictator Augusto Pinochet from Unlikely Source — A Judge Who Once Supported Him — In P.O.V.'s "The Judge and the General," Tuesday, Aug. 19 on PBS

Veteran Journalists Elizabeth Farnsworth and Patricio Lanfranco Examine the Unusual Case of Judge Juan Guzmán, Who Struck a Blow for Human Rights in Chile — And the World

*A co-production of Independent Television Service (ITVS)
in Association with Latino Public Broadcasting.*

*"An evocative suspense thriller about the 17-year reign of terror in Chile in the 70's and 80's and the man who, more than any single other person, brought it to an end.
. . . See this movie. . ."*

Phil Bronstein, Editor-at-Large, San Francisco Chronicle

Many Chileans refer to "the other 9/11" — the Sept. 11, 1973 coup, led by General Augusto Pinochet, against the democratically elected government of Socialist Salvador Allende. The coup left, thousands of Chileans dead, tortured or "disappeared." Allende died, apparently by suicide. The ensuing 17-year dictatorship was embraced then, and even now, by a large segment of Chilean society, as is made chillingly clear in the new documentary **The Judge and the General**. But many Chileans resisted Pinochet — at first covertly and then more openly — even as the regime was increasingly isolated abroad.

Sensing the waning of their military rule in the late 1980s, Pinochet and his colleagues engineered a transition to civilian government intended to guarantee them a heavy hand in succeeding governments — and immunity from prosecution. **The Judge and the General** is the unusual story of the man who challenged that immunity, Juan Guzmán, a modest, conservative judge who had long been a Pinochet supporter. But he is also an idealistic man whose courage in unearthing the truth of the Pinochet years — including his own blindness to that truth — has unleashed a whirlwind of repressed emotions in Chile, and written a new chapter in human rights law for Chile and the world.

Elizabeth Farnsworth and Patricio Lanfranco's **The Judge and the General** has its broadcast premiere on **Tuesday, Aug. 19, 2007** at 10 p.m., on PBS, part of the 21st season of P.O.V. (Check local listings.) American television's longest-running independent documentary series, P.O.V. is public television's premier showcase for point-of-view, nonfiction films, and is a 2007 recipient of a Special News & Documentary Emmy Award for Excellence in Television Documentary Filmmaking.

The Judge and the General is an important and incisive update on a watershed episode of the Cold War that continues to bitterly divide Chilean society by two veteran journalists who have reported on

Chile for four decades. The film features a secret army recording of communications on the day of the coup — played for Guzmán by a journalist imprisoned under Pinochet — which makes it clear that the General had decided on Allende's death from the start. "If you kill the bitch, you get rid of the offspring," Pinochet snarls to his commanders. The film is also a fascinating snapshot of evolving international human rights law and its application to nations torn by war or civil disorder, seeking both justice and reconciliation.

Pinochet's immunity was not significantly challenged throughout most of the 1990s by elected center-left governments. When relatives of victims filed a criminal complaint against Pinochet in 1998, no one expected anything to happen — an expectation reinforced when the case was assigned by lottery to Appellate Court Judge Juan Guzmán. (In Chile, judges are responsible for investigating and prosecuting, as well as trying, cases.)

Guzmán was seen as a conservative judge who, as a young law clerk, had penned some of the denials of habeas corpus, signed by higher judges, that abetted Pinochet's coup. A man from a wealthy and patrician family, Guzmán believed the Pinochet version of events: that the army had saved the country from communist revolution and that any excesses committed by the military were the inevitable consequences of a dire struggle. Then the unexpected happened — Judge Guzmán began investigating the allegations in detail and in earnest.

Guzmán's story is as revealing for his worldview before taking on the Pinochet case as for his change of heart. How could he not know of the regime's systematic brutality when the rest of the world knew? In the United States, CIA complicity in the coup was hotly debated, while the 1978 car-bomb assassination in Washington, D.C. of anti-Pinochet exile Orlando Letelier along with his American associate, Ronnie Moffit, alienated many of the general's North American supporters. That assassination, committed by the DINA, Chile's secret police under Pinochet, helped begin the slide in the regime's international legitimacy as domestic opposition revived and spread.

And yet, until that criminal complaint filed by the families of victims landed on his desk, Guzmán, who knew there had been violations, believed that tales of mass murder and systematic violations of human rights to be mostly "communist" propaganda. Eduardo Contreras, lawyer for the families, was hardly encouraged in his first meeting with Guzmán, whom he found polite but skeptical. In the film, Guzmán explains his attitude as the natural product of his environment, the highly insulated world of the Chilean elite, and a family tradition of military service. In this respect, Guzmán presents the classic conundrum of the "good German," who is neither an ideologue nor an extremist, but who nonetheless does not challenge the rise of an extremist ideology.

