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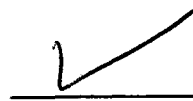
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Transition to Democracy in Chile:

Two Factors

by

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B.A. University of Montana, 1997

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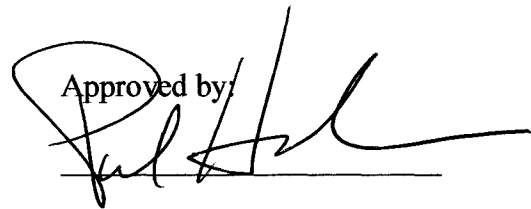
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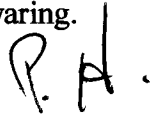
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Detailing the transition to democracy in Chile from the military dictatorship directed by General Augusto Pinochet Ugarte using the intermediate transition theory of Eduardo Viola and Scott Mainwaring.

Director: Paul Haber

Handwritten initials "P.A." in black ink, positioned to the right of the director's name.

In 1990, free and contested elections were held in Chile for the first time since 1973. The military, led in part and later controlled by General Pinochet, had overthrown the democratically elected government of Salvador Allende and, between those years, ruled in a repressive and non-democratic fashion.

The role of two domestic factors, the authoritarian regime and civil society, are examined to determine what each contributed to the eventual transition to democracy that occurred in 1990. To accomplish this examination, a transition theory proposed by Viola and Mainwaring is employed.

Viola and Mainwaring advance a theory to explain some transitions that is entitled the 'intermediate' approach. The intermediate approach assigns importance to both the regime and civil society to explain a transition process. The intermediate approach is the most appropriate for the Chilean transition as demonstrated by an examination of the evidence.

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Chapter One: An Overview

Introduction

In the early hours of the morning, on September 11, 1973, a long line of tanks entered the central Grand Avenue and began rumbling through downtown Santiago on their way to the Moneda Palace, Chile's equivalent of the American White House. Hunkered in the basement with a group of aides and supporters was Salvador Allende, the president of Chile. At 11 A.M., three Hawker Hunter jets of the Chilean air force screamed overhead, launching sixteen missiles that scored direct hits on the Moneda.ⁱ The palace began burning furiously. Allende's last action in life was to pick up a machine gun, place it against his head, and pull the trigger.ⁱⁱ Chile would not have another democratically elected government for seventeen years.

Responsible for the violence unleashed were the heads of the four branches of the armed forces. Immediate consequences of the military coup were the execution of

thousands, the torture of thousands more, and the exile, often self-imposed, of hundreds of thousands. The National Congress was dissolved and political organizations were forbidden. Speech, press, and assembly rights were suspended. One man, General Augusto Pinochet Ugarte, the head of the army, soon consolidated sufficient power to establish what amounted to a personal dictatorship. Over the course of the next sixteen years he was to substantially alter the character of Chile, culturally, economically, and politically.

On March 11, 1990, in the same soccer stadium that Pinochet had used to intern and torture thousands of his political opponents, a democratically elected president addressed the people of Chile for the first time in over seventeen years.ⁱⁱⁱ The dictatorship was over. Democracy had been restored. Pinochet returned to commanding the military. The army returned to their barracks. But the effect of the military intervention continued. The sudden loss of democracy, and its equally sudden reappearance contained some very disturbing lessons about the nature of democracy itself, and most relevantly, the nature of Chilean democracy.

The military coup, particularly the extreme violence of the coup, represented a substantial departure from Chilean history. Peaceful transitions between governments, by democratic or semi-democratic means, were the norm in Chile. Non-democratic seizures of power, and, to an even greater degree, violent seizures of power, were the exception. Chile has always been perceived to possess one of the most, if not the most, vibrant, dynamic, and stable democracies in Latin America. The 1973 coup caused an entire nation, and the entire world to question the validity of that perception.

Chile, by the early 1970s was at the tail end of a very lengthy democratic history. Distant from Spain, and the most isolated, geographically, of all Spain's Latin American colonies, Chile very early on developed effective self government. Though all political authority, through the eighteenth century, was held in tandem by a royal governor and an aristocratic and landed elite, the methods by which that elite resolved disputes were democratic. By the 19th and 20th centuries, the National Congress was filled with a maelstrom of political parties, constantly forming, fragmenting, and reforming. Media published relatively without restriction. Censorship during this period was, at most, limited to matters spiritual, not political.

Periods of non-democratic government in Chile were rare, and for Latin America extremely rare. Episodes of violence were even more uncommon. During the 18th century, conflicts between the conservative and liberal parties occasionally moved outside the halls of Congress, but these incidents rarely involved loss of life. Non-democratic government during the 19th century was never military initiated. Current presidents democratically installed, or past presidents unhappy with current events infrequently made extra legal bids for power, and nearly all those were unsuccessful. Politics in 20th century Chile was even more peaceful, with but one non-democratic episode. Not only were these episodes few in number, but their individual life-spans were quite short. The violence that heralded the 1973 coup and the length of Pinochet's seventeen-year regime made many question the strength of democracy in Chile.

The Problem

If democracy could be so easily destroyed and so long denied to a people, despite centuries of democratic tradition and familiarity with the principles of a free society that

accompany it, why did it ever return? If democracy was so fragile a creation that a foundation many years in the making could be ended in a day and prevented from returning for seventeen years, why did it return at all? It is the purpose of this paper to examine the transition from dictatorship to democracy in Chile and detail the contributing factors involved.

More specifically, the last decade of the twentieth century has been witness to some of the most numerous political upheavals of modern history. Contemporary with the demise of the Soviet Union, non-democratic states all around the world began adopting democratic forms of government. Contemporary with this sudden spate in transitions from non-democratic regimes to democratic administrations has been an equally sudden, and explosive, academic interest in the study of these transitions and the transition process. Very interesting, from this perspective, is the transition of Chile from its decidedly free market oriented authoritarian regime to its current democratic form of government. It is the purpose of this paper to add another chapter to the literature on transitions by studying the Chilean transition to democracy.

Proposal

Generally, this paper proposes to examine the transition to democracy from authoritarianism in Chile. Specifically, this paper proposes to detail the importance of the two most important domestic factors in relation to each other and to the transition. The two domestic factors are, first, the state and, second, civil society. The state, controlled by Pinochet, played an influential role in the timing and course of the transition. Civil society also played a vital role in determining the nature of the transition and by ensuring that the transition occurred. However, an examination of the Chilean transition is much

more complex. The roles of the two factors, Pinochet with the powers of state behind him, or a broad range of popular movements with the power of society behind them, are anything but clear-cut.

The return of democracy in Chile can be explained, in part, by reference to the dictator. Pinochet did permit elections to be held when he, arguably, could have prevented them. On the other hand, the return of democracy can be explained, in part, by reference to the vast array of social movements. By the late 1980s these movements had become quite large and quite activist. This thesis seeks to detail the importance of both factors through the lens of a particular transition theory that is elaborated below.

The evidence for according Pinochet an important role in the restoration of democracy comes from two sources. The first source is more general in nature. The latter source is more specific. The first source is found in the nature of Pinochet's position. As dictator of Chile with few restrictions on the power he wielded, little occurred in the public arena without his permission or his acquiescence. That certainly included the reestablishment of political parties and the holding of elections. Had he wished, neither would have occurred when they did. The second source of evidence is found in the 1980 constitution, the construction of which Pinochet closely supervised. In the constitution was the timetable for the holding of democratic elections in the near future and the structure of that later government that was to be democratically elected.

Pinochet did exercise significant power. By force of personality, and through his fortuitous control of the army, Chile's largest and most powerful branch of the armed forces, Pinochet was able to relegate the heads of the remaining three branches of the military to subordinate roles, though initially power was to have been shared. By virtue

of commanding the armed forces and by controlling the institutions of government, Pinochet's power within most areas of Chilean life was unchecked. By combining the apparent powers of the sword and the inherent powers of the exchequer, Pinochet's grasp on Chile was quite firm. His record, for Chile, seventeen-years in power, and the accomplishments during that period, are ample evidence of the power he possessed. Laws were changed. Forces within civil society were altered or eliminated. The institutions of government were changed. The constitution was rewritten.

The 1980 constitution is, perhaps, Pinochet's greatest legacy to the institutional framework of Chile's democracy. And, it is the strongest evidence of his role in Chile's re-democratization. The constitution was composed of several parts, two of which are important to this study. It established the institutional framework and structure for a democratically elected government, and it established a timetable by which that government was to be implemented. The institutions of legislature, executive, and judiciary were established, as were the various ministries and the composition of the cabinet. The operation and power of those institutions was also defined, and, more importantly, the process of selection of persons to fill those positions by popular vote was set out. Most importantly, the constitution required elections to be held by 1989 for the legislature and the executive. Pinochet, it can be argued, did not simply permit elections, but he initiated them.

The evidence for according popular movements an important role in the restoration of democracy also comes from two sources. As with Pinochet, the first source is more general in nature. The latter source is more specific. Evidence demonstrating the primacy of popular movements in the renewal of Chilean democracy can be found in

broad based movements making basic and commonly held demands of the government. Days of National Protest, middle class and working class demonstrations, and a widely desired return to democratic government were undeniable evidence of massive undercurrents in Chilean society propelling the transition to democracy. Narrowly focused, narrowly composed social movements also deserve significant attention for their role in restoring democracy to Chile. Agitation by underground political parties, left-wing terrorist activities, and the increasing politicization of labor groups were directly targeted efforts for particular ends. Though each political group pursued distinct ends, in aggregate their pressure for greater access to government was substantial.

Broad based movements were both the foundation for more particularized pressure groups and they were often the result of such groups' activities. The general atmosphere favoring increased democratization and the abolition of most limitations on personal and social activities permitted more particularist groups to find some niche within society. Particularist groups, also, were responsible for generating popular and widespread dissatisfaction with the regime. Neither broad based movements nor elite political groups were responsible for the transition to democracy, but each was, in some way, responsible for the other. And their collective action did have results. The holding of elections, the nature of those elections, and the composition of the government elected can, in significant part, be attributed to the pressure popular movements exerted on the Pinochet regime.

It is the contention of this paper that, of the domestic Chilean factors, both the state actor, Pinochet and his agents, and the social actor, popular movements both broad and narrow, were responsible for Chile's return to democratic government in 1990.

Neither the state nor civil society can claim sole credit for that accomplishment. That elections were held when they were and how they were and with the results that occurred can be attributed to no one actor alone. The outcome in 1990 was no foregone conclusion in 1973, 1980, or even 1989. The reestablishment of democracy could have been postponed indefinitely had either party acted other than they did. Results occurred in the fashion they did because both actors acted in the fashion they did.

Pinochet was important. He did step down when all the power of the state and the military was at his disposal. He enacted a constitution that had the potential to, and eventually did, cut short his administration of power, and he adhered, relatively strictly, to it. Pinochet did play an important role in the democratic election of 1990. But, his acquiescence is not the entire story. Would he have relinquished power had there been no significant efforts to limit his authority and even his rule? The evidence suggests otherwise. Even throughout the late 1980s Pinochet was considering constitutional amendments to extend his time in power. Opposition organization in the 1989 plebiscite was stifled and severely restricted. Though a one-month campaign was eventually conceded, Pinochet was unhappy with the concession.

The social movements were also important. Popular movements with popular demands, broadly based across society, permitted an atmosphere supportive of democracy and more open government to survive. They provided a cushion for more particularist demands to be made by more focused and more activist groups. Strikes, Days of National Protest, and mass demonstrations all contributed to Chile's democratic transition. But, their activities are not the entire story. Would their actions and opinions, as widespread as they may have been across society, been sufficient to force Pinochet to

step down? The evidence suggests otherwise. Over forty percent of the voters in the 1988 plebiscite supported another eight years of Pinochet's rule. With a substantial proportion of the populace supportive, and with the powers of the state and military, Pinochet's rule might have continued several years longer, had he desired, though perhaps not indefinitely. The restoration of democracy in Chile, it will be demonstrated, was the result of both domestic factors acting as they did.

The Chilean transition process, although unique, did follow a pattern similar to the transition process in other countries. Scholars have analyzed many of these transitions and developed theories that interpret and explain them. Many of these theories, upon examination, provide insight into a particular aspect of the Chilean transition, and this paper does incorporate several of those theories relevant to the Chilean experience. But they tend to emphasize only one of the factors at the expense of the other. However, one transition theory, that proposed by Eduardo Viola and Scott Mainwaring, although it does borrow some components from several of the other theories, assigns equal importance to both factors. This intermediate transition theory, a compilation of the regime and civil society theories but with equal emphasis, will be used in this paper to examine and detail the Chilean transition. These theories will be elaborated upon in Chapter Two.

Limitations

This thesis limits the scope of its study to an examination of the above two domestic actors. The existence of other factors influencing the Chilean transition such as international opinion are acknowledged. However, this thesis does not seek to take on so broad an examination, but limits itself to the more manageable two actors mentioned.

This thesis also acknowledges the influence of events surrounding the transition to democracy on the subsequent practice of democracy, but it does not examine that influence. This thesis does not seek to discuss the quality of the democracy in Chile, post-transition, or limitations on democratic expression. When discussing democracy, only the narrowest definition of procedural democracy is being employed. The term used in this thesis is in recognition that there is direct election by universal adult suffrage of the Congress, the president, and most of the Senate, though the electoral mechanism favors rightist parties, and the military is not fully under civilian rule.^{iv} The focus does not extend to the quality^v of that democracy or its subsequent practice.^{vi} The specific definition of democracy used in this thesis is given in the following chapter.

Structure of the Paper

The remainder of this thesis is divided into four more chapters, an exploration of transition theory, a relevant historical summation, and one chapter on Pinochet and civil society each. The examination of transition theory will detail the three types of transitions, those that emphasize the role of civil society, those that emphasize the role of the state, and those that emphasize the roles of civil society and the state equally, and relate each to the Chilean paradigm. In Chapter Two, evidence will be presented to demonstrate that one particular theoretical approach, that of Viola and Mainwaring, best fits the Chilean situation, and that theoretical structure will be applied throughout the remainder of the paper. Chapter Three, the historical overview, will examine the Chilean political tradition and detail the actions of the Pinochet regime. This overview is important because Chilean history, as will be demonstrated, like the two domestic factors, strongly influenced the current transition process. Chapter Four will detail Pinochet's

role in the transition. Chapter five will detail civil society's role in the transition. A final chapter will attempt to marshal all the information and present a unified and satisfactory conclusion.

Chapter Two: Transition Theory

Terminology

The purpose of this chapter is to establish the theoretical framework in which the remainder of the paper is written. In 1990, the Chilean transition from authoritarian regime to democracy was completed. To understand how that process occurred, an examination of the literature on democratic transitions is necessary. However, before an examination of transition literature can be adequately undertaken, there are several conceptual terms that must first be defined and agreed upon so that the framework in which the Chilean transition is here discussed can be understood. The way in which these terms will be defined are the way in which these terms are here used throughout the rest of this paper.

Within the phrase ‘transition from authoritarian regime to democracy,’ there are three key concepts that need to be defined. The concepts are regime, democracy, and

transition. Many scholars within the field of transition literature have advanced a plethora of definitions for these concepts. In this paper, the most standard and commonly used definitions of these concepts, often given by pioneering scholars in the field, are used.

Defining a non-democratic regime, assigning to it a proper name and description, is one of the most hotly debated subjects in relevant literature. Juan J. Linz and Alfred Stepan give one of the most comprehensive distinctions between non-democratic regimes.^{vii} Four distinctions exist; totalitarianism, post-totalitarianism, sultanism, and authoritarianism. Authoritarianism is the term most applicable to Latin American generally, and Chile specifically. Whereas totalitarianism and post-totalitarianism are typically used synonymously with communist style governments, and sultanism is used to describe intensely personal styles of government, authoritarianism is used quite differently. Linz and Stepan define authoritarian regimes as

political systems with limited, not responsible, political pluralism, without elaborate and guiding ideology, but with distinctive mentalities, without extensive nor intensive political mobilization, except at some points in their development, and in which a leader or occasionally a small group exercises power within formally ill-defined limits but actually quite predictable ones.^{viii}

Ronaldo Munck, still using the same factors as Linz and Stepan, provides a more concise definition for the Latin American authoritarian regimes.^{ix} Criticizing O'Donnell's 'bureaucratic-authoritarian' and Theotonio Dos Santos' 'dependent facism,' he offers the more precise term 'military dictatorships,' "the monopoly of political power by the armed forces."^x For the purposes of this paper, 'regime' and 'military dictatorship' are used synonymously.

Democracy, also, has been a concept difficult to define. Munck's tripartite distinction between political, social, and economic democratization provides a good illustration of this dilemma.^{xi} The purpose of this paper, however, is not to argue the merits of one definition of democracy over another, but rather, to provide a definition that will be understood as the one used within this paper, and thereby avoid misunderstanding. Linz and Stepan give perhaps the most succinct definition of procedural democracy, providing the meaning of the term employed in this paper. "Democratization requires open contestation over the right to win control of the government, and this in turn requires free competitive elections, the results of which determine who governs."^{xii} A more thorough definition of procedural democracy, however, is given by Viola and Mainwaring.^{xiii}

By democracy, we mean a political regime with free competitive elections, without major proscriptions and with universal adult suffrage. Democratic regimes afford freedom of speech and the press, freedom of political association, and individual civil rights. They have a division of powers, with autonomous executive, judiciary, and legislative branches.^{xiv}

Of course, this definition is by no means complete either, but it does serve to demonstrate how the term is employed here.

Defining the concept of transition is more easily accomplished thanks to the efforts of Manuel Antonio Garretón, M.^{xv} Although he acknowledges that transition to democracy has a slightly different meaning for different sectors of the population, he also gives a traditional definition that is used in this paper. "In its more classical conception, transition implies the ending of military rule and consolidation of the legal and political institutions of representative democracy."^{xvi} That Garretón means here the procedural definition of democracy given above is evident in his further elaboration of the meaning

of transition for the left which includes the “active participation of popular demand”^{xvii} in addition to the requirements of the classical conception.

Theories of Transition

There are many theories advanced in transition literature to explain how and why transitions occur. Theories range from simple arguments with a general statement to extremely focused and highly individualized and detailed arguments. Theories can be original constructions, although most today cannot make that claim. More commonly, at present, most theories are borrowed and improved upon, or debased as one may view it. Additionally there are hybrid theories combining two theories or even several. And to add to the confusion, many scholars have advanced more than one theory, most often to explain transitions in different countries, but occasionally to explain transitions in the same one.

However, viewed from a distance, some order, some regularity, can be seen in this maelstrom of competing theories. Although each theory is unique, they each also share some similarities with their neighbors. They can be codified into separate and distinct categories. Indeed, nearly all theories can be grouped into one of three camps. Some transition theories emphasize the contributions of civil society to the exclusion of other factors. Some transition theories recognize the contributions of civil society yet emphasize the role of the regime. And, some transition theories examine the role of both civil society and the regime without emphasizing one over the other. It is into this last category, that of intermediate transitions, that the Chilean transition and this paper fall.

This thesis adopts a theoretical approach that seeks to emphasize the roles of both civil society and the state within Chile and the relationship between them. However, to

understand a theoretical approach that emphasizes both, it is necessary to first come to understand those theoretical approaches that emphasize each singly, because it is from the single emphasis theories that dual emphasis, or intermediate transition, theories are constructed. Intermediate transition theories assign equal importance to both the regime and civil society. But in assigning importance to one of the two factors, intermediate transition theories often use the same reasons employed by single emphasis theories. Several single emphasis theories to be reviewed below will be used, like building blocks, to construct the dual emphasis theory employed by Viola and Mainwaring that will be laid out at the end of this chapter as the template for the Chilean transition.

Among the transition theories that emphasize civil society, two theories are preeminent. The first is advanced by Philippe Schmitter and Guillermo O'Donnell.^{xviii} They view opposition civil society as composed of both intransigents, or 'maximalists,' and moderates, or 'minimalists.' Maximalists demand immediate democratization despite the cost. A distinction is made because this often means violence. Minimalists are more willing to work with the regime to accomplish democratization. They avoid violence although the price is delayed democracy. Schmitter and O'Donnell's theory posits that transitions are more likely to succeed when the minimalists become the majority within the opposition. "The prospects for the consolidation of democracy are more propitious... when the incumbents of power can negotiate a transition, without duress, with their 'non-maximalist' opponents."^{xix}

Another example of a major theorist who emphasizes the role of civil society, and does so overtly, is Stepan.^{xx} For Stepan, civil society is absolutely crucial to a democratic transition. Popular mobilization, or the lack of it, is critical to the success of the

democratization process. No other factor in the transition process is accorded a similar degree of emphasis. Democratization's origins occur in the mobilization of civil society. Strengthened civil society, then, is able to threaten the working ability of the military regime and even state stability. In response, the military dictatorship is forced to respond to the pressure exerted upon it and liberalize the state. A democratic transition results. However, although Stepan claims to be concentrating on the "reciprocal relations between the power of the state and the power of civil society,"^{xxi} his focus is only on the latter of those two factors. Consequently, he has been criticized for being too "one-dimensional."^{xxii}

Oddly enough, more theories have been advanced that emphasize the role of the regime in the transition than emphasize the role of civil society. This is not to suggest that the scholars constructing these theories dismiss civil society, or even subordinate it, but only that they choose to focus on the regime, possibly to facilitate analysis.

O'Donnell authors one of the principal transition theories that make this emphasis.^{xxiii}

According to his theory, military dictatorships undertake a process of liberalization for the purposes of establishing their legitimacy and maintaining stability. Liberalization is undertaken, specifically, because it:

- (1) satisfies the need of people for participation and a feeling of the character of "citizenship" (even in the face of the domination of the state);
- (2) if tied to elections, it satisfies the problem of presidential succession, so elusive but necessary for stability and predictability of political and economic policies; and
- (3) over the long term, it obscures the harsher aspects of the state coercion necessary to maintain economic domination of the state.^{xxiv}

Over time, increased liberalization will result in eventual democratization as the regime voluntarily attempts to satisfy the above three concerns, and in the process, with specific intent, to form a society in accord with the regime's values.

A second transition theory focusing on the role of the regime is authored by Nicos Poulantzas^{xxv} and Ariel Colombo,^{xxvi} independently. Entitled ‘class struggle,’^{xxvii} this theory declares that the principal factors in the transition process are not found in the mobilization of opposition civil society, but are found in the internal conflicts and disagreements within and between the military dictatorship and its allied classes in civil society. “The decisive factor in the crisis of the regime was not the remobilization of society, but rather the confrontations and contradictions within the liberal-authoritarian alliance.”^{xxviii} What initiates the transition is not popular mobilization in support of it but, rather, fratricidal conflict within the military-bourgeoisie alliance. Only if the regime has collapsed due to internal strife and lost its ability to effectively govern can civil society exert itself and take the transition to its final conclusion.

Antonio Gramsci advances a third transition theory in which, like the above two theories, the military regime is also seen as immediately decisive.^{xxix} For Gramsci, the transition is initiated by the state and takes form as a series of incremental phases of liberalization, culminating in the final transition. The phases operate with organic momentum. The regime liberalizes, and civil society responds to that liberalization and applies pressure for more. The process of liberalization eventually results in a pact being established between the political elites within civil society and the military dictatorship. There are several types of pacts, as noted by O’Donnell, labor, socioeconomic, and political, to name a few.^{xxx} Because this paper is concerned only with procedural democracy, the existence of a pact between the state and society is sufficient to declare a transition.

The final transition theory explored here that emphasizes the role of the regime has been independently authored by the co-authorship of Douglas Chalmers and Craig Robinson^{xxxix} and by the co-authorship of Stepan and Linz^{xxxix}. Both focus on a cost-benefit analysis being applied by the military dictatorship to their governance. For Chalmers and Robinson, the military initially overthrew the democratic government because they saw their actions as low cost that would reap high rewards. As the domestic situation stabilizes, the factors that sparked their initial estimation have reversed. The cost of governance has become high and the rewards low. Stepan and Linz make a similar conclusion. Here, the military is assumed to view itself more as an independent institution within the state rather than as the state. "If the costs of rule by the "military as government" are considered too great for the "military as institution," a free election may become part of the extrication formula for the hierarchical military in charge of an authoritarian regime."^{xxxix}

In contrast to transition theories that singly emphasize civil society or that singly emphasize the regime, there are transition theories that place a more equitable emphasis on each. George A. Lopez and Michael Stohl propose that transitions fall within one of the two categories listed above.^{xxxix} Transitions can occur by the violent mobilization of opposition elements against the military dictatorship. Cuba is the prime example. They can occur as a result of the military dictatorship's abdication in direct response to the pressure exerted by mobilization of civil society. Argentina provides as good example. The third type of transition occurs as a result of a planning or management on the part of the military dictatorship. Brazil is a good example of this transition. Lopez and Stohl

assign these different types of transitions to different national circumstances. No one theory is universal but are applicable event-specific.

Adam Przeworski builds upon the last type of transition proposed by Lopez and Stohl, with some modifications.^{xxxv} Like O'Donnell and Gramsci, Przeworski agrees that regime planned and managed transitions do occur. Unlike O'Donnell and Gramsci, Przeworski does not assign most of the responsibility for those pacted transitions to the military dictatorship. Rather, both the regime and opposition within civil society play an equally important role. His theory is often called the 'four game player theory model' because it divides the regime and the opposition into four factions. The military is composed of hard-liners and moderates. The opposition is likewise composed of hard-liners and moderates. It is only when the moderates within both the regime and the opposition are able to "contain," and even "use," their respective hard-line compatriots that the transition to democracy can occur.

Another theory that borrows heavily from previous theories is that of Linz.^{xxxvi} He takes O'Donnell's process of liberalization concept and adapts it to an examination of both the regime and civil society. Whereas O'Donnell makes the liberalization process entirely dependent upon the regime, and indeed done for the purposes of promoting the regime's values, Linz describes the liberalization process as an interactive one. The regime liberalizes the first time for any particular reason. Civil society reacts to that liberalization by pushing and testing the bounds of the constraints still in place. The regime responds to these efforts by further liberalization. This process eventually culminates in a transition to democracy. Although the regime may have controlled the

initial liberalization, once liberalization has occurred the course is now equally dominated by both regime and civil society. The logic behind this process is that liberalization

intensifies pressure for [even] greater liberalization and raises the temptation of renewed regime repression to limit such trends. To resort to the former obviously increases the pace of reform. To elect the latter is to return to an authoritarian style, but this time devoid of the legitimacy level and support of the particular political groups it has just enjoyed. Thus coercive control becomes more cumbersome over time.^{xxxvii}

Comprehensive Theories

The above theories provide an excellent conceptual framework by which to view the Chilean transition, but, individually, they fall short in one area or another. When examining the Chilean transition, a single theory may be relevant at different times or in different areas, but none alone provide a template by which to view the transition in its entirety. Different theories focus on different aspects of the transition and give different causal weight to different variables. My task in theory construction was not so much to emphasize the relative merits of theory, as much as it was to familiarize myself sufficiently with the literature so as to select a theory that is best able to address the variables under consideration here. What is needed, is a more comprehensive theory, one that incorporates relevant aspects from all of the theoretical approaches discussed above. Theories that emphasize the state are insufficient. Theories that emphasize the role of civil society are likewise insufficient. The Chilean transition requires a more comprehensive theoretical approach, as will be demonstrated. Fortunately, there are some transition theories that attempt to do this.

