

The Bachelet Government

Conflict and Consensus in Post-Pinochet Chile

EDITED BY

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The Transition Is Dead, Long Live the Transition

Civil-Military Relations and the Limits of Consensus

GREGORY B. WEEKS

Given her background, the inauguration of Michelle Bachelet was a clear sign that major political changes had taken place in Chile. Yet from 1990 forward, observers—from politics, civil society, academia, and/or the press—have applied the term "transition" to a host of different events, seeking to pinpoint the moment at which Chile can be said to have broken free of authoritarian legacies and established democratic civil-military relations. This chapter will argue that analyses of the concept have not systematically addressed the ways in which Chilean political actors view it. Inclusion of those perceptions provides insights into the perceptions of the military's role in politics, and its "success" in establishing democratic civil-military relations and addressing the legacies of the dictatorship. The central thesis is that Concertación governments have consistently pushed to proclaim a consensus about civil-military relations that did not exist, and that this has complicated the process of democratization. The chapter also argues that the speed and the nature of the process have been determined by unique circumstances derived from the limited power that Concertación governments have had, which fosters incentives to forge consensus with the opposition.

Like her predecessors, President Bachelet inherited strong incentives to proclaim the existence of a consensus about civil-military relations, but not all relevant political actors feel part of that consensus. As a result, even advances with regard to the military and human rights during her time in office have not translated into political success for the president. This has

caused a certain amount of policy paralysis, because the president, arguing that transition is complete, has made little effort to further democratize civil-military relations and pursue human rights cases.

The academic literature focuses on specific events or benchmarks that denote passing a threshold that constitutes "transition." By contrast, in Chile (and very likely elsewhere in Latin America) the term also reflects political goals and preferences. Using political discourse that includes references to the transition is a means of sending political signals to different audiences, including the Chilean public, political allies and opposition, the international community, and the military itself. Thus, the literature fails to consider how the framing of the transition becomes a matter of political practice, varying by political aims, and evolving over time.

Part of the problem of defining the military's role in Chilean democracy is connected to disagreement about the very question of whether the political system continues to undergo transition. For many Chileans, especially policymakers, the transition is also viewed in emotive terms, so that events tied to Pinochet, for example, become linked to transition, regardless of whether they necessarily serve to democratize the political system further.

From a political perspective, the transition itself is a period of relative uncertainty that, once concluded, moves the country forward into a new era of democracy and progress. As Brian Loveman and Elizabeth Lira have noted, previous periods of Chilean political history have similarly been marked by conflict followed by amnesties, pardons, and statements of looking ahead and not living in the past.¹ With regard to civil-military relations, however, the desire to view the transition in such stark terms increases the temptation to consider "la cuestión militar" as complete. Further complicating the matter, however, is that perceptions of those critical moments widely diverge. Thus, Chileans themselves have often disagreed about the boundaries of transition, whether it ended, and thus whither goes the military. This constitutes another obstacle to presidential efforts to achieve consensus about the completion of transition, and promotes schisms within the Concertación.

This chapter will begin with a discussion of how the literature has defined political transitions. It will then move to an analysis of how "transition" has been utilized in Chile, focusing on three main points that have been associated with it: the 1988–90 period that culminated in the inaugu-

ration of Patricio Aylwin as president; the fate of Augusto Pinochet; and the constitutional reforms of 2005. Bachelet inherited a presidential tradition of proclaiming the transition to be over, and she has not broken with that established practice. The fact that such a declaration was continually repeated over time demonstrated that different Chilean political actors themselves did not believe it to be true in the past. Some political actors continue to assert that the transition is not complete, believing that "completion" might mean a setback to achieving their particular political goals. Only time will tell if President Bachelet also feels the need to repeat it. From a political standpoint, a lack of consensus about transition makes it even more difficult for the president to maintain support from all parts of her governing coalition.

Defining "Transition"

Defining the term "transition" in the academic literature has proved difficult, and it is noteworthy that decades of debate have not produced much agreement. It is also a term that is often used loosely without offering a clear definition, which adds to the conceptual confusion. The focus on transitions began in earnest in the 1980s as Latin American dictatorships yielded to civilian governments, but it found inspiration in a classic article by Dankwart Rustow, who argued that the minimum period for a transition was a generation, and that any transition could be considered complete when the country reached something—ultimately undefined—called democracy.² In the general literature, the focus is on specific benchmarks. For Chilean political actors, the same is true, but such benchmarks are typically tied much more closely to high-profile events that do not necessarily correspond to the general literature.

