

THE CHILEAN PLEBISCITE: A FIRST STEP TOWARD REDEMOCRATIZATION

Report by the

International Commission of the Latin American Studies Association to Observe the Chilean Plebiscite

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The Chilean plebiscite of October 5, 1988, presented analysts with three intriguing questions to answer: (1) Why did a dictatorship hold an honest referendum? (2) How did the opposition win a contest controlled by the government? (3) Why did the regime and its supporters accept defeat? The significance of that outcome for the current negotiations over Chile's political future also requires extensive analysis. This report will address these questions through an examination of: the background and context of the plebiscite; the key actors behind the "Yes" and the "No"; the campaigns; the vote itself; the subsequent interpretations, bargaining positions, and issues; and the implications for transition to democracy.¹

*Two other commission members, Liliana de Riz (CEDES, Argentina) and Karen Remmer (University of New Mexico, USA), had to withdraw for personal reasons. Although not a formal member of the commission, Reid Reading, LASA Executive Director, traveled to Chile and made valuable contributions to the commission's work.

Background to the Plebiscite

Military rule in Chile began on September 11, 1973, when the Chilean armed forces overthrew the Popular Unity (UP) government of socialist President Salvador Allende Gossens. The military commanders vowed to stamp out Marxism and depoliticize society. Thereafter, the military junta gradually developed a model of prolonged and personalized authoritarian rule, a free-market economy emphasizing export promotion, and the privatization of government social welfare programs. That system was sustained through sharp repression during the 1973-77 period and through an economic boom fueled by financial speculation in the second half of the 1970s.

In response to international criticisms of human rights abuses, General Pinochet, who assumed the title of President of the Republic in December 1974, held his first plebiscite in 1978. It called for a "yes" or "no" vote on the following proposition: "In the face of the international aggression unleashed against the government of the fatherland, I support President Pinochet in his defense of the dignity of Chile, and I reaffirm the legitimate right of the republic to conduct the process of institutionalization in a manner befitting its sovereignty." The government claimed a 75 per cent victory in that referendum, but it was conducted with no guarantees of freedom, secrecy, or fairness.

Thereafter, the regime sought to institutionalize its transformation of Chile through an authoritarian constitution. It was ratified in a 1980 plebiscite held at the height of the economic boom, again with no safeguards for opposition participation or honest voting. According to the government, 67 per cent of the voters approved the new charter. Reliable reports indicate that President Pinochet wanted an uninterrupted sixteen more years in office, but he was convinced to include a provision for a plebiscite midway through that period. Transitional articles in the constitution gave President Pinochet sweeping powers for eight years and established the Junta as a legislative body until a congress was elected in 1990. Its permanent articles created a "protected democracy" by providing for a tutelary role for the armed forces through their control of a national security council with the power to "admonish" other organs of the state on national security grounds.²

In 1982 an international recession coupled with domestic mismanagement ushered in the worst depression

in Chile since the Great Crash of 1929. In response, Chilean labor leaders spearheaded an outpouring of discontent which shook the regime and galvanized the previously downtrodden and dispirited opposition party leaders into action. Through much of 1983 and 1984 protests and strikes periodically paralyzed the country. By 1985, groups on the political right had joined the center-left parties in signing a "National Accord," demanding fundamental changes in the government's political itinerary and the establishment of a fuller democracy than the one envisioned in the 1980 charter. Soon thereafter, however, the protests ran their course and the accord fell apart in the face of government intransigence and serious disagreements among the signatories. The government rebuffed opposition demands for a more rapid redemocratization timetable, insisting that its legitimacy and authority rested on absolute adherence to the 1980 Constitution, which provided for a phased and orderly transition. The military leadership believed that its constitution, the exclusion of the Marxists from political participation, and the free enterprise economic system would be their fundamental legacy. By 1986, the economy was well into a recovery, retaining many essential features of the market-driven "Chicago-Boys" model. As opposition hopes faded that democracy might be restored through social mobilization, the fragmented parties began to focus on the promised plebiscite.

Many members of the opposition had been reluctant to participate in the plebiscite because they feared that doing so would legitimize the authoritarian regime—and that they would probably lose in any case. They gradually accepted participation in an inherently undemocratic and unequal contest because no other viable alternative existed. Neither social protests nor international pressure could convince the regime to hold competitive elections or to step down prior to the plebiscite. The insurrectionary path endorsed by part of the Communist Party offered no hope of victory, particularly after the failed assassination attempt against Pinochet in September of 1986.

Moreover, the experience of other transitions had shown that it was possible to use the government's own rules to challenge a dictatorship. Democratic forces elsewhere—Brazil, Uruguay, the Philippines—had taken advantage of small institutional spaces to combat authoritarian regimes. The opposition believed that, although dictators never call elections they expect to lose, they can be defeated when their foes are united.

By 1988, the context had changed dramatically from the 1980 referendum. Although the economy was doing relatively well in both periods, its inequities had by now been exposed. Whereas the social and political opposition groups had been cowed and silenced in 1980, they were now regrouped and assertive. Highly restricted liberalization had given them some small openings to express their views, for example through a number of radio stations and two newspapers. Moreover, the international setting had been totally transformed. Nearly all the other Latin American dictatorships had been replaced by democracies, and the United States had taken a stronger stand in favor of

democratization. Nevertheless, Pinochet still seemed determined to perpetuate his rule, still controlled the major means of coercion and communication, still presided over prosperity, and still evoked support or fear from a large segment of the population.

Preparing the Plebiscite

According to the constitution, the commanders-in-chief of the army, navy, air force, and *carabineros* (national police) had to name a date and a single candidate for the plebiscite prior to December 11, 1988. Within thirty to sixty days of that announcement, a yes-or-no referendum would be held on that nominee to serve as president for eight years from March 11, 1989 to March 11, 1997. In the event of a victory for the No, the current government would rule until March 11, 1990. At that time, a president and two houses of congress—to be chosen in competitive elections on December 14, 1989—would take office. Despite reservations on the part of the air force and *carabinero* commanders and doubts among important leaders of the Right, Pinochet was selected on August 30, 1988 to be the candidate in the October 5 plebiscite.

Although rejecting the opposition's call for truly free and competitive elections, the junta was committed to assuring that the plebiscite would be seen as a valid expression of public opinion. Throughout 1988, the junta had insisted on allowing sufficient time for voter registration (there had been none in 1978 or 1980). When the registries opened in February of 1988, the authorities registered their partisans first, including members of the armed forces. Both the government and the opposition felt that a large registration would help their respective causes, but the opposition feared that the cumbersome registration process was designed to make it difficult for its supporters to register in time. Also, the opposition was convinced that most Chileans, particularly of the middle and working classes, were tired of military rule and wanted a change. The government, however, was convinced that the "silent majority" wanted order and progress and would not follow the politicians.

The junta further opened up the process the last thirty days of the campaign by lifting the repressive state of exception on August 24. It allowed virtually all exiles to return home after September 1. For the first time in fifteen years, the opposition had fifteen minutes every day on national television and with some restrictions was permitted to hold public meetings and rallies. Although these liberalizing measures did not eliminate the government's huge advantages in the campaign, they did give the opposition a fighting chance.

The most important safeguard was that the rules for the voting itself were designed to insure fairness. The regulations for the plebiscite grew out of an amalgam of new laws decreed by the junta and previous electoral practices in Chile. This blend produced a contradictory system in which the process leading up to the plebiscite was very authoritarian—with many restrictions on dissent and

opposition activity—but the procedures for voting, as the report will detail further below, were very democratic, with many protections against fraud.