Although on a very general level, Lopez and Stohl do provide a comprehensive theory of democratic transition. Recognizing the shortcoming of the individual theories,

and the inconsistencies and overlapping between them, Lopez and Stohl suggest that the most thorough examination of a transition should take all of these theories into account and apply them together, each in their entirety or merely elements of each in combination with other theories.

Although these theoretical approaches may be somewhat contentious and overlapping explanations of the decline in authoritarian rule, it is clear that a mixture of larger political trends beyond the direct control of the B-A (bureaucratic authoritarian) regime and distinctive aspects of the structure of the regime itself provide impetus to and combine with particular choices made by regime members to yield a transition. In fact, if a generalization can be credibly made about post-authoritarian transitions, it may be that they are a function (a) of broad pressures external to the government, (b) of the reform-oriented internal dynamics within the regime, and (c) of the manner in which regime leaders elect to stifle or further the liberalizing or democratizing tendencies that have developed. If another can be posited, it would be that a diverse array of factors influence the transition phase from the post-authoritarian order to the newly liberalized, democratized, or redemocratized system.^{xxxviii}

Rigid adherence to only one theory would be detrimental to the quality of the results acquired. Rather, a combination of theories that emphasized both the regime and civil society should be applied to every study.

Garreton takes Lopez and Stohl's analysis a bit further with his multiple factor analysis of transitions. Like Lopez and Stohl, Garreton draws from the three categories above to analyze transitions. Instead of emphasizing the regime at the expense of civil society, or civil society at the expense of the regime, or emphasizing neither, Garreton suggests that each of the factors should be examined in relationship with each other and with the surrounding circumstances. "[T]his picture cannot be evaluated in static terms. Each one of the elements that make it up tends to vary, altering the total situation and making a change in political scenario possible."^{xxxix} Garreton proposes three factors, two of which coincide with the categories already given. The third, forces external to the

domestic situation, such as foreign influences, has been expressly avoided in this paper. The two factors relevant are the military regime itself and its sociopolitical opposition. The military regime can either disintegrate, as some have noted, leaving a vacuum for civil society, or it can initiate a transition intentionally “from the top down.” The sociopolitical opposition could unleash a transition to democracy by violently overthrowing the regime or by more subtly pressuring the regime. Garretton, however, does not suggest that any particular factor be emphasized over any other particular factor. Rather, he suggests that a transition occurs as a result of a combination of regime and societal factors, not as a result of any single one. He does acknowledge that a particular factor might be more important than another, but he advises against assigning sole relevance to it. Transitions occur, leaving aside his external factor, as a result of the roles the military dictatorship and civil society, together, vis-à-vis each other, undertake.

However, the theoretical approach that even better fits the Chilean transition is that advanced by Viola and Mainwaring. Viola and Mainwaring have developed a transition theory that incorporates many elements from all of the theories above and even makes the tripartite categorization already given between regime, civil society, and a combination of both. Viola and Mainwaring use all three categories of transition theory to build their own transition theory. They propose that there are three types of non-revolutionary transitions to democracy, each type equivalent to one of the three categories of transition. The authors recognize the occurrences of regime initiated transitions, what they call “transitions from above.” They also recognize the occurrences of civil society initiated transitions, what they call “transitions from below.” And they recognize the occurrences of transitions that fall somewhere between the two types of

transitions, “integrated transitions.” It is within the framework of this last type of transition that Chile, as accurately predicted by Viola and Mainwaring, would experience its transition to democracy. Their theory also provides additional nuance to this discussion. There can be transitions that are a combination of efforts on the part of the regime and civil society but in which those efforts are not equal. Indeed, transitions that require the activities of both actors can also assign slightly more emphasis to one over the other. By assigning relatively equal roles to the regime and society, but allowing for an emphasis to be placed upon the regime, this nuance provides the Chilean transition with its own niche theory.

‘Transitions from above’ emphasize the role played by the regime in bringing about the transition to democracy. The most important examples of this type of transition have been that of Spain and Brazil, Brazil being the authors’ case-study. O’Donnell’s process of liberalization theory and Gramsci’s phases of transition theory feature prominently in this type of transition. The military dictatorship initiates the transition intentionally, its reasoning unimportant, and follows the process to its conclusion, often for self-interested purposes, as O’Donnell has noted. A transition from above can be determined by the discovery of three features within the transition process. The first feature is continuity of administration between the newly democratized government and the previous authoritarian government. Continuity can be seen in carryover of leadership roles, carryover of policy, little socio-economic change, and military leadership and function continuity, particularly with regard to amnesties and political protection for military personnel. The second feature of the transition process is found in the support for the military dictatorship within society. If the regime has powerful allies within

society and competitive political parties representing their interests, a transition from above is likely. The third feature is capability. Where the regime can claim some meaningful accomplishments and can demonstrate efficiency in government, a transition from above is additionally likely.

‘Transitions from below’ emphasize the role played by civil society in bringing about the transition to democracy. They are synonymous with regime breakdown or collapse. Although this can occur as the result of defeat in war, the more common, and the more pertinent, for this discussion, occurrence is the internal destruction of the regime. This occurs when “[t]he vast majority of the population wants a clear and decisive break from the regime, even if some small and powerful redoubts of the old system continue to exist.”^{x1} The transition from below is characterized by the corollaries of those above. There is little continuity, whether it be personal, political, or military. There is little support for the regime in society. Rather, a ‘vast majority’ support its removal. Advocacy political parties and societal alliances do not exist. Finally, the obvious demise of the former regime, whether by war or by internal revolt, cast doubts upon its capability. Meaningful accomplishments and efficient government, by the very nature of the circumstances, have not occurred.

The third category of transitions, those that combine features of transitions from above and below, are what Viola and Mainwaring entitle the “intermediate category of transition.” The authoritarian regime is less able to control and manage the transition for any number of reasons, low levels of legitimacy or lack of internal cohesion being the primary causes. Civil society, however, is also constricted in its activism because of the coercive apparatus still retained by the regime. The authoritarian regime manages to

survive until the transition although it cannot prevent that transition nor radically modify its subsequent course or content outcome. Civil society, likewise, has no effect over the transition process itself and has difficulty modifying its timing and schedule. As a result, continuity, societal support, and regime capability all fall somewhere between the ‘from above’ and the ‘from below, transitions. Viola and Mainwaring do allow, however, some hybridization of this intermediate category to permit some emphasis on ‘from above’ or ‘from below’, which makes this the appropriate transition theory for Chile.

The transition to democracy in Chile falls neatly within Viola and Mainwaring’s intermediate transition category. The transition was, to a degree, planned and managed by the military dictatorship. The transition was also, in great measure, the consequence of agitation and pressure applied by civil society against the regime. And, in keeping with the flexibility of the intermediate transition theory, the Chilean experience did favor one of the emphases, the transition ‘from above,’ although too slightly to make it fall squarely within that category. This application of Viola and Mainwaring’s intermediate transition theory is most suitable to Chile, and supported by the authors themselves. Indeed, it was their prediction that “(t)here is a good chance that the future transitions in Chile and Uruguay will be close to this intermediate category.”^{xli}

Viola and Mainwaring’s intermediate categorization with an emphasis on the actions of the regime in managing and planning the transition can be directly applied to the Chilean situation. The factors that the authors give to distinguish between the types of transitions place the Chilean experience squarely within the intermediate category, although with a slight emphasis on the regime. First, the Chilean transition exhibits some of the characteristic factors that are emphasized in a transition ‘from above.’

In a transition 'from above,' there is continuity between the governing style and substance of the preceding military dictatorship and the subsequent democratic administration. Continuity between the governments can be seen in the areas of policy, political and economic. It can also be seen in the continuity of leadership, the maintenance in positions of power, within government and within the military, of the same persons. This continuity is clearly evident within the Chilean transition.

There was continuity in policy between Pinochet's military dictatorship and the post-transition democratic government. Political continuity was evident in the adoption by the democratic government of Pinochet's constitution, albeit with minor revisions. The constitution proscribed and limited the role of government and established an electoral and governing framework for the new democracy. Economic continuity between the dictatorship and the democracy is also quite apparent. One of Pinochet's most notable accomplishments, many have argued, has been his implementation of a neoliberal economic model in Chile. The democratic government, although composed of socialist parties, has not significantly altered or interfered with this neoliberal model, much to the chagrin of the majority of transition theorists.

Continuity between governments can also be seen in the continued leadership roles within the new democratic government of persons intimately involved in the operation and leadership of the military dictatorship. Continued leadership is evident both within the civilian government and within the military. When Pinochet stepped down from power in 1990, he left the judiciary, all the bureaucracies, and many of the educational facilities staffed completely by his own appointees, appointees guaranteed life tenure. Personnel continuity is even more apparent within the military. Not only did

Pinochet remain commander-in-chief of the military, accompanied by all the junior personnel involved in the dictatorship, but no institutional changes were made in the military's structure. Universal amnesty for military activities occurring during the regime was another feature of continuity.

The second factor necessary to emphasize a transition 'from above,' regime support in society, can also be found in the Chilean experience. Pinochet did receive considerable support from sectors of civil society, primarily professional and upper-middle class elements. The 1973 coup was initiated in response to complaints from these sectors. And throughout Pinochet's dictatorship, they were his most consistent supporters. As long as stability and a favorable economic climate were maintained, these societal groups remained allied with Pinochet. These groups, however, did not enjoy a majority within the population, part of the reason the Chilean transition was only an intermediate transition and not a pure transition 'from above.'

Societal support can also be seen in the existence of political parties that espoused the military dictatorship's interests. These parties existed in Chile. Two right-wing parties competed in the 1989 elections. Both were led by, and fielded, previous regime insiders and personnel. Although the right has been unable to form a government in Chile, it has served as a mouthpiece to enunciate the military's positions and prevent the new governments from too greatly modifying the military's accomplishments.

The third factor evident in an emphasis on transitions 'from above' is the demonstrated governing capability of the regime. The more capable the military dictatorship is in managing the country, the more influential it is in controlling the transition process. In this respect, the Chilean military dictatorship was extremely

effective. The coup was initiated in response to the instability sweeping the country in the last year of Allende's administration. The military dictatorship, notorious for its liberal application of force, was very effective in restoring order and stability. Incessant strikes, food and material shortages, and expropriations of private property by private groups were replaced with labor calm, effective markets, and the restoration of private property.

The regime, also, was responsible for what Viola and Mainwaring call 'meaningful accomplishments.'^{xiii} Meaningful accomplishments mean specifically, for the authors, substantial and successful modernization, in economic terms, of the country. Chile quite clearly falls within this category. The military dictatorship's greatest accomplishment, certainly the one it is most noted for, was the successful, from a macro-economic analysis, neoliberal implementation in Chile. Macro-economic indicators, from 1973 to 1990, show a dramatic and radical improvement in the Chilean economic situation.

Not only do the factors emphasized in transitions 'from above' by Viola and Mainwaring correlate closely to the Chilean transition, but the model transition used by the authors to illustrate those factors also mirrors the Chilean transition. Viola and Mainwaring use Brazil as the case study to demonstrate a planned and managed transition by a military dictatorship. The Brazilian process closely resembles the Chilean process, allowing for a six-year lag. Distinctions between the course of the two transitions can be accounted for by the distinctions between the two transitions, the Brazilian purely 'from above,' the Chilean intermediate with only an emphasis on 'from above.'

In 1968 the Brazilian military deposed the democratically elected government and imposed a military dictatorship of their own. Six years later, in 1973, the Chilean military deposed the democratically elected government of that country and imposed a military dictatorship led by Pinochet. For the next seven years, until 1974, the military dictatorship in Brazil regulated national life with the use of extremely repressive measures. In Chile, the most significant repression also occurred during the first seven years of the military dictatorship, until 1980.

After seven years of repression, the Brazilian military relaxed its grip upon the country and initiated a process of liberalization. Some political participation was allowed. This would include, progressively with incremental liberalizations, greater freedoms of assembly, speech, press, and political organization, particularly political parties, social movements, and weak labor movements. Chile, also, embarked upon a process of liberalization after seven years of repression. In 1980 a new constitution became law. Although it included dozens of 'transitory dispositions' that would remain in effect for the rest of the decade, it did provide greater protections for political activism than had previously existed.

The process of liberalization, however, only whetted the appetite of civil society for the removal of the remaining restrictions, reminiscent of Linz's progressive liberalization transition theory. In response to civil society's agitation for greater liberalization, the Brazilian regime continued the process apace, so that by the late 1970s elections, political organizations, and nearly unrestricted campaigning were permitted. The same forces were visibly at work in Chile as well. By the mid-1980s, certainly by early 1987, similar liberalizations had occurred. Political parties were officially allowed

to organize for the first time. Direct campaigning was permitted. And the first genuinely contested election was held in 1988.

Why the military dictatorship liberalized is at least as important as what they liberalized. According to Viola and Mainwaring, the Brazilian military regime decided to begin liberalizing in 1974 for several reasons. Leftist organizational structures had been decimated. The radical opposition had been killed, imprisoned, left the country, or was in hiding. And the regime had significant support from civil society. The military felt confident that they could liberalize with little risk, their only pragmatic choice, the other alternative, institutionalization of their rule, unpalatable. Pinochet's reasons for liberalization parallel these. The left had been nearly eradicated, certainly the radical left. The economy was functioning smoothly and growing exponentially. Pinochet had the support of a significant element of society. However, and this is where the Chilean transition differs from the Brazilian, making it an intermediate transition and not one 'from above,' the evidence strongly suggests that Pinochet would have preferred to institutionalize military rule. Only civil society's energetic response prevented this.

The Brazilian and Chilean transitions, in 1984 and 1990 respectively, are both distinguished by the degree to which the military was able to manage the transition in such a way as to retain significant control for themselves in the process. They were able to control the process directly and indirectly. Directly, the regimes dictated the timing of the transition and the process by which it would occur. Both regimes established a date on which regulated elections would be held. Indirectly, the regimes were able to manipulate public opinion and co-opt popular opposition to maintain the legitimacy of

their control, although Pinochet not as successfully. The authors call this flexibility on the part of the regimes “political engineering.”

Although the Chilean transition exhibits factors that are emphasized in a transition ‘from above,’ it is first and foremost an intermediate transition, a combination of a transition from above and a transition from below. The Chilean transition must be recognized as a mixed one, though in some ways it is slightly more characterized by transition ‘from above’ factors than by transition ‘from below’ factors. Although the military dictatorship in Chile had respectable levels of legitimacy and moderate levels of internal cohesion, it was still viewed as illegitimate by the majority of Chileans. Opposition civil society, however, was unable to make effective use of its monopoly on legitimacy and public opinion because of the constraints imposed by the still functioning coercive apparatus of the regime. Pinochet could easily survive until the transition, but he could not prevent its inevitable occurrence. Civil society, on the other hand, had only indirect control over the timing and scheduling of the transition. By emphasizing the factors of the transition from above in relation to the Chilean transition, it is not the purpose of this paper to promote Pinochet’s role and denigrate that of civil society. Rather, the purpose is only to demonstrate that although the Chilean transition was an intermediate one, it had a ‘from above’ emphasis.

In any event, Viola and Mainwaring caution against a too enthusiastic acceptance of a regime emphasized transition theory.

While the transition initially is begun and controlled by the regime (speaking of transitions ‘from above’), there are limits to this control. Liberalization inherently involves the marginalization of hardliners and the initiation of dialogue with the moderate opposition. This process gives the opposition some influence over subsequent political events. As liberalization and democratization proceed, the

regime's ability to control its rhythm and limits diminishes. Nevertheless, the government retains more control than in transitions begun by regime collapses.^{xliii}

Even where a transition is clearly 'from above,' it is limited in its exercise of control over civil society. These limitations become even more constricting in intermediate transitions, though the regime's role might be emphasized, as is the case with Chile. Finally, Munck makes an additional and perhaps more eloquent defense of the role of civil society.

Having said that, there is also a theoretical argument that leads us to believe that social movements are effective actors in the democratization process, even when we cannot detect the pertinent effects by them on national politics. It is not unreasonable to suppose that the generals, businessmen and technocrats within the power elite supporting the modern military dictatorships carried out their debates and took policy decisions within a framework deeply marked by the past and possible future actions of what is euphemistically known as the 'popular sector'. The people, even if cowed and lying low, always figure on the horizon of bourgeoisie political thought.^{xliiv}

It is the purpose of the remainder of this paper to apply Viola and Mainwaring's intermediate transition theory, with an emphasis on the role of the regime, to a case study of the Chilean transition. The actions of the regime, with regard to the transition, and the actions of opposition civil society, also with regard to the transition, will be detailed within the intermediate transition template. It is hoped that the application of a known and tested theory to an examination of the Chilean situation will provide a benchmark upon which the evidence can be commonly understood and help provide a framework by which to coherently organize the data and effectively explain the transition.

Chapter Three: A Historical Foundation

Introduction

Viola and Mainwaring were not content to simply advance a theoretical approach limited to the events of the current transition to democracy, but strongly emphasized the value of examining the historical context in which that transition took place.

Though the primary purpose of this article is to compare the way different impulses and starting points for political liberalization... affected various aspects of the subsequent transition, it would be a mistake to suggest that the character of the transition depends solely on whether it was initiated from above or resulted from a regime collapse. Several other factors play a significant role, including a country's previous political traditions and the nature of the preceding authoritarian regime.^{xiv}

The process of the transition is affected by these two historical factors. These factors strongly influenced the current activities of civil society and of the state vis-à-vis each other. Previous political traditions help explain acquiescence to the regime or, alternatively, widespread public opposition to the regime. In Chile, political traditions

helped shape both of those sentiments. The nature of the preceding authoritarian regime helps directly explain the attitudes both with the regime and outside of the regime within civil society. A disciplined, efficiently managed, and successful regime can retard the transition to democracy. Alternatively, an inefficient and corrupt regime can accelerate the transition to democracy.

Democratic History

Viola and Mainwaring's description of the Brazilian transition most closely approximates the Chilean transition. Similarly, the Brazilian political tradition closely resembles the Chilean political tradition. Brazil, like Chile, has had a rich history of political pluralism and constitutional government. Brazil also, like Chile, has had a historical tradition of political elitism and social mobilization. Both also, have had a tradition of strong-man, in the case of Chile a powerful presidential branch, leadership. The tradition of political pluralism, constitutionalism, and social mobilization within Chile helps explain the powerful response of civil society in the 1980s. Likewise, the tradition of powerful executives within Chile, particularly the nineteenth century, helps explain the staying power of the Pinochet regime.

Chile has had a tradition of institutional democratic history unparalleled in Latin America.^{xlvi} The institutional continuity of democratic government in Chile is unlike any found elsewhere in the region.^{xlvii} The commitment to democratic values of dialog and consensual decision-making was developed between the elites of the colonial era, and the commitment to democracy continued after Chile gained independence. This commitment is well illustrated by the series of constitutions that have served Chile over the past two decades. The first constitution in 1818, the most recent in 1980, and the five

constitutions during the period in between, have all been faithful, at least in style, but most frequently in substance as well, to democratic values. This pluralistic and democratically committed political tradition helps explain the mobilization of popular opinion against the excesses of Pinochet in the 1980s.

Chile has been democratically governed throughout most of its history by two types of governmental styles, each representing different aspects of Chile's political tradition. From the time of its independence in 1818 until the civil war of 1891, Chile was governed by a presidential system. In 1891 a parliamentary system replaced the presidential system. It would last, with some modifications in the 1930s, until 1973. The presidential system was enshrined in the 1833 constitution of Diego Portales, Chile's second president.^{xlviii} The 1833 constitution granted the president a great deal of authority vis-à-vis the legislative branch. Direct election of the executive, the use of a wide array of legislative powers by the executive, and absolute control over cabinet composition by the executive, were the key features of the presidential system. Very personalized governments, with an emphasis on strong executive leadership, has been an important Chilean tradition.

Following the relatively bloodless 1891 civil war, fought in part over the authority wielded by the president, a parliamentary system was established.^{xlix} The 1833 constitution was amended to grant the legislative branch greater authority over the executive branch. The parties in the legislature determined cabinet composition, and public officials were no longer allowed to serve in the legislature, previously a powerful presidential tool. Ineffective and weak presidents characterized this period as cabinets came and went almost monthly, and with them governmental policy. Although more

powerful presidencies would emerge in the 1930s, the parliamentary era does demonstrate the Chilean commitment to democratic pluralism, that commitment evident in the struggles of civil society against Pinochet.

Certainly during the parliamentary period, and even during the presidential period, the political spectrum in Chile was a very colorful one. Political parties formed and reformed, splintered, fragmented and coalesced in an astonishing swirl of debates, speeches, rallies, and polemics. Public life in Chile has always been a very dynamic and vibrant one. During the presidential system, Congress was dominated by the Conservative party with the strongest opposition coming from the Liberals. But there were also Radicals, Liberal-Democrats, Nationals, and Democrats, not to mention a large number of single-election parties. Party numbers and variety exploded during the parliamentary era. The Liberals and Conservatives remained, as did the other parties, but new parties emerged where none had existed before. Communists, Socialists, Christian Democrats, the Falange Nacional, and the Nacistas, to name but a few, became competitive in, and introduced new issues into, the political arena.

In the private arena, Chile was also a whirling maelstrom of vast, eclectic, and none too shyly held opinions. Union organizations, private clubs, secret societies,¹ and assorted magazine and newspaper readerships proliferated around the country. The first newspaper, the pro-independence *La Furora de Chile*, was published in 1812. By the early 1830s, more than a hundred different papers had been or were being published.^{li} These numbers did not stop growing. Nor did the spread and growth of an entire gamut of organizations abate. Chilean private society, like its public counterpart, was extremely vibrant and extremely vocal. The demonstrations, mass public protests, and private

initiatives employed by civil society in the 1980s was the product of a political tradition that went back nearly two hundred years.

Undemocratic Periods

Like the rest of Latin America, Chile was not immune from violent political unrest. Unlike the rest of Latin America, Chile was not as susceptible to violent political unrest. Uprisings, revolts, and secessions occurred with some frequency, but they were almost universally unsuccessful. And they were almost universally easily put down. The civil war of 1891 and the unrest of 1851 were two prominent exceptions. Large disturbances occurred in 1823, 1832, twice in 1851, 1859, 1891, 1892, 1893, 1894, 1924, 1925, 1931, and 1969. Despite the violence on these occasions, democratic institutional continuity in Chile remained unbroken. There were two exceptions to this rule.

Chile was, prior to the Pinochet coup, governed twice by non-democratic governments. The first instance was the longest, and notable not for its exception to Chile's institutional continuity but for its influence on that continuity. The first non-democratic period can be dated from the earliest European colonization of Chile until the independence of Chile in 1818. The second instance is notable for its exception to Chile's institutional continuity. In 1927 General Carlos Ibanez assumed power in Chile and governed for five years in a very authoritarian fashion. An understanding of these past transitions is important because the way things broke down in the past, and the way democratic institutions were restored, follows a Chilean pattern that is at least to some extent true for the restoration of democracy in the 1980s.

Until 1811, Chile was a Spanish colony ruled indirectly by the Spanish crown and directly by a royally appointed governor. The economic relationship between Chile and

Spain was a mercantilist one for the benefit of Spain. The political relationship was no less subservient. All governors were appointed by the Crown, and all governors were Peninsulars. All came from Spain. None were local. Naturally this created no little tension between the governing and the governed. Oddly enough, it was the local advisory bodies composed of the Creole elite that were responsible for the strength of Chile's later democracy and responsible for Chile's independence.^{lii} On September 18, 1811, a Creole junta, composed of the leading members of the governor's advisory board and the Church, assumed power within the colony. Originally supportive of the crown, the movement led to independence in 1818.

The second non-democratic period was ushered in by a successful military coup on September 11, 1924, in response to political instability. The coup leadership survived for barely four months until it was itself overthrown by an internal military coup organized, in part, by General Carlos Ibanez. Power was then restored to the legislature, the appropriate democratic institutions, and the deposed president Arturo Alessandri. Ibanez was given a cabinet position in Alessandri's, and later Emiliano Figueroa's government where he began slowly to accumulate power and cultivate political connections. Following the instability of Figueroa's government, Ibanez maneuvered himself into a nomination by the two majority parties. Upon easily winning the 1927 election, he threw off the checks on the power of his position and embarked upon a very autocratic style of government.^{liii}

One of his first actions was strict censorship of the press. Having muzzled his political opponents, he set out to neutralize the other competing institutions within the state. Hundreds of politicians were banished. The Communist party was outlawed and

its leaders executed. Ibanez cowed Congress into giving its power to the cabinet. Shortly afterwards, Ibanez dispelled this illusion and assumed decree powers overtly. In 1929, two years into his rule, he further reduced congressional opposition by forcing their selection of a single list of candidates for the next elections.

Transitions from Undemocratic Periods

The study of these two periods of non-democratic governance in Chile, are less important from the perspective of what occurred during them than what occurred to end them. Determining how Chile transitioned out of authoritarianism and established democracy is the purpose of this paper. The study of the transitions to democracy from non-democracy in Chilean history holds lessons useful to the present-day examination of the Pinochet legacy.

The transition from the autocratic Spanish foreign-rule to the democratic Chilean self-rule occurred in three steps, and the process certainly affected the tone of Chilean democracy for the rest of the century. The transition from autocracy to democracy was not entirely democratic. Rather, the transition was very autocratic and centralized in one figure. That Chile would spend the rest of the century with a presidential system of government is no coincidence. The nature of the transition did color the nature of the democracy that followed.

The formation of the Creole junta in 1811 represented the first stage in the process. Provided with an education in governance by helping serving the royal governor, the Creole leadership used their experience to deprive the governor of his position. In response to Napoleon's invasion of Spain, the junta was originally royalist. More independent-minded and entrepreneurial-oriented Creole elites began to influence

and sway the junta in a more radical direction. The apparent problem with the junta was its inability to coordinate an effective resistance to initially growing Spanish pressures and eventually Spanish arms. The need for a centralized opposition introduced the second stage in the transition process.

A young military officer in the republican forces, named Jose Miguel Carrera, consolidated military power around himself. Charismatic, and the beneficiary of a few modest military successes, Carrera was heralded by the junta as the savior of Chile. The junta intended to co-opt and, in the process, neutralize Carrera. The junta ended up being co-opted instead. Using his prestige and his newly acquired control of much of the state apparatus, Carrera immediately turned his attention away from the Spanish and against any potential internal rivals. The junta Congress was purged. However, by the same means with which Carrera obtained power he also lost it.