Guillermo O'Donnell and Philippe Schmitter offered a more concrete definition than "the interval between one political regime and another." To wit:

Transitions are delimited, on the one side, by the launching of the process of dissolution of an authoritarian regime and, on the other, by the installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative.³

This definition is one of the most measurable, since it centers exclusively on visible political outcomes. Others have used the same parameters, such that post-authoritarian becomes synonymous with post-transition.⁴

Juan Linz and Alfred Stepan also outline specific, but more expansive, criteria for determining a transition's conclusion:

A democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government *de facto* has the authority to generate new policies, and when the executive, legislative, and judicial power generated by the new democracy does not have to share power with other bodies *de jure*.⁵

That analysis is also unique in that it acknowledges the perceptions of "transition" within countries, though for the Chilean case it asserts that "if people accept that a transition has been completed when actually it has not, this may indicate that key members of the aspiring democracy have begun to accept nondemocratic constraints as bearable, or, in the worst hypothesis, in some way even useful for the task of governing."⁶ The notion that a political actor might be "wrong" about the transition points, albeit indirectly, to the reality that politicians, military officers, and others may have different perspectives. Rather than labeling their views as incorrect, it is more useful analytically to determine in what ways their ideas diverge, and why.

Others have argued that there are two transitions, the first from authoritarian rule to democracy, and the second from democracy to "consolidated" democracy.⁷ In the same vein are works that refer to a single transition that ends with a consolidated democracy.⁸ They yield no more agreement, however, on when those ends have been attained. Further muddying the analytical waters are analyses that combine discussions of two transitions with "post-transition" references.⁹

View of the Transition in Chile

For Chileans, the term "transition" is even more amorphous. For politicians, it refers in large measure to the notion of a major change of era, in terms of past interactions with the armed forces. At times, the term can carry clear political connotations, since using it may be part of an effort to

show how effective a given policy change will be. Presidents, in particular, have a strong incentive to assert that the transition is over. In particular, it sends signals of stability, both domestically and internationally, but it also provides more policy latitude, as the president need not feel pressured to focus on specific issues labeled as "unfinished business." Thus, the most progress is made when the transition is labeled by the president as "incomplete."

The 1988–90 Period

There is no consensus about precisely when the transition began, though it can be narrowed down to two different dates. Although Jonathan Barton and Warwick Murray write that "for most Chileans and foreign observers, the democratic transition began with the 1988 plebiscite," it is difficult to generalize too much in this regard.¹⁰ The plebiscite, which asked voters to answer "yes" or "no" to another eight years of rule by Pinochet, launched the negotiations that would culminate in an election and the eventual inauguration of a freely elected civilian government. This corresponds to Karl's assertion that "the dynamics of the transition revolve around strategic interactions and tentative agreements between the actors with uncertain power resources aimed at defining who will legitimately be entitled to play in the political game, what criteria will determine the winners and losers, and what limits will be placed on the issues at stake."¹¹ In that light, we can view the year and a half between the plebiscite and the inauguration as a time when the political rules of the game were determined, with the transition ending once those rules were set.

The second date for the transition's beginnings centers on Aylwin's inauguration, since it represented the first moment that the country was no longer ruled by the military. For example, the daily *La Nación* published a special report on the transition in 2006, defining it as the period after Aylwin assumed the presidency.¹²

There are, however, differing views. In his widely read account of that time period, Rafael Olanio signals the 1984 meeting of the opposition as the start of the transition.¹³ It was at that point that a group of several hundred opponents initiated an agreement to accept the dictatorship's constitution and work within its rules to change the government. As a result, Olanio defines the end of the transition as the moment at which the constitution was reformed, making it more—though by no means fully—democratic.