Why did a regime long noted for its widespread violations of human rights and democratic norms structure a fair voting process? Several reasons stand out. First, the regime wanted to use the voting to legitimize the system established in the 1980 Constitution, regardless of the outcome. They could scarcely argue for the legitimacy of their constitution while violating it. Polls showed that the overwhelming majority of citizens thought both sides should recognize the honest results: 87 per cent if the Yes won and 96 per cent if the No won. Chileans were aware of the destabilizing impact of rigged elections under authoritarian regimes in the Philippines and elsewhere.

Second, the armed forces felt honor-bound to abide by its own constitution. Although its behavior since 1973 often appeared arbitrary to outsiders, the military always saw itself as obeying strict rules and codes. In its own subculture, it was just as legalistic as its civilian adversaries. According to the constitution, "the armed forces and *carabineros*, as armed bodies, are essentially obedient and not deliberative." The military's own internal regulations—as the opposition often reminded it—prohibited soldiers from "participating in politics or in demonstrations or meetings of this type."

Third, some minimal guarantees of fairness were necessary to convince the No forces to participate. During the year prior to the plebiscite, the junta met many opposition demands for electoral safeguards, even though there were never any formal face-to-face negotiations. For example, the government made concessions by postponing the date of the plebiscite to allow full registration, by lifting the state of emergency, by allowing exiles to return, and by granting access to television.

Fourth, the whole world was watching, as thousands of foreign journalists and observers, including prominent personalities such as Adolfo Suárez, Yves Montand and a large delegation of legislators from numerous countries, poured into Chile. The government and its partisans generally viewed those observers as prejudiced and biased against them and warned that they might get hurt. Nevertheless, the regime was anxious to overcome Chile's political and diplomatic isolation. Foreigners were allowed to enter and observe freely. The international press, which had often been shunned by government officials, was welcomed by a press service eager to please. The opposition for its part embraced the visitors as vital guarantors that the plebiscite would be held fairly or exposed as a charade.

Fifth, the Yes forces were sure of winning and did not want any irregularities to tarnish their expected victory. Why was the Pinochet camp so sure of victory? It controlled the timing and rules; moreover, it believed that it had won decisively previous plebiscites in 1978 and 1980. The government counted on the opposition being divided, fratricidal, and ineffectual. Polls indicated generally low public esteem for opposition parties and politicians. Voting

"No" seemed like a leap into a void. By contrast, Pinochet offered security and continuity. The Yes leaders relied on fear of a return to the conflicts and crises of the Allende years. They hoped that the homecoming of some of the more militant leaders of the Popular Unity would arouse traumatic memories. Indeed, the return of Communist Volodia Teitelboim damaged the opposition when he called for street demonstrations to protest a Yes victory or immediate formation of a provisional government to consummate a No victory. Although the long time Communist leader soon disavowed his earlier statements, they did cause considerable concern in opposition circles.

The *pinochetistas* could use the resources of the government itself—such as public works—to bolster their campaign. Both the armed forces and public employees were pressured to register and vote "yes," as were poor people dependent upon government subsidies. They also possessed a mammoth financial and media advantage over the opposition. The Yes campaign controlled most of the newspapers and radio stations, as well as all the TV channels except for the No's token fifteen minutes daily during the last month before the plebiscite.

In addition the Yes enjoyed solid support from nearly all the economic elites, who not only contributed to the campaign but also urged their employees and workers to vote correctly and in some cases threatened to fire them if they did not. They were also confident that two other traditionally conservative groups—women and country dwellers—would provide the margin of victory.

Finally, the relatively buoyant macro-economic indicators augured well for people voting their pocketbooks. The country was in the third year of growth rates over 5 percent. Inflation was down to 12 percent, while investment, employment, and real wages were rising. Copper prices were high, and total exports promised to exceed those of Argentina in 1988. Chile enjoyed a trade surplus and accolades from foreign bankers for its successful servicing of the external debt. The government assumed that the Yes would run particularly well in those provinces that had experienced significant export development.

Above all, the overconfidence of the Yes reflected a classic flaw in authoritarian regimes. The leader often gets only part of the picture, as advisers and underlings tell him only what he wants to hear. Pessimistic forecasts from even pro-government pollsters were ignored or rejected by the Pinochet camp. In the final analysis, that self-deception left the regime surprisingly unprepared to counterattack the predictable triumph of the No. And, while some government supporters, particularly in the intelligence services, may have realized that the No stood a good chance of winning, by the time that realization set in it was too late to reverse the process that had been put in place.

Key Actors

The Yes

The Yes campaign was dominated by Augusto Pinochet. Although some leaders of the armed forces (outside

the army) and the civilian Right preferred a younger, non-military, less confrontational candidate, Pinochet prevailed. Even polls that showed him doing poorly indicated that he would be the regime's strongest nominee in a two-way contest, because of name recognition if nothing else. No other political figure in the country enjoyed his level of support—even though that support rarely went over 20 percent. Shrewder political engineers might have opted for a more moderate Center-Right alliance to effect a smooth transition isolating the Left. That possibility was obviated by the ambitions of Pinochet, who could not be denied so long as the army stood behind him.

The armed forces were not monolithic, but they seemed united in their desire to avoid open rifts or feuds. The opposition still lacked good access to or information about thinking within the services. Most military leaders apparently agreed on the need to hold an orderly and correct plebiscite, to resist pressures from the United States, to preserve their political and economic models, to proscribe the Communists, and to rule out any discussion of human rights violations. They also wanted to protect their professionalism and discipline from further politicization. Despite fifteen years of adamant support for an ideological government, the armed forces still saw themselves as nondeliberating, apolitical soldiers. Available information suggests that most army commanders strongly favored Pinochet's election, partly because they had been appointed by him. Some Chileans, however, conjectured that a few officers may not have been totally dismayed to see their longstanding commander-in-chief lose.

The other strongest pillar of support for Pinochet was the property-owning class. Despite disagreement with some of his economic policies, most entrepreneurs staunchly backed the Yes, as evidenced by the statements and activities of the Industrial Promotion Society (Sociedad de Fomento Fabril-SOFOFA), the Confederation of Production and Commerce (Confederación de la Producción y del Comercio), and the National Agricultural Society (Sociedad Nacional de Agricultura-SNA.) Rural as well as urban capitalists were committed to the Yes and pressured their workers to vote accordingly. Unlike some other cases of transitions toward democracy, the bourgeoisie did not disengage from the authoritarian regime. They argued that a firm hand at the helm was best to defend the economic model, and they pointed with horror to the economic and social crises in neighboring democracies. Moreover, they did not trust the opposition, either the Christian Democrats or the Marxists. As one leader of the Yes explained, "Pinochet can learn democracy better than the opposition can learn economics."

Although not openly active in the Yes campaign, business groups issued dire warnings of the consequences of a No victory. On the eve of the plebiscite, SOFOFA projected falling rates of investment, growth, and employment in the event of an opposition triumph. Some entrepreneurs' commitment to the free-enterprise model, however, did not mean that they were absolutely dedicated to Pinochet and military rule; a number of business execu-

tives realized that most members of the opposition were not ready to risk embarking on a drastically different economic course.