Guzmán's investigative and prosecutorial efforts afterwards provide atonement. With little support from the Chilean judiciary, and in growing personal danger, he undertakes an arduous examination of cases offering both physical evidence of systematic crimes and a legal strategy of overcoming Pinochet's immunity.

The Judge and the General follows two of Guzmán's investigations: the killing of Manuel Donoso, a young sociology professor, during the "caravan of death," when Pinochet's right-hand man, General Sergio Arrellano Stark, flew in a helicopter from town to town, marking on lists the names of those to be executed. Guzmán's disinterment of Donoso's remains, which proved that he had been murdered rather than killed in a road accident as the army claimed, provides a dramatic foreground to the heart-rending account of Mónica Moya, Donoso's widow, of his arrest and torture.

The second case involves the "disappeared" Cecilia Castro, a young law student and political activist, whose mother, Edita, was forced to lead Pinochet's secret police to her daughter's hiding place in order to save her granddaughter's life. Guzmán and his detectives determined that some political prisoners, perhaps including Cecilia, had been made to disappear by having their bodies, tied to iron rails, thrown into the sea.

One of the things that most struck Guzmán in his investigations was that few of the victims could be described as violent revolutionaries. They were union or peasant organizers, or members of the intelligentsia — writers, teachers, and lawyers — who supported Allende's vision of a socialist Chile.

The Judge and the General follows the twists and turns of the efforts of Guzmán and others to overcome Pinochet's immunity, his claims to be too ill, even too senile, to stand trial, and then his final defense — when significant proof of his crimes had been gathered — that he had known nothing of them. Was Pinochet, who died in 2006 while under house arrest, brought to justice in the eyes of society? Or did he escape being "touched" as his supporters jubilantly proclaim? What are the prospects for the cases against Pinochet underlings that are now underway? Most importantly, what are the prospects for Chile finding both truth and reconciliation through a legal accounting of its recent violent past?

For Judge Guzmán, a man who says that his investigations "opened the eyes of my soul," there is one clear choice: "A wounded country needs to know the truth."

"I was especially interested in understanding the phenomenon of 'the Good German,' the conscientious person of high ideals who goes along with state terror because it offers safety and order in a time of chaos," says co-director/co-producer Farnsworth. Adds co-director/co-producer Lanfranco: "I was driven to explore more deeply the nature of hope. How could people have dared act as if justice would, in fact return, and gather evidence at a time when they could have been killed in retaliation?"

The Judge and the General is a co-production of West Wind Productions and Independent Television Service (ITVS) in association with Latino Public Broadcasting (LPB), with funding provided by the Corporation for Public Broadcasting (CPB).

About the filmmakers:

Elizabeth Farnsworth Producer/Director

Elizabeth Farnsworth was chief correspondent and principal substitute anchor on PBS's *The NewsHour with Jim Lehrer* from 1995-2000. She then became a senior correspondent, reporting mostly from overseas. She now freelances for *The NewsHour* and makes documentaries. In the past four years, she has reported from Iraq, Iran, Saudi Arabia, Turkey, Egypt, Israel, the West Bank, Gaza, Chile, Haiti and Vietnam. Her 2001 four-part *NewsHour* series on the AIDS crisis in Botswana and Malawi (produced by Joanne Elgart) received the 2001 Silver World Medal from the New York Festivals and a national Emmy nomination. Her documentary "Thanh's War" (co-directed with John Knoop), which aired on PBS in 1991, garnered a CINE Golden Eagle, among other awards, and "*The Gospel and Guatemala*" (co-produced with Stephen Talbot), which aired on PBS in 1983, received a San Francisco International Film Festival Golden Gate Award.

Farnsworth's writings have appeared in *Foreign Policy*, *World Policy Journal*, *The San Francisco Chronicle*, *The Nation*, *Mother Jones* and other publications. She has lived in Peru and Chile and has a master's degree in Latin American History from Stanford University. Farnsworth was assistant producer of "Que Hacer?," a feature film set during the Chilean election campaign of 1970, and has followed Chile closely ever since. She lives in San Francisco.