There is no agreement about whether and when the transition ended. President Aylwin's conception of transition corresponds to the dominant paradigm in the academic literature, namely, that the transition ended in March 1990, when Pinochet left power. The period thereafter was either the "post-transition" or the "consolidation" of democracy. In his message to Congress of May 1992, President Aylwin stated that the transition had concluded, since it represented only the change from authoritarian to democratic government, from abuse of power to liberty and freedom. For that statement, he was roundly criticized.¹⁴ Nonetheless, even some scholars agreed at the time that Chile's could be considered "a successful transition," as Chile had "strong claims to be considered the country that has made most progress toward consolidating democracy."¹⁵ That assertion is even more problematic since it portrays the transition as relational, defined in comparison to other Latin American countries.

From Aylwin's perspective, declaring the end of the transition was important politically. It constituted a message to the world that Chile was no longer a dictatorship and could therefore be embraced by the free world, but it was also aimed at Chileans, since the president needed to assure a powerful military that the administration viewed the change of government as important in its own right, and that it did not plan to pursue human rights cases aggressively or to denigrate the armed forces more generally. Aylwin also needed to let the opposition know that he was willing to work with them.

The debate over whether 1990 marked the end of the transition also shows that perceptions do not run along ideological or partisan lines. Even those close to Aylwin, among them Andrés Zaldívar, disagreed. Zaldívar wrote that the transition had begun with the 1988 plebiscite, and that it would remain "inconclusive" until democratic reforms were enacted.¹⁶ Genaro Arriagada, an Aylwin advisor, said in an interview that "there can be no transition" without resolution of human rights abuses.¹⁷ With regard to civil-military relations, there remained high-profile limitations on civilian authority, and so, in line with Linz and Stepan, the rationale was that political institutions remained transitional until the military's prerogatives were derogated.¹⁸

Neither has there been agreement on the left. Camilo Escalona (a senator from the Socialist Party) argued that the transition began with Aylwin's inauguration, though he agreed that it had not yet been completed.¹⁹ Patri-
cio Hales, who in 2007 was the head of the Defense Commission in the

Cámara de Diputados, and who is a member of the center-left Party for Democracy (PPD), believes that events after March 1990 should be considered "democratization" rather than "transition."²⁰

The military's view was very similar to Aylwin's, and would not change for nearly fifteen years. Its goal was simply to proclaim the transition over, which would make any future reforms unnecessary. According to the future commander-in-chief of the Army, Juan Emilio Cheyre, the transition should be viewed in constitutional-legal terms. The first phase was the suspension and then rewriting of the constitution, between 1973 and 1980, and the second phase was then completed in 1990, with the relinquishment of power by the armed forces after having successfully transformed Chile's legal foundation and provided for free elections.²¹ José Miguel Piuzei Cabrera, an army officer who would eventually become a possible candidate for commander-in-chief, wrote that the professionalism and discipline of the armed forces had in fact been an important factor in the stability of that transition.²²

From that perspective, it was the civilian government that had caused the political rupture that led to the military government, after which the armed forces—under the leadership of Pinochet—had rewritten the rules of the political game to ensure present and future stability. The transition had ended once those rules were in place, at which time the military had left power willingly, and so it carried significant symbolic weight. Any effort to change the rules once again would be going against the transition itself.

The Fate(s) of Augusto Pinochet

From 1988 until his death in 2006, Augusto Pinochet—and his fate—have commonly been associated with the "transition." As president and then former-president, as active and then retired commander-in-chief of the Army, as a senator (both active and retired), and even as a prisoner under house arrest, Pinochet's civilian government was inextricably linked with the military, though as his star fell, this was primarily limited to the army.

The transition was sometimes viewed as being tied to Pinochet himself. Foreign Minister José Miguel Insulza argued in 1996 that Pinochet's eventual retirement from the army would represent "another step in a successful transition."²³ Eight years later, as interior minister, Insulza insisted that there was no longer any reason to talk about transition, but rather

the country should be discussing the best ways to achieve full democracy (*plena democracia*).²⁴

References to transition surfaced again in 1997–98, when Pinochet retired from the army and shortly thereafter was arrested on charges of human rights abuse after he traveled to Great Britain. At the time of Pinochet's 1998 arrest, a Chilean human rights lawyer noted that the event marked "a key point in Chile's transition to democracy."²⁵ On the contrary, argued Ricardo Lagos and Hernando Muñoz, "Pinochet's ordeal has provoked a setback in that transition, reawakening the deep divisions still lingering in Chilean society."²⁶