The rejuvenated rightist parties mainly backed Pinochet, although not without serious reservations. Many endorsed a Yes for the system more than a Yes for Pinochet personally. No formal alliance of parties for the Yes emerged. The largest single organization was National Renovation, led by Sergio Onofre Jarpa. It was composed of independents and remnants of the old National Party. Whereas National Renovation was dedicated principally to the general conservative agenda of private enterprise and anti-communism, National Advance, an ultra-right group, was committed to Pinochet as a caudillo. Other factions of the former National and Radical Parties also backed the Yes, as did new entities such as the Independent Democratic Union (UDI) of Jaime Guzmán, one of the authors of the 1980 Constitution.

The No

In contrast to the Yes campaign, the No camp was dominated by political parties. During 1986-87, they pressed in vain for free, competitive elections. Previous unity efforts including the Democratic Alliance, the National Accord and the Assembly of Civilian Organizations had not been successful in bringing about the downfall of the regime. After a painstaking agreement in February of 1988, 16 parties finally came together to form the Command for the No. They subsequently hammered out minimal understandings on common social and economic policies (in May) and on future democratic institutions (in August). As the largest member party, the Christian Democrats (DC) became the leaders of the coalition and their president Patricio Aylwin, functioned as its spokesperson. The other key component was the Ricardo Nuñez faction of the Socialist Party, represented in the Command by Ricardo Lagos and the Partido por la Democracia (PPD). Smaller progressive parties such as the Social Democrats and Humanists joined in. The No also included a few prominent former officials of the regime, such as Pinochet's former ambassador to the United States and former press secretary. A small faction of the National Party, arguing that Chile's rightists should return to a democratic tradition they were proud of, also supported the No.

An important breakthrough occurred when the socialist faction led by jailed Allende foreign minister Clodomiro Almeyda decided to back the No and join the Command. Breaking with the Communist party which had resisted registration and considered participation in the plebiscite as a ruse that would favor the regime, the Socialists gave the No Command important backing from the Marxist left. Other groups of the United Left (Izquierda Unida, IU) that joined the No included the Christian Left, whose leader Luis Maira played an important role in the leadership of the opposition effort. One of the United Left's slogans encapsulated its position: "Con Allende en la Memoria, Con el No hasta la Victoria, Venceremos." In

other words, they retained a socialist project for the long run, but they accepted the plebiscite as the highest priority for the short run. Moreover, they stressed that their vision of socialism did not denote a return to the UP program of 1973. While accepting the importance of simply voting No, the parties identified with the IU still emphasized the need for social mobilization to truly democratize the state, the economy, and the society.

The most important No force outside the Command was the Communist Party (PC). In 1980 it had reversed its historically gradualist position by endorsing armed struggle as one means to topple the dictatorship and set up, with Cuban help, a military wing. By 1988 the PC was grappling with an agonizing dilemma: it needed to maintain a radical posture in order to mollify its more militant constituents, but it needed to moderate in order to begin to reintegrate itself into normal political life. Although severely divided over tactics and strategies, its dominant leaders gradually came to accept the need to follow the guidelines of the No Command and the desirability of returning to its traditional pro-electoral political line. After arguing for months for abstention to delegitimize the plebiscite and for mass mobilization to destabilize the regime, in June 1988 the PC issued a declaration calling for a No vote, and most Communists agreed to get out the vote and to refrain from street disruptions.

Even farther removed from the No Command was the small Movement of the Revolutionary Left (MIR), which also tendered its reluctant support. Most distanced was the tiny, insurrectionary Manuel Rodríguez Patriotic Front, tied to the Communist Party, which had tried to assassinate Pinochet in 1986. By the time of the plebiscite, a portion of the Front had broken away from PC control, but nonetheless vowed restraint during the balloting.

As the plebiscite approached and the resuscitated political parties took full command, the role of other organizations faded. The most important of these for the opposition had been labor unions. In the wake of severe repression, restrictive labor legislation, and high unemployment, trade unions remained very weak, representing only about 10 per cent of the workforce. They were also divided. The largest confederation, the United Workers' Central (Central Unitaria de Trabajadores-CUT), had only been patched together in August 1988 and was scarcely ready to mount a major effort. Moreover its top leader, Manuel Bustos, had been sent into internal exile. The CUT was dominated by the Socialists, Communists, and Christian Democrats. More conservative, anti-communist DC unions belonged to the Democratic Workers' Central (Central Democrática de Trabajadores-CDT). There were also a few independent and even pro-government unions.

Although most unionists campaigned for the No, they left the initiative to their parties. Some union activists received death threats, and many workers felt pressure from their employers to vote Yes; one boss even tried to write a Yes commitment into a collective bargaining agreement. At the plant level, the unions helped educate workers on how to vote and convinced them that their

bosses would not know how they cast their ballots. In the outlying provinces where parties were weaker, unions provided crucial organizers for the No. At all levels, most union leaders gave the No campaign high priority. They believed that this step toward democracy was essential to subsequent changes in the oppressive labor-industrial relations laws and, eventually, their standard of living.

Other opposition nuclei among intellectuals, students, human rights organizations, and *pobladores* also worked for the No, but they played a secondary role to the political parties. Like labor, these interest groups were not only supporting the No but also focusing attention on their own grievances. For example, the Grouping of Families of the Detained and Disappeared (Agrupación de Familiares de Detenidos-Desaparecidos) kept alive the hope of justice for past human rights violations.

The No expected to draw support primarily from men, younger voters, voters in large cities, and better educated voters. Polls showed that the No was receiving support from both middle and low income voters, but the largest percentage of support was coming from low income voters. *Pobladores* proved to be a highly contested sector. The Yes used its control of the municipalities to woo voters with employment programs, housing improvements, and even parties for children. The No enjoyed greater success with its class-based appeals to the impoverished, but everyone agreed that the Yes would have some success in the *poblaciones*.

From 1973 to 1985 the Roman Catholic Church had been essential to the survival and coherence of the opposition, but the clergy muted its participation as the showdown approached. The Church did not align publicly with either the No or the Yes, although the Episcopal Committee did call for a "consensus" candidate before Pinochet's nomination, indicating that it did not consider Pinochet the most appropriate person to lead the nation in the new term. The bishops still criticized the government's economic model for lack of concern with the poor. The Church also provided vital protection for the independent think tanks of the opposition intellectuals, whose polling guided the No campaign in the period leading up to the contest. But the Church's most significant contribution was to press for conditions that would assure a tolerably fair and representative plebiscite, once the government rejected calls for competitive elections.

The Catholic Church spearheaded two national registration drives in 1988. A small program called "Bethlehem" concentrated on civic education. A larger effort, the Civic Crusade (Cruzada Cívica) spread throughout the entire country to convince people that as citizens they should register and vote without fear. The Crusade received funds from the United States and the Organization of American States to help insure a free election. It concentrated heavily on young people who had never voted before. One innovative technique was holding rock concerts in small towns with the price of admission an electoral registration card. Beyond adding voters to the rolls, the Crusade raised consciousness about what it meant to

participate in a democracy. The work of voluntary groups like the Cruzada contributed significantly to reinforcing the opposition's campaign by providing people with basic information and dispelling lingering fear.

The No forces themselves received international support, though mainly in the form of solidarity rather than finances. Indeed, monetary assistance from overseas fell short of expectations. The most significant influx was \$410,000 from the U.S. National Endowment for Democracy. Pro-government groups like the newspaper *El Mercurio*, which had received U.S. covert aid against Allende, criticized this reliance on foreign funding. The No replied that the government had far more resources than the opposition and that accepting U.S. assistance was a lesser evil than enthroning Pinochet for another eight years.