While Carrera was consolidating power in Santiago, a new Chilean military commander was inflicting punishing defeats on the Spanish. At the battle of Mapio, the Chilean Yorktown, Bernardo O'Higgins destroyed the remnants of Spanish resistance in Chile. More interested in genuine public service than pursuing his own private interests, O'Higgins marched on Santiago causing Carrera to flee to Argentina where he was later captured and executed.^{liv} O'Higgins initiated the final stage in the transition process. Recognizing that some central authority was necessary at this time of crisis, O'Higgins oversaw the creation of the provisional constitution of 1818 that assigned significant power to a strong executive, or Supreme Director. However, five years after assuming the mantle of head of state O'Higgins was forced to retire. His autocratic decision-making had angered powerful elements within society, notably the Catholic Church and

the Creole elite.^{lv} Popular opinion once again asserted itself. In this transition, elements of personalized, strong-man leadership and elements of social mobilization, political pluralism, and constitutionalism are abundantly evident. In this way, the earliest Chilean transition to democracy resembles its most recent transition to democracy. Additionally, this transition more resembled Viola and Mainwaring's transition 'from above' than either one 'from below' or a mixture of both. The Ibanez transition, however, was just the opposite, easily seen to fall within the transition 'from below' category.

General Carlos Ibanez ruled during the second of only two non-democratic periods in Chilean history prior to Pinochet, and the only one occurring after democracy had been first established. Most scholars attribute the success, at least initially, of the Ibanez regime, and its high popularity to the economically prosperous times. Ibanez was elected president in 1927 at the height of the roaring twenties.^{lvi} The aging and nearly dead Chilean nitrate industry experienced its last boom, however short-lived, and the newly developed Chilean copper industry was growing unimaginably in response to world demand. Prices and employment were at an all time high, and popular discontent was at an all time low.

The rosy economic situation did not last, and when it collapsed so did the Ibanez regime. A worldwide phenomenon, the Great Depression was beyond the control of policies in Chile. It was Ibanez's inability to deal with the effects of the collapse in world prices for Chilean raw goods, principally, that brought an end to his regime. Swarms of once well-to-do miners and their families fled the North and squatted in Santiago and Valparaiso. Where the mines had employed over 60,000 workers in 1929 they employed less than 8,000 in 1931. Chile, reliant on an export-oriented economy, was devastated by

a 64% decline in the volume of exports and the corresponding 84% decline in purchasing power.^{lvii}

In response to the growing numbers of unemployed and destitute civilians furious with the government, and the still powerful industrial and agrarian interests feeling the same, the Ibanez regime was unable to do anything. The subsequent events of July 1931 that led to Ibanez fleeing the country were the result of popular expression. The Ibanez regime fell not because of a military coup and not because of internal democratization but because it had lost its popularity among the people.^{lviii} When popular support for Ibanez evaporated, the political power of Ibanez evaporated.

All throughout the spring and early summer of 1931, Chile, already beset with stifling economic woes, was plagued with massive demonstrations, increasingly violent strikes, and even more violent street demonstrations in which police and demonstrators often came to blows.^{lix} A particularly bloody demonstration in June 1931 left over 12 protesters dead in the street.^{lx} This violent counter-response by Ibanez infuriated his opponents and drove most of those still neutral into their arms. Overwhelming popular discontent with the state of affairs translated into more strident political opposition.

Recognizing how tenuous his hold on power had become, Ibanez attempted to gain allies from around the political spectrum by appointing a genuine cabinet, a “cabinet of national solution,” composed of independent ministers. The cabinet served immediately an anti-Ibanez function. Many of the constraints on popular society and political society were lifted. Freedom of the press was restored, for example, and the legislature was returned a great deal of its stolen legislative powers. Results were almost instantaneous.

Ibanez's hopes of political alliance were destroyed by the very attempt to establish an alliance. The resurrected Congress immediately became assertive. Popular demands in the form of legislation began pouring through the Chamber of Deputies, and in short order the cabinet as well. The Senate also became quite aggressive. It demanded, and received, the position of vice-president, recently vacated by resignation, for the President of the Senate. Unable to counter the reconstituted legislature's demands, and fearful of potential courses of action concerning himself being debated within the public and within the legislature, Ibanez fled to Argentina by train. An activist public, motivated by widely held concerns and in response to government inaction, is given the credit for Ibanez's abdication. So long as a substantial element of popular opinion supported Ibanez policies, the Ibanez regime stood. But when that popular support was lost, Ibanez's power was lost, a foreshadowing of events that would occur a half-century later.^{lxi}

Authoritarian Regime

The second historical factor of importance for Viola and Mainwaring was the history of the authoritarian regime directly preceding the transition.

Because the nature of the preceding regime strongly affects the possibility for and the dilemmas of any transition to democracy, it is necessary to analyze some of the outstanding features of these regimes.^{lxii}

Again Brazil is the appropriate example, and again, its regime's history closely approximates that of the Pinochet regime. Viola and Mainwaring list nine factors, actions taken by the Brazilian regime, that were also taken by the Chilean regime; anti-Communist and anti-subversive, opposed to the populist regimes that preceded them, technocratic with an emphasis on order, nationalistic, committed to deepening the

capitalist system, repressive with frequent use of state-sanctioned violence and torture, intolerant of political parties, reliant on the military as the cornerstone of the regime, and economically successful. All nine factors can be seen in the actions taken by the Pinochet regime.

In 1969 Allende was elected president of Chile. Unable to garner a majority of the popular vote, the election was decided by the Chamber of Deputies in his favor 153 votes to 35 votes. The head of the Socialist party, and an even broader left and center coalition, Allende set out to, by democratic means, accomplish their “transition to Socialism.”^{lxiii} The result was, by 1973, the breakdown of the political system and the acute and violent polarization of Chilean society. Two aspects of Allende’s reforms were most responsible for the coming disorder. The first was Allende’s nationalization scheme, both industrial and agricultural,^{lxiv} and the second was the seizures, by workers, of their factories.

Nationalizations occurred on two fronts. All industries worth in excess of 14 million escudos (\$1 million dollars at that time) were to be nationalized.^{lxv} A number of very dubious schemes were employed to accomplish this. The nationalization of the foreign-owned copper industry was not paid for at all. Using a formula that incorporated excess profits, the government declared that the copper companies actually owed money to Chile.^{lxvi} Another method was the use of a long defunct 1932 decree allowing the state to take over any company deemed “essential” to the economy.^{lxvii} By employing such stratagems, the state was able to, by 1973, control 60 percent of gross national product. On the second front, the state seized all properties in excess of 80 hectares (around 200 acres) and distributed them to individual peasants or to collective peasant groups. The

encomienda system, the backbone of the dominant elite that had characterized rural Chile since its colonial inception, was finally uprooted.

The second aspect of the Allende reforms found to be extremely divisive was the private nationalization of industry. Taking Allende's sloganing literally, workers began taking over their own factories, driving out the owners, and asking the state to manage it for them. First occurring at the Yakur textile plant in 1971 it was soon followed up by hundreds of worker nationalizations.^{lxviii} Unable to refuse the requests of their political base, the Allende coalition found itself no longer at the head of the effort they had begun but rather at the tail and barely able to handle damage control.

As a result of, or despite of, the divisiveness of Allende's reforms, desired or undesired, the economic situation was becoming increasingly more desperate. There were fixed prices on over three thousand items resulting in food shortages and a burgeoning black market. Tariffs averaging 105 percent on over five thousand items effectively sealed off foreign trade. The nationalized industries were, collectively, operating at a tremendous fiscal deficit. Where before they had been a source of revenue, they were now a drain on the budget. The overall fiscal deficit was fifty-five percent. And most damaging of all, from a public policy perspective, adjusted annual inflation,^{lxix} in the last months of the Allende administration, was running higher than one thousand percent.^{lxx}

The political and social polarization, caused by the reforms and their consequent economic impact, exploded into the streets of Chile. Demonstrations, strikes, and large-scale protests, not seen since the end of the Ibanez regime, roiled Chile from one end to the other.^{lxxi} Political defections and coalition intransigence also plagued the Allende

administration. A legislative impasse resulted. Within society and within politics bitter partisanship and instability reigned in Chile. The economy was in shambles, leftist organizations were running unchecked throughout the country, and the government was unable to act. It was in this climate that the military decided to intervene. The actions of the Pinochet dictatorship were very much tempered by the excesses, in the military's view, of the Allende administration. The strict civil controls can be explained by reference to the military's fear of the economic and social instability and upheavals that accompanied the Socialist administration. Pinochet's intransigence and length of rule can be better understood in this light. Thus began the second non-democratic government in the history of Chile since democracy was first established.

In response to the chaotic state of events, Allende, like Ibanez before him, attempted to broaden his base of political support. This attempt took the form of inviting the heads of the four branches of the military into the government. The army, easily the largest of the four branches, was led by the strict constitutionalist General Rene Schneider. Killed in a botched kidnapping attempt,^{lxxii} Schneider was replaced by his chief of staff, General Carlos Prats, an equally fervent constitutionalist. The military, concerned that their four heads had been co-opted by Allende, replaced them by internal decision. The navy replaced Admiral Raul Montero with Admiral Jose Toribio Merino. The air force (FACH) had their commander General Cesar Ruiz exchanged for General Gustavo Leigh. The army replaced General Prats with the unknown, but believed to be strong constitutionalist, General Augusto Pinochet. Together with the Carabineros, the Chilean national police, led by General Cesar Mendoza, the newly reconstituted military attacked the civilian regime they had pledged to defend.

The immediate military consolidation of control over the state was done according to a very deliberate and highly detailed plan. The navy, scheduled to take part in naval maneuvers with the United States that week, sailed out of port, rendezvoused over the horizon, and then returned to and captured Valparaiso, Chile's second largest city. The air force moved their squadrons to southern Chile out of harms way. The army, using the pretext of a national holiday military parade on the nineteenth, began transferring units to Santiago, which they occupied on the eleventh. They also concentrated troops in Concepcion, Chile's third largest city. The Carabineros were used effectively throughout Chile.

The second stage of military consolidation still provides much of the fuel for the criticisms of Pinochet. The military fanned out across Chile capturing, torturing, and executing thousands of political activists on the left. Documented executions and undocumented disappearances numbered over three thousand.^{lxxiii} Thousands more were interned, interrogated, and tortured.^{lxxiv} Internment camps were opened up all over Chile.^{lxxv} Even the national stadium in Santiago was used to hold several thousand. Those not killed,^{lxxvi} but deemed to dangerous to the military regime were exiled abroad or imprisoned at the southern tip of Chile on bleak Dawson's Island.^{lxxvii}^{lxxviii} Strictly enforced censorship, nighttime curfews, and bans on assembly and organization were used to discourage counter-reactions against the regime. It was these actions by the military that did the most to silence the opposition, initially, and to fuel its activities, later.

The third stage of military consolidation of state authority involved the near complete purge of officials from public administration. Nearly all public administrators

and bureaucrats, from ministers of state to university deans and chancellors to local officials were replaced with military officers. The thousands of positions that needed to be filled required the military to reactivate retired personnel. In addition to the semi-militarization of the state, all political organizations were either banned, those on the left, or put in recess, those on the right. Military control was made complete throughout the state. Institutionalizing military oversight of civilian society was one of the most significant obstacles for a successful transition to society.

The military consolidation of state authority is not the entire story. Further consolidation of power occurred within the military itself. The military took over the state, but Pinochet took over the military. In preparation for the coup, the four branches of the military decided that executive power was to rotate among the four heads. However, what was to be a joint four-part junta quickly became a personal dictatorship. The rise of Pinochet, at best the third highest ranking officer in the Chilean army when Schneider was appointed minister of defense under Allende,^{lxxxix} from obscurity to the unparalleled position of power he held has baffled many scholars.^{lxxx}

Pinochet was regarded as a career officer, bright and capable, but not exceedingly ambitious. A fortuitous turn of event favored his rapid promotion. Schneider was killed less than a year before the coup. Prats was disliked and removed less than a month before the coup. Pinochet was left to fill the vacuum. Having fallen into the position of commander in chief of the army due to the early death of one of his superiors and the early retirement of another, Pinochet was also blessed with the fortuitous control of the most important branch of Chile's armed forces. The army being far larger than the other three branches, Pinochet's opinion naturally carried more weight.

In late 1973 Pinochet moved to consolidate personal power within the junta. The never tried rotation of authority was discarded. His power was well enough established by June 1974 that he could have himself declared on the twenty-sixth the Supreme Head of the Nation. On December 17, 1974 he was declared the President of the Republic. He maintained his grip on power by demanding and exacting strict obedience.^{lxxxix} When General Leigh let slip in informal conversation that he supported the normalization of politics, he and twelve of his junior officers were swiftly, and at some risk to Pinochet, dismissed.

Having consolidated his authority over the state and within the military, Pinochet embarked on a project that would radically transform Chile, economically, politically, and culturally.^{lxxxii} However, Chile and Pinochet received the most visibility for the efforts and results achieved in only one of those areas. The most noted aspect of the Pinochet project, and the one that received the most press attention from the international community, was his economic reforms. To a more thorough degree and with the greatest alacrity ever seen before or since in Latin America, Pinochet initiated, in Chile, an economic philosophy called neoliberalism. Neoliberalism is a classical-liberal laissez-faire economic model.^{lxxxiii} This economic model favored current supporters of Pinochet and harmed those already opposed. As a successful macro-economic implementation with definite and substantially numerous beneficiaries, it presented a formidable obstacle to successful social mobilization.

Following the coup, the military was not beholden to any particular plan. They felt obligated only to remove the Marxist menace, as they saw it, and restore stability to the country. They did not overthrow the state to implement a neoliberal plan. Never the

less, this vacuum in ideology was promptly taken advantage of by a young group of American university trained economists. The benefits of an exchange program with Chicago University, these young men would become known as the Chicago Boys. While in Chicago, they studied under the tutelage of Arnold Harberger and Milton Friedman, both well know free market advocates.^{lxxxiv} Within a month of the coup, this group had compiled an economic prospectus that they introduced to the military. The plan was not adopted until Pinochet gave it his support in 1975. Sergio de Castro, the most prominent of the Chicago Boys, was named Economics Minister.^{lxxxv}

What de Castro did was unsparingly cut the state budget. Price controls were removed. Wage controls were removed. Tarrifs were reduced by over 90 percent to an average of 10 percent by 1978. The nationalizations under Allende were reversed with a massive privatization of state assets.^{lxxxvi} A system of school vouchers was instituted. A private pension plan was also created. Foreign investment restrictions were lifted, and monetary exchange controls were liberalized. Most importantly, an independent central bank was established.

Where Pinochet's other policies received modest attention, the results of his economic policies received tremendous attention.^{lxxxvii} The Chilean model of economic development garnered the attention, and in some cases emulation,^{lxxxviii} throughout the entire world.^{lxxxix} Exports, by the end of Pinochet's regime had swollen from 12 percent of gross domestic product to 35 percent. Inflation had been tamed to below 5 percent. Unemployment throughout the 1980s and 1990s averaged below 6 percent. In 1993 it was 4 percent. The pension plan, from its earliest inception, was operating in the black, accumulating roughly 4 percent of the GDP yearly. By 1998 it held in excess of 35

percent of the GDP. Economic growth averaged over 6 percent throughout the 1980s and 1990s. Wages increased, and per capita income grew steadily.^{xc} Surplus state budgets were the norm, and the balance of payments was also in surplus.^{xci} The infant mortality rate plummeted from 71.5 out of thousand under Allende to under 18 under Pinochet. The literacy rate also rose from 89 percent to 95 percent.^{xcii}

However, the political reforms of Pinochet are more important to this discussion than are the economic reforms of Pinochet. And the most important of the political reforms were the constitutional reforms. More than any other action of Pinochet, the 1980 constitution drafted under Pinochet's guidance had the most deleterious affect upon the opposition in civil society, as will be demonstrated in this and in subsequent chapters. It was the most lasting of Pinochet's creations, and the most difficult to modify. In 1980 Pinochet placed before the public by popular plebiscite a new constitution. The constitution had been drafted by jurists selected by Pinochet. The former president Jorge Alessandri was included in the process for purposes of credibility. He later resigned in disgust, declaring the draft to be too illiberal. Pinochet, feeling it to be too liberal made several personal changes to its final draft. The plebiscite, roundly declared to have been fraudulently held and tallied, ratified the constitution by a wide margin. The constitution controlled two aspects of democratic interest. It established a structure of government and a format for elections. It also established a timetable by which free elections would be held in the future, and it established the powers delegated to the interim government.

The most important institution within the governmental structure was the presidency. More powers were accorded the president by the 1980 constitution than during any previous time, even during the presidential era of the century past. The term

of office for the president was eight years with the opportunity for reelection. Wide powers of decree, legislative authority actually, were assigned to the president. Together with the traditional executive powers, the president wielded substantial influence.

The legislature, correspondingly, was quite weak. It was divided into two chambers, the chamber of deputies and the senate. Sharing legislative powers with the executive and stifled by a strong veto power, the legislature was almost a vestigial organ of government. The state could very nearly function without it. Additionally, one-third of the Senate was nominated or appointed, with the appointments and nominations favoring conservative individuals.^{xciii} Another significant impediment to democratic and representative government was the composition of the National Security Council. Nominally under the executive branch, but possessing quasi-legislative powers, the Council was composed to heavily favor the military and the right-wing.^{xciv}

The final structural element in the constitution concerned the process and manner in which elections were to be held. Like the composition of the senate and National Security Council, the electoral mechanisms heavily favored conservative candidates. The country was divided into electoral districts. However, the boundaries of the districts were gerrymandered to both parcel small leftist areas within larger rightist areas and to create solid leftist areas. The gerrymandering was designed to first, divide and weaken leftist support, and second, to concentrate leftist support and preserve rightist support from being overwhelmed. The electoral system was also biased towards rural areas, areas of traditional conservative support. Additionally, recognizing the generally left-leaning tenor of the country, all districts were two-member districts. If the left was to win both seats in a district it would have to marshal twice as many votes as the right-wing

candidate, in excess of 67 percent.^{xcv} Finally, the staggering of congressional elections was continued. Only a third of all seats would be contested per election.

The second constitutional aspect of democratic interest was the timetable by which free elections were to be held. Corollary to this timetable were the powers assigned to the government in the interim between constitutional ratification and free elections. The transitory powers were, naturally, to be assigned to Pinochet.^{xcvi} The time between ratification and the next election was to be eight years. Pinochet was accorded the first eight-year presidential term by virtue of the constitution having been ratified. During that period he was to possess powers not to be extended beyond the original eight-year term. The first-term president was allowed to rule by decree without genuine legislative oversight. At the end of the first eight-year term, the electorate was to decide in a yea or nay plebiscite if the military candidate, Pinochet as it inevitably would be, should govern for another eight years. If the plebiscite opposed Pinochet's continued rule, elections would be held the following year, 1989, for the presidency and for Congress.

Adhering to the limits of the constitution was no problem. The Council of State was more honorific and titular than real, and Pinochet's decree powers did not constrain him in the least. Adhering to the timetable was more difficult. Pinochet kept to this timetable, despite increasing evidence that he might lose the plebiscite. Personally, Pinochet desired a legacy that would continue after his death. He feared that if he did not honor his own constitution, no one else would either. His ministers and the military also applied pressure on Pinochet in this regard. When he did not gain sufficient popular support in the 1988 plebiscite, Pinochet came very close to annulling the entire process.

Self-restrained, to some degree, and recognizing the impediments to continued power, reluctance within the military itself and the glaringly evident popular demand for a change, he agreed to step down. However, he used the time between the plebiscite and election to cement some last minute additions to his legacy. The establishment of a central bank, required in the constitution but delayed by Pinochet because it would have limited his authority significantly, was finally established with but a few months of his presidency remaining. The central bank would limit the ability of future governments to reverse his neoliberal policies.

Pinochet also made some compromises in those remaining months. Several amendments to the constitution were suggested by opposition groups and accepted by Pinochet. Because Pinochet would no longer be in power, the proposed amendments to curtail the power of the presidency and reduce the number of nominated senate seats, nominations influenced heavily by the president, he was amenable to suggestions that would only limit his successors and hamper their ability to reverse the accomplishment of his project.

The agreed amendments principally targeted the executive. The term of the president was halved to four years. The discretionary nature of the president's decree power was also limited, and checks upon its use were instituted. The percentage of nominated senate seats was reduced by increasing the number of non-nominated senate seats.^{xcvii} Less willingly, Pinochet agreed to reduce the scope and powers of the National Security Council and to reduce the dominating influence of the military within the Council. Even more reluctantly, Pinochet agreed to the re-inclusion of the constitutionally banned Marxist parties, specifically the Communist party.^{xcviii} In 1989

the amendments were placed before the voters in yet another plebiscite^{xcix} where they were duly ratified.^c

Pinochet did not acquiesce to all the demands made upon him. Exactly why he agreed to some things he did not want to do but was unable to resist other demands will be elaborated upon extensively in the following chapters. The implications of this seeming inconsistency are very important. Pinochet's position as the commander in chief of the Chilean military was constitutionally mandated until the year 1998. Nor was the position of commander in chief to be determined by the civilian government. The head of the military could not be removed, and the position could not be assigned other than by military decision. And Pinochet refused to abdicate that position. The lifetime tenure of civil servants, heavily military, was also, not a debatable point. And most controversial, Pinochet would not permit the removal of immunity for the past actions of military personnel. The current legal jockeying, with regard to Pinochet's culpability for the torture and murder occurring in the aftermath of the coup, stems from these protective clauses still in the Chilean constitution. The constitution, by establishing a framework and a timetable that appeared to cater to the Chilean political tradition of pluralistic democracy and constitutional government and yet did so in a very restricted fashion, was the biggest dilemma for a successful transition to democracy.

Transition to Democracy

The plebiscite guaranteed by the 1980 constitution was held according to the mandated timetable on October 5, 1988. With 97 percent of the registered voters turning out, and with 92 percent of all eligible voters having turned out, the opposition to a second term by Pinochet prevailed by 57 percent to 43 percent. Despite having the full

weight of the state behind the renewal of his term of office, Pinochet lost. The credit for this accomplishment should not be assigned to any blunders on Pinochet's part but rather to the effort on the part of the "No" vote organizers.

One month prior to the date of the plebiscite, Pinochet reluctantly allowed some opposition campaigning. Why he did so although reluctant will be elaborated upon extensively in the following chapters. Its implications are also very important. Granted an inch, the opposition took a mile, similar to Linz's and O'Donnell's progressive liberalization theories. Although an intermediate theory is here used to explain the Chilean transition, when discussing the role of one of the factors, here civil society, theories like Linz's and O'Donnell's which emphasize only one of the factors are never the less useful in understanding that factor's role. Using computers and faxes and international contacts, the opposition managed to wage not merely an effective counter-campaign but a wildly successful one. The fifteen-minute television time-slots and the liberalization of press controls permitted the opposition were used to full effect. The opposition owed a great deal of its success, also, to their ability to organize. Centered around the newly reconstituted Christian-Democrat and Socialist parties, the combined opposition was able to rally its supporters from across Chile. Semi-underground parties and organizations sprang to life across the length and breadth of Chile. The opposition also demanded, and received, the admission of international election observers to watch for voting irregularities.

Although Pinochet controlled the most powerful media and though he controlled the voter registration process and though thousands of political arrests were made in the months before the plebiscite, the opposition doggedly shrugged off the restrictions to

mount a masterful campaign that would defeat his chances for a second term. The same two parties that had opposed Pinochet in the referendum again combined in the presidential and congressional election of 1989 to provide a genuine and practical alternative to the right. The Concertacion, as their united front was entitled, swept the presidential and congressional elections. Similar to the plebiscite results, the Concertacion candidate, Patricio Aylwin, prevailed over his two right-wing contenders 55 percent to 43 percent.^{ci} On March eleventh 1990, Aylwin was inaugurated in the newly erected congressional hall in Valpraiso. After seventeen years, Chile was once again governed by democratically elected institutions.

Chapter Four: The Regime

Pinochet as Primary

The authenticity of explanations given to explain Chile's transition to democratic government from the Pinochet dictatorship that tout the exclusive role of civil society are questionable. Civil society played an important role in the transition, but so did Pinochet. If Pinochet had the power to overthrow the previous government when he was only the head of one branch of the military, why then would he transfer his power to another government when he was the undisputed head of the entire military and the undisputed head of the entire government? Why was Pinochet able to dominate the state exercising the limited power possessed by the army commander in chief but unable to maintain that dominance though exercising the near absolute power possessed by his dual control of the military and the government? Part of the explanations for these questions must accord Pinochet a significant role in the transition process.^{cii} Had he not desired the

restoration, it is unlikely that it would have occurred when it did and in the peaceful manner that it did. Pinochet's role in the restoration of democracy in Chile is important, but more than that, it should be emphasized for the reasons given within this chapter. Although the Chilean transition was an intermediate one, using Viola and Mainwaring's theoretical approach, it was an intermediate transition with an emphasis on the state. This chapter provides empirical evidence in support of my contention that the Chilean transition should be viewed not only as an intermediate transition as defined by Viola and Mainwaring, but an intermediate transition with an emphasis on the state. The Chilean transition was intermediate because it was not managed 'from above' and it was not forced by popular mobilization 'from below.' However, although neither factor was predominant, the role of one factor, that of the regime, was, using Viola and Mainwaring's analytical approach, slightly more pronounced in the Chilean transition than was the other factor.

There is some very visible evidence to support that contention. Two dominant themes are apparent throughout the evidence. The first theme is found in the power held by Pinochet. The second theme is found in the democratic intentions demonstrated by Pinochet, democratic intentions most evident in the 1980 constitution. In the former instance, Pinochet possessed such expansive power through his control of the state that the timing of the transition, although not the event of the transition, was very much within his discretion. In the second instance, Pinochet demonstrated his interest, however weak, in the restoration of democracy with the creation of and adherence to the 1980 constitution. Democracy was in great measure restored because Pinochet, at least on some level, wanted to restore it.

State Control

An examination of state control is important because it illustrates the importance of Pinochet's role in the transition. The purpose of this thesis is to detail the roles of the two domestic factors in relation to the Chilean transition. To understand Pinochet's role vis-à-vis the state, it is necessary to detail the extent to which Pinochet exercised power and could manage the transition process thereby. An examination of the events leading up to the transition would be hollow unless Pinochet's capabilities were understood. The impact of the plebiscites, the election, and the amendments to the constitution, indeed the transition process itself, can only be understood in the context of the power Pinochet enjoyed. To effectively control the state, it was necessary to control its two principal aspects, its military function and its civilian government function. Pinochet's control over both aspects of the state was never inevitable, and his eventual exercise of control over both was only a gradual process. Overthrowing the Allende administration was only the first step in long series of steps. Having initiated the coup with the fellow branches of the military, Pinochet was still a long ways from the personal dictatorship that was to follow. First, Pinochet would have to extend his realm of control from the army to the entire military. Only after consolidating his hold on the military could he consolidate his hold on the government and the country.