Interestingly, although Pinochet's death may have been cathartic in a sense, it did not occasion any new transition analogies. When asked, the Christian Democrat Andrés Zaldívar replied that the transition continued, and would do so as long as there were pending human rights cases.²⁷ Long lines of supporters waited at the Escuela Militar to see Pinochet's body lying in state, while others celebrated his passing elsewhere in Santiago. From a political standpoint, however, no one considered the general's death significant. In his later years, Pinochet, once so adept at manipulating politicians and the media to his own advantage, found himself submerged in a morass of public relations disasters, all of them entirely of his own making.

In the end, perhaps nothing damaged the former president, at least symbolically, as much as the Riggs Bank scandal, in which evidence indicated that he had embezzled upward of \$27 million from the Chilean Treasury and funneled it into foreign banks. Pinochet had always claimed that he had seized power for the love of his country, and even the opposition had granted him that. Once it became clear that he had profited at the nation's expense, most of his remaining supporters distanced themselves. Gradually, the oft-used phrase "after Pinochet" began to reflect less immediacy.²⁸ By the time of his death, in December 2006, Pinochet had not been a political force of any sort for years, and aside from periodic depositions, public statements, and efforts to bring him to trial, he had ceased to be a public figure. Thus, his death did not mark a drastic change for transi-tology.

Constitutional Reform

The constitutional reforms passed in 2005 revived Chilean transi-tology yet again, and they have been central to both the Lagos and Bachelet administrations' overall message of political progress. For over a decade, the efforts

to rid the constitution of its more authoritarian elements had consistently failed. The scandals brewing around Pinochet and the release of the Valech Report, which detailed the torture suffered by tens of thousands during the dictatorship, however, finally provided the necessary political leverage.²⁹ As time went on, even many on the right found it politically expedient not to defend the former dictator and instead to support constitutional reforms that would partially dismantle his political structures.

When constitutional reforms were finally implemented, they were important in both practical and symbolic terms. In the realm of civil-military relations, the reforms eliminated the appointment of senators (among them, many retired commanders-in-chief from the different branches of government), they granted the president the right to fire commanders-in-chief, they ended military control over the National Security Council, and they removed the military's right to protect "institutional order." All these issues had vexed presidents since 1990, significantly reducing their ability to pursue a range of policies without military interference. Andrés Allamand, a member of Renovación Nacional, said in a 2002 speech that those were the key issues required for the transition to be considered complete, though he had also included reform of the binomial electoral system, a system which remained in place.³⁰ After his election as president, Ricardo Lagos said in an interview, that the transition would be fulfilled, "once we have a constitution . . . everybody would agree upon."³¹

In symbolic terms, the reforms served to define "transition" largely in terms of a collection of antidemocratic laws and constitutional provisions related to the armed forces, a definition similar to that put forth by Linz and Stepan. Once these provisions were removed from the constitution, the transition was over. Along those lines, Felipe Agüero has written that the Pinochet arrest fostered a "catharsis," which during the Lagos years evolved into "democratic normalcy."³² Arturo Valenzuela and Lucía Dammet have called the Bachelet administration "Chile's first 'posttransitional' government." According to them, although there were still changes to be made, the transition threshold had been crossed.³³

References to "catharsis" were also linked to declarations made by army commander-in-chief Juan Emilio Cheyre. Unlike the leaders of the other military branches, in speeches and in articles Cheyre took institutional responsibility for the abuses of the past, which was a major step forward for a military force that had always asserted that reports of detention and torture were exaggerated and attributable only to "rogue" officers.³⁴ Claudio

Fuentes has argued that Cheyre should be viewed as "the general of the military transition."³⁵ Thus, the military's increased willingness to acknowledge the abuses of the past could be seen as part of the overall transition to democracy.

Notably, in 2005 President Ricardo Lagos used an international forum (a state visit to Australia) to highlight these changes: "Twenty years ago there was a national agreement for the country to become more democratic, fifteen years ago democratic governments began, and now we can say that the transition in Chile has concluded."³⁶ His words signaled to potential economic partners that Chile had crossed an important threshold of stability and political maturity, and for Lagos more personally they represented an important element in his legacy as president. Importantly, they also signaled the importance of a gradual, consensual transition.