The U.S. embassy was particularly outspoken in its support for democratization. Without taking sides, the U.S. government stood by the December 17, 1987, statement of the president and the secretary of state:

For the ideal of popular sovereignty to become reality in Chile, the United States believes that a climate of freedom and fair competition must be established many months before the actual balloting takes place. This atmosphere will be marked by easy and equitable access to the mass media, especially television, by unrestricted discussion of political issues, broad freedom of assembly, early announcement of the rules of any electoral proceeding, facilitation of registration by prospective voters, and freedom for citizens and political groups to campaign peacefully in favor of their ideas. States of exception which limit freedom of assembly, association, and expression are not compatible with a legitimate electoral procedure.³

The Foreign Ministers of the European Economic Community and the presidents of Argentina, Colombia, Costa Rica, Ecuador, Uruguay, and Venezuela issued similar calls for procedural guarantees of free expression. The U.S. embassy's explicit arguments for democratic freedoms and its implicit sympathy for the No enraged the government and heartened the opposition. Although the United States applauded the regime's economic model, its relations with the Chilean government had become quite poor.

The Campaign

The Yes

The government and the armed forces mainly ran the Yes campaign. It began in earnest after the attempted assassination of Pinochet in September 1986 with a massive and unrelenting television campaign aimed at convincing Chileans that those who stood with the government were "millions." Public employees were mobilized and government monies used to support the campaign, despite the illegality of such practices. Indeed, the top campaign

manager was the Minister of the Interior, Sergio Fernández. The Yes people gave seasoned politicians from the rightist parties a very small role, another indication of the government's extreme confidence and the continued disdain and distrust of the authorities for politicians of any stripe.

The Yes campaign stressed two major themes: order and progress. Its dominant appeal was to fear of disorder, of communism, and of chaos. Warning that the No signified a return to the Popular Unity period, Yes television spots showed masked Miristas assaulting helpless housewives out shopping. The Pinochet camp conveyed the message that the No constituted a vote against social stability and national security: "The life of Chile is at stake." News items warned that radical leftists were planning to disrupt the plebiscite. Such scare tactics may have swayed some undecided voters in the closing days of the campaign.

The second major Yes refrain was the triumph of the economic model: "Chile: A Winning Country (Chile: un país ganador)." A sharp contrast was drawn between the successes in Chile and the failures in neighboring democracies. The regime stressed rising exports and falling unemployment and inflation. Many Chileans obviously agreed with this positive assessment of the economy, but many others were concerned with the model's failure to improve their own standard of living. Even some who hailed the essential features of the free-market model were concerned about their own income level and the social costs paid by millions of Chileans. In a national television debate, economist Alejandro Foxley hit a sore spot when he charged that 5 million out of the 12 million Chileans lived in extreme poverty. In any case, most Chileans realized that the election was not exclusively about economics, even though such issues were very important; the plebiscite was also about politics: about dictatorship versus democracy.

Among lesser themes of the Yes campaign was the appeal of Pinochet himself. Here the motif was a gentle, paternalistic, grandfatherly figure in civilian garb, embracing babies, old women, and the poor. Like the No campaign, the Yes propaganda claimed that choosing its option was a vote for democracy. There is some evidence that Pinochet's transformation from stern strongman to smiling democrat was an image-making mistake. Although never charismatic, Pinochet may have had more magnetism as an iron-fisted, omnipotent, unyielding military commander. He lost his aura of invincibility. Throughout 1987-88, non-government polls had shown that most people planned to vote No but nonetheless expected Pinochet to triumph; in September, a majority still favored the No but now believed that Pinochet could be defeated.

Pinochet's candidacy aroused passions on both sides. One poll showed that the word Chileans most frequently associated with him was "abuse." For many other Chileans, he symbolized "security." Those who feared uncertainty preferred "the devil they know." Meanwhile, his most fervent partisans hailed Pinochet as the savior of the fatherland.

Just as Pinochet's own constitution painted him into a corner, so did his economic model. The very success of the emphasis on the market instead of the state inhibited his ability to use populist measures to win votes. The government made some efforts to improve its electoral position, including a reduction in the value added tax, an expansion of housing subsidies and construction, a special payment to state workers, an increase in social services and public works, and an amnesty for overdue water rates. However, it did not undertake a massive campaign of public expenditures to "buy" votes and refused to follow the advice of some officials who wanted large-scale debt relief for mortgage holders who had fallen behind in their payments.

The Yes campaign also made little use of rallies and demonstrations. It became clear that the regime had trouble competing with the opposition where the latter had a comparative advantage: electoral politics rather than military maneuvers. Pinochet was not given to many public appearances or speeches in Santiago, although he was more visible in other parts of the country where the government thought its position was much stronger. Generally the Yes marches paled beside the turnout for the No. The final demonstration of support for the Yes was reduced to an automobile cavalcade around Santiago. Although large and noisy, that caravan looked weak compared to the final No rally; it also conveyed an image of the upper class composition of the Yes camp.

Some Yes supporters counted on intimidation to win for their side. Many municipal authorities worked for the Yes and harassed No partisans, especially in rural areas. Rallies for the No were sometimes shunted off to obscure locations. Teachers and other public employees were pressured to back the Yes. There were numerous instances of arbitrary detentions of No campaigners and dismissals from their jobs. Poorer Chileans who favored the No feared loss of government subsidies for food, education, and housing; the opposition advised them to "Say Yes, Vote No." Numerous anti-government journalists continued to be censored or arrested. In the first six months of 1988, the Church's Vicariate of Solidarity tabulated 1,780 arrests for political reasons. Several No leaders received kidnaping or death threats from right-wing vigilante groups, such as the Chilean Anticommunist Action (Acción Chilena Anticomunista). With the lifting of the state of exception the month before the plebiscite, however, more and more Chileans felt safe opposing the government.

The No

In the face of the government's intrinsic advantages, the key to the No's victory was overcoming three fears: fear of Pinochet, fear of Unidad Popular, and fear of the unknown. Giving the people courage and optimism was crucial to begin recapturing a majority for the Center and Left. The social protests beginning in 1983 had helped reduce the level of fear. The No forces furthered that effort with a door-to-door campaign to get their people and some of their parties registered during 1987-88.

Women and campesinos were especially targeted for visits in the final lap of the contest. The appearance of No leaders on a few television forums—especially a dramatic denunciation of Pinochet by Ricardo Lagos—also dispelled fear. So did the No rallies, particularly the climactic gathering of hundreds of thousands of supporters in Santiago four days before the balloting. That rally culminated the "March of Happiness," converging on the capital from the northern and southern tips of the country.

The principal No effort that transformed the latent No majority into reality, however, was the twenty-seven 15-minute TV "spots." Although the authorities scheduled the spots late at night in the expectation that few people would watch them, polls showed that over 90 per cent of the people saw them. Compared to the heavy-handed, violent images conveyed by the Yes, the No adopted a rainbow as its symbol of joyous pluralism. The commercials transformed the negative word "no" into the embodiment of "happiness." Their spokespersons appealed to national pride in the democratic heritage. Whereas the Yes concentrated on the traumas—shortages, street clashes, property seizures—of the UP period, the No focused on the more recent horrors—murder, imprisonment, torture, exile—of the Pinochet years. Above all, however, the No emphasized the future instead of the past, a future of hope and reconciliation. The TV campaign's technically superior music and images aimed at a youthful audience.