Pinochet does not appear to have been the mastermind behind the coup. It is undisputable that he was one of its authors, but he was only one of many other authors. And indeed, he was a very subtle contributor to its planning. Both General Prats, his ranking officer, and Allende believed him to be a constitutionalist.^{ciii} From this inauspicious beginning, Pinochet would come to assume power within the army, then

over the military, and finally over the country. When Prats was forced to resign by his military colleagues, Pinochet was selected to replace him. This occurred a month prior to the coup.^{civ} When the coup had finally arrived and passed, Pinochet was faced with a power-sharing arrangement designed to include his three colleagues as coequals.

Fortunately, for Pinochet, he was the head of the army, the largest of the four branches of the military. The army had a greater number of men and it was better armed than the Carabineros. And, it was directly in contact with the people of Chile, unlike the air force or the navy. By virtue of this fact, Pinochet controlled the course of events from the outset. By January 1974, it was apparent that the rotation of authority was not to occur. The two pronouncements concerning Pinochet's status as head of the nation and president of the republic, in mid and late 1974, respectively, further confirmed this.^{cv} Pinochet's power over the military was confirmed when he moved to depose both the head of the navy, Admiral Mendoza, in the fall of 1974 and the head of the air force, General Leigh in 1978.^{cvi}

Having undisputed control of the military, Pinochet concentrated his efforts on subduing civilian society and exercising the reins of government. These efforts were aided by the pervasiveness of the military throughout Chilean life in the mid 1970s. Although the navy and air force were not much help in this regard, with the exception of Valparaiso in 1973, the army and the Carabineros were extremely visible and very active throughout Chile. Infantry and armored troops patrolled the streets during the day and imposed a strict curfew by night.

Most important, in this regard, was the newly created Chilean secret police,^{cvi} the *Dirección de Inteligencia Nacional* (Directorate of National Intelligence) or DINA.^{cvi}

The DINA, later to be renamed the National Intelligence Center in August 1977, or CNI, served as Pinochet's right hand and his eyes.^{cxix} Reporting directly to Pinochet, it was the organization most responsible for the terror following the coup and the worst episodes of violence.^{cx} Summary executions, often without sanction, sadistic torture, and some of the most high profile disappearances can be attributed to the DINA.^{cxii} The DINA was perhaps the most effective tool employed by Pinochet to consolidate his control over life in Chile. The DINA was, more than any other organization, most responsible for the destruction of all opposition to Pinochet.

Besides the ubiquitous presence of military personnel throughout Chile and the campaign of individualized violence and mass terror of the DINA, the military was also used to extend Pinochet's authority over the country in a different way. The pervasiveness of the military in Chilean society was not limited to its traditional role of physical coercion, but was extended to the very administrative corridors of government. The Chilean government bureaucracy was purged of all Allende appointees and nearly all others. In their place, swarms of active and retired military personnel began to oversee the machinery of government. As a result, wherever a Chilean citizen looked there was the military.

The extent of the military's control over civilian life can be seen in a number of different spheres. The violent aftermath of the coup that resulted in thousands dead and thousands more tortured and imprisoned, provides a good demonstration of Pinochet's unchecked control over the state. The disappearance of all effective opposition to Pinochet, the outright ban of some parties,^{cxiii} the recess of others, and the destruction of

organized social movements, primarily labor, all demonstrate the extent to which the Pinochet regime dominated Chilean society.

Perhaps the most demonstrative evidence of Pinochet's authority can be seen in his control over the economy of Chile. Few areas of life are as important. Too many other areas of life are dependent on one's economic position. Pinochet was able to implement economic reforms to the extent that he did because he exercised typical legislative authority. The most important power the legislature commonly wields is the power of the budget. When the appropriations power rests with the traditional executive powers, as was the case with Pinochet, a powerful check is lost. Pinochet's investiture of both within his person permitted him to mold the economy to the extent he did, and it demonstrates the expansive nature of the power he wielded.

That power can be demonstrated by the extent to which his reforms were carried. In 1973, Chile was a socialist economy. Over 80 percent of GNP was controlled by the state. Central economic planning, high taxes, and extensive regulatory oversight were the norm. By 1975, Pinochet had embarked upon a radically divergent economic course. What had been nationalized only a few years prior was to be returned to its original owner or auctioned-off. The state budget was slashed, taxes were cut, and the government substantially reduced the number of regulations affecting businesses.^{cxiii} Where labor had reigned supreme only two years prior, it now did not even exist.^{cxiv} It would take another four years before even marginal labor organization was permitted.

Pinochet's power can also be demonstrated by the speed with which his reforms were enacted. A neoliberal economic model was adopted in 1975. By 1979 it was in full swing. Over 450 companies had been privatized. Tariffs had been reduced to an average

of 10 percent by 1978. The state budget was immediately cut by 15 percent, across the board. By contrast, the adoption of the neoliberal model by Latin American countries, or even throughout the world, has occurred at nowhere near the pace it happened in Chile. It was due only to the concentration of powers within the person of Pinochet that the neoliberal reforms could have occurred at the speed they did.

More direct than Pinochet's control over the economic spheres of life was his control over the more social aspects of life. The use of the economy as a tool of authority is less direct than some of the other measures he employed. The state sanctioned terrorism of the DINA and the host of societal ills that accompanied their depredations are an obvious example of Pinochet's influence on the personal lives of most Chileans. Less violent examples were the strict enforcement of a slough of social prohibitions, prohibitions affecting nearly all elements of Chilean society, although certainly some more than others. Among these prohibitions were media censorship, the banning of organizations, and control of education.

From the very first day of the coup, strict censorship of the media was enforced. Most left-leaning publications were shut down outright. The remaining papers and magazines permitted to publish, almost entirely right-leaning,^{cxv} were closely monitored for any hint of disagreement with Pinochet's policies.^{cxvi} Strict censorship continued throughout Pinochet's tenure, only slightly relaxed in a couple of occasions, the plebiscite campaigns most notably. Censorship extended beyond the printed media to encompass radio and television. The Christian-Democratic party operated a radio station that was shut down in 1978. Mass assemblies and public oratory was also expressly proscribed, as the opponents of Pinochet in the first referendum were to discover.

Pinochet's authority extended into the schools and into private organizations.^{cxvii} Among the government bureaucracies staffed by Pinochet's military appointees were the state universities.^{cxviii} There, curriculum content and professorial political affiliation were carefully scrutinized.^{cxix} As late as 1984, a pair of leftist-leaning professors were taken by government order, executed, and their bodies left in an abandoned taxicab. The school voucher program, ostensibly designed to give parents a voice in their children's education and thereby improve the quality by introducing competition, was implicitly designed to encourage religious education and remove students from what the right feared was the socializing leftist tendencies of most public education professionals.

Pinochet's authority also extended to the operation and, indeed, existence of private organizations. Among the first public announcements following the coup was the outright ban of all political parties that were members of the *Unidad Popular*, the umbrella organization embracing all Allende's coalition parties. Soon after, all parties, with the exception of several on the right that had voluntarily disbanded, were placed on indefinite recess. Of greater consternation to the left and, indeed, to all those opposed to Pinochet's usurpation of authority was the prohibition of activity and membership within any organized labor group. The DINA's merciless pursuit, and often murder, of labor leaders and even lay members effectively destroyed what would have likely been the most potent opposition to Pinochet. By destroying any organized resistance to his regime, Pinochet also destroyed any chance of effective resistance to his regime. By destroying the political opposition and by destroying organized labor, Pinochet forged another link in the chain binding Chile.

Pinochet's power over the state was very entrenched. By controlling the army, he was able to gain supremacy within the military. By controlling the military, he was able to control the state. All effective opposition was destroyed. The influence of the military was painfully evident throughout all aspects of life. No corner of society was untouched by the power of General Pinochet. Yet, after having managed to achieve ascendancy within the army, having survived the cataclysmic period following the early days of the coup, having managed to subordinate his peers within the military, and having used the military to utterly dominate the state, Pinochet peacefully relinquished power to a democratically elected government. At the height of his power, with no actor of even closely equal power left to effectively oppose him, Pinochet stepped down. Democracy was restored, in great measure, because Pinochet permitted it. This was not a transition from below. Although the evidence to demonstrate civil society's role in the transition is not given until the next chapter, the extent of Pinochet's power, as above indicated, demonstrates the emphasis the regime deserves in the Chilean transition. The following evidence concerning the constitution of 1980 also demonstrates the appropriateness of emphasizing the state within the Chilean transition.

Constitutional Intentions

The second theme to be demonstrated within the evidence is an examination of Pinochet's democratic intentions. The most significant evidence, in this regard, is the 1980 constitution submitted by Pinochet. The constitution instituted both a democratic form of government and a timetable by which free and contested elections would be held. While it would have been difficult to argue that Pinochet could have ruled Chile indefinitely, there is no indication that his position had necessarily to be abdicated when

it was. Pinochet might not have been able to maintain his hold on power indefinitely, but it was no foregone conclusion that he had to step down in 1990 or even 2000. And while there is no evidence to suggest that Pinochet had democratic intentions, and it is impossible to do so without better information from Pinochet himself or those around him, the enactment and adherence to the 1980 constitution does suggest that democracy was restored at the time it was in great measure because Pinochet planned for it.

The democratic intentions of Pinochet can be seen throughout all aspects of the 1980 constitution, from its creation, to its contents, to its application. The very creation of the constitution was accomplished in a democratic fashion. Concerned with the legitimacy of the constitution, Pinochet attempted to make the creation process as open and as broad as he dared, and still have a suitable document. A Constitutional Commission composed of several outstanding jurists, professors of law^{cxv} and judges appointed by previous administrations (the judiciary was the only institution of government not discarded wholesale or excessively tinkered with), were assembled in 1973 to begin drafting. To lend further credibility, Pinochet requested the participation of former presidents Gabriel Gonzales and Alessandri, as members of his quasi-legislative Council of State. Both accepted.

The ratification of the constitution was also pursued along conventional democratic lines. A plebiscite date was set at which time the voters of Chile would either accept or reject the proposed constitution.^{cxvi} The vote was held in August 1979. According to official results, 67 percent of the ballots supported the new constitution. Thirty percent opposed it. Pinochet followed a model common in Chilean history. The 1925 constitutional ratification, actively promoted by Ibanez, comes to mind. Pinochet's

consistency with Chilean democratic tradition is also well illustrated by his frequent use of plebiscites, the constitution's ratification being the second of three he employed during his time in power. However, although the electoral process was procedurally sound, the substantive quality of the process left something to be desired.^{cxix}

The bare minimum of procedural democracy may have existed, but whether the elements necessary for genuine democracy did was debatable. Electoral registers were nonexistent. The polling stations were not independently observed. Rather, intimidating soldiers oversaw the voting process. All blank ballots were counted as yea votes. And most disturbing, opposition campaigning was actively stifled. Except for one public speech by former president Frei, opposition voices were not heard. Although it was not very satisfactory, the plebiscite, like the creation process, had the flavor of democracy.^{cxix}

The undemocratic aspects of the constitution were not limited to the creation and ratification process. Many elements contained within the constitution itself were only quasi-democratic, and many were openly undemocratic. The most notable of the non-democratic elements was the "transitory dispositions" granted to Pinochet during the interim period between ratification and the, potentially, first elections in 1989. In sum, the powers accorded to Pinochet encompassed the most liberal possible incorporations of both legislative and executive authority. Pinochet ruled during the 1980s by decree. Secondary non-democratic elements, but perhaps more important because of their long-term impact, were those parts of the constitution shaping the composition of the post-transition state and assigning the powers of the post-transition state. Most significant were the freedoms granted the military and the limits on the free exercise of speech. The

military was not subordinate to the civilian government. The commander in chief of the military could only be chosen by the military and only removed by the military. Additionally, Pinochet was constitutionally guaranteed that position until 1998, thus combining the military and civilian functions within one person. The constitution also banned all political parties that were anti-family or advocated class struggle. The nomination of one-third of the Senate and the extensive powers granted the president and the military to legislate or influence legislation were also questionably democratic.

Still, the 1980 constitution was overwhelmingly a democratic document. Most of the specific elements in the constitution were common to the democratic process, and the general, overarching purpose of the constitution was democratic. Specifically, the constitution provided for a standard democratic structure, the tripartite division of power between the legislative, executive, and judiciary. It also provided a mechanism for free and competitive elections. More generally, the constitution incorporated, although weakly some would argue, the democratic concepts of checks and balances within government. It also defined the rights of the individual and the spheres in which government could and could not act. And finally, an amendment process, by democratic means, does exist. The basic principles of democratic government were incorporated within the constitution. Despite its democratic irregularities, particularly evident when compared to the traditional western European or North American democracies, the Chilean constitution is never the less principally a democratic document.

The structure of the government, after the transition period had passed, was to be modeled along the same lines as all the previous Chilean constitutions. There was to be a legislative branch, an executive branch, and a judicial branch. By preserving a structure

common to all past Chilean governments, since the establishment of democracy in Chile, Pinochet was also maintaining continuity with the Chilean democratic tradition. Seen broadly in this light, Pinochet did create the foundations for a future democratic government. And when compared to the conservative, presidentialist document that Diego Portales drafted, Pinochet's constitution does not even seem remarkable. Viewed narrowly, the very institutions prescribed in the constitution are also democratic ones.

The judiciary is probably the least controversial institution mandated by the constitution. Its accepted status is probably derived in great part because it was the institution least changed in composition or procedure by the Pinochet regime. In the tumultuous days immediately following the coup, the chief justice of Chile's highest court gave his implicit blessing and sanction to the military's actions. The judiciary was composed almost exclusively of pre-Allende appointees. Because Chile accords its judges lifetime tenure, Allende was unable to forcibly replace them. Upon Pinochet coming to power, the judiciary was one of his staunchest supporters. It was the only institution of government whose power was not assimilated by Pinochet. The judiciary even actively participated in the drafting of the constitution. Naturally, their prerogatives and, theoretically, independent position were not diminished.

The legislative and executive branches, however, were the most altered. Still, the basic structure of the legislature was clearly democratic. Entitled the Congress, the legislature was bicamerally divided. The lower house was the Chamber of Deputies. The upper house was the Senate. Both chambers were accorded some common legislative functions and some unique legislative functions. Unlike the transitory Council of State, a paper institution convened by Pinochet to camouflage the arbitrary nature of his decrees,

the permanent Congress did possess significant and meaningful authority. The selection of members to inhabit both chambers was to be by free and contested election, except for the partial nomination of a percentage of Senate seats. The division of Congress into two bodies, the assignment of substantial legislative power to those bodies, and the democratic selection of the membership of them are elements common to most democracies, and they are particularly in keeping with Chilean democratic history.

The tremendous authority granted the executive position most belies the constitution's democratic claim. In fact, it in some ways approximates an authoritarian model. Never the less, the closest it comes is not too close. The president is assigned a very broad degree of executive powers, the discretionary nature of which, though it does not jibe well with the concept of limited government, does still allow the premier requirement of democracy, government responsible to the voters, to be met. Though the president possesses substantial legislative powers in addition to his very wide legislative powers, the president is still ultimately responsible to the voters. Every eight years, elections for the presidency must be held. The term is nonrenewable. The powers of the president might be awesome, but they can be employed only after a democratic selection has been made.

Like the mechanisms of government, the mechanisms of electoral selection are also, at their most basic function, democratic. Procedural democracy demands only that the will of the people be expressed in relatively frequent elections and that their choices be fairly translated into according representation. Every eight years, presidential elections are held. Every two years, elections are held for one-third of the congressional seats. The desires of the voters are translated into accurate representation. Indeed, some

would find it more accurate than a great many more notable democracies. The double-member districts allow for more accurate representation than do the single-member districts used in most English-speaking countries. The plurality electoral system that accompanies most single-member districts has the potential, if not the effect, to disenfranchise a majority of the voters. At least in the 1980 constitution a seat is guaranteed to the voters that mass a third of the electorate. The constitution guarantees frequent and accurate electoral representation. At its core, the document is very democratic.

The democratic intentions of Pinochet are revealed in the constitution. Its more authoritarian elements do not detract from its democratic character. The democratic ideals of defined powers, limits to the sphere of government authority, and frequent and accurate measurement of public opinion are all contained within the document. The content of the constitution is abundant evidence of Pinochet's interest in, or at the very least acquiescent resignation towards, democratic governance.

The drafting of the constitution was initiated at the very outset of Pinochet's regime. A Constitutional Commission was assembled in 1973. From all appearances, Pinochet intended the restoration of democratic government from the very beginning. The constitution was put to a public vote five years after the coup. Pinochet had by this time completely consolidated his hold on power. The economy was in the midst of an economic expansion not experienced in Chile since the lucrative times of World War II. He could have extended the drafting period. He could have abandoned the task altogether at that point. When the time for the final plebiscite had arrived in late 1988, Pinochet was completely entrenched in power. His hold on Chile was never more

absolute. Yet the plebiscite was held. When the results indicated he had lost, Pinochet could have ignored the outcome. Yet he did not. The timetable established in the constitution was adhered to, and the government for which the constitution was a blueprint was established. The democratic intentions of Pinochet were manifested throughout the constitution, from its creation to its contents to its application. Pinochet created, published, ratified, and adhered to a constitution founded upon democratic ideals because he intended to restore democracy to Chile.

Pinochet Conclusions

Singly, the evidence of Pinochet's manifest control over the institutions and people of Chile and his abdication of power never the less or the evidence of his democratic intentions as seen in the contents and application of the 1980 constitution very convincingly suggest that if he was not responsible for the restoration of democracy ever, he was at least very responsible for its restoration in 1990. Taken together, the combined evidence of the pervasive power exercised by Pinochet and the democratic intentions explicit in the constitution are too great to ignore. Pinochet was responsible for the return of democracy, to some degree. That he could have prevented its return during his lifetime, instead retaining dictatorial powers until his death, is a feasible alternative. Whether he could have prevented the restoration of democracy for several years longer than he did is an almost certain possibility. Pinochet's role in the restoration of democracy, deserves at least equal footing with the role of civil society. Indeed, the role Pinochet played in the transition process should be slightly emphasized. The evidence supports this contention.

Through his control over the military, and quite effectively through the use of the DINA, and through the institutional auspices of the government staffed by officers and bureaucrats, Pinochet ruled the country with a degree of control probably rivaled only by Soviet Russia with its KGB and Nazi Germany with its Gestapo. The creation of a democratic constitution, and its ratification in 1980, and the strict adherence to it through 1990, amply illustrate Pinochet's primary role in the restoration. At a time when he had destroyed all effective opposition, he created and stuck to a constitution that had the potential to deprive him of his position. Together, the power he wielded and the constitution he wrote demonstrate Pinochet's culpability, and slight preeminence in the events of 1988 and 1989.

The Unexplained

The above analysis, however, is not entirely complete. There are still a number of things it does not explain. When narrowly viewed, an exclusive role by Pinochet in the restoration of democracy seems almost evident. But, if all the facts are examined, that conclusion becomes less persuasive. First, an emphasis solely on Pinochet does not account for the dichotomy between his apparent desire for power and his undisputed relinquishment of power. Second, it does not explain the creation of the 1980 constitution or Pinochet's adherence to it. Third, an emphasis does not take into account Pinochet's systematic elimination of opposition and then subsequent transfer of power to the same opposition. Fourth, it does not account for the constitutional amendments made in 1989. Fifth and finally, the role of opposition groups, both mass and organized, is ignored by so exclusive an emphasis. If Pinochet single-handedly restored democracy to Chile by virtue of his power and his desire, how are these unexplained factors integrated?

These factors can only be explained by applying Viola and Mainwaring's intermediate 'from above' and 'from below' transition theory. Chile is not a case of a transition 'from above,' although Pinochet played a very important role, but it is an intermediate transition consistent with Viola and Mainwaring's theoretical approach.

The most difficult factor to integrate is the dichotomy between Pinochet's obvious desire to wield power and his equally apparent abdication from that position of power.^{cxixiv} If Pinochet truly wished to restore democracy, why did he wait seventeen years to do so? The reasons given for the military intervention were the restoration of stability and the removal of the Socialist-led government. The military could have simply banned all *Unidad Popular* parties, as they did, and called for new elections. Indeed, this was the desire of more than one military officer.^{cxixv} The length of Pinochet's seventeen-year reign demonstrates an obvious affinity for power. Why then did he relinquish it?

Pinochet's quest for power is amply illustrated by his meteoric rise in military circles. One month before the coup he was one general among several in but one branch of the military. A few months later he was the uncontested, if unofficial, head of the entire state. In the contest to secure a successor to General Prat, Pinochet was able to garner the most support within the army. In the intra-military jockeying for power, post coup, Pinochet used the leverage the leadership of the largest branch of the military accorded him to subordinate his once co-equals. That same lust for power was used to achieve control over the entire state. The liberal use of the DINA and the conventional military, the radical and far-reaching neoliberal economic project, and the social transformation imposed throughout Chile demonstrate Pinochet's desire for power. Yet,

the same man who had intensely competed for power and then used that power to advance a radical agenda relinquished that power. The actions of the first sixteen years of his rule do not accord with the actions of the last year of his rule.

Along the same lines, if Pinochet desired power, as he so evidently did, how is the constitution of 1980 or the various plebiscites in adherence to it to be explained.

Proponents of Pinochet would claim that the document and the subsequent plebiscites indicate Pinochet's democratic intentions. But that claim stands in direct contravention of the facts. Pinochet ruled by military decree until 1980. Democratic values were not so important for the first seven years. And, Pinochet seriously considered disregarding the 1988 plebiscite results but was, in part, dissuaded by his fellow officers and government ministers. It should be reiterated again that Pinochet, as central as he was, was not the state. That a constitution was created and the plebiscite results were respected seems inconsistent with Pinochet's other actions.

Pinochet did not need a constitution. In fact, the evidence suggests that he may not have even wanted one. The coup occurred in September 1973. The constitution came into effect in March 1980. During the nearly seven years between those dates, Pinochet's interest in democracy seems very meager. Although a Constitutional Commission was established in 1973, the pace of its efforts could charitably be described as leisurely.^{ccxvi} For over six years Pinochet seemed more than content to rule without any greater cloak of legality than the ill-defined emergency decree. Something more than altruistic democratic intentions seem to be responsible for the 1980 constitution.

There is also the documented intransigence of Pinochet following the 1988 plebiscite. Pinochet was not at all convinced that he should abdicate his position. He

certainly did not desire to do so. If Pinochet exercised nearly unlimited power why then did he not continue in his position as he so evidently desired? Any suggestion to the effect that Pinochet's desire for democracy eclipsed his desire for continued power does not bear out under even the slightest degree of scrutiny.

Nor is the dictator's brutal persecution of the same political opponents that he relinquished power to explained by a focus on the actions of the state. If Pinochet had truly been interested in democracy and an anti-marxist government, he would have banned all UP parties and placed the rightist parties in power.^{cxvii} Instead, he waited seventeen years and returned to power the very parties he had originally removed and dispersed. The evidence presented above does not satisfactorily account for the eviction and later welcome of the same opposition. Why did he opt for democracy and the left if he preferred democracy and the right?^{cxviii}

Pinochet was violently opposed to the UP. Yet the core UP parties made up the government that replaced him. Why would Pinochet murder, torture, and exile based upon leftist political affiliation and then permit the same leftists to return to government without any physical contest? Pinochet was brutally efficient in his repression of external political opposition. The excesses of the DINA illustrated this quite memorably. He was also quite expeditious in disposing of internal military opposition. The assassination of Prats in Buenos Aires and the sacking of Leigh and Mendoza along with twelve other officers illustrate this well. The obvious antipathy Pinochet felt for his opponents does not jibe well with the events of 1989. Where Pinochet could have had both democracy and a right-wing government, why did he choose democracy and a left-wing government? The evidence presented, as of yet, does not account for this problem.

Nor does the evidence account for the amending of the 1980 constitution in 1989. The constitution was drafted according to Pinochet's personal demands. Why, if he possessed absolute authority, did Pinochet agree to change the constitution from the form that he obviously preferred to a form that he, logically, did not prefer? Some other factor must have been in play. Pinochet's claimed desire for democracy could have still been satisfied without the constitution's amendment, especially if he had the power to refuse the amendments suggested.

It is true that Pinochet did have the power to refuse amendments. The fact that he allowed some amendments to be put to plebiscite and the fact that he refused to allow other amendments to be put to plebiscite seems to indicate that is the case.^{cxxix} The suggested inclusion of Marxist parties was permitted, for example, but the suggested subordination of the military to civilian control was rejected outright. However, evidence that might seem to support the contention that Pinochet possessed absolute power at this time actually demonstrates the opposite. Pinochet obviously preferred his original draft, yet he signed on to changes in it. Democracy could have been restored without amending the constitution, but it was amended anyway. Though he had the power to refuse some changes, he apparently did not have the power to refuse all changes. Had he possessed that power, he would have stuck to his original draft. The evidence offered does not account for the amendment process.^{cxxx}

And most importantly, the evidence presented above does not account for, or even grant mention to, the very much existing groups in opposition to Pinochet. No explanation is given to account for the role of opposition groups both within and outside of the regime. The influence and impact of the opposition to Pinochet is ignored. It

should not be. Small groups and large groups, organized groups and unorganized groups, and groups using peaceful methods and groups using violent methods were active throughout the Pinochet dictatorship. Pinochet's actions and policies did not take place within a vacuum. If nothing else, Pinochet responded violently to opposition groups, the coup aftermath vivid proof. But, the evidence suggests a more intricate interaction between the regime and the opposition than one of cat and mouse.

There were mass movements, short term and poorly organized. There were more selective movements, very dedicated and highly organized. There was violent external opposition to the regime, and there was quiet internal opposition to the regime hoping to affect changes from within. The 1970s were a quiet period with little vocal or public opposition. Following the 1981-1982 economic recession, the opposition began emerging from the woodwork. Days of National Protest, street demonstrations, strikes, and political organizing became increasingly common. Where the two plebiscites of the 1970s were entirely government orchestrated events, the plebiscite and election of the late 1980s were vigorously contested. An opposition, and an increasingly active and vocal opposition, definitely existed. That they influenced the Pinochet regime, or deserve any credit for the restoration of democracy cannot be questioned.

The factors that remain unexplained strongly suggest that Chilean transition was a mixed one according to Viola and Mainwaring, that the opposition did play a significant role in the restoration of democracy. To the opposition can perhaps be attributed the dichotomy between Pinochet's patently obvious hunger for power and his relinquishment of power. The ratification of the 1980 constitution and Pinochet's strict adherence to it, despite severe reservations, may have also been influenced by the opposition. And lastly,

the amendment of the constitution could be better explained by including the opposition within the discussion. Certainly, evidence that emphasizes only Pinochet's role is not the entire story.