In July 2005, former president Aylwin defended his original thesis, saying that the transition had concluded well over a decade prior. In April 2006, President Bachelet disagreed, saying that the constitutional reforms had been key, and that the transition was "complete, but imperfect."³⁷ Like Valenzuela and Dammert, the Chilean ambassador to Argentina, Luis Maira, explained that Bachelet's was the first post-transition government:

This means that hers is the first government that will not have to spend a significant portion of its energies in undoing all that was "tightly tied up," which was left by the military regime. It will be able to think differently about the use of its time, spaces, and greater freedom to define its own political designs.³⁸

The message was that the constitutional reforms had erased the problematic aspects of military autonomy and that consequently the Bachelet government need not be distracted from its core policy goals; it also meant that Chile had moved into a new era, free of the disturbing legacies of the past. This reflected a clear emphasis on consensus: Chileans could all agree that they had persevered and moved forward. However, as the other chapters have demonstrated, that focus on consensus also created policy paralysis.

The Contestation of Consensus in Chile

In 2006, the army began to shift its position. Whereas at one time it had insisted that the transition was long finished and therefore reforms were

unnecessary, after those reforms were enacted, its definition of transition mutated into the unresolved area of human rights.

Also in 2006 the new army commander-in-chief, Oscar Izurieta, argued that the transition was nearly over but that it would not be complete until the human rights cases against military personnel were finished:

The only thing that remains pending for us is undoubtedly the number of people that are being processed. When all these processes end, we would soon proclaim the transition definitively completed.³⁹

In response to Izurieta, presidential spokesman Ricardo Lagos Weber (son of the former president) said that a pending issue was discovering the fates of the detained/disappeared and to have justice for those who had committed crimes.⁴⁰ The irony is that the military leadership shares with many civilians the notion that the pending human rights cases demonstrate that the transition is not over, but the military want these cases to end immediately, while civilians want more of them to proceed. For opposite reasons, for each, proclaiming the transition to be over would possibly mean accepting that those goals would remain unfulfilled.

The armed forces have continued to push for an end to such cases, and over time it has found political support, most notably from Presidents Aylwin and Lagos, both of whom called—unsuccessfully—for time limits on investigations and prosecutions. The way in which human rights abuses remains a simmering issue for the military is reflected in the case of retired general Raúl Iruñaga, a high-profile member of the military regime who was sentenced to five years in prison for kidnapping, but who in 2007 issued a statement of protest and went into hiding (he was later apprehended without incident). He had received little public support, other than from the Group of Retired Generals. General Izurieta immediately distanced himself from them, and even said publicly that the case was problematic for the army, but the case shows how the military does not view the transition as finished.⁴¹

José Zalaquett, a prominent human rights attorney and a member of the "Mesa de Diálogo," wrote in 2000 that confronting and overcoming the legacy of human rights violations was an integral aspect of the transition.⁴² He defined the transition as "processes of political change that tend toward establishing democratic order where before there was none, or reconstructing it after a process of armed internal conflict, dictatorship, or other serious rupture of national coexistence and institutional order."⁴³

This has been described as “transitional justice.”⁴⁴ Only after human rights cases have been decided—with thorough investigations, judicial proceedings, and prosecutions—can the transition be finished. According to another member of the Mesa de Diálogo, even as Bachelet came to office Chile was experiencing “continued political transition from the military regime that began in 1990.”⁴⁵ In addition, some argue that the transition is complete but that justice remains transitional.⁴⁶ Human rights activists, victims, and family members prefer not to proclaim the transition finished, because that might imply “moving on” and not continuing investigations and prosecutions. In fact, in 2008 the Agrupación de Familiares de Detenidos Desaparecidos criticized the Bachelet administration for making no advances in human rights cases.⁴⁷

This is not an idle concern. With regard to the judicial branch, in 2007 the Supreme Court acquitted Colonel Claudio Lecaros for the forced disappearance of three individuals in 1973, ruling that the statute of limitations had expired. The Court had previously ruled that crimes against humanity or war crimes were not subject to the statute of limitations.⁴⁸ In 2007 and 2008, the Supreme Court also increasingly ruled in favor of reducing sentences.⁴⁹ Meanwhile, both houses of the legislature debated only one law in 2007 related to human rights.⁵⁰ Nonetheless, the wheels of justice did continue to move during Bachelet’s term. Between 2005 and 2008, there were thirty-five convictions for past human rights abuses.⁵¹

Thus, by the time Bachelet took office there was *more* consensus than in the past that the transition was over, but important voices demurred. She was, however, well positioned to make this claim, since she had been defense minister and had established positive relations with the armed forces. As noted in the other chapters, her years in office have been rocky in many ways, but the problems have been unrelated to the armed forces.