Although the government still controlled television and continued to purchase air time for a multiplicity of paid advertisements, the No's brief interlude made a huge impact after fifteen years of prohibition. The TV spots proved particularly effective in the outlying areas, where national leaders of the opposition seldom had been seen. The No spots were thought superior by most Chileans, especially young people: 59 percent of youths considered them best, versus 16 percent who liked the Yes spots better. The TV blitz convinced many wavering Chileans that the No was legitimate and acceptable. It persuaded many others that they should not fear retribution for voting no, that they could mark "no" with impunity, as the ads repeated "without hatred, without fear and without violence."

Another key to the opposition's success was its disciplined unity. Ironically, the plebiscite structure helped cohere an incredibly diverse and fragile coalition around the one thing on which they totally agreed: no to Pinochet and his regime. There was very tight coordination on every official speech, strategy, tactic, and contingency plan. Voters were given instructions to cast their ballots early and then go home, to avoid any provocations, and to await further orders from the No Command.

The No also succeeded by striking a conciliatory tone. They downplayed divisive issues, such as retribution for human rights violations, class conflicts, and ideological disputes. They stressed that the No was not a vote against the armed forces or the economic model. Opposition economists merely indicated a preference for a mixed economy with respect for private property and expanded

programs for the poor. In contrast with the government's bellicose rhetoric, the No mainly portrayed the plebiscite as a reencounter with Chile's former civic culture, as a way for both Yes and No voters to solve disputes peacefully. Some No and Yes party leaders even reached tacit agreements to share information and recognize valid results on election day.

Two days before the voting, all electioneering legally stopped, except for a stray Yes banner or a No painted on the back of a bus. Nevertheless, the government circumvented the media blackout by presenting propaganda as news and by showing television "documentaries" on the difficulties of the Allende years. An expectant quiet settled over the nation, interrupted by car horns beeping out slogans of the two campaigns. Mysterious blackouts darkened the country the night before the voting. Beneath the surface tranquility, fear and tension were palpable, as the clock wound down to a historic faceoff. Although both sides exuded confidence, the Yes worried that their victory might trigger mass protests, especially from the Communists. The No wondered whether Pinochet knew he was about to be defeated, and what he might do about it.

Voting Procedures

When electoral registration closed the day Pinochet was nominated as the official candidate, 7,435,913 Chileans signed up to vote, a record 92.1 percent of the eligible voters age eighteen or older. Registration was administered by the government-appointed civilian National Electoral Service (Servicio Electoral Nacional-SEN). Citizens could either register near their places of residence or work. A polling table (*mesa*) was constituted for each group of 350 citizens registered at a particular center. In the end 22,131 *mesas* were created. Following earlier Chilean electoral practice, men and women registered in separate *mesas* and would vote in separate polling places.⁴

Opposition leaders repeatedly sought assurances that the registration process would be carried out with openness and fairness. In addition to being concerned that registration was expensive and cumbersome, and thus deliberately designed to discriminate against poorer citizens, they also feared that they would not be able to ascertain whether or not the registration rolls were legitimate. Electoral officials themselves were for the most part understanding and accommodating, and showed willingness to meet not only with opposition leaders but with a host of international visitors coming to Chile to inspect the preparations for the plebiscite.

After some hesitation government authorities agreed to provide for a fee the registry lists by *mesa*. They refused, however, to provide the opposition with a copy of the computer tapes with the entire registry. Only with access to the entire registry could technical experts ascertain whether there was any double registration or whether phantom voters had been added to the rolls. In the end the opposition was not able to carry out a fully systematic analysis of the final registry because it became impossible

to create a parallel record. Nevertheless, campaign leaders were able to check numerous *mesas* confirming that the registries included actual voters and that there was no systematic multiple registration which could have permitted widespread multiple voting. There is fragmentary evidence that some multiple voting took place in the 1980 plebiscite when there was no registration system and voters cast ballots with only their identification cards.

The voting mechanism conformed to traditional Chilean electoral practices.⁵ Each *mesa* was administered by five officials drawn by lot from a list of fifteen individuals registered in that *mesa* and proposed by the three members of the regional electoral board (*junta electoral*). Opposition leaders feared that because the seventy regional boards were made up of officials named by the executive, they would attempt to designate polling officials supportive of the Yes option. This did not happen, however, since the several thousand officials that each board had to nominate were drawn more or less randomly from the lists of each *mesa*. Thus, the opposition parties had ample representation among *mesa* officials.

On voting day, voters would show their identification cards to *mesa* officials on approaching the voting booth. The identification card, which contains both a picture and the signature of the voter, would allow polling officials to identify the voter and compare the person's name and signature with the ones appearing on the master registry of all 350 voters in that particular *mesa*. After signing next to his or her name, the voter would leave the identification card with the president of the *mesa* and obtain a ballot, after the number on a small tab on the ballot had been entered next to the voter's name. The voter would proceed to a closed voting booth and indicate a preference by marking a straight line through either the Yes or No options. The ballot simply said:

Plebiscito Presidente de la República
Augusto Pinochet Ugarte

Sí
No

The voter would next fold the ballot, seal it with an attached adhesive, and return the ballot to the *mesa* president. The president would then tear off the tab and instruct the voter to place the ballot in a box with an open window on the front. Though some voters feared that the tabs on the ballots could identify their vote, any identification was impossible. Poll watchers for opposition parties could observe every procedure and had a right to challenge any that they deemed unacceptable.

The greatest challenge to the opposition in preparing for the vote, once it became apparent that people were registering in large numbers, was the selection and training of poll watchers (*apoderados*). Only the parties which had officially registered had a right to assign poll watchers to every *mesa*.⁶ For the opposition these were the Christian Democratic Party, the Humanist Party, and the Party for Democracy. Although the validity of the Humanist Party's

registration application was questioned by the electoral service shortly before the plebiscite, the Humanists were nevertheless able to assign poll watchers because the service's ruling was under appeal.

Together, the three opposition parties had to come up with 120,000 volunteers who would serve as poll watchers and back-ups for the thousands of *mesas*. The enormity of this task can be appreciated by the fact that together the three parties had not obtained that many signatures when they registered as parties. Party leaders realized that individuals willing to sign their name to a party registration form might not be willing to take the much more public role of acting as a poll watcher. In the month before the nomination of Pinochet, opposition parties had lined up a fairly large number of poll watchers in major cities. However, they had done little work in the smaller towns and rural areas and were having difficulty in obtaining volunteers in the poorer suburbs of Santiago. Often national leaders, who spent countless weekends going to different neighborhoods to conduct poll-watcher training courses, found that only a handful of those who had promised to attend actually did so. It was only after the beginning of the television campaign and the relaxation of fear that the opposition was able to recruit enough poll watchers. For the most part the opposition parties had better coverage on election day than did the parties supporting the Pinochet option. The Christian Democratic Party and the Party for Democracy appointed the lion's share of all poll watchers.

Among the parties favoring the Yes, National Renovation and National Advance were entitled to assign poll watchers. In addition, the candidate (Pinochet) had his own poll watchers, many of whom were recruited from the ranks of the UDI. Parties of the right also had difficulty recruiting poll watchers and were much less organized than the opposition parties. The authorities who ran the campaign for Pinochet paid more attention to propaganda and house-to-house campaigning than to organization for election day.