Chapter Five: The People

Civil Society as Primary

The transition to democracy in Chile is impossible to explain with sole reference to the will of Pinochet. His strong grip on power and his clear desire to maintain centralized power in his own hands, leaves a number of questions unanswered. Why would he restore democracy in 1989, and not years earlier or years later? Why would he have drafted and ratified a constitution that would eventually deprive him of power? Why did he return the reins of government to the very political organizations from whom he took it in 1973 and had been violently suppressing ever since? And why did he agree to some amendments to the 1980 constitution and refuse others, and what did his admittance or refusal imply? Perhaps Pinochet did not respect the Chilean tradition of democratic government. Perhaps Pinochet did not willingly abdicate, entirely, but was, in part, forced out by popular dissatisfaction. This chapter answers these questions.

The facts unexplained by the evidence presented in the previous chapter can only be explained by viewing the actions of civil society during the Pinochet era. Pinochet did not alone cause the restoration of democracy in Chile. The restoration was propelled along by the people of Chile, as well. The restoration of democracy occurred, in great measure, because the Chilean people wanted it and made it happen. Civil society, composed of all walks of Chilean life and all aspects of Chilean society from unions to interest groups to professional association to political organizations, used its most powerful tool, popular mobilization, to pressure the Pinochet regime and restore democracy.

Of the literature I reviewed, very little directly involved itself in the Pinochet-civil society discussion.^{cxxxix} Less than half of that scholarship emphasizes Pinochet's role. Even more damaging to the importance of the role played by Pinochet is the degree of credit for the return of democracy to which that scholarship accords him. Nearly all references to the subject are heavily veiled and never explicit.^{cxxxix} Louis Hecht Oppenheim^{cxxxix} and Simon Collier and William F. Sater^{cxxxix} are typical examples of authors who emphasize Pinochet's role in the restoration of democracy above civil society's role. The language they both use to make that emphasis are tepid at best. Nothing is stated directly but is at most implied. Their hesitation is probably in direct correlation to the popularity of authoritarian government within academic circles.

Most of the direct literature on the subject, however, is heavily oriented to the role of civil society in restoring democracy. It is certainly a far more popular approach, and even more so in Latin American academic circles, than those that emphasize Pinochet. Unlike their colleagues above, those who emphasize the role of civil society are not in the

least bashful about expressing themselves. Authors like Javier Martinez, Alvaro Diaz^{xxxxv}, James Petras, and Fernando Ignacio Leiva^{xxxxvi} are typical examples of scholars who assign civil society a greater role in the restoration of democracy. Whereas scholars that emphasize Pinochet are careful not to ignore the role of civil society in restoring democracy, scholars that emphasize civil society most often make no attempt to even examine evidence of Pinochet's culpability in the same manner. And, they certainly do not expend any ink making an argument, however slight or even under the pretext of demonstrating neutrality, in that regard. Those who emphasize civil society are not dominant in this area of scholarship because of the near universal approbation of dictatorship or because scholars who emphasize the regime fear tackling so thorny a subject, but the prevalence of those marshaling civil society evidence can and should be explained by the persuasiveness of that evidence. Civil society played a role equally important to that played by Pinochet. The appropriateness of the Viola and Mainwaring intermediate theoretical approach is supported by the evidence.

Civil society at the time of the Pinochet regime, for the purposes of this paper, and in keeping with the scholarship that has preceded it, is divided into two parts, mass movements and elite organizations. This division is not only helpful for reference purposes, but it helpful for the purposes of constructing a timeline. The initial opposition to the regime began with mass protest movements. Only after a popular groundswell of opinion had self-mobilized did political elites begin to capitalize on this unrest and form more narrowly interested organizations.^{xxxxvii} Mass societal movements formed out of unrest over economic conditions in the early 1980s. They contributed to the demise of the Pinochet regime by providing a climate in which more goal specific organizations,

particularly political parties, could organize an effective resistance to Pinochet. And, it was this sequence of events that led to the restoration of democracy in Chile.

Civil Society Broadly

The elements comprising the mass protest that began to shake the Pinochet regime in the early 1980s were very broad. Elements from nearly the entire spectrum of society were involved. Upper and middle class housewives banged pots and pans in the streets.^{cxviii} Shantytown dwellers marched through downtown Santiago. Copper mineworkers from the North went on strike. Universities became the sites of gigantic demonstrations as students rallied to the democratic cause. These mass, popular movements were powerful because of their very nature. They were large. They were the painfully evident demonstration of public opinion. However, their strength was their weakness. Their size and disparate composition made them difficult to wield or use in pursuit of a focused goal.

Initially, popular opposition was ineffective, because underground or living in exile, or even nonexistent.^{cxix} Pinochet's brutal campaign of terror had resulted in death, lengthy imprisonment, or exile for the leadership of all the opposition. While Pinochet's depredations may have made way for the growth of popular movements by destroying all organized opposition, the climate of fear it engendered also stifled that same growth.^{cx} Additionally, another prerequisite of mass movements, widespread popular support, was also missing at this time. The military did not assume power in a vacuum. A very significant portion of society was very supportive of the military intervention. A very significant portion of society still shuddered at the memory of Allende. Until the climate of fear had sufficiently dissipated or a greater percentage of

society began to lose interest in Pinochet, popular protest movements would remain in an embryonic stage.^{cxli}

A robust and vigorous opposition did emerge, for several reasons, the most important being economic difficulties in the early 1980s. The number of official executions eventually tapered off to zero. Foreign exile was exchanged for imprisonment. International outrage at the way the DINA operated forced Pinochet to significantly restrain their activities. More important, the Chilean economy imploded in 1981 and 1982.^{cxlii} Though the recession was short-lived, it served to chill public approval of Pinochet's policies.^{cxliii} The financial crisis opened up to the masses political space that had belonged for the past nine years exclusively to Pinochet. The incident typically described as the beginning of the opposition to Pinochet, a beginning that would only conclude with his abdication six years later, was the first Day of National Protest, held on May 11, 1983.

It was the first Day of National Protest because many more were held over the next couple years.^{cxliv} The event was the brainchild of Rodolfo Seguel, a very young union leader affiliated with the Christian Democratic party.^{cxlv} A teenager at the time of the coup, Seguel had risen to a minor leadership position within a small copper miners' union. The phenomenal participation in the protest was beyond even his wildest expectations. Hundreds of thousands turned out all across Chile. Work stopped nearly everywhere. Everything came to a standstill. The government response, also, was unexpected.

Instead of a severe military crackdown, although there were some clashes with the police, Pinochet's first response was to attempt conciliation. Realizing he had a

potentially serious problem on his hand, and wanting to avoid the destabilizing violence that had characterized the beginning of his rule, Pinochet initially tried to defuse it as peacefully as possible. Sergio Onofre Jarpa, a former civilian politician, was appointed as minister of the interior.^{cxlvi} The appointment of a moderate, moderate for the period, is reminiscent of the last days of the Ibanez regime. Jarpa's task was to negotiate with the opposition. Here is where the power possessed by the mass movements was unable to be translated into concrete accomplishments. Though large, the mass movements were not organized. Jarpa was unable to negotiate with anyone plausibly representing even a half of those participating. Indeed, the mass movements that arose during the first Day of National Protest and were active in those that followed were more united in opposing Pinochet than they were united in supporting any particular demand.

Taking up the rallying call from Seguel and the unions, the shanty-town dwellers of Santiago, Valparaíso, and most of the other large cities of Chile took to the streets in opposition to Pinochet and his policies.^{cxlvii} Called *pobladores*, the peoples living in the slums that surrounded most major cities reissued Seguel's call and were accorded an equally large turnout. Responsible for several more Days of National Protest, the *pobladores* were among the most strident opponents of Pinochet. The neoliberal economic policies Pinochet had instituted hurt them more than any other sector of society. Additionally, these weaker elements of society were also among those that had benefited most from Allende's policies. Pinochet had removed Allende's support and, to add insult to injury, instituted an agenda that had economically devastated them. The stridency of their opposition can easily be accounted for.^{cxlviii}

The Catholic Church also played an important role in the mobilization of popular support against Pinochet. The Vicariate of Solidarity of the Catholic Church arose out of the aftermath of the Days of National Protest. The Vicariate served as an umbrella group under which the various popular movements involved in the protests could convene together and try to coordinate their activities. The Vicariate also physically helped aid the protests and the protestors. Like the judicial branch, the Catholic Church was not dismantled or even interfered with. It was the only aspect of society immune to military pressure,^{cxlix} and the Church used that dispensation almost openly in favor of the protest movements.^{cl}

Women also played a very powerful role in the protest movements.^{clii} In the first Day of National Protest, middle class women streamed into the streets banging on pots and pans. Exclusively women's groups also formed and contributed to the effort to pressure the Pinochet regime.^{cliii} MENCH#-83, like the Vicariate of Solidarity, provided a coordination function among various protest groups. Unlike the Vicariate of Solidarity, MENCH#-83 was a women's umbrella organization that served to coordinate the activities of women's protest groups.^{cliii} Mujeres por la Vida (Women for Life) was another women's group that was intentionally composed of women from across the political spectrum. Twenty-four of Chile's most politically active and notable women used this group to demonstrate broad-base opposition to Pinochet across gender lines.

Labor unions also played a significant role in the early protest movement. Unions were banned altogether until their partial, and incredibly weakened, resuscitation in 1979. Although down in number to 9 percent of the workforce, from 41 percent in 1973, labor unions were still quite powerful and had the potential to be very powerful.^{cliv} Outside of

the restrictive labor codes of 1979, illegal national labor union associations did form.^{clv} Their impact on the restoration of democracy should not be understated.^{clvi} Seguel came from their ranks and was able to use his position to successfully advance the protests.^{clvii} And the protest participants were heavily drawn from labor members.

The apex of the popular protests was the establishment of the Asamblea de Ciudadanía (Democratic Assembly) in April 1986. The Asamblea was designed to encompass all the movements involved in the protests of the past three years. It was a grand effort on the part of its sponsors, but the Asamblea did not live up to its billing. As an umbrella group in which the voices from all elements of society could be heard, a conceptual mini-democracy within the state, and as an organization that would coordinate the activities among the various movements, it was a failure. It successfully called for a two-day strike on July second and third, but afterwards slipped into oblivion, its place to be taken by the now reemerging political parties.

Pinochet's response to the protests was initially vacillatory. Troops and riot police were sent into the streets to check the crowds but not prevent their assembly. Additionally, Jarpa was appointed minister to negotiate with the protests. This mixed approach of stick and carrot did not last long.^{clviii} Perhaps aware that conciliation was the disastrous route that Ibanez took, yet wary of destabilizing actions, Pinochet, after his modest attempts to act liberally, responded with force that rivaled the 1973 coup. It had been over a decade since Chile had experienced this level of treatment. Tens of thousands of troops poured into the street. The DINA, now the CNI, became increasingly active again.^{clix} The protests continued, but the regime's response was becoming more violent.^{clx} The typical rally would end with several dead,^{clxi} hundreds injured, and

hundreds more imprisoned.^{clxiiclxiii} The protests slowly tapered off after 1986, partially a reaction to the violence^{clxiv} and partially because the political parties, increasingly more influential within the opposition movements, discouraged them.

The problem for the broad social movements was not the external resistance of the regime, but their internal inability to organize.^{clxv} The movements were united only in their opposition to Pinochet. They were not united in support of any specific alternative or course of action by which to achieve it. The failure of the Asamblea to provide any meaningful coordination illustrates this weakness. It would take the emergence of political elites with very particular agendas and organized groups behind them to take the effectiveness of the opposition to the next level.^{clxvi} Yet, while broad civil society movements were, over-all, unsuccessful against the regime, they were very effective in establishing a climate in which the more successful political elites could operate.

Civil Society Narrowly

It was not until late 1985 and early 1986 that organized political parties really came into their own. Political parties did not initiate the protest movements but were a byproduct of them. As organized structures, they were more dangerous to Pinochet and more easily destroyed. By the early 1980s, all political leaders of any stature were either dead, in prison, in hiding, or in exile. The party organizations, also, were gutted. Their publications and broadcasts were banned. Their underground meetings were often watched and broken up, and all participants taken to jail. By the time the protest movement had fully launched, the political parties existed in no more than name.^{clxvii}

One of the first organized political opposition movements to form, indeed it had never really been dismantled, was the Manuel Rodriguez Patriotic Front (FPMR). Called *rodriguistas*, the FPMR violently engaged the regime. It was responsible for dozens of minor acts of sabotage, such as dynamiting power lines coming into Santiago.^{clxviii} It also was responsible for a near successful assassination attempt on Pinochet in which five of his bodyguards were killed. The FPMR was the militant arm of the Communist party. The Chilean communist party prior to 1973, unique in the world, did not advocate a violent revolution. A democratic transition to socialism was their platform. After 1973 their adherence to peaceful methods of achieving political change was discarded.^{clxix} The FPMR was not the only underground group; numerous other radical and even non-radical organized opposition groups also existed underground during Pinochet's rule.^{clxx}

More important than the *rodriguistas*, which were never more than a minor irritant, were the established political party organizations. Although the FPMR predated the reestablished political parties, it never exercised their more powerful influence of persuasion. Following the first *protestas*, political parties began recoalescing. Although political parties were still illegal and their leadership and even lay membership were still being hunted, the parties began to reassert themselves into the political fray. The greatest impediment to organization before this time was inability to actively acquire popular support. The typical political party was unable to function without a popular base. The exceptions were parties like the FPMR.

The first political opposition party to functionally reemerge was the Republican Right or PDC. It was composed of rightist politicians and membership that had become disenchanted with the Pinochet government. Believing that Pinochet would soon be

forced from office, they hoped to distance themselves from him and thereby retain some degree of political competitiveness. The PDC initiated the first of the two political coalitions that would dominate the opposition scene until Pinochet had left and the political scene after he had departed. Called the Democratic Alliance, this coalition was composed of the dominant PDC, a smattering of smaller centrist and rightist parties, and the moderate wing of the Socialist party, the “renewed” Socialists.

The Democratic Alliance was followed shortly thereafter by the formation of the second political coalition. The People’s Democratic Movement, or MDP, was the creation of the leftist wing of the old Socialist party, the “unreconstructed” Socialists, and the remnants of the Communist party. Within the coalitions, most people could find a political home, and popular support was divided about evenly between them. Out of the PDC and the Democratic Alliance the Christian Democratic party would reform anew as the principal centrist party. Out of the People’s Democratic Movement the Socialist party would reform anew as the principal leftist party.

The date typically given to the rebirth of the political parties is August 1985. Over the summer of 1985, the Cardinal-Archbishop of Santiago, Juan Francisco Fresno, pursued and cajoled the leaders of most of the more important political parties to sign an accord^{clxxi} that he would deliver to Pinochet, and publish as well.^{clxxii} Signed by eleven parties, most of the parties in Chile, with the exception of the Communists, the accord pledged their “actional agreement for the transition to full democracy.”^{clxxiii}

Pinochet’s response was as expected. The Cardinal-Archbishop was told in no uncertain terms to quit meddling in politics. A more harsh response awaited the parties. Several political leaders were brutally murdered or disappeared. Tucapal Jimenez,

prominent labor organizer for public employee unions in the Socialist party was murdered and his body dumped in an abandoned taxicab, a common practice of the Pinochet regime, it seems. Even the Communist party was targeted at this time, unfairly because they had no part in the statement. Two of its most prominent underground leaders were also murdered. Dozens of activists from all parties were imprisoned or fled the country.^{clxxiv} One, on a trip abroad, was not permitted to return.

Throughout 1985 and 1986, the parties continued to persevere in their struggle. Demonstrations were organized. Underground pamphlets and papers were published and illicitly distributed. For the first time in over a decade, the people of Chile were reading materials not sanctioned by the regime. House meetings were held. For many in Chile, particularly the activist young, this was an experience new to them. Political parties were still illegal at this time, but by taking advantage of widespread popular support they were able to maintain their activities despite harassment and persecution by the regime. Their efforts bore fruit. The number and size of rallies grew astonishingly in late 1985 and early 1986. Pinochet responded equally vigorously, as previously noted. When the use of rallies was no longer needed, at the insistence of the parties themselves,^{clxxv} in the middle of 1986, the political parties had already accomplished a great deal. The public was being exposed to divergent political opinions. Redemocratization was the theme in Chilean discourse. The public, through their rallies and mutual activism, was aware of how broad the support was for the restoration of democracy. And all recognized that Pinochet's attempts to repress their activism were futile.

However, the political parties really came into their own only after the ban on their organization was dropped in February-March 1987. In preparation for the August

1988 plebiscite on a second term for Pinochet, the prohibition on party organization was lifted. The electoral registers were opened, and voter registration was held. It was only at this time that the parties began actively campaigning. The purpose of the electoral registers was to assign voters to a party. By the end of the summer of 1987 nine out of ten eligible Chilean voters had registered and affiliated with a party.^{clxxvi}

This shift from street action to institutional forms of opposition, such as open voting, elections, open campaigning, and recruitment, was partially in response to the violent crackdown on public demonstrations by Pinochet and partially in response to the reality of the situation. If Pinochet was going to give an inch then the parties would oblige him and take what he offered. The parties' effectiveness undisputedly increased after legalization. This attitude on the part of the parties also signified something greater. It signified their intention to work within the framework that Pinochet had established. The first politician to openly urge acceptance of the status quo was Patricio Aylwin, soon to be the next president of Chile. Aylwin believed that popular protests could dislodge Pinochet, but he feared that process might be too bloody and even extend Pinochet's regime beyond the 1989 elections. It would be more expeditious to work within the framework established by Pinochet, though less satisfactory. By 1987 Aylwin was president of his party, the PDC ,or the Christian Democrats, and his opinion on the subject had become widely accepted.^{clxxvii}

Recognizing that working within the system was more efficient, though detested, the political parties concentrated their efforts on winning a "no" vote in the coming plebiscite. With the exception of two right-wing parties, National Renewal or RN and the Independent Democratic Union or UDI,^{clxxviii} a broad coalition of all other parties was

formed. Due to the efforts of the two largest opposition parties, the Christian Democrats and the Socialists and a smattering of fifteen smaller parties, the *Concertacion de Partidos por el No* (Concertacion) was established in February 1988. The sole purpose of this organization was to defeat Pinochet's chances for a second term in the August 5, 1988 plebiscite. Not only did the organization throw itself into the task wholeheartedly, but the parties themselves, particularly the two largest, devoted all their resources to the effort.

The Christian Democrats, officially the National Directorate of the Christian Democrats, was the largest party in Chile. Composed of the traditional middle-class and business interests, it was only tepidly opposed to Pinochet.^{clxxxix} And originally it had close ties to the regime, through several generals and even through the Chicago Boys who had come out of the party. But, the party's vehement opposition to the pair of plebiscites in the late 1970s earned then Pinochet's wrath. The party, the shell that was left after the post-coup decrees, went into eclipse following the exile of several of its spokesmen.^{clxxx}

The Socialists, or officially the Party for Democracy (PPD), was the second largest of the parties. Supported by lower-class members of society, union affiliates, and academics, the PPD was universally opposed to the Pinochet regime. Unlike the PDC, the PPD had no contacts with the regime and desired none. The PPD only very reluctantly agreed to Aylwin's recommendation that they work within the system. It was the PPD's acquiescence on this point that most aided the opposition cause. The PPD acceptance was in great measure caused by the return of Carlos Altamirano from exile in East Germany. His time spent there tempered his enthusiasm for more strident varieties

of socialism. By replacing the radically leftist Clodomiro Almeyda,^{clxxxix} Altamirano was able to bring the PPD and its allied parties into the Concertacion and help win the no vote that would end Pinochet's reign.

The Concertacion waged a masterful public relations battle to garner a majority for the no vote. By using computers, faxes, television, radio, printed media, and public assemblies, the Concertacion got out the message. The organization provided by the parties was critical to the success of their effort. Had the parties and their supporters not demonstrated the enthusiasm for and initiative in this task it is likely that Pinochet would have won the vote.^{clxxxii} By rallying the mass of public opinion that they had courted during the period of mass protests and since the legalization of the parties in 1987, the no vote won the plebiscite 55 percent to 43 percent.

The organization and contacts built up by the parties during the trying pre-plebiscite days did not evaporate after their stunning victory. Recognizing that a unified face was necessary to keep the pressure on Pinochet, the Concertacion went into the 1989 election as one political bloc.^{clxxxiii} Because Aylwin was the head of the largest party, and the one in the opposition least objectionable to Pinochet, he was selected as the coalition's presidential candidate. The two rightist candidates garnered 43 percent of the vote to Aylwin's 55 percent.^{clxxxiv} Civil society, through perseverance and commendable organization, had triumphed over dictatorship.

Civil Society Conclusions

Pinochet's eventual abdication from power, concessions he made along the way, and ultimately the restoration of democracy, can be directly attributed to the activism of civil society. Had the mass protests of the mid 1980s and the political organization of the

late 1980s not occurred when they did, it is conceivable that Pinochet would not have left office when he did. The efforts of civil society both broadly and narrowly were in great part responsible for the restoration of democracy in Chile.

It was the vast number of protests, the vast numbers involved in the protests, and the stridency of the protests that first made Pinochet aware how fragile his control on Chile was. Despite the repression and violent counter-responses to the protests, the movement continued unabated and as vigorous as before. It was only through the urging of the political parties that the protests ceased. Pinochet's military and state power was unable to restore order to the streets of Chile. But preferring a more peaceful method to restore democracy, the parties halted the public protests and concentrated on the plebiscite of 1988. A 'no' victory within the plebiscite was never certain. Though Pinochet was at times uncertain as to outcome, conventional wisdom overwhelmingly predicted a 'yes' vote triumph. That triumph, the postponement of democracy, and the further consolidation of power did not occur because of the unceasing efforts on the part of civil society.

The Unexplained

The evidence attributing sole responsibility to civil society for the restoration of democracy is problematic because it leaves some facts unaccounted for. It is true that the mass protest movements weakened Pinochet and that the political parties defeated him at the polls, but this rendition does not tell the entire story. There are gaps in the explanation that cannot be justified. A number of questions are left unanswered. First, the account of the cessation of public protests in 1985 is incomplete. Second, the relative ineffectiveness of parties prior to 1987 is not well accounted for. Third, an emphasis on

civil society does not account for the 1980 constitution. Fourth and finally, the full implications of the agreement to work within the 1980 constitution are also ignored.

The number of street demonstrations dwindled after 1985. A civil society emphasis accounts for this phenomena by reference to the violence of Pinochet's counter-response. The political parties believed that excessive violence was unnecessary to their effort. They would restore democracy through institutional means. Additionally, the political parties feared that increased unrest would only cause the Pinochet regime to further isolate itself from society and in the process perhaps remove the institutional route to democracy. However, such evidence also indicates that civil society, particularly the informed political elite, was appreciative of the power Pinochet wielded.

This emphasis on civil society stands as a self-admission that the efforts of civil society were not alone sufficient, but that Pinochet also played an important role in these events. The crackdowns demonstrate Pinochet's power. Following the failure of Jarpa to mediate with the opposition, Pinochet injected over 18,000 troops into the cities of Chile. Using rubber bullets, tear gas, armored personnel carriers, and, not infrequently, live ammunition, Pinochet restored some sense of tranquility to the streets. In the process, hundreds were killed, arrested, tortured, and imprisoned. The effects of Pinochet's response, and subsequent hesitation of the political parties, amply demonstrate that Pinochet still exerted some control over Chile^{cbxxxv}.

The parties feared that if the street protests were not curbed, Pinochet might respond by tightening security measures, unleashing the full weight of the military on society, and possibly renege on the 1980 constitution under the pretext of maintaining stability. The recognition of the potential of such an occurrence by the political parties is,

more importantly, an admission that Pinochet had the power to do just that, that Pinochet exercised more immediate power than did civil society. In this scenario, civil society is responding to Pinochet, not the other way around.^{clxxxvi}

The relative ineffectiveness of political parties before February-March 1987 is also glossed over within the civil society emphasis. If political parties, the elites of civil society, were ineffective prior to the above date, what was the reason? The reason, according to the evidence offered by the civil society emphasis, is the still formative nature of the political parties. Parties had only started to become once again active in early and mid-1985. It was not until early 1987 that sufficient party structure had been reestablished to ensure effectiveness. The more persuasive reason, however, is the series of edicts promulgated by Pinochet that lifted the ban on political party organization. Yet, if this reason is valid, it would mean that Pinochet gave the parties the opportunity to be effective. Although it could be argued that Pinochet liberalized in response to pressure from civil society, it could also be argued that Pinochet could have continued suppressing party organization past early 1987 as he had the previous fourteen years. That Pinochet liberalized is continuing evidence of the managerial 'from above' element in the Chilean transition. The parties themselves, at the very least, were not initially responsible for their own success.

Before 1987, the parties were weak. They were not an active element within the broader array of groups working to unseat Pinochet. The parties were reborn, only as a consequence of the demonstrations, not the other way around. What little active participation they engaged in was internal party organizing and some, although quite minor, underground publishing. Indeed, the only significant influence the parties had on

the street demonstrations and nationwide rallies was to curb their frequency. As players on the opposition scene, the parties did not compare to broad civil society powerhouses like labor or the *pobladores*. The principal reason they were ineffective was because Pinochet had purposefully targeted them for destruction in the 1970s.^{clxxxvii}

After 1987, the role of the parties expanded exponentially. Able to use their persuasive and organizational abilities for the first time in over a decade, the opposition political parties resumed with intensity the campaigning that would win them the plebiscite. The problem for the parties, in this regard, is over the question of what was responsible for the sudden turnaround in their fortunes. The evidence strongly suggests the liberalization of restrictions on political party activity was responsible. The implications, also, are problematic for civil society. The parties did not by themselves generate the circumstances that led to the plebiscite victory and the restoration of democracy. Rather, the role of Pinochet also deserves to be emphasized.

Evidence offered by the civil society emphasis is also unable to account for the 1980 constitution, its creation or its contents. Undoubtedly a democratic document, at least in content, the constitution was drafted almost exclusively under the guidance of Pinochet. Before 1980, civil society was not actively opposing Pinochet. It was not until the financial crisis of 1981-1982 that any significant protest against the dictatorship was voiced. How then do the civil society advocates explain the democratic nature of the constitution? Ostensibly, democracy was restored by massive and well-organized civil unrest. Yet, Pinochet had demonstrated his democratic intentions before any unrest had occurred, and the constitution was the very document the opposition would later find acceptable.

Opposition before 1983 was almost negligible. The only exceptions were the nuisance sabotage of the *rodriguistas* and the bold, yet unsuccessful, attempt by the Christian Democrats to oppose the 1978 and 1979 plebiscites. For their troubles, all remaining PDC infrastructure was smashed, and their leader Andres Zaldivar was summarily exiled. If civil society played the premier role in the restoration of democracy, how can the existence of a democratic document prior to the events of 1983 be explained?

In fact, all public discourse by civil society about the constitution occurred after the constitution had already been ratified. Civil society had absolutely no involvement, with the exception of some minor amendments in 1989, in the creation of the constitution. The constitution was not particularly well received by the opposition, and most despised it. But, they did accept the constitution as the template upon which to fashion their restored democracy, their acceptance implicit acknowledgement that the constitution was a democratic document. Yet civil society could make no claim its parentage. On this matter again, the emphasis on civil society does not account for an aspect in the restoration of democracy. Rather, Pinochet seems more notable in this regard. The democratic nature of the constitution was voluntary on his part, although Chilean constitutional traditions also played a role here.