The army—which always took the lead role in political controversy in the post-1990 period—has also retreated significantly from emitting political opinions. For example, since 2000 (roughly coinciding with Pinochet’s return from Great Britain) the army’s *Memorial el Ejército* has not published any articles analyzing the military’s role in Chilean politics, which was a staple of articles in the 1990s. Paul Sigmond has argued that the period after 1990 had been marked by a “slow return to the earlier professionalism of the military,” a restoration of democratic values that had been held before the armed forces were politicized in the late 1960s.⁵² Given the military’s continued autonomy from civilian control in a number of areas

(such as military justice, intelligence, and budgets), as well as the problematic definition of “democratic values” in the pre-1973 era, this is likely an exaggeration.

Nonetheless, there is no doubt that Bachelet took office at a time when the relationship between civilians and the military entailed far less friction than at any time in recent memory. This has not, however, translated into political strength, since the perception of pending issues ensures that debate continues and consensus is not quite achieved.

Policy Implications

The Concertación’s internal schisms are linked to disagreements over the transition. If the transition is complete, then the coalition’s original *raison d’être* has been fulfilled but it has yet to be replaced. In the absence of a new organizational and policy message—other than simply existing to prevent the Right from taking the presidency and/or a legislative majority—considerable disarray continues, which poses an obstacle to getting important legislation passed and implemented successfully. On the other hand, if the transition is not finished, then the current consensus is simply blocking further reform and therefore creating more rifts within the coalition. The Concertación’s relationships with the opposition are largely determined by the same confusion, which creates conflict over constitutional and economic reforms. Thus, the pattern of consensus and conflict plays a pivotal role in shaping the macro aspects of Chilean politics.

In the area of civil-military relations, for example, the Copper Law remains in effect, which reserves 10 percent of national copper sales for military purchases (sales to the military amounted to \$1.4 billion in 2007). Despite recurring proposals to amend or eliminate it, the law has remained untouched since the military government modified it near the end of the dictatorship, though it has been reinterpreted to compel the armed forces to put a certain amount of the money received into an account for defense acquisitions (and thereby not expend all of the funds at once). However, reform requires negotiation with the Right, which thus far has not been amenable to talks, and Bachelet has little political capital to expend. She created a commission in 2007 to provide options for replacing the law, but she has not pushed the legislature to negotiate the details.⁵³ Nonetheless, in 2008 Defense Minister José Goñi told a congressional subcommittee that plans to replace the Copper Law were continuing.⁵⁴

Conclusion

Scholars have been debating the definition of "transition" and its effect for over two decades, but they have reached little agreement. In the Chilean case, most academics would characterize the transition as complete, because a democratically elected government is in place and because no non-democratic forces have veto power over it. However, the literature almost uniformly neglects the perceptions of the Chilean political actors themselves, whose views often deviate significantly from the academic definitions. The definition of "transition" has been contentious for nearly twenty years in Chile. The term has had political implications, as political actors use it to suggest that certain goals have been reached and/or to send certain signals to others, both inside and outside the country. Whatever has happened, in terms of "transition," has been determined in large part by the need (as discussed in the introduction to this volume) to have consensus between the Concertación and the opposition, which in turn has created conflict within the coalition, since the policymaking process—such as attention to human rights—tends to be very slow.

President Bachelet has avoided using the term "transition," and the few times when she has spoken about it she has insisted it is complete. This sends a signal to international actors looking for political and economic stability, but it also raises doubts in the minds of the military leadership and the human rights community about her commitment to pursuing a human rights agenda. Interestingly, the military's own view of the transition has changed in the past decade as its position has weakened, especially as a result of Pinochet's arrest and subsequent legal woes.