Patricio Lanfranco Producer/Director

Patricio Lanfranco, a Chilean citizen living in Santiago, has been a researcher and producer for two decades. As senior producer of the news department of Chilean National TV (TVN), he produced the live television coverage of the 1995 trial of Manuel Contreras, former chief of Pinochet's secret

police, for the 1976 Washington, D.C. murder of Orlando Letelier, former Chilean Ambassador to the United States. Because of the broadcast, Chileans were able for the first time to watch attorneys present evidence in an official setting of human rights crimes committed by the secret police. Later Lanfranco created his own independent company. He has produced reports for the BBC and assisted in the production of many stories for *Thee NewsHour with Jim Lehrer*. He has also coordinated and produced for the Australian Broadcasting Company's flagship *Foreign Correspondent* program. In 2003, he won the Chilean National Television Council Award

Credits:

Co-directors/Co-producers: Elizabeth Farnsworth, Patricio Lanfranco
Executive Producer: Richard Pearce
Cinematographers: Michael Anderson, Vicente Franco, Esteban Medel, Jim Van Vranken
Editor: Blair Gershkow
Original Music: Barbara Cohen

Running Time: 86:46

Festivals:

- World Premiere, San Francisco International Film Festival, May 2008



The Independent Television Service (ITVS) funds and presents award-winning documentaries and dramas on public television, innovative new media projects on the Web and the Emmy Award-winning weekly series *Independent Lens* on PBS. ITVS was created by media activists, citizens and politicians seeking to foster plurality and diversity in public television. ITVS was established by a historic mandate of Congress to champion independently produced programs that take creative risks, spark public dialogue and serve underserved audiences. Since its inception in 1991, ITVS programs have revitalized the relationship between the public and public television. More information about ITVS can be obtained by visiting www.itvs.org. ITVS is funded by the Corporation for Public Broadcasting, a private corporation funded by the American people.



Created in 1998 by Edward James Olmos and Marlene Dermer, Latino Public Broadcasting (LPB) is a non-profit organization funded by the Corporation for Public Broadcasting. LPB's mission is to support the development, production, post-production, acquisition and distribution of non-commercial educational and cultural television that is representative of or addresses issues of particular interest to U.S. Latinos. These programs are produced for dissemination to public broadcasting stations and other public telecommunications entities. Mr. Olmos is presently LPB's Chairman of the Board of Directors. For more information please visit www.lpb.org.



Produced by American Documentary, Inc. and celebrating its 21st season on PBS in 2008, the award-winning P.O.V. series is the longest-running showcase on television to feature the work of America's best contemporary-issue independent filmmakers. Airing Tuesdays at 10 p.m., June through October, with primetime specials during the year, P.O.V. has brought more than 250 award-winning documentaries to millions nationwide, and now has a Webby Award-winning online series, *P.O.V.'s Borders*. Since 1988, P.O.V. has pioneered the art of presentation and outreach using independent nonfiction media to build new communities in conversation about today's most pressing social issues. More information about P.O.V is available online at www.pbs.org/pov.

P.O.V. Interactive (www.pbs.org/pov)

P.O.V.'s award-winning Web department produces special features for every P.O.V. presentation, extending the life of our films through filmmaker interviews, story updates, podcasts, streaming video, and community-based and educational content that involves viewers in activities and feedback. P.O.V. Interactive also produces our Web-only showcase for interactive storytelling, *P.O.V.'s Borders*. In addition, www.pbs.org/pov has launched the *P.O.V. Blog*, a gathering place for documentary fans and

filmmakers to discuss and debate their favorite films, get the latest news and link to further resources. The P.O.V. Web site, blog and film archives form a unique and extensive online resource for documentary storytelling.

P.O.V. Community Engagement and Education

American Documentary | P.O.V. works with local PBS stations, educators and community organizations to present free screenings and discussion events to inspire and engage communities in vital conversations about our world. As a leading provider of quality nonfiction programming for use in public life, P.O.V. offers an extensive menu of resources, including free discussion guides and curriculum-based lesson plans. In addition, P.O.V.'s *Youth Views* works with youth organizers and students to provide them with resources and training so they may use independent documentaries as a catalyst for social change.

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American Documentary, Inc. (www.amdoc.org)

American Documentary, Inc. (AmDoc) is a multimedia company dedicated to creating, identifying and presenting contemporary stories that express opinions and perspectives rarely featured in mainstream media outlets. AmDoc is a catalyst for public culture, developing collaborative strategic engagement activities around socially relevant content on television, online and in community settings. These activities are designed to trigger action, from dialogue and feedback to educational opportunities and community participation. Simon Kilmurry is executive director of American Documentary | P.O.V.

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