On a related note, the agreement of the political parties to work within the 1980 constitution is also unexplained by the above evidence. If a significant portion of civil society, by its virtue of being civil society, had wanted to, they could have overthrown the regime. Yet, instead of overthrowing the regime, civil society, led by the parties, opted to achieve democracy through the 1980 constitution. The evident contempt in

which the opposition held the constitution only further weakens the civil society argument. Civil society did not like working with the regime, and they did not like working with the 1980 constitution. Yet, if civil society had the strength to avoid this, why did they subject themselves to this double agony?

Some evidence suggests that the parties were more concerned with preventing violence. Yet, that claims seems suspect in light of the fact that the prevention of violence was not top priority during the three years of militant street protests between 1983 and 1985. Rather, it seems more likely that the political parties recognized the extent to which Pinochet still enjoyed power. Realizing they could not beat him from without, civil society followed Pinochet's lead to redemocratization. So again, the evidence suggests that democracy was in part restored, at least when it was, by the actions of Pinochet.

The evidence does not adequately tie the actions of civil society throughout this period to the restoration of democracy. To suggest that they, solely, were responsible for the events of 1989 and 1990 is unconvincing. The cessation of street protests after 1985, the relative ineffectiveness of parties before 1987, the creation of the democratic 1980 constitution before the rise of mass opposition to the regime, and the agreement initiated by Patricio Aylwin to work within the 1980 constitution do not accord with an emphasis on the sole responsibility of civil society for the restoration of democracy.

Civil society, as powerful as it was, did not demonstrate during the mid-1980s that it had the strength to remove Pinochet. Rather, Pinochet adequately demonstrated that he still wielded sufficient power to stifle the protests if not suppress them altogether, as occurred in late 1985. Not only were the mass demonstrations dealt with, however

inefficiently, but Pinochet also was able to neutralize the political parties. Until legal barriers to their organization were annulled, their effectiveness was never that great. And, the parties' agreement to work within the constitution was no more than the surrender to Pinochet's power. The opposition was most effective in the framework created by Pinochet.

However, as handily as the regime may have dealt with civil society, the holes in the evidence are just that, holes. Civil society throughout the mid and latter 1980s exercised a powerful force that, it must be acknowledged, Pinochet had to contend with. Although it is true that there are several factors unexplained in the above evidence, there are also several factors unexplained in the evidence emphasizing Pinochet. Certainly the civil society evidence does not provide the entire story, but neither does the Pinochet evidence. Only by combining both according to the theoretical framework established by Viola and Mainwaring can the story of Chile's transition to democracy be completely and accurately understood. The transition was not solely 'from above' and not solely 'from below,' but was a mixture of both, although Pinochet's role does deserve slightly more attention.

Chapter Six: The Regime and the People

The Solution

Political change most often is an outcome of changing relationships between civil society and the state. My argument has been that the Chilean case certainly adheres to this broader pattern. The evidence, that which would emphasize Pinochet and that which would emphasize civil society is sound and convincing. The ability of Pinochet, demonstrated by the power he wielded, to either restore democracy or postpone democracy, and the democratic intentions of Pinochet, manifested in the creation of, contents of, and adherence to the 1980 constitution, does powerfully and persuasively illustrate Pinochet's role in the restoration of democracy. The unbreakable will of the broad mass of civil society, evident in the continuous street demonstrations in the face of the Chilean military, and the organizational genius of the opposition political parties, their success seen in the strength of 1988 "no" vote, also powerfully and persuasively illustrates the well deserved credit due civil society for restoring democracy. Either taken

alone would seem to vindicate Viola and Mainwaring's alternative theoretical approaches, 'from above' and 'from below' respectively.

Unfortunately the Chilean transition to democracy is more complicated than the easy application of one theoretical approach over the other. The evidence supporting both approaches singly has valid points, yet the evidence supporting both approaches has unexplained gaps in their respective explanations. Fortunately it is unnecessary to go far a field in search of the missing answers. The gaps unexplained in the emphasis of one approach can be answered by the evidence proffered in the other approach and vice-versa. Although the two theoretical approaches appear diametrically opposed, in reality they merely represent the accenting of different sides to the same coin. An emphasis on Pinochet's role would accredit the restoration of democracy primarily to the dictator, imprudently ignoring the contributions of civil society. An emphasis on civil society's role would do the opposite. Rather than contradicting each other, the two different approaches work in cooperative tandem.

An exclusive emphasis on one factor over the other does not fit the Chilean case. Any examination of the Chilean transition, to do justice to the situation, must employ the intermediate approach proposed by Viola and Mainwaring. The restoration of democracy was not due principally to the efforts of Pinochet, and it was not due principally to the efforts on the part of civil society. Democracy was restored due to the actions of both. Although they operated at odds with each other while events were unfolding, in retrospect, they were both working towards the same principal end, but with substantial variations.

Pinochet and civil society together deserve the credit for the restoration of democracy in Chile. Pinochet developed the structure and the timetable by which the process was to unfold. Civil society pressured a reluctant Pinochet to refrain from scrapping his own process, and they made that structure and timetable the success they were. Had Pinochet not created the necessary climate, and had civil society not brilliantly taken advantage of that atmosphere, democracy may not have been restored to Chile in 1990. Both were antagonistic parties to the dispute, but both were responsible for its democratic conclusion. Only by examining the Chilean transition within Viola and Mainwaring's intermediate theoretical approach can the process be adequately understood.

Explaining the Unexplained

When examining the evidence suggestive of a transition 'from above,' there is an obvious dichotomy between Pinochet's patent desire for power and the equally patent fact that Pinochet relinquished the power that he so dearly treasured. His no holds-barred rise to power within the army, and then within the military, and finally over the state itself, and his evident enjoyment of the exercise of power, evident in the radical economic and social project he advanced within Chile, illustrate nicely Pinochet's autocratic tendencies. Yet, Pinochet relinquished the power that he had spent considerable time amassing and considerable time acquainting himself with its use. The evidence does not adequately explain Pinochet's mysterious behavior.

The defense to this critique can, of course, advance a plausible, but in the end an insufficiently persuasive argument. Pinochet took power, ostensibly, to restore stability and reverse the effects of Marxism within Chile. Once he had accomplished that task, as

he had by 1990, democracy would be restored. The purpose of the 1973 coup was not to destroy democracy but to bring political and economic stability to the country. Naturally, therefore, the restoration of democracy was not Pinochet's highest priority. Only after he had brought stability and reversed the collectivist policies of Allende would he focus on the transition to democracy. And, this was the order of events.

However, the rebuttal to such a critique is more persuasive. The dichotomy is still unresolved. Had Pinochet only wanted to bring political and economic stability to Chile, he could have accomplished that within a month of the coup. The only explanation for his seventeen-year hold on power can be found in his desire for power. Had Pinochet truly wanted only to restore stability and reverse Marxism before he transferred power to a democratically elected government, there were various ways to satisfactorily accomplish this end. Hypothetically, Pinochet could have declared all leftist political parties in recess, as he did anyways, and held elections only among the centrist and rightist parties. In time, the other parties could gradually be allowed back into the political arena. This solution is a far more democratic one than the termination of democracy for the span of seventeen-years, and it would have ended the Allende era.

The only way this dichotomy of Pinochet's can be satisfactorily explained is by the inclusion of civil society in the examination of the facts. Pinochet did not want to relinquish power, yet he did. If his decision was not internally motivated, it had to have been externally motivated. As the only other domestic influence of any significance, civil society must have been the motivating factors. The facts strongly suggest that civil society did have this effect.^{clxxxviii}

The mass protests that roiled Chile over the course of three years made it plainly apparent to Pinochet that the public was disillusioned with the state of governance. Initially, the demonstrations were attributed to the economic difficulties of the early 1980s. When the protests continued apace and actually increased in frequency and size, even though the economy was booming throughout the mid-1980s and despite military counter-measures, Pinochet and his advisors realized that adhering to the constitutional timetable was Pinochet's only hope of staying in power. There was some unofficial discussion of and recognition that the protests of the past would pale in comparison to the potential protests of the future in response to Pinochet's considered dissolution of the constitution.

Additionally, the brilliant use of the 1980 constitution and the dispensation granted to them by Pinochet allowed the political elites to put their feet in the doorway to full democracy. Pinochet, at this time, was regretting the allowances he had made, but having once opened the door, he was having a difficult time shutting it. The masterful political campaign waged by the political parties forever put a damper on Pinochet's hopes of dissolving the constitution, or, at the very least, its timeline requirements. Once the political elites began to orchestrate the attitude of the political masses, feared by Pinochet when they were unorganized, Pinochet was forced to abdicate or face a popular rebellion, or at least the much-feared instability. Pinochet relinquished power because civil society, taking advantage of tools he had proffered, forced him to.

The plebiscites of 1978 and 1979 and the constitution of 1980 are also unexplained by the evidence proffered by an emphasis on the state. Why was Pinochet interested in democratic processes and a democratic document when ruling by military

decree had suited him more than amply for nearly the past decade? Additionally, if Pinochet possessed unrivaled power within Chile, why then did he feel it necessary to have the two plebiscites, at least a democratic façade, and why was a democratic-oriented constitution promulgated at this time? Evidence that does not include the role of civil society is unable to satisfactorily answer these questions.

There is a defense to this critique, however. Pinochet demanded the holding of both plebiscites, the first to sanction his presidency and the second to ratify the constitution, because he was honestly concerned with the democratic legitimacy of his government. He had the 1980 constitution, an undisputed procedurally democratic document, drafted, even though it had the potential to deprive him of office eight-years later, because he was not content simply to wield absolute power but desired a government that was responsive and responsible to the people. Pinochet had genuine democratic intentions. A full examination of the evidence, however, leaves an obvious inconsistency still standing.

The rebuttal to the above defense is more satisfactory. If Pinochet, truly, was so interested in democratic legitimacy and democratic government, how does one explain the pair of personal decrees assigning him the position of “supreme head of the nation” on June 26, 1974 and the position of “president of the republic” on December 17, 1974? Why were the plebiscites considered so vitally necessary in the late 1970s and not considered so vital in the early 1970s? Additionally, the above defense detracts from the claim that Pinochet wielded unrivaled power. Why, if his power was so secure, did he feel it necessary to go through the motions of what were transparently not democratic elections?^{clxxxix} Either his power was secure or it was not. And, either he had democratic

intentions, or he did not. It seems that the latter response is correct in both cases. Some other explanation must be found.

Pinochet's actions in the late 1970s can only be explained by the inclusion of civil society in an examination of the facts. Because Pinochet's actions cannot be explained by internal factors, he did not possess substantial power and his democratic intentions were transparently duplicitious, his actions at this time can only be explained by the inclusion of an outside influence. The only other domestic influence of significance during this period was civil society. If Pinochet's actions, in this regard, are inconsistent with his previous actions, the most logical conclusion is not a change in personal attitude on his part but rather a recognition on his part that civil society would not long tolerate a government that made no pretense of democracy.

An understanding of the Chilean democratic tradition is helpful at this point. With the exception of a brief period under Ibanez, Chile had been home to a very vibrant form of democracy for nearly two centuries. A product of this tradition, Pinochet was aware of the broad commitment of most Chileans to democratic government. This recognition on his part helps explain the plebiscites and the constitution. Another comparison with history needs to be made here also. Pinochet's actions very closely resemble those of Ibanez. When Ibanez realized his grasp on power was slipping, he began to court allies and open up the democratic process in the hopes that by sharing the investment in his government his new allies would also seek to preserve it. Pinochet's intentions, at this time, most closely resembled that mentality. He did not introduce the constitution or the plebiscites because he wanted to but because he felt he had to.

Another factor unexplained in the sole emphasis on the 'from above' transition is Pinochet's brutal persecution of the very groups that assumed power in 1990. The leadership in the Christian Democratic party and particularly in the Socialist party was efficiently hunted down. Those who escaped execution, imprisonment, or exile, were scattered in hiding across Chile. The organizations themselves were destroyed. Their physical apparatus was confiscated, and their membership was in constant terror of a midnight DINA visit. Yet, these same institutions for which Pinochet reserved so much distaste were also the same institutions that filled Pinochet's vacant seat. Why, if Pinochet was as powerful as the evidence indicates, and able to restore democracy on his own terms, did he so apparently not restore democracy on his own terms?

The defense to this critique is the old and well-worn fallback on Pinochet's democratic intentions. Pinochet was so committed to democracy that he was willing to overlook his much evident antipathy towards the opposition. The people had spoken, and Pinochet would listen. But, the assertion that Pinochet's genuine democratic intentions were responsible for the transfer of power to the very enemy he had earlier taken power from is as unconvincing here as it was for the previous unexplained factors.

Inconsistencies still exist, even with this further elucidation. The fact that Pinochet did not transfer power to those opponents after restabilizing the country, as he could have done and did later, is unexplained. Why, if Pinochet was so committed to democracy that he would re-empower his political nemesis, did he take power from them in the first place, and why did he not restore power to them immediately after reestablishing stability? Pinochet's intentions were obviously not democratic, and that excuse given for his actions in 1990 is simply inaccurate. Pinochet relinquished power to

his disliked adversaries not because of some vague attachment to democratic ideals but because he was forced to.

The events of 1989 and 1990 can only be explained by the inclusion of civil society in the examination of the facts. Civil society forced Pinochet to make a personally unsavory choice.^{cx} Pinochet was obviously not pleased that the Socialists were party to the governing coalition. The actions of the Socialist party in the early 1970s constituted the legitimation of the 1973 coup. The destruction of the Socialist party, and other parties, in the coup and the invasive years that followed, demonstrated Pinochet's contempt for and fear of those parties. Yet those same parties formed the first democratically elected government after the transition. Something must have pressured Pinochet into accepting a government that he so vehemently opposed. Only civil society could have exercised so powerful an influence. Even after fifteen odd years, the Socialist and Christian Democratic parties were still the largest in Chile. The majority of the demonstrators filling the streets affiliated with one or the other. Additionally, these two parties led the campaign for the "no" vote in the 1988 plebiscite. Pinochet could not disenfranchise these two parties without alienating the bulk of the protestors, and without alienating the two best organized parties. The power of civil society ensured that power would be transferred to the Concertacion, Pinochet's grumblings aside.

To be fair to Pinochet, it must be noted that the transfer of authority to the Concertacion in 1990 did not mean the same thing a similar transfer of power would have meant in 1973 or 1974. Pinochet was still firmly in control of the military, and his abilities were well known. More importantly, the Concertacion was sharply limited in its functions by the 1980 constitution. It is not here suggested that Pinochet was handing

over power to parties that possessed the same capabilities they had possessed in 1973. Never the less, it should not be forgotten that although the Concertacion was substantially restricted in what it could undertake, the platforms between the new and old parties were not radically different, and the membership that supported the parties was still relatively unchanged. Pinochet's apprehensions were not without merit.

The final factor unexplained by an approach solely 'from above,' concerns the limited amendment in 1989 of the 1980 constitution. The inconsistency of this fact with the transition 'from above' is readily apparent. If Pinochet possessed such substantial power, what could possibly make him change the constitution he had personally overseen the drafting of? Additionally troubling for an emphasis on the state, the changes to the constitution were all in areas that would only serve to strengthen Pinochet's opponents and weaken his allies. The strength of this critique rests on the assumptions that Pinochet was content with original 1980 document, and that he did not desire the amendments that were made. The assumptions are, historically, quite sound.

No defense can be found for the above critique among Pinochet apologists. The literature I reviewed is silent on the subject. The implications of this uncontested point are broad. If Pinochet is to receive all the credit for the restoration of democracy, by virtue of the power he wielded, the existence of several important facts independent from such a conclusion are troubling. By their existence, the amendments strongly suggest that Pinochet did not control the transition to democracy or even the nature of the transition, but, rather, there must have been other influences at work in the transition.

If the constitutional amendments of 1989 are to be properly understood, civil society must be included within the examination of the facts. In the face of a positively

resurgent civil society, Pinochet was concerned more with the legacy of his tenure, particularly the 1980 constitution, than with his own hold on power. Pinochet, by self-recognition, did not retain the power to completely impede the amending of the constitution, let alone the authority to postpone the transition to democracy. Both the amendments and the transition that followed on its heels can be accredited in full and in part, respectfully, to civil society. Civil society, subjugated by Pinochet early on in the struggle, did, by this point, dominate the relationship. Pinochet recognized that his only option was to accede to some changes to save the remainder of the constitution.

The rise of civil society to the point where it could make direct demands upon the regime illustrates the shared responsibility of civil society for the reestablishment of democracy in Chile. The political parties that had managed the street demonstrations, successfully pressured Pinochet to adhere his constitution, won the plebiscite in 1988, and would win the election of 1989 were also the same political parties that had initiated the constitutional amendments. Civil society was a powerful force, the evidence seen in its past accomplishments. Pinochet was certainly not solely responsible for the restoration of democracy. That it happened at all, or when it did, was partially the responsibility of civil society as well.

Recognizing the above, the flaws apparent in an emphasis solely on Pinochet should not be used to totally denigrate such an emphasis. The two themes of such a contention, a recognition of the power Pinochet did wield and a recognition of the democratic orientation of the 1980 constitution, are as valid now as they were before. True, Pinochet did not restore democracy alone, but he was instrumental in that restoration. Nor should the evidence of Pinochet's role be abandoned wholesale in favor

of the evidence of civil society's role. An emphasis on the latter also leads to unexplained gaps. But unlike the previous explanation of those gaps by a closer examination of civil society, the gaps can, this time, be explained by a closer examination of Pinochet's role.

The avoidance of street protests after 1985 is a fact not satisfactorily consistent with the claim that civil society forced Pinochet to abdicate, and thereby restored democracy.^{cxci} If civil society did exercise a degree of power sufficient to contain and even pressure Pinochet, how can their evident retreat from confrontation be explained? Either civil society was solely responsible for the restoration of democracy, or it was not. Any evidence of the opposition within civil society responding to Pinochet, as the cessation of street demonstrations suggests, instead of the other way around, makes a persuasive argument for the latter case. Civil society could not have been solely responsible for the restoration because they were unable to successfully pressure the Pinochet regime, but had to back down in the face of repression.

However, in defense of civil society, the political parties did actively discourage most street demonstrations at this time. The cessation of mass protests did not come about because Pinochet's brutal repression had quelled all efforts to resist but because the political parties desired to reduce bloodshed and hoped to avoid backing the Pinochet regime into a corner in which they might feel compelled to do something rash. Never the less, this defense is unsatisfactory because it still acknowledges that Pinochet possessed sufficient power to substantially oppose his opposition, and this is inconsistent with the civil society argument.

The issue remains unexplained. Such defense only serves to acknowledge the available power wielded by Pinochet. The demonstrations were halted not because civil society thought their purpose had expired, but in reaction to the militancy of Pinochet's response. The cessation of the street protests in 1985 can only be explained by inclusion of Pinochet within the facts examined. Most of the demonstrations ended with a few killed, hundreds injured, and hundreds more arrested.^{cxcii} The regime did not back down in the face of popular pressure. The reverse in fact was true. Pinochet still wielded sufficient power to control the protests, and the political parties' concern with the violence of the crackdown and possibility that Pinochet might take more drastic action only confirms this. If civil society was solely responsible for the restoration of democracy, by the force of their efforts, why is it that they feared and were, apparently, unable to do anything about the force used? If civil society was unable to mitigate the violence of Pinochet's actual suppression, how much less likely was it that civil society could have stood up to a military effort that rivaled the force used in the 1973 coup, considered possible had Pinochet felt himself backed into a corner? It can only be concluded that civil society was not as powerful as it is claimed. It undoubtedly applied pressure to the Pinochet regime, a constant reminder of the consequences of a policy that strayed too far from what civil society was prepared to accept, but it could not at this time stand toe to toe with the regime. At this point in events Pinochet held the trump cards.

However, it is necessary to give some credit to civil society, in this regard. Although the political parties were successful in discouraging continued street protests, it is also true that had they not, the protests would have gone on unabated. Pinochet was unable to prevent the protests from occurring, but he did make them very costly to the

participants. A recognition of this fact should not detract from the inconsistency within the defense, however. Just because the protests would have continued does not mean that they would have been successful. In fact, Pinochet had the protests well in hand. His exercise of authority was, at most, only slightly limited by their occurrence. But, most importantly, it was the recognition by political elites that they could not compete with Pinochet on the physical level that most dooms this argument. Civil society could not have restored democracy at this time. The pressure they applied was instrumental in securing Pinochet's compliance with his own constitution, but it was not enough, on its own, to secure democracy outright.

The relative ineffectiveness of parties prior to 1987, forced into exile or underground during the Pinochet interim, is also unsatisfactorily explained by an exclusive emphasis on civil society. During 1987 and afterwards, political parties were the primary instruments of change within civil society. They were able successfully to get out their message and win the 'no' vote in the 1988 plebiscite. They deserve all the credit, as has been noted, for the amendments that were made in 1989 to the 1980 constitution. And the opposition political parties continued this contest to its final conclusion in their victory over the Pinochet-backed parties in the elections of 1989. Prior to 1987, however, the parties were but one element in the overall milieu of civil society elements, and not a very important one at that. This discrepancy seems unexplained.

The best defense of this critique is that the political parties had been in an embryonic stage during the early and mid-1980s. Like all entities, they require some time to grow and develop and become accustomed to the functions they perform. And,

political parties are a phenomenon of popular opinion. Parties do not form before public opinion has formed but are the expression of popular political enthusiasm. Only after the public was engaged, after the street protests and demonstrations had occurred, could the parties lead. Popular opinion had to have formed before the political parties could mobilize and direct that opinion. Yet, this explanation still contains several flaws.

First, the explanation does not satisfactorily explain why other elements of society were able to organize, grow, and develop prior to 1987 and political parties were not able to. The *pobladores*, women's movements, labor unions, professional associations, and middle class domestic groups were able to mobilize and develop. Indeed, these groups were at a disadvantage in comparison to the political parties. With the exception of labor and a few others, political parties had a well-established history. Organization should have been easier for them than any other group. Second, the political parties already existed underground. They were not very active or adventurous, but a minimum of maintenance activity was taking place. Rather than anteceding public opinion, in this case political parties preceded. Ostensibly, they could have jumped in at any point into the protest movements that were sweeping across Chile and played as big a role as they were to later. Yet they did not. The answer found in an exclusive emphasis on civil society is unsatisfactory because the accurate answer diminishes their claim to the exclusive restoration of democracy.

Any honest attempt to explain the ineffectiveness of political parties prior to 1987 must include Pinochet within the examination of the facts. Several important decrees were issued in February and March of 1987 that served to lift the most egregious of the restrictions on political party organization and activity. The quiescence of the political

parties before 1987 can be explained by the legal restrictions that hampered their efforts. The sudden burst in their activity and their prominence within the opposition civil society movement can, likewise, be explained by the removal of those same restrictions. While the political parties played an important effort in the restoration of democracy, they did not do it single handedly. Pinochet's liberalizations also deserve some credit.

With due respect, however, the political parties do deserve more credit than this explanation accords them. Although the restrictions on organization and activity may have officially been lifted, their actual harassment by the regime continued undiminished and perhaps even escalated. In the month prior to the 1988 plebiscite, for example, over 2,000 activists were arrested. Just because Pinochet had legally removed the restrictions on political parties did not mean that they faced no institutional opposition.

The creation and ratification of the 1980 constitution prior to the development of a vocal opposition is also poorly explained by an exclusive emphasis on civil society. If Pinochet was forced to abdicate and democracy was restored to Chile by the efforts of civil society, then how is the creation of a democratic document and its ratification by, outwardly but debatable, democratic means prior the existence of the protest movements explained? Drafting of the constitution began in 1973. It was finished and ratified in 1979. It became effective law as of March 10, 1980. Furthermore, the constitution was a procedurally democratic document, although minimally so. The protests movements, however, did not occur until 1983. If civil society alone was responsible for the restoration of democracy, how does it account for the introduction of these democratic facts prior the mobilization of civil society?

In defense, it should be noted that there was an opposition throughout the drafting period and at the time of ratification. Most of that opposition, however, was not vocal. Still, there were a few exceptions. The former president, Eduardo Frei, and the party he led, the Christian Democrats, were the most outspoken during this time, although relative to the opposition of the mid-1980s it was almost insignificant. Never the less, opposition need not be vocal to exist. Pinochet was aware of the deep resentment toward his dictatorship throughout all of Chile, and he acted accordingly.

However, this more elaborate explanation is no more satisfactory than the simpler one. There might be an opposition, but unless it makes itself apparent, and, more importantly, unless it makes its intention to oppose apparent it possesses little value as an opposition. Pinochet, would have, if he thought it possible, ignored the protests of the 1980s. How much more likely would he have been to do just that had the protests not occurred? The democratic nature of the 1980 constitution, and its pseudo-democratic ratification, were not caused by civil society.

Any satisfactory explanation of the constitution and its ratification must include Pinochet within the examination of the facts. Pinochet undoubtedly acted with some concern for the opinions of society at large. As already noted, he himself was a product of a traditionally strong democratic society, and, undoubtedly, he was aware that most of the people in society shared those same attachments. Never the less, Pinochet went well beyond what was necessary to satisfy those latent expectations. He had ruled for nearly seven years by military decree and assumed emergency powers, and no opposition had emerged to pressure him to accelerate the democratization process. Yet, he did in a manner that was wholly unnecessary.

The process of ratification at least played to democratic sensibilities. More importantly, the constitution was a democratic document, sufficiently democratic enough to be accepted by the opposition that replaced Pinochet. And most importantly, the constitution contained a timetable by which democracy was to be restored and Pinochet was to step down. If civil society was insufficient, at this time, to provoke this constitution, and if Pinochet felt that he could have continued to rule by military decree for an extended period, why then did he write and promise to adhere a constitution that was both democratic and would eventually remove him from power? The only satisfactory answer to this question is not that he was pressured by civil society but that he, in this not so small way, was partially responsible for the restoration of democracy in Chile. It is principally because of this unexplained factor that Pinochet deserves to be accorded slightly more emphasis in the Chilean transition. Civil society's direct influence upon the constitution, other than the amendments, was insignificant. Yet the constitution's contents and timetable were of supreme importance in determining the nature and course of the transition. Although it was a mixed transition, neither entirely 'from above' or 'from below,' Pinochet's involvement in the constitution's development, ratification, and application tilts the transition slightly towards the state managed category.

Finally, an exclusive emphasis on civil society leaves unexplained the agreement of the political elites to work within the structure that Pinochet had established for the restoration of democracy. On its face, this acquiescence on the part of the political parties to Pinochet's demands and their accordance with his plans seems to demolish the suggestion that civil society alone was responsible for the restoration of democracy. If

civil society was solely responsible for Pinochet's abdication and the return of democratically elected government, then the fact that they accepted Pinochet's timetable instead of forging ahead on their own, as so many claim they were able to do, seems strikingly inconsistent.