The Chilean sociologist Tomás Moulián has observed that the transition has been declared over so many times that it must never have existed in the first place.⁵⁵ In 2007, *El Clarín* published an editorial asserting that "the transition to democracy has not concluded and neither has it moved forward at all."⁵⁶ Perhaps the main criterion for a completed transition is that it not be spoken of in the present tense and that President Bachelet reaches the end of her term without feeling compelled to refer to it again. That would entail real consensus, where no political actors insisted on the continuing relevance of the term. Until then, political objectives and policy disagreements leave "transition" as a contested term, albeit to a much lesser extent than in the past. As a consequence, President Bachelet cannot effectively use her successes in civil-military relations to her political benefit.

It also means that the government is not in a strong position to push hard for policy reforms, such as changes to the Copper Law, or for the accelerated prosecution of human rights cases, since the urgency of those efforts appears much reduced.

Notes

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10. Jonathan R. Barton and Warwick E. Murray, "The End of Transition? Chile, 1990-2000," *Bulletin of Latin American Research* 21, no. 3 (2002): 332. Barton and Murray argue that the transition had ended by 2000.

11. Karl, "Dilemmas of Democratization in Latin America," 6.
12. "La transición a la democracia," *La Nación*, December 3, 2006.
13. See Rafael Olano, *Nueva crónica de la transición* (Santiago: LOM Ediciones, 2006) [this is the second edition of this work; the first is simply entitled *Crónica de la transición*].
14. For an example of his continued defense of that speech, see Patricio Aylwin, "El fin de la transición," *La Tercera*, July 28, 2005.
15. See Alan Angell, "The Transition to Democracy in Chile: A Model or an Exceptional Case?" *Parliamentary Affairs* 46, no. 4 (October 1993): 563.
16. See Andrés Zaldívar L., *La transición inconclusa* (Santiago: Editorial Los Andes, 1995).
17. Genaro Arriagada, "The End of the Pinochet Era: Chile's Transition to Democracy," *Harvard International Review* 12, no. 3 (Spring 1990): 18.
18. For a discussion of military prerogatives and negotiations, see Gregory Weeks, *The Military and Politics in Postauthoritarian Chile* (Tuscaloosa: University of Alabama Press, 2003). That work also identifies the transition as having begun with the plebiscite (p. 51).
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22. See José Miguel Piuzei Cabrera, "Las relaciones cívico militares," *Memorial del Ejército*, no. 450 (1996): 131.
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24. See Gobierno de Chile, Ministerio Secretaría General de Gobierno, "Misión y compromiso," 2004, <http://www.gobiernodechile.cl/ministerios/curriculum.pdf>, [asp?cod=0&ver=2](http://www.gobiernodechile.cl/ministerios/curriculum.pdf). All translations from the Spanish that appear in the text are by the author.
25. Quoted in Clifford Krauss, "Chilean Military Faces Reckoning for Its Dark Past," *New York Times*, October 3, 1999.
26. Ricardo Lagos and Heráldo Muñoz, "The Pinochet Dilemma," *Foreign Policy* (Spring 1999): 33.
27. Leonardo Núñez, "André Zaldívar y la muerte de Pinochet: Será un mal recuerdo para Chile," *El Mercurio*, December 10, 2006.
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31. "Confronting the Past," an interview with Chile's president-elect Ricardo Lagos, by Elizabeth Farnsworth, March 2, 2000, *NewsHour with Jim Lehrer Transcript*, http://www.pbs.org/newshour/bb/latin_america/jan-june00/pinochet_3-2.html.

32. See Felipe Agüero, "Democracia, gobierno y militares desde el cambio de siglo: Avances hacia la normalidad democrática," in *El gobierno de Ricardo Lagos: La nueva vía chilena hacia el socialismo*, ed. Robert Funk (Santiago: Ediciones Universidad Diego Portales, 2006), 59.

33. See Arturo Valenzuela and Lucía Dammert, "Problems of Success in Chile," *Journal of Democracy* 17, no. 4 (October 2006): 65.

34. For an analysis of civil-military relations during the Lagos administration, see Gregory Weeks, "Inching toward Democracy: President Lagos and the Chilean Armed Forces," in *After Pinochet: The Chilean Road to Democracy and the Market*, ed. Silvia Borzutzky and Lois Hecht Oppenheim (Gainesville: University Press of Florida, 2006), 26–41.