For the opposition, poll watchers for each *mesa* were crucial not only to monitor the fairness of the vote but also to provide a final tally for the parallel count that opposition parties were setting up for election night. Drawing on the experience of voting in other countries, notably the Philippines, the Command for the No was convinced that it could not hope to win the plebiscite unless it had its own foolproof system for computing the votes. Help from abroad and particularly from the National Democratic Institute for International Affairs (NDI) of the National Endowment for Democracy (NED) in the United States played an important role in giving the opposition the capacity to set up a parallel count. A computer system was devised which would receive voting totals from all *mesas* dispatched to Santiago via fax machines located around the country. Support from other countries and foundations contributed to the work of individual parties and party-affiliated research and political action centers.

The opposition was able to set up three separate mechanisms for monitoring the vote. In addition to the Command for the No, the Christian Democratic party created its own computer system with a similar format. At the same time, the Committee for Free Elections (CEL), also with help from the NDI, devised a vote count that would tally a sample of communities. The goal was to give the opposition the ability to monitor and project electoral trends quickly. The sample consisted of 10 percent of all *mesas* and was carefully selected to be representative of the entire country.

The importance of the parallel count to the opposition was such that extraordinary measures were taken to shield the computer system, particularly of the Committee for Free Elections. Concern was heightened when a bomb went off at the CEL headquarters in the days leading up to the vote count. CEL hid its computer and used a network of private homes and couriers who were not fully aware of all of the contact points to protect its operation. Both the No command and the CEL protected their power supplies by setting up auxiliary generators.

A parallel count system was also set up by the "Independents for the Yes" and was located at the Casa del Sí on Londres Street in Santiago. Because of their close contacts with the government, however, the Yes count planned to obtain their information directly from the authorities and then enter it into their computer system. In interviews with the LASA delegation, leaders and technical personnel of the Yes campaign dismissed the CEL quick-count effort by arguing that the sample of voting places chosen was a biased one, deliberately designed to underrepresent the Yes vote by selecting polling places in areas that favored the opposition. CEL officials vehemently denied this, noting that they had taken the lead in approaching the Yes campaign technicians with a view to exchanging information on election night and assuring each other that the count was indeed fair. The Yes campaign, closely tied to the authorities, refused to respond to those overtures.

More receptive to conversations about sharing information on election night were the leaders of National Renovation, which did not have its own electoral count. They did not agree, however, to the proposal of the campaign for the No to select a sample of *mesas* based on information from their own poll watchers to systematically compare their information with that of the opposition. They also planned to rely on the government authorities for results, even though they had been critical of the government's handling of the campaign and its undisguised contempt for politicians of all stripes, including those who supported the Pinochet option.

Political Climate Immediately Prior to the Plebiscite

Days before the plebiscite took place, opposition leaders became alarmed by warnings that came directly from sources in the *carabineros*. This information cautioned that

elements tied to the government security forces, independent of the *carabineros*, had prepared contingency plans aimed at provoking violent confrontations the night of the plebiscite, confrontations which might then lead to the interruption of voting and ballot counting and a suspension of the plebiscite.⁷ In particular, *carabinero* officials were concerned that several of their buses had been stolen over the previous months. They feared that individuals dressed as policemen might seek to heighten tension and deliberately incite violence which might create a climate that could force a cancellation of the plebiscite. It is noteworthy that on the eve of the plebiscite the police issued a statement saying that its personnel would act only in uniform, leading to speculation that police officials feared that elements of the secret police in civilian dress would try to pass themselves off as policeman. The police went so far as painting special symbols on their buses to distinguish them from bogus vehicles.

Information coming from sources in the military, on the other hand, warned of rumors that elements on the far left were preparing to mount a violent campaign of protest to condemn a "fraudulent" Yes vote on the night of the plebiscite. Diplomats from the United States and other embassies in Santiago took these reports seriously and became worried that both the insurrectionary left and elements in the security forces, in a perverse symbiotic logic, might try to cause widespread incidents that would provoke the imposition of a state of emergency with unforeseen consequences. Adding to the pre-plebiscite tension was the blackout of the entire capital city on successive nights before the plebiscite, attributed by the authorities to terrorist bombs blowing up electric towers, but without the usual claims of responsibility by leftist guerrilla groups.

Reflecting concerns about possible attempts to provoke confrontation on the part of the government, the United States took the unusual step of calling on the Chilean ambassador in Washington to warn against any attempt to create a climate that might lead to a suspension of the plebiscite. This action was vehemently condemned by the Chilean authorities and many of their civilian backers as blatant interference in internal Chilean affairs. It was applauded, however, by opposition leaders who regarded the weight of international opinion as an important guarantee of the fairness of the electoral process.

The U.S. action may have strengthened the hand of moderate opposition leaders who urged the Communist Party to refrain from calling on their people to go out on the streets on election night in order to avoid playing into the hands of government supporters who might want to disrupt the peaceful outcome of the electoral process. Fear of violent confrontation on election night is also the reason why opposition leaders, in the closing spots of the television campaign and on radio, called on all the supporters of the No campaign to vote early and peacefully. They urged their backers to stay home on election night waiting for the electoral results to be provided by the No campaign through its own radio station outlets as well as

instructions on how the victory celebration was to take place. Yes leaders gave their partisans similar instructions.

October 5th: Day of the Plebiscite

October 5, 1988, the day of the plebiscite, was an extraordinary event in the life of the Chilean nation. Ninety-seven percent of the registered voters, or 90 percent of the eligible population, turned out to vote, the highest percentage in the nation's history. Members of the LASA delegation fanned out across Santiago; one member went to the port city of Valparaíso, and two members went to provincial capitals and rural towns to observe the vote. From the Instituto Nacional, where Pinochet arrived to vote at 11 o'clock, receiving a subdued reception by the long lines of male voters awaiting their turn to vote, to the working class neighborhood of San Miguel, to the shantytowns of San Ramón, thousands of Chileans queued up peacefully to vote. Because most voters chose to arrive early, lines were often long and many people stood for three hours or more in the hot sun. Voters waited cheerfully without incident, occasionally debating in a good humored way the political alternatives Chileans faced. Among the many moving scenes was the arrival at polling places of invalids and bed-ridden persons with the aid of relatives or nurses and of senior citizens dressed in their Sunday best.

By mid-afternoon, opposition leaders became concerned that the voting was proceeding too slowly. They feared that many voters would get tired and go home or find that the voting place had closed by the time they reached the front of the line. For the most part, the slowness with which the *mesas* began operation and undertook their work was due to the inexperience of many of the polling officials after fifteen years without fair elections and the complicated instructions they were supposed to follow. Even so, Juan Ignacio García, the head of the electoral service, gave assurances to opposition leaders that his office would see to it that the voting process was speeded up.

There was no evidence, however, that the military authorities were trying to slow down the voting process in working class neighborhoods or otherwise hinder the voting process. In fact military commanders from the different services were very polite to the voters and were anxious to ensure a fair and impartial procedure. At one voting place in San Joaquín, for example, the young paratrooper in charge had looked into every conceivable contingency, from having ambulances stationed outside in case someone had a heart attack to an elaborate evacuation plan in case of an earthquake. Finally, both foreign and domestic observers were allowed to watch the proceedings without hindrance.