The defense against the above critique would not debate the facts raised but only the way they are viewed. Instead of looking at the parties' agreement to work within the 1980 constitution as a dance in which Pinochet leads and civil society follows, that agreement should be viewed as civil society having taken the path of least resistance. Civil society was responsible for the transition to democracy. But if it was unnecessary to storm the barricades, literally, why should they have? Democracy could be reestablished more easily and with less bloodshed by taking advantage of the oversights Pinochet had committed. The parties' so-called acquiescence was simply the case of working smarter not harder.

Still, the above defense leaves several facts unexplained. First, the civil disturbance began in 1983. Democracy was not restored until 1990. If civil society possessed the power they claimed, why did they wait eight years for the realization of their protests? The path of least resistance can only explain so much. It does not explain the eight-year hold on the transition to democracy. Second, although the 1980 constitution was acknowledged to be of democratic content, otherwise there would have been no agreement nor reason for agreement, it was universally despised throughout civil society, with the exception of the parties on the right. The fact that civil society waited eight years for democracy and did so only according to a structure that was widely

criticized strongly indicates that something other than the purposeful intentions of the parties was responsible.

Any satisfactory explanation of the agreement by the parties to the 1980 constitution must include Pinochet within the examination of the facts. It has to be acknowledged that the course agreed to by the parties was the course that Pinochet had established. The path of least resistance defense is helpful in explaining why the parties took the course that they did. However, it does not explain why that course existed for them to take nor who was responsible for its existence. If the parties are to be given credit for having taken that route, then Pinochet should also be given credit for having established that route.

Also contrary to an exclusive emphasis on civil society, the parties' acquiescence represents the tacit acknowledgement that in the contest between the regime and society the regime was powerful enough to block their democratic aspirations. By agreeing to work within the 1980 constitution, the parties were acknowledging not only that Pinochet was playing some not insignificant role in the democratization process but were also acknowledging that they, civil society, alone were unable to restore democracy to Chile.

Recognizing the above, the flaws apparent in an exclusive emphasis on civil society should not be used to totally deny the validity of the argument. Its two points of emphasis, the pressure applied by civil society broadly and the brilliant organization and mobilization capabilities of the political parties, are as valid now as they were before. True, civil society did not restore democracy alone, but it was very instrumental in that restoration. Nor should the civil society approach be abandoned wholesale in favor of the Pinochet approach. The latter, also, has its unexplained gaps. Only by combining the

principal elements of both approaches, according to Viola and Mainwaring's intermediate theory can a consistent approach applicable to Chile be developed that is capable of standing alone.

Conclusion

The evidence emphasizing the regime and the evidence emphasizing the people are persuasive and well advanced. The contention, that because Pinochet wielded significant power through his control of the military and the state he must have played some role in the restoration of democracy, has merit. The claim that the 1980 constitution illustrates Pinochet's democratic intentions also has merit. Conversely, the contention that civil society broadly, particularly after 1983, was instrumental in forcing Pinochet to step down has merit. The claim that the political parties very skillfully used that pressure to demand and receive concession from the regime and to handily beat the regime at the polls, twice, also has merit.

However, despite the persuasiveness of the evidence emphasized by both, each have gaps that neither can account for alone. An emphasis on Pinochet cannot satisfactorily account for the dichotomy between Pinochet's desire for power and relinquishment for power. Nor does it account for the 1980 constitution, the transfer of power to the Socialists and Christian Democrats, or the 1989 amendments to the constitution. An emphasis on civil society also leaves some facts unexplained. The cessation of street protests after 1985 is not accurately accounted for. Nor does it fully explain the relative ineffectiveness of parties prior to 1987, the constitution of 1980, or the agreement of the political leadership to work within the 1980 constitution. But, what the two approaches are unable to explain alone, they are able to explain together.

The gaps within each approach can only be filled by reference to the other approach. An accurate rendition of the restoration of democracy in Chile can only be accounted for by incorporating both. Pinochet did not restore democracy to Chile from the top down. Civil society did not restore democracy to Chile, or at least when it occurred, from the bottom up. Pinochet suffered from some hesitations, in this regard. Civil society, likewise, was limited, in this regard, by institutional constraints. Neither alone brought democratic government to Chile in 1990. Together they did.

Notes

ⁱ See David F. Cusack, *Revolution and Reaction: The Internal Dynamics of Conflict and Confrontation in Chile*. Denver: University of Denver Press, 1977. p. 85. As an interesting sidebar, those same planes had been withheld from use against the tanks attacking the Moneda in the abortive putsch of June twenty-ninth because it was claimed their accuracy was insufficient to prevent significant collateral destruction. Yet none of their sixteen strikes missed the presidential palace.

ⁱⁱ There is some debate on this subject. Not all scholars agree that Allende took his own life although the official autopsy makes that conclusion. All do agree that he was killed by small-arms fire, not by fire or by a bomb.

ⁱⁱⁱ Duncan Green, "Letter from Santiago," *New Statesman & Society*, 6 (November 26, 1993), pp. 11. That man was Patricio Aylwin, an early supporter of the coup who later became one of Pinochet's most vocal but also moderate critics.

^{iv} The independence of the military vis-à-vis the civilian government has been well documented. Perhaps the most striking illustration was the incident of the *boinazo* when Pinochet had tanks and troops surround the army's Chief of Staff Headquarters, located only a few blocks away from the Moneda, on May 28, 1993 in response to legal proceedings being considered against military officers for human rights atrocities during the dictatorship. Further accommodation of the military can be seen in the number of political prisoners, 263, still jailed half a year into Aylwin's regime. See James Petras and Fernando Ignacio Leiva, *Democracy and Poverty in Chile: The Limits to Electoral Politics*. Boulder: Westview Press, 1994. p. 98. In December 1990 Pinochet put the army on a state of alert after the defense minister Rojas had called for his resignation.

^v David E. Hojman. "Poverty and Inequality in Chile: Are Democratic Politics Good for You?" *Journal of Interamerican Studies and World Affairs* (Summer-Fall 1996): p. 38. The restoration of democracy has not halted the growing economic inequality between the wealthy and poor, nor the growth in the number of those in poverty that began during the dictatorship. Although procedural democracy has been reestablished, substantive use of that democracy by the majority for the benefit of the majority has not simultaneously been reestablished.

^{vi} See Matthew E. Taylor, "Economic Development and the Environment in Chile," *Journal of Environment & Development*, (December 1998), pp. 423 or Jean A. Briggs, "A Political Miracle: Chile's Economy," *Forbes*, 149 (May 11, 1992), pp. 5. Some have speculated, or more commonly openly suggested, that the absence of substantial changes to the neoliberal or political model introduced by Pinochet by his democratic successors is due the continued authority of the military in Chile and to Pinochet's continued authority within the military.

^{vii} Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: John Hopkins University Press, 1996.

^{viii} *Ibid.*, p. 3.

^{ix} Ronaldo Munck, *Latin America: The Transition to Democracy*. New Jersey: Zed Books Ltd., 1989.

^x *Ibid.*, p. 47.

^{xi} *Id.*, p. 49.

^{xii} Linz and Stepan, p. 3.

^{xiii} Eduardo Viola and Scott Mainwaring, "Transitions to Democracy: Brazil and Argentina in the 1980s," *Journal of International Affairs* 38 (Winter 1985).

^{xiv} *Ibid.*, p. 193.

^{xv} Manuel Antonio Garretón, M., "Military Regimes, Democracy, and Political Transition in the Southern Cone: The Chilean Case," in George A. Lopez and Michael Stohl, eds., *Liberalization and Redemocratization in Latin America*. New York: Greenwood Press, 1987.

^{xvi} *Ibid.*, p. 194.

^{xvii} *Id.*

^{xviii} Guillermo O'Donnell and Philippe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*. Baltimore: John Hopkins, 1986.

- ^{xix} Ibid., p. 11.
- ^{xx} Alfred Stepan, "State Power and the Strength of Civil Society in the Southern Cone of Latin America," in P. Evans, D. Rueschemeyer, and Theda Skocpol, (eds), *Bringing the State Back In*. Cambridge: Cambridge University Press, 1985. p. 318.
- ^{xxi} Ibid., p. 319.
- ^{xxii} Munck, p. 80.
- ^{xxiii} Guillermo O'Donnell, "Tensions in the Bureaucratic State and the Question of Democracy," in David Collier, ed., *The New Authoritarianism in Latin America*. Princeton: Princeton University Press, 1979.
- ^{xxiv} Ibid., p. 316-317.
- ^{xxv} Nicos Poulantzas, *Crisis of Dictatorships*. London: New Left Books, 1974.
- ^{xxvi} Ariel Colombo and V. Palermo, *Participacion politica y pluralismo en la Argentina contemporanea*. Buenos Aires: Centro Editor de America Latina, 1985.
- ^{xxvii} See Munck, p. 79.
- ^{xxviii} Ibid., p. 81.
- ^{xxix} Antonio Gramsci, *Selections from the Prison Notebooks*. London: Lawrence and Wishart, 1971.
- ^{xxx} Guillermo O'Donnell, *Pactos Politicos y Pactos Economico-Sociales*. Sao Paulo; 1985. p. 2.
- ^{xxxi} Douglas A. Chalmers and Craig H. Robinson, "Why Power Contenders Choose Liberalization: Perspectives from South America," *International Studies Quarterly* 26 (March 1982).
- ^{xxxii} Juan J. Linz and Alfred Stepan, p. 65.
- ^{xxxiii} Ibid., p. 65.
- ^{xxxiv} George A. Lopez and Michael Stohl, *Liberalization and Redemocratization in Latin America*. New York: Green Wood Press, 1987. p. 3.
- ^{xxxv} Adam Przeworski, "The Games of Transition," in Scott Mainwaring, Guillermo O'Donnell, and Samuel Valenzuela, eds., *Issues in Democratic Consolidation*. Notre Dame; University of Notre Dame Press, 1992. p. 105-53.
- ^{xxxvi} Juan J. Linz, "The Transition from Authoritarian Regimes to Democratic Political Systems and the Problems of Consolidation of Political Democracy," (Paper presented at the Annual Meeting of the International Political Science Association, Tokyo, Japan, March 29-April 1, 1982).
- ^{xxxvii} Ibid., p. 13.
- ^{xxxviii} Lopez and Stohl, p. 6.
- ^{xxxix} Garreton, M., "Military Regimes, Democracy, and Political Transition in the Southern Cone: The Chilean Case," p. 202.
- ^{xl} Viola and Mainwaring, p. 196.
- ^{xli} Ibid., p. 197.
- ^{xlii} Id., 201.
- ^{xliiii} Id., 196.
- ^{xliiv} Munck, p. 88.
- ^{xli v} Viola and Mainwaring, p. 198.
- ^{xli vi} See Lois Hecht Oppenheim, *Politics in Chile: Democracy, Authoritarianism, and the Search for Development*. Boulder: Westview Press, 1993. p. 4. "Chile presents a number of paradoxes for those who wish to understand its politics. It is an economically undeveloped country with a strong tradition of stable, constitutional rule. Before 1973 its politics were marked by a vibrant, competitive multiparty system in which parties spanning the political spectrum—from Communist to Conservative—vied for elective office."
- ^{xli vii} See Alexandra Barahona de Brito, *Human Rights and Democratization in Latin America: Uruguay and Chile*. Oxford: University Press, 1997. p. 20. According to one study, Chile was ranked the world's fifth most democratic nation for the years 1900-1950.
- ^{xli viii} The constitution, and the powers it granted the president, were not blithely accepted by all. Diego Portales and the Conservative party had to first prevail in a mini-Civil War against the Liberal party, or adherents of, before their preferred government could be enshrined.
- ^{xli ix} This conflict was a repeat of the conflict in the early 1830s, only this time it was the Liberal party that prevailed and the Conservative party that lost. The consequences, also, were reversed. The new constitution weakened the power of the president and strengthened the power of the congress.

ⁱ Several of Chile's presidents have been members of Freemasonry, including O'Higgins and even Allende.

ⁱⁱ Simon Collier and William F. Sater, *A History of Chile, 1808-1994*. Cambridge: University Press, p. 48.

ⁱⁱⁱ While the office of governor and that of the *audiencia* (administrative and judicial body whose membership was called the *oidores*), the creole elite filled the seats of the *cabildos*. There were several *cabildos* in Chile, but only the one in Santiago, and perhaps Concepcion, wielded any significant influence. The *cabildo* was in constant conflict with the governorship and *audiencia*. See Francisco Jose Morena, *Legitimacy and Stability in Latin America: A Study of Chilean Political Culture*. New York: New York University Press, p. 53.

ⁱⁱⁱⁱ Collier and Sater, p. 215. Like Pinochet later, there was nothing about Ibanez that indicated either his propensity for national ambition let alone his likelihood. He was fond, anyways, of saying that his leadership was forced upon him by "the circumstances and my enemies."

^{iv} Carrera had difficulty leading a peaceful life. When he was captured and executed, he was involved in several frontier conflicts between feuding landowners in north-western Argentina and in conspiratorial plots to promote local secession from Buenos Aires.

^v A proposed amendment to a new constitution that would have allowed O'Higgins to remain in office another ten years was a prominent example. That the amendment was proposed by his highly unpopular minister, Jose Antonio Rodriguez Aldea, did not help matters.

^{vi} Collier and Sater., p. 216. Not displeased with the description "the Chilean Mussolini," Ibanez, though democratically elected, immediately embarked upon the construction of an unquestionably authoritarian regime.

^{vii} *Ibid.*, p. 221.

^{viii} Nor could the Ibanez regime maintain itself despite its ties to the military or its extreme authoritarian style. Very much in the style of Pinochet who would come later, president Ibanez first placed strict restrictions on the press. The banishment, or "relegation" of over 200 opposition politicians also resembled Pinochet's similar actions fifty years later. Also a fierce opponent of Communism, Ibanez waged war upon the unions. The Communist party was outlawed and many of its leaders and affiliates were murdered.

^{lix} In another comparison, the creation of the Carabineros (National Police), by Ibanez for personally responsible internal security, strangely resembles Pinochet's later creation of the DINA.

^{lx} Collier and Sater., p. 222.

^{lxi} *Ibid.*

^{lxii} *Id.*

^{lxiii} See Andre Gunder Frank, *Capitalism and Underdevelopment in Latin America: Historical Studies of Chile and Brazil*. New York: Monthly Review Press, 1967. p. 99. for a partial account of Allende's policy motivations.

^{lxiv} See Jere R. Behrman, *Macroeconomic Policy in a Developing Country: The Chilean Experience*. New York: North Holland Publishing Co., 1977. For a good discussion of Chile's economic history during the mid-20th century, factors motivating Allende's economic policies, see chapter two of this book.

^{lxv} Oppenheim, p. 65.

^{lxvi} See Collier and Sater, p. 335. By declaring any profit greater than 12 percent since 1955 excessive, Allende was able to claim that Anaconda and Kennecott, the two recalcitrant American copper firms, actually owed the state of Chile US\$78 million and US\$310 million respectively.

^{lxvii} The president of Chile replacing Ibanez in 1932 was Marmaduke Grove. He had issued an executive decree (DFL-520) that same year that permitted the government to seize any factory deemed "essential" to the economy if it also broke the law in any regard. DFL-520 was never repealed, and was nearly forgotten until a UP attorney stumbled across it in early 1972. A second similar piece of legislation was introduced by the UP themselves, allowed the government to take over factories if they did not operate efficiently, efficient operation to be determined by none other than the UP.

^{lxviii} The Perlak canning factory and two other nearby factories also taken over by its workers joined together to form the *Cordon Cerrillos*, the first of *several cordon industriales*, or industrial belts, where workers controlled the businesses entirely independent of the government. When the Allende

government tacitly accepted this activity it quickly spread throughout the remaining private factories in Chile.

^{lxi} See Collier and Sater, p. 345-346.

^{lxii} See Cusack, p. 111. It should be made carefully known that not all of the economic problems of the Allende era are directly attributable to the socialist policies implemented. On the contrary, the United States, under the Nixon administration indirectly, and under Secretary of State Henry Kissinger, directly, was responsible for a significant portion of the economic devastation in Chile. Fearing the spread of democratically elected socialist regimes, Washington undertook a conscious effort of denying Chile imports from the U.S., the U.S. as a market for Chilean goods, primarily copper, or the wealthy financial and banking support of the U.S. These measures were designed to make Chile "scream," and they did.

^{lxiii} Strikes were not limited to labor organizations on the left. In fact, the most serious strikes, from Allende's perspective were those initiated by the *gremios*, or small and middle-sized businessmen. They were natural supporters of rightist parties or the Christian Democrats, and the Socialist party was unable, without military intervention, to control them. The months long truckers' strikes, in part CIA financed, were among the most egregious in this regard.

^{lxiiii} The kidnapping was actually undertaken by the military, although Schneider was unaware, in an attempt to gain sympathy for the army and to unfairly accuse militant left-wing organizations. It was hoped that support for a crackdown could be marshaled among the politicians.

^{lxv} The official statistics cited by the military a month after the coup, on October 10, 1973, gave the number of dead at 513 civilians and 37 military personnel. Five thousand four hundred people were officially claimed to be detained. Only 94 "summary executions" were officially admitted to. See Javier Martinez and Alvaro Diaz, *Chile: The Great Transformation*, 1996. p. 13.

^{lxvi} Nor was due process used. A person could be held for 5 days after arrest before charges had to be filed and judicial process applied. Additionally, the judiciary, in 1975, voluntarily renounced the right to review sentences issued by military tribunals.

^{lxvii} The entire Allende cabinet was imprisoned in an internment camp.

^{lxviii} See de Brito, p. 48. The final, most commonly used, figure for the number killed by the regime between 1973 and 1990 was 2,801.

^{lxix} Martinez and Diaz, p. 14. The official results provided by the Chilean military for the numbers exiled acknowledge, by February 12, 1974, that 7,317 persons had been classified as refugees. Four thousand of that number had sought asylum in foreign embassies, at which time 243 still remained.

^{lxx} See James Petras and Fernando Ignacio Leiva. According to other sources, CODEPU (Comite Nacional de Defensa de los Derechos del Pueblo) over 15,000 were exiled.

^{lxxi} The evidence suggests that he was not even the third highest ranking officer in the army after General Schneider. When General Prats was forced to resign, his two most closely allied generals were also forced to resign with him. Although somewhat speculative, the evidence does indicate that Pinochet may have even been as low as fifth ranking officer in the army just one month prior to the coup.

^{lxxii} See Collier and Sater, p. 362. On the day of the coup, ex-president Eduardo Frei was found asking, "Who is Pinochet? I don't know him."

^{lxxiii} It has even been speculated that Pinochet did not stop at removing internal opposition as in the case of Leigh and cohorts. There is the unexplained death of the very popular General Oscar Bonilla who died in a mysterious helicopter crash in March 1975. Leigh was allowed to escape with his life, many have speculated, because he was not as popular as Bonilla who Pinochet could only remove by murder and not by stripping of command.

^{lxxiv} See de Brito, p. 43. By early 1975 Pinochet was openly exercising legislative authority.

^{lxxv} See Roger Turner, "Chile: A Unique Paradigm in Latin America," *Business America*. 118 (April 1997), pp. 15. For a good summarization of neoliberalism, particularly in the Latin American import-substitution-industrialization context, see this article.

^{lxxvi} Oppenheim, p. 148-149. Oppenheim attributes even more importance to Frederick von Hayek, the author of *The Road to Serfdom*, than he does to Friedman and Harberger. Ironically for Oppenheim, Hayek, fearful of socialism leading to totalitarianism, had his ideas put into practice in, of all places, a totalitarian state.

^{lxxvii} The Chicago Boy's success, initially, was incremental. Fernando Leniz, the first minister of the economy appointed by Pinochet in October 1973, was not a member of the Chicago Boys. He did rely on de Castro for economic advice, however. It was only after the second minister of the economy, Raul

Saez, took over from Leniz and then left in turn, that de Castro was appointed minister of the economy. He was later appointed minister of finance, the most powerful economic post in the government. By this time, the Chicago boys occupied virtually all of the important economic posts.

^{lxxxvi} By September of 1973, Allende had nationalized 25 banks, over 3,700 farms, and nearly 500 companies. By 1990 only forty-one of those firms had not been privatized. See Javier Martinez and Alvaro Diaz, *Chile: The Great Transformation*. Washington: The Brookings Institution, p. 54.

^{lxxxvii} See "Chile Shows the Way: Or does it?" *The Economist* (US), 329 (November 13, 1993), pp. 9. In 1992, Chile was ranked fifth most competitive, economically, nation in the world by Switzerland's World Economic Forum.

^{lxxxviii} Carol Graham, "Safety Nets and Market Transitions: What Poland can Learn from Latin America," *Brookings Review*, 12 (Winter 1994), pp. 36.

^{lxxxix} See Duncan Green., "Chile: The First Latin American Tiger?" *NACLA Report on the Americas*, 28 (July-August 1994), pp. 12.

^{xc} Roger Turner, "This Remains a Benchmark for a Successful Open Economy," *Business America*, 113 (April 6, 1992), pp. 25.

^{xc} The Chicago Boys do not deserve all the credit for these economic figures. In April 1982, in response to the economic recession, de Castro was removed from his position as finance minister and replaced by the less dogmatic but equally brilliant Hernan Buchi. Buchi was more flexible and, more importantly, more open to advice than was de Castro who refused to listen to wealthy business interests. Buchi remained as finance minister until April 1989 when he resigned the post to dedicate himself full time to the 1989 election that would decide Pinochet's replacement.

^{xcii} See Petras and Leiva, p. 196. The economic situation was not entirely good, as many authors have pointed out. The proportion of Chileans living in poverty, defined as less than US\$820 per annum in 1992, was higher in 1992, 44.6 percent, than it was in 1968, 28.5%. Over a quarter of that number were indigent poor, or earning less than US\$410 per annum.

^{xciii} The Senate was to be composed of twenty-six elected senators and, at minimum, nine non-elected Senators. These were to be all former presidents who had served at least six years, two former justices of the Supreme Court (appointed by the president upon one's retirement), one past controller-general, one past university rector, one former minister of government, and one past head from each of the four branches of the military (some to be chosen by the president).

^{xciv} The National Security Council was to be composed of the heads of the three branches of the military, the head of the Carabineros, the president of the senate, the president of the supreme court, and the president of Chile. The heads of the branches of the military and carabineros could not be removed by the president except on consent of the NSC.

^{xcv} See Eric Magar, Marc R. Rosenblum and David Samuels. "On the Absence of Centripetal Incentives in Double Member Districts: The Case of Chile." *Comparative Political Studies* (December 1998). p. 714. This article provides an excellent overview of both the reasons for the double district (definitely undemocratic and biased) and the results of the double district (definitely democratic and quite equitable). Although the districts were provided to bolster representation of right-wing parties, the effect has not always been in that direction, nor even principally in that direction.

^{xcvi} There would be no democratically elected legislature during the first eight years. Political parties also were prohibited during this period.

^{xcvii} The number of elected seats was increased from 26 to 38.

^{xcviii} This was the infamous Article 8.

^{xcix} The plebiscite was held July 30, 1989.

^c The most consequential change, but one of the less controversial, was the amendment to change the amendment process. Under the 1980 constitution, a two-thirds vote by Congress over two successive terms was required for amendment. The 1989 amendment struck one of those required votes.

^{ci} See Oppenheim, p. 193. The Concertacion candidates also took 72 out of the 120 seats in the Chamber of Deputies. In the Senate, they took 22 out of the 38 elected seats.

^{cii} See David F. Cusack, *Revolution and Reaction: The Internal Dynamics of Conflict and Confrontation in Chile*. Denver: University of Denver Press, p. 57. This view may seem unusual outside of Chile, but the military within Chile is viewed much differently. Directly, the military oversees the balloting process. Military personnel man the polling stations and observe the vote tallying. "Election day

in Santiago (a Sunday) was as usual: the military took over the country for the day to preserve order and oversee the vote counting...”

^{ciii} More than wishful thinking concerning Pinochet’s restraint is evident in this belief. On June 29, 1973 a tank attack led by retired General Roberto Viaux was launched from a Santiago regiment upon the Moneda. Although it was widely supported from within the army, the attack was stopped by the personal intervention of General Prats and none other than General Pinochet. See Cusack, p. 67. “Furthermore, only the Armed Forces high command, acting essentially on its own initiative, had been capable of controlling the attack.”

^{civ} Preparations first had to be made within the military itself. Not only was Prats and two of his closest generals forced to resign, but the night before the coup, on September tenth, all leftist and dissident officers were rounded up and interned. Most were brought to trial after the coup. Many of the remainder disappeared and were mysteriously labeled “suicides.”

^{cv} On June 26, 1974, Pinochet was declared by decree of the junta to be the “supreme head of the nation.” The junta was assigned executive and legislative authority. Pinochet was to be the head of the state and of the junta. On December 17, 1974, Pinochet was declared by a second decree of the junta to be the “president of the republic.” The junta was to retain legislative power, but all executive power was transferred to Pinochet. In short time, even the fiction of the junta having legislative power was done away with.

^{cvi} See Collier and Sater, p. 363. The event that sparked Pinochet’s actions was the innocent statement by General Leigh to an Italian newspaper, in 1978, that he had hopes for an early “normalization” of politics.

^{cvii} See de Brito, p. 45. The DINA was created to “properly coordinate repressive activities” and to avoid “an excessive decentralization of repression which could lead to tensions between the different branches of the Armed Forces.”

^{cviii} The DINA was created by secret decree in July 1974. It was to bypass review of the junta and report directly to Pinochet.

^{cxix} See Collier and Sater, p. 360. Although its institutional strength was only in the neighborhood of 10,000, its paid informants were two or three times that number.

^{cx} See de Brito, p. 49. The DINA is commonly attributed the disappearance of between 1,000 to 2,000 people

^{cxii} The DINA was even responsible for the pursuit of Pinochet’s opponents beyond the borders of Chile. The establishment of international connections was called Operation Condor. Former General Carlos Prats, Pinochet’s immediate predecessor, and his wife were assassinated by a car bomb in Buenos Aires on September 30, 1974. The former interior minister under Eduardo Frei, Bernardo Leighton, and his wife, narrowly escaped death in an assassination attempt in Rome on October 6, 1975. The most notorious case the DINA was involved in occurred in Washington D.C. on September 21, 1976. Orlando Letelier, the former vice president under Allende and former foreign and defense minister under Allende, together with his secretary, Ronnie Mofit, was assassinated by another car bomb. The United States’ reaction served to restrict the DINA’s abilities for some time thereafter.

^{cxiii} Decree-law 1,967 banned all political parties that still existed but were not in recess, meaning implicitly the Christian Democrats.

^{cxiiii} See Robert Holzman. “Pension Reform, Financial Market Development, and Economic Growth: Preliminary Evidence from Chile,” *International Monetary Fund Staff Papers*. 44 (June 1997), pp. 149.