35. Claudio Fuentes, *La transición de los militares* (Santiago: LOM Ediciones, 2006), 136.

36. "Presidente Lagos estima que la transición chilena ha concluido," *El Mercurio*, July 14, 2005.

37. See "Bachelet: La transición está completa, pero no es perfecta," *Radio Cooperativa*, April 9, 2006, <http://www.cooperativa.cl/bachelet-la-transicion-esta-completa-pero-no-es-perfecta/prontus.nots/2006-04-09/10743.html>.

38. Luis Maira, "The Outlook for Chile-Bolivia Relations," *Diplomacy, Strategy, and Politics* 5 (January/March 2007): 40.

39. "Para el general Izurieta la transición está terminada," *La Nación*, September 20, 2006.

40. See Gobierno de Chile, Ministerio Secretaría General de Gobierno, "Ministro Lagos Weber destacó llamado de la presidenta Bachelet a fortalecer la ONU," Press Release, September 20, 2006, http://www.msgg.gov.cl/noticias/ministro/20_09_06.pdf.

41. See "Izurieta: Situación de Ilurriaga Neumann complica al Ejército," *La Nación*, June 15, 2007.

42. The "Mesa de Diálogo," or "Round Table Dialogue," refers to a series of meetings between military officers, human rights lawyers, psychologists, historians, religious leaders, former government officials, and others, to discuss the pending issues related to human rights abuses committed during the military government. The group first met in 1999, and issued a final report in 2001.

43. See José Zalaquett, "La mesa de diálogo sobre derechos humanos y el proceso de transición política en Chile," *Estudios Públicos* 79 (2000), 8 (also available online at <http://www.publicacionesch.uchile.cl/articulos/Zalaquett/Mesa-de-Di%20logo-CEP2000.pdf>).

44. There are many such examples of the this term. For Chile, see Carlos H. Acuña, "Transitional Justice in Argentina and Chile: A Never-Ending Story?" in *Retribution*

and *Reparation in the Transition to Democracy*, ed. Jon Elster (Cambridge: Cambridge University Press, 2006: 206–38), and Naomi Roht Arriaza, *The Pinochet Effect: Transitional Justice in the Age of Human Rights* (Philadelphia: University of Pennsylvania Press, 2005).

45. Brian Loveman and Elizabeth Lira, "Truth, Justice, Reconciliation, and Impunity as Historical Themes: Chile, 1814–2006," *Radical History Review* 97 (Winter 2007): 70.

46. See Kathryn Sikkink and Carrie Booth Walling, "The Impact of Human Rights Trials in Latin America," *Journal of Peace Research* 44 (2007): 427–45.

47. Daniela Aránguiz, "Agrupación de DD.HH. acusa 'nula avance' durante gobierno de Bachelet," *El Mercurio* July 14, 2008.

48. See Amnesty International Report 2008, "Chile," <http://archive.amnesty.org/air2008/eng/regions/americas/chile.html>.

49. See Centro de Derechos Humanos, Universidad Diego Portales, "Verdad y justicia: Las violaciones a los derechos humanos del país," *Informe Derechos Humanos 2008*, esp. 461–77, http://www.udp.cl/derecho/derechoshumanos/informesddh/informe_08/Verdad_y_justicia.pdf.

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51. "Corte Suprema condena a cuatro ex militares por homicidio de Fernando Vergara," *El Mercurio*, September 8, 2008.

52. See Paul E. Sigmund, "The Chilean Military: Legalism Undermined, Manipulated, and Restored," *Revista de Ciencia Política* 23, no. 2 (2003): 241–50.

53. See Giselle Concha, "Bachelet tiene en sus manos propuestas para modificar ley reservada de cobre," *La Nación*, January 24, 2007.

54. See "Ministro de Defensa confirma avance del proyecto que deroga la ley reservada del cobre," Senado de Chile, Departamento de Prensa, October 6, 2008.

55. See Tomás Moulián, "El cierre de la transición inexistente," *El Mostrador*, July 18, 2005.

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II

Socioeconomic Policies and the Decline of Consensus