Less accommodating than most of the military authorities were some officials and private parties in scattered rural areas. For example, some Yes partisans hired all of the buses and denied transportation to people from communities that were identified with the No. In a few instances individuals were denied the right to vote

since their names had been removed from the electoral registries because they were subject to prosecution for political offenses against the state. In some localities individuals who were openly supporting the No campaign had had their identity cards requisitioned by the police, making it impossible for them to vote. These incidents, however, pale by comparison with the fact that the overwhelming majority of Chileans voted without impediment. The authorities were committed to a clean and fair electoral process. In many polling places, voters embraced soldiers and officers, thanking them for guaranteeing a peaceful election.

As early as 5:00 p.m. some *mesas* closed and the vote count began. Interested voters and observers alike were allowed to watch the count. It took close to two hours at each *mesa*, as polling officials counted all of the signatures, ballot stubs and ballots to see that there was an equal number of each. The president and secretary of each *mesa* also signed each ballot before they were opened. The results of the vote were read aloud by the president after the secretary opened each ballot. The poll watchers for the candidate and the opposition parties closely scrutinized each vote. Sometimes the crowd around the *mesa* spoke up to argue against questioning the validity of a vote, for example in the case of a voter having marked an X over his preference rather than a single vertical line.

Throughout the country, however, the counting went on without serious incident, and citizens and officials alike treated each other with respect and civility. When the count was finished, the No, Yes, blank, and contested ballots were placed in envelopes and sealed with lacquer, as were the ballot stubs. Each poll watcher received an official form signed by the president and secretary of the *mesa* certifying the results. Opposition poll watchers quickly sent their information to Santiago to be tabulated in the computers of the Command for the No. Many Yes and No partisans exuded civic pride in the peaceful electoral process, concluding that "Chile was the winner." When the LASA delegation asked a representative of the Yes how he felt about losing his *mesa* to the No he replied, "I feel that it is a great day for Chile." That shared sense of reclaiming the country's democratic heritage helped hold the nation together in the tense hours ahead.

Soon after the polls closed, it became apparent to opposition leaders that the No was winning. The CEL, concerned that false information not be broadcast, had agreed that it would not give a preliminary count until it had information for at least 600 *mesas*, and only after it had informed the Yes campaign of its results. The No campaign was equally concerned about not raising false hopes so it agreed not to issue results until later in the evening. Radio stations supporting both the government and the opposition, however, began to broadcast partial results from polling places across the country, underscoring the fact that those tallies did not represent any particular trend. Television, almost totally controlled by the authorities, gave a decidedly different impression, conveying to viewers the certainty of a victory for the Yes.

The opposition strategy—to wait until substantial results had come in—was altered when the Undersecretary of Interior, Alberto Cardemil, appeared at 7:30 p.m., an hour and a half after he was supposed to give preliminary returns. He reported the results of only 79 *mesas* or 0.36 percent of the total with a vote favorable to the Yes. By that time the opposition already had counted over a half a million votes which were showing a clear trend for the No. Cardemil said he would have further results in an hour, but an hour went by and he gave none. In view of the refusal of the authorities to issue results, the opposition decided to broadcast its own figures at 9:00 p.m. Sergio Molina of the CEL also released his count with 735 *mesas* tabulated, after unsuccessfully trying to reach the Yes campaign on the telephone. That count favored the No and, in retrospect, turned out to be surprisingly close to the final tally. Television, however, refused to broadcast opposition figures. In fact, Secretary General of the Government Hernán Poblete later called the stations warning them that to broadcast any opposition news would have the "gravest" consequences.

When Cardemil appeared on television at 10:00 p.m. to announce that with 677 *mesas* the Yes was still winning, and national television began showing reruns of U.S. sitcoms, the level of tension increased in opposition headquarters. Leaders of the pro-Yes National Renovation Party also became upset with what they perceived to be an effort in governmental circles to provoke some kind of incident. Some of them believed that the government had been stunned by the results and was looking for some way out, short of openly recognizing the No victory. Renovation leaders contacted the Ministry of the Interior directly, warning them not to do anything "stupid."

Some government officials, led by the Minister of the Interior Sergio Fernández, actually were considering a plan to issue a statement around midnight declaring the Yes was winning on the basis of more than a million votes counted. Since they knew that the No was really ahead, such a plan required the careful selection of actual polling places to provide the desired totals—a very difficult task, particularly since there was an overwhelming tendency in favor of the No. The plan also envisioned calling on partisans of the Yes to converge on the center of Santiago to celebrate their "victory." What made such a scenario especially sinister was that some government officials simultaneously considered asking for the withdrawal of police and troops which had cordoned off the center of Santiago. Removal of the armed forces would not only permit the Yes partisans to congregate downtown, but also would heighten the risk of a dangerous clash between partisans of both sides if No supporters rushed there to protect their "victory." The authorities might then impose a state of siege and put into place military contingency plans to cope with disorder and violence. This could give the Pinochet government the upper hand and an excuse to blame elements of the opposition for provoking the incidents and not recognizing the fairness of the count. It also could permit a suspension of the vote count or, if the

unrest was widespread, a cancellation of the plebiscite. At the very least, the policy of not reporting returns was only adding to the tension in the country and the potential for confrontation.⁸

Despite the bitterness of the election campaign, political leaders of the Right and other junta members were more willing to accept the count of the opposition than the results given out by the government authorities and showed their determination to guarantee a fair electoral process. National Renovation maintained contact with the opposition as well as with the government and had access to the count from the Committee for Free Elections. Data from opposition computers were also taken directly to Generals Fernando Matthei, Commander-in-Chief of the Air Force, and Rodolfo Stange, Director General of the Police. Both junta members also obtained information from their own institutions confirming opposition results. Sergio Onofre Jarpa, the President of Renovation, went on television at midnight with Patricio Aylwin, president of the Christian Democratic party, to participate in a program which had been scheduled much earlier. The leader of Chile's right was prepared to accept the defeat of the Yes and said that his impression was that there was a "majority tendency in favor of the No." His statement had an extraordinary impact. It immediately defused the tension in the No headquarters and calmed listeners all over the country who could not understand why opposition radio stations were broadcasting figures continuously while the authorities remained silent.

Even more important in providing reassurance to a nervous nation was the declaration along the same lines by General Matthei at 1:00 a.m. He was on the way to the presidential palace to meet with General Pinochet and the other junta members for a meeting which had been scheduled originally at 9:30. Like some leaders of the Right, Generals Matthei and Stange had not been able to reach the Ministry of the Interior nor the Moneda palace to find out what was going on. Their annoyance was clear when they arrived at the palace, there to be greeted by an enraged Pinochet; but they refused to sign a decree which Interior Minister Fernández had prepared, giving General Pinochet broad emergency powers. According to some accounts, they also had harsh words with the minister when he tried to argue that the Yes had actually won because Pinochet obtained an extraordinary vote for someone who had been in office for fifteen years. In a testy exchange with the minister and with Pinochet, all three junta members (including Admiral José Toribio Merino) made it very clear that there was no alternative but to recognize the defeat and to adhere strictly to the constitution.

It was not only Renovation leaders and the other junta members who helped defuse tension and dissuade government officials from any desperate last minute attempt to salvage a catastrophic loss. General Jorge Zincke, commander of the Santiago garrison, had refused to go along with the request that security forces be removed from the center of Santiago. At two o'clock Cardemil recognized that the No had won. Opposition

leaders in the crowded press room of the No campaign openly embraced and wept before the cameras of the world.