^{cxv} See Rosett, p. 30. The non-temporary labor law eventually enacted by Pinochet in 1979 allowed unionization for the first time since the coup. However, the unions were restricted from forming company-wide unions or industry-wide strikes. The purpose was to limit bargaining power only to those directly involved in the negotiations.

^{cxvi} See Cusack, p. 95. Only the pro-*gremio* daily *El Mercurio*, a Christian-Democratic publication, and an assortment of other minor rightist papers and magazines were permitted to publish.

^{cxvii} *Ibid.*, Under the censorship decree # 1281 of January 1976 all news, opinion, or communications that would serve to create “alarm” or “displeasure” in the population at large or change the “true dimension of the facts” or be “clearly false” or work in opposition to the express instructions of the government were forbidden. All books, broadcasts, or films deemed to be “subversive” or critical of the

junta or offensive to national values were prohibited. Likewise, all improper reporting or “distortions” of the truth would subject the perpetrator to jail time.

^{cxvii} See Rober Austin. “Armed Forces, Market Forces: Intellectuals and Higher Education in Chile, 1973-1993,” *Latin American Perspectives*, 24 (September 1997), pp. 27. The official blueprint for educational reform was the Higher Education Reform Decree of 1980. It institutionalized the presence of the armed forces within the universities and officially prohibited Marxist curriculum or instructors within the classroom.

^{cxviii} See Cusack, p. 95. Even high schools were not immune from Pinochet’s consolidation of authority. The replacement of the Holy Cross fathers of Notre Dame at Saint George in Santiago by military overseers was by no means unique.

^{cxix} *Ibid.*, p. 96. The official process was called “purification.” Hundreds of left-wing students and teachers were arrested or removed from the universities and schools. Whole departments, particularly in the social sciences, were eliminated from the campuses under the pretext of uprooting Marxism.

^{cxx} Jaime Guzman, later advisor to Pinochet and even later head of the UDI was a Professor of Law at the Catholic University. His neoliberal persuasion is evident throughout the document. He, more than anyone else, shaped the 1980 constitution.

^{cxxi} However, only thirty days notice was given. This and other less than democratic discrepancies were abundant throughout the process.

^{cxxii} See Oppenheim, p. 134. For example, Pinochet announced that if the constitution was ratified “this would signify the return to the political and juridical situation existent in Chile on September 10, 1973.”

^{cxxiii} Additional limitations on the democratic process included the notice given to the Chileans, thirty days, the strictly regulated prohibition on public assembly, and the ability to vote at any polling station with nothing but a thumbprint to prove one had already voted.

^{cxxiv} See Oppenheim, p. 4.

^{cxxv} Generals Leigh, Mendoza, and their fellow officers also purged by Pinochet provide a good example of the support for just such a policy by the military.

^{cxxvi} See Collier and Sater, p. 257.

^{cxxvii} In fact, the governing Chilean constitution called for just such a transfer. If the president of Chile was dead and his ministers incapacitated, the presidency was to go the president of the Senate. Because the president of the Senate was a Christian Democrat, had Pinochet truly desired the restoration of democracy and a rightist government he could have recused himself and accomplished both.

^{cxxviii} See Oppenheim, p. 4. “Ironically, the successful sixteen-party opposition coalition that Aylwin led to victory in March 1990 included many of the parties and individuals that had been intimately involved in Allende’s ill-fated rule.

^{cxxix} One of the more important and controversial areas that he refused to budge on was the amnesty granted to military officers for human right’s offenses occurring during his dictatorship. Pinochet, on April 19, 1978 issued a decree that gave amnesty to all military personnel for any criminal acts they had committed between September 11, 1973 and March 10, 1978, the dates of Pinochet’s declared state of siege.

^{cxxxx} It should be noted that Pinochet was also pressured from within his own government and from parties on the right to accept the Concertacion’s demands. The leader of the rightist National Renewal, Andres Allamand, supported the amendments. Pinochet’s minister of the Interior also maneuvered Pinochet into accepting the amendments by stressing the honor Pinochet would win by strict observance to his constitution, including the use of the amendment process.

^{cxxxi} See Oppenheim, p. 91. A summarization of this debate is given here.

^{cxxxii} See de Brito, p. 63. There are exceptions to such moderate behavior, military members being one of them. “The military saw themselves as the representatives *par excellence* of the democratic traditions of the nation. For them democracy re-emerged not despite, but because of them.

^{cxxxiii} See Oppenheim, p. 172. “(P)olitical opponents of military rule eventually coalesced around a strategy for ousting Pinochet from power. They used the available legal channels for confronting the dictatorship—the 1988 plebiscite and the December 1989 presidential and congressional elections.”

^{cxxxiv} See Collier and Sater, p. 378. “The opposition (or most of it) slowly began to realize, with some reluctance, that its only practical tactic was to work within the framework of the detested 1980 Constitution.”

^{cxxxv} See Javier Martinez and Alvaro Diaz, *Chile: The Great Transformation*. Washington: The Brookings Institution, p. 3. "Democracy has had a long tradition in Chile, and the persistent symbolic importance of this tradition was the biggest obstacle to Pinochet's attempts to remain in power. Even more important, it is absolutely clear that the recovery of democracy in Chile arose from a profound mass rebellion against the Pinochet dictatorship. This was ultimately to express itself through the old party elites, who triumphed through the use of the very institutional mechanisms designed by the authoritarian regime to perpetuate its power."

^{cxxxvi} Petras and Leiva, p. 140. "More recently, it was the mass social movements in the neighborhoods that forced Pinochet and Washington to seek electoral negotiations with the political class as an alternative to mass confrontation. See also James M. Cypher, "The Debt Crisis as 'Opportunity': Strategies to Revive U.S. Hegemony," *Latin American Perspectives* 16, 1 (1989), pp 52-78.

^{cxxxvii} See Oppenheim, p. 171. "One of the dynamics within the opposition that greatly affected the way in which the transition to civilian rule eventually took shape was the relationship between grass-roots organizations and working-class people, on the one hand, and the political elite operating within existing party structures, on the other."

^{cxxxviii} See Heidi Tinsman, "Reviving Feminist Materialism: Gender and Neoliberalism in Pinochet's Chile," *University of Chicago Press*, 26 (Autumn 2000), pp. 145. Ms. Tinsman attributes the broad mobilization of women actors to their growing role outside of the home and in the economy. The 1981-1982 recession affected women, and so received a much more vocal female response, more than had past economic dislocations.

^{cxxxix} Cathy Lisa Schneider, *Shantytown Protests in Pinochet's Chile*. Philadelphia: Temple University Press, 1995.

^{cxl} See Oppenheim, p. 190. For a good discussion of societal fear see these passages.

^{cxli} See Mary Louise Pratt, "Overwriting Pinochet: Undoing the Culture of Fear in Chile," *Modern Language Quarterly* 57 (June 1996), p. 151. Although this article concentrates its attention on encouraging full democratic participation post democratic transition, it provides an excellent analysis of the factors that caused this climate of fear to pervade the country in the first place.

^{cxlii} See Oppenheim, p. 137. A few of the most basic statistics demonstrate the problem. GDP growth was negative for 1981, declining by 14.1 percent. Unemployment climbed to over 26 percent if the various minimum employment programs are not included. Unemployment in 1983 stood at 28.5 percent. Bankruptcies doubled in 1982 to 810. Inflation, in 1983 tripled to 27 percent.

^{cxliii} Claudia Rosett, "Looking Back on Chile; 1973-1984," *National Review*, 36 (June 1, 1984), pp. 25. Very persuasive arguments exist that pin the blame for the 1981-1982 recession on the failure of the Pinochet regime to be neoliberal enough. The recession occurred because Pinochet backed away from a complete neoliberalization and instead indulged in continued interventionist measures.

^{cxliv} Over twenty were held during the course of the next few years. The protest was held as a monthly event, for reasons of mobilization and publication and frequency.

^{cxlv} The union had wanted to call a national strike. Fearing that many would find the term too provocative, the name was changed to "Protest," with successful results ensuing.

^{cxlvi} Jarpa was one of the principle legislative opponents to Allende during the early 1970s, but he was also considered to be a conciliatory gesture because of his democratic heritage.

^{cxlvii} See Janice Perlman, *The Myth of Marginality*. Berkeley: University of California Press, 1976. The poor have always been active political participants, able to adequately mobilize and achieve goals, in Latin America despite their marginal economic and social conditions.

^{cxlviii} See Oppenheim, p. 184. It is estimated that throughout the mid-1980s around 20 percent of the marginalized population of Greater Santiago was active in one social organization or another. One study of the *pobladores* determined that there were 1,103 of these organizations, or *Organizaciones Economicas Populares* (Popular Economic Organizations) in Santiago alone by July 1985.

^{cxlix} For example, when the minister of Justice made some unnecessarily harsh remarks about the Church in April 1977, Pinochet fired him.

^{cl} The Catholic Church was one of the earliest critics of the Pinochet regime. Before the year 1973 had even ended, the Catholic Church had initiated a broad ecumenical movement for the protection of human rights. In conjunction with other religious bodies in Chile, the Committee of Cooperation for Peace in Chile was formed. Its purpose was to aid political detainees and help others find information about

relatives missing because of military activities. The Committee would later be incorporated into its child organization, the Vicariate.

^{cli} See Marjorie Agosin, *Scraps of Life: Chilean Arpilleras, Chilean Women and the Pinochet Dictatorship*. Trenton: The Red Sea Press, 1987. This book provides a terrific personal, and historical, account of the role of women and women's groups during the Pinochet dictatorship. *Arpilleras* are embroidered wall hangings showing scenes from every-day life. The book's title comes from the *arpilleras* made by women who were members of the Association of Families of the Detained-Disappeared.

^{clii} See Oppenheim, p. 184. Another study indicated that 44 percent of adult women were participating in the popular economic organizations (OEPs).

^{cliii} Also similar to the Catholic Church, the regime was uncomfortable violently opposing women's groups. The late March 1986 *Jornada de Democracia* (Workday for Democracy) is a good illustration of the regime's leniency, and the women's creativity, in this regard. Ballot boxes in pretend polling stations were set up all around the country, and people were asked to cast a ballot for democracy.

^{cliv} Oppenheim, p. 185.

^{clv} In May 1983, five centrist and leftist union organizations illegally combined their organization and finances to become the largest and only national labor union in Chile. Called the *Comando Nacional de Trabajadores* (National Workers' Command; CNT), the group's purpose was to coordinate activities between them to better protect workers and to more speedily restore democracy.

^{clvi} Nor should it be overstated. When the *Coordinadora Nacional Sindical* (National Workers' Coordinating Committee; CNS), the largest of the five unions comprising the CNT, sent Pinochet a *Pliogo Nacional*, or National Petition, its leader, Christian Democrat Manuel Bustos was promptly jailed and then exiled from Chile the following year.

^{clvii} Second in size and importance to the CNS was the *Confederacion de Trabajadores del Cobre* (Federation of Copper Workers; CTC). Rodolfo Seguel led the CTC, and it was the CTC that initiated the spate of protests by calling for the Day of National Protest in May 1983.

^{clviii} Some of the fault for his failure can be attributed to Jarpa. Instead of working with the popular elements of the opposition, Jarpa was more concerned with dividing the opposition. Most of his efforts were concentrated on placating the *gremios* and other disaffected elements on the right. Little effort was made to try to establish dialogue with the left.

^{clix} See de Brito, p. 50. Mass arrests were not uncommon during this period. One such event orchestrated by the CNI netted over 21,000 people.

^{clx} The murder of three communist professionals, a teacher, a sociologist, and a retired artist, in March 1985, and the depositing of their mutilated bodies along a deserted roadside is an example of the level of violence still resorted to by the CNI. Two of the three, Jose Manuel Parada and Manuel Guerrero, were taken from their place of employment, the Colegio Latinoamericano (Latin American School) in broad daylight by the CNI. Their bodies, throats slashed, were found two days later.

^{clxi} See Jacobo Timerman. *Chile: Death in the South*. New York: Alfred A. Knopf, 1987. p. 15. "There were days when a hundred people died. There were days of fifty, ten, and three deaths. There were disappearances. Bodies turned up with their throats cut. Some demonstrators were burned to death, while some are still in jail or exile."

^{clxii} During the last half of 1983, the official figures given for the military's repression of the rallies were 160 dead and 500 hundred wounded by bullets. See Alvaro and Diaz, *Chile: The Great Transformation*, p. 19.

^{clxiii} The CODEPU figures give the 1984-1988 totals at 163 murders, 446 incidents of torture, 1,927 arrests, and innumerable incidents of *amedrentamientos*, or acts of intimidation. See Petras and Leiva, p. 21.

^{clxiv} Perhaps the most ugly incidence of violence against the protesters, and among the last because the protests soon ended, was the deliberate setting afire of two Chilean youth. In response to the Civic Assembly's successful calling of strike for July second and third, 1986, Rodrigo Rojas, who died of his burns, and Carmen Gloria Quintana, who was severely disfigured, were set on fire by police.

^{clxv} See Eduardo Silva, "Capitalist Coalitions, the State, and Neoliberal Economic Restructuring: Chile, 1973-1988," *World Politics*, 45 (July 1993), pp. 19. The inability to organize was also a consequence of Pinochet actively trying to divide the opposition by co-opting elements of it still amenable to him. "Pinochet responded with actions calculated to recapture the undivided loyalty of large-scale

business and landowning interests, a task that ushered in a year-long period in which capitalists exercised their greatest degree of direct influence.”

^{clxvi} See Manuel Antonio Garretón, “Popular Mobilization and the Military Regime in Chile: The Complexities of the Invisible Transition,” pp. 259-77 in Susan Eckstein, ed., *Power and Popular Protest* (Berkeley: University of California Press, 1989); and Barbara Stallings, “Political Economy of Democratic Transition: Chile in the 1980s,” pp. 181-99 in Barbara Stallings and Robert Kaufman, eds, *Debt and Democracy in Latin America* (Boulder: Westview Press, 1989). Both Garretón and Stallings attribute the failure of the popular protests to dislodge Pinochet from power to their lack of a coordinated leadership. They were able to mobilize around their discontent only, but not a positive program. Pinochet took advantage of this by successfully co-opting parts of the opposition. Jarpa and Buchi’s success with the *gremios* and businessmen is a good example of this tactic.

^{clxvii} The National Congress was dissolved two days after the coup, on September 13, 1973. On September fourteenth, all political parties comprising the *Unidad Popular* (Popular Unity) coalition were declared illegal. On the twenty-sixth of the same month, the Central Union of Workers (CUT) was also declared illegal “for having assumed the character of a political organization.” See Javier Martínez and Alvaro Díaz, *Chile: The Great Transformation*, p. 13. On September twenty-seventh all remaining political parties were declared “in recess.” All party membership lists were ordered to be submitted to the military authorities by October 11, 1973. The electoral register containing the full list of registered voters was terminated in November of 1973 and destroyed by decree of the military in July 1974. In January 1974, all political activity was expressly prohibited. This included the distribution of all materials, holding political assemblies, and attending political assemblies.

^{clxviii} See Collier and Sater, p. 376. This was undoubtedly their signature act.

^{clxix} The Communist party was also the most successful in maintaining its party structure and organization. More than any other party, they knew how to operate clandestinely, thanks to their repression and outlaw status throughout most of the 1950s. Oddly enough, it was Carlos Ibañez, democratically elected president of Chile, this time, that legalized the Communist party in 1957.

^{clxx} For a more detailed discussion of organized underground opposition groups, see Cathy Schneider, “Mobilization at the Grassroots. Shantytowns and Resistance in Authoritarian Chile,” *Latin American Perspectives*, 18 (Winter 1991), and Phillip Oxhorn, *Organizing Civil Society: The Popular Sectors and the Struggle for Democracy in Chile*. University Park: Pennsylvania State University Press, 1995.

^{clxxi} The *Acuerdo Nacional*, or National Accord, was the blueprint for the later amendments to the 1980 constitution. In the Accord, the parties proposed major changes to the 1980 constitution. They hoped, and were correct as it turned out, that Pinochet would be more amenable to their demands if the parties worked within the framework he had created.

^{clxxii} The agreements reached under the accord were finally published in September 1986 under the title *Bases de Sustentación del Régimen Democrático* (The Bases for Sustaining a Democratic Regime).

^{clxxiii} The minimal demands of the accord were free elections, the rule of law, and a declaration in support of a mixed economy. It also demanded that all states of emergency and siege be terminated, the end to all forced exiles, and the substitution of the 1989 plebiscite for presidential and congressional elections.

^{clxxiv} See Oppenheim, p. 174. It is estimated that over one million persons, one-tenth of the pre-coup population, had voluntarily or involuntarily fled the country. Nearly every major city in Latin America, western Europe, or North America had a sizeable Chilean exile community.

^{clxxv} See Oppenheim, p. 189. Several reasons are given for the parties’ discouragement of the street protests. The most important ones are noted later in the paper. An additional reason was the parties’ fear that excessive violence would alienate the middle class. It was the support of the middle class for the coup that had legitimated Pinochet’s actions in the first place. The parties realized that unless they gained middle class support, Pinochet could not be removed. When polled, the majority of the population was opposed to violence.

^{clxxvi} See Collier and Sater, p. 378.

^{clxxvii} A good part of that acceptance, by 1987, was due less to the persuasive powers of Aylwin or Pinochet (negatively) and more to the recognition that the regime was actively preparing for the referendum.

^{cxci} See Rhoda Rabkin, "How Ideas become Influential: Ideological Foundations of Export-led Growth in Chile," *World Affairs*, 156 (Summer 1993), pp. 23. Ms. Rabkin asks this same question. Civil society should have had democracy restored to them much earlier than it was, especially based on the data of neighboring countries' (Brazil, Peru, Argentina, and Uruguay) transitions to democracy. According to this data, Pinochet should have relinquished power long before he did. That he did not is found perplexing. Rabkin's explanations fall in line with those offered in this paper.

^{cxcii} See Jean A. Briggs, "A Letter from Santiago," *Forbes*, 143 (May 15, 1989), pp. 94. Strangely enough, the gravity of the violence is debatable. "In its latest years the dictatorship has been relatively benign and produced an economic miracle."

Works Cited

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- Argosin, Marjorie. *Scraps of Life: Chilean Arpilleras, Chilean Women and the Pinochet Dictatorship*. Trenton: The Red Sea Press, 1987.
- Austin, Robert. "Armed Forces, Market Forces: Intellectuals and Higher Education in Chile, 1973-1993," *Latin American Perspectives* 24 (September 1997): p. 27.
- Behrman, Jere R. *Macroeconomic Policy in a Developing Country: The Chilean Experience*. New York: North Holland Publishing Co., 1977.
- Biggs, Jean A. "A Letter from Santiago," *Forbes* 143 (May 15, 1989): p. 94.
- Biggs, Jean A. "A Political Miracle: Chile's Economy," *Forbes*, 149 (May 11, 1992): p. 5.
- Boeker, Paul H. *Lost Illusions: Latin America's Struggle for Democracy, as Recounted by its Leaders*. New York: Markus Wiener Publishing, 1990.
- Chalmers, Douglas A. and Craig H. Robinson, "Why Power Contenders Choose Liberalization: Perspectives from South America," *International Studies Quarterly* 26 (March 1982).
- "Chile Shows the Way: Or does it?" *The Economist* (US), 329 (November 13, 1993): p. 9.
- Collier, Simon and William F. Sater. *A History of Chile, 1808-1994*. Cambridge: University Press, 1996.
- Colombo, Ariel and V. Palermo, *Participacion politica y pluralismo en la Argentina contemporanea*. Buenos Aires: Centro Editor de America Latina, 1985.
- Corradi, Juan E. and Patricia Weiss Fagen and Manuel Antonio Garretón. *Fear at the Edge: State Terror and Resistance in Latin America*. Berkeley: University of California Press, 1992.
- Cusack, David F. *Revolution and Reaction: The Internal Dynamics of Conflict and Confrontation*. Denver: University of Denver Press, 1977.
- Cypher, James M. "The Debt Crisis as 'Opportunity': Strategies to Revive U.S. Hegemony," *Latin American Perspectives* 16 (1989): p. 52.
- de Brito, Alexandra Barahona. *Human Rights and Democratization in Latin America: Uruguay and Chile*. Oxford: University Press, 1997.
- Frank, Andre Gunder. *Capitalism and Underdevelopment in Latin America: Historical Studies of Chile and Brazil*. New York: Monthly Review Press, 1967.
- Graham, Carol. "Safety Nets and Market Transitions: What Poland can Learn from Latin America," *Brookings Review* 12 (Winter 1994): p. 36.
- Garretón, Manuel Antonio, "Military Regimes, Democracy, and Political Transition in the Southern Cone: The Chilean Case," in George A. Lopez and Michael Stohl, eds., *Liberalization and Redemocratization in Latin America*. New York: Greenwood Press, 1987.
- Garretón, Manuel Antonio. "Popular Mobilization and the Military Regime in Chile: The Complexities of the Invisible Transition," p. 259 in Susan Eckstein, ed., *Power and Popular Protest*. Berkeley: University of California Press, 1989.
- Gramsci, Antonio. *Selections from the Prison Notebooks*. London: Lawrence and

- Wishart, 1971.
- Green, Duncan. "Letter from Santiago," *New Statesman & Society*, 6 (November 26, 1993): p. 11.
- Green, Duncan. "Chile: The First Latin American Tiger?" *NACLA Report on the Americas* 28 (July-August 1994): p. 12.
- Halper, Stefan. "Chile Seeks to Create New Unity," *Insight on the News* 10 (September 5, 1994): p. 15.
- Hojman, David E. "Poverty and Inequality in Chile: Are Democratic Politics Good for You?" *Journal of Interamerican Studies and World Affairs*, 38 (Summer-Fall 1996): p. 5.
- Holzman, Robert. "Pension Reform, Financial Market Development, and Economic Growth: Preliminary Evidence from Chile," *International Monetary Fund Staff Papers* 44 (June 1997): p. 149.
- Lievesley, Geraldine. *Democracy in Latin America*. New York: St. Martin's Press, 1999.
- Linz, Juan J. "The Transition from Authoritarian Regimes to Democratic Political Systems and the Problems of Consolidation of Political Democracy," (Paper presented at the Annual Meeting of the International Political Science Association, Tokyo, Japan, March 29-April 1, 1982).
- Linz, Juan J. and Alfred Stepan. *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore: John Hopkins University Press, 1996.
- Lopez, George A. and Michael Stohl. *Liberalization and Redemocratization in Latin America*. New York: Greenwood Press, 1987.
- Magar, Eric and Marc R. Rosenblum and Samuel Davids. "On the Absence of Centripetal Incentives in Double Member Districts: The Case of Chile," *Comparative Political Studies* (December 1998): p. 714.
- Martinez, Javier and Alvaro Diaz. *Chile: The Great Transformation*. Washington: The Brookings Institution, 1996.
- Morena, Francisco Jose. *Legitimacy and Stability in Latin America: A Study of Chilean Political Culture*. New York: New York University Press, 1969.
- Munck, Ronaldo. *Latin America: The Transition to Democracy*. New Jersey: Zed Books Ltd., 1989.
- O'Donnell, Guillermo. *Pactos Politicos y Pactos Economico-Sociales*. Sao Paulo; 1985. p. 2.
- O'Donnell, Guillermo "Tensions in the Bureaucratic State and the Question of Democracy," in David Collier, ed., *The New Authoritarianism in Latin America*. Princeton: Princeton University Press, 1979.
- O'Donnell, Guillermo and Philippe Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*. Baltimore: John Hopkins, 1986.
- Oppenheim, Lois Hecht. *Politics in Chile: Democracy, Authoritarianism, and the Search for Development*. Boulder: Westview Press, 1993.
- Oxhorn, Phillip. *Organizing Civil Society: The Popular Sectors and the Struggle for Democracy in Chile*. University Park: Pennsylvania State University Press, 1995.

- Peeler, John. *Building Democracy in Latin America*. Lynne Rienner Publishers, Inc., 1998.
- Perlman, Janice. *The Myth of Marginality*. Berkeley: University of California Press, 1976.
- Petras, James and Fernando Ignacio Leiva. *Democracy and Poverty in Chile: The Limits to Electoral Politics*. Boulder: Westview Press, 1994.
- Poulantzas, Nicos, *Crisis of Dictatorships*. London: New Left Books, 1974.
- Pratt, Mary Louise. "Overwriting Pinochet: Undoing the Culture of Fear in Chile," *Modern Language Quarterly* 57 (June 1996): p. 151.
- Przeworski, Adam, "The Games of Transition," in Scott Mainwaring, Guillermo O'Donnell, and Samuel Valenzuela, eds., *Issues in Democratic Consolidation*. Notre Dame; University of Notre Dame Press, 1992. p. 105-53.
- Rabkin, Rhoda. "How Ideas Become Influential: Ideological Foundations of Export Led Growth in Chile," *World Affairs* 156 (Summer 1993): p. 23.
- Rosett, Claudia. "Looking Back on Chile; 1973-1984," *National Review* 36 (June 1, 1984): p. 25.
- Schneider, Cathy Lisa. "Mobilization at the Grassroots. Shantytowns and Resistance in Authoritarian Chile," *Latin American Perspectives* 18 (Winter 1991).
- Schneider, Cathy Lisa. *Shantytown Protest in Pinochet's Chile*. Philadelphia: Temple University Press, 1995.
- Silva, Eduardo. "Capitalist Coalitions, the State, and Neoliberal Economic Restructuring: Chile, 1973-1988," *World Politics* 45 (July 1993): p. 19.
- Stallings, Barbara. "Political Economy of Democratic Transition: Chile in the 1980s," p. 181 in Barbara Stallings and Robert Kaufman, eds., *Debt and Democracy in Latin America*. Boulder: Westview Press, 1989.
- Stepan, Alfred, "State Power and the Strength of Civil Society in the Southern Cone of Latin America," in P. Evans, D. Rueschemeyer, and Theda Skocpol, (eds), *Bringing the State Back In*. Cambridge: Cambridge University Press, 1985.
- Taylor, Matthew E. "Economic Development and the Environment in Chile," *Journal of Environment & Development*, (December 1998): p. 405.
- "The Cold Winds Blow: Chile," *The Economist* (US) 348 (October 3, 1998): p. 41.
- Timerman, Jacob. *Chile: Death in the South*. New York: Alfred A. Knopf, 1987.
- Tinsman, Heidi. "Reviving Feminist Materialism: Gender and Neoliberalism in Pinochet's Chile," *University of Chicago Press* 26 (Autumn 2000): p. 145.
- Turner, Roger. "This Remains a Benchmark for a Successful Open Economy," *Business America* 113 (April 6, 1992): p. 25.
- Turner, Roger. "Chile: A Unique Paradigm in Latin America," *Business America*, 118 (April 1997): p. 15.
- Viola, Eduardo and Scott Mainwaring, "Transitions to Democracy: Brazil and Argentina in the 1980s," *Journal of International Affairs* 38 (Winter 1985).