In the final analysis the most important reasons for the absence of confrontations or incidents the night of the plebiscite were the maturity and good sense of ordinary citizens who followed the instructions of the No command and stayed home. The Communist Party's willingness to follow the directions of the Command for the No and to forego celebrating victory was crucial. The vast majority of Chileans waited patiently until the next day or until the mass rally at the Parque O'Higgins on Friday October 7, to celebrate what most had thought impossible only weeks earlier—the defeat at his own game of the 72-year-old dictator, who had prided himself on having won every previous test.

Plebiscite Results

The results of the plebiscite were very positive for the opposition. The No won 840,000 more votes than the Yes. A total of 3,967,579 people voted No and 3,119,110 voted Yes, giving the No 54.71 percent of the vote to 43.01 percent for the Yes. The No won in 10 of the 12 regions of the country. The highest percentage for the No was recorded in the second region of Antofagasta with 58.8 percent of the vote.

Generally speaking the Yes won in rural areas, but not by as large a margin as most observers expected. It also defeated the No in small towns, again by a very small margin. In areas considered high on socioeconomic indicators, the Yes came out ahead by 56 percent to 42 percent, whereas in low income areas the No won by 63 percent to 34 percent.⁹ Women, despite their history of voting more conservatively than men, provided majority support for the No: 51 percent of all females voting lent their support to the opposition, with only 46 percent voting Yes. More predictably, 58 percent of male voters cast ballots for the No, with 40 percent voting to retain Pinochet. In big cities such as Santiago, Concepción and Valparaíso, more women voted for the No than did men.

At this juncture, the best sources for remaining breakdowns of the vote are polls conducted shortly before the plebiscite.¹⁰ They had indicated that the most likely Yes voters would be people over 60 years old, those with low levels of education, women dedicated to housework, rural dwellers, higher income groups, and partisans of rightist politics. The least likely Yes voters would be men, young people, those with higher levels of education, the unemployed and low income workers, students, and partisans of centrist or leftist politics. Although close to one-third of the voters for both sides considered themselves to be independents, ideology appears to have been strongly associated with voting choice. In one poll, 67 percent of strong Yes voters (27% of the total) identified themselves as either of the Right (52%) or Center (15%). By contrast, 65 percent of the strong No voters (45% of the total) viewed themselves as Leftists (39%) or Centrists (26%). A

large 77 percent of the Yes voters "strongly" opposed, and 14 percent "somewhat" opposed a Marxist government. Among No voters, on the other hand, only 29 percent strongly opposed and 29 percent "somewhat" opposed a Marxist government. It is striking that after fifteen years of military dictatorship, Chile remains divided among its proverbial "three thirds."

Along with ideology, evaluations of the state of the economy and perceptions of personal economic well being played key roles in voting decisions. A majority of voters did not accept the government's incessant propaganda campaign aimed at convincing them that Chile had left underdeveloped Latin America behind. In September only 18 percent of the voters said that the economy was in good shape, while 44 percent said that the economic picture was only fair and 37 percent said it was poor. Only 45 percent thought their own family income was sufficient to cover necessities, while 55 percent thought it was inadequate. Among the voters intending to vote No, 89 percent thought the economic picture was either fair or poor. Even more significant, twice as many respondents said that the economy would be better under a No victory than under a Yes victory.

Economic issues proved to be far more important to voters than fear of the past, a theme exploited continuously in the Yes spots. The drumbeat against the UP referred to events occurring many years ago. Those memories were not terribly gripping for the over 40 percent of voters who were too young to have ever cast ballots. Polls showed that only 7 percent of all Chileans surveyed expressed any great fear of the consequences of a victory for the No, versus 11 percent fearful of a triumph by the Yes. Moreover, only 18 percent thought a victory for the No signified a return to the UP, and only 24 percent thought a future government of the opposition would be similar to the UP. Those expectations were important because only 24 percent held a positive image of the UP government, while 48 percent had a negative impression and 23 percent were indifferent. It is true that Yes voters were more concerned with issues of law and order, including delinquency, terrorism and strikes than with economic issues, but these factors were not enough to generate sufficient support for Pinochet. And although No voters identified economic issues as foremost (44%), they also singled out human rights, freedom and democracy (37%) as very salient concerns, outweighing the preoccupation that some Yes voters had with law and order.¹¹

As noted above, the opposition spots on television countered the negative images associated with the No and the UP period. The reassuring ads helped to legitimize the opposition, dispelling the view that the politicians could not address the country's problems. The spots help to account for the fact that between June and September the slight majority for the Yes among women and politically independent voters was transformed into a majority for the No.

Immediately after the election, the business elites accepted the results of the plebiscite. Manuel Feliú,

president of the National Confederation of Production and Commerce, declared that "democracy is the best system for the development of free enterprise." Other entrepreneurs praised the government's calm reaction, which they said proved that "Pinochet is really a democrat." Although disappointed, the property owners were not clinging to the past but rather adjusting to the new political realities and opening communication with the more moderate leaders of the No. An indication of the favorable political climate in the country was the fact that the stock market did not crash nor did the black market rate for the dollar surge, dire events which had been predicted only days before by business elites if the No were to win.

The day after the plebiscite, Minister Fernández repeated the arguments he had presented unsuccessfully to the Junta members the night before. In an address to the nation he suggested that Pinochet, in a special sense, had won. He claimed that it was extraordinary that after 15 years in power, a political leader would obtain 43% of the vote, which exceeded any percentage obtained in recent memory by the right on its own. While acknowledging that the No had won, he minimized the victory by arguing that the total had to be divided by 16, the number of parties in the No command. Fernández hinted that Pinochet would be a good candidate for the competitive presidential election scheduled for 1989.

It is doubtful whether the plebiscite can be read in Fernández' terms, though the vote for Pinochet was very strong. The Yes campaign was waged with the power and resources of the state on its side in a very uneven contest. It is unlikely that the government could resort to such blatant intervention when the issue becomes the choice of one of several candidates. Furthermore, the polls showed that in spite of the striking inroads of the No campaign, a critical percentage of the vote for the Yes was motivated by fear of a return to the unrest and violence associated with the Popular Unity government, or fear of being identified as an opposition supporter with its potential consequences in terms of job security and even physical safety. These factors would not be so dominant in an open and competitive race between several candidates. Indeed, a centrist candidate could conceivably attract a substantial number of votes that went for the Yes, provided the opposition were able to structure an electoral appeal with the same themes of moderation that characterized its campaign for the plebiscite. Earlier polls suggested that the core support for Pinochet himself might not be more than between 11 and 20 percent.

It is very unlikely that Pinochet will be able to satisfy his most ardent supporters by standing for election next year. UDI leader Jaime Guzmán, one of the principal architects of the constitution, noted that the document bars Pinochet from seeking a second consecutive term. Even if he resigned from office before the election, the intervening months would still be considered part of his term. It is very doubtful that the junta would agree to modify the constitution to permit Pinochet to be a candidate. His military colleagues agreed reluctantly to his candidacy for

the plebiscite, making it clear to the president that he assumed the responsibility for either triumph or defeat. Government supporters will have to look elsewhere in the coming elections for a candidate to carry on the legacy of the military regime.

Chilean Democracy: Prospects for the Future

According to the constitution, Pinochet will remain in office until March 11, 1990, despite the fact that he lost the plebiscite. The day after the election, Pinochet appeared in full-dress uniform to deliver an angry, defiant concession speech. That TV appearance signaled his determination to stand firm on his most solid base, the army. He also made it clear that he intends to fully implement his constitution. He sees that blueprint, as do most of his military colleagues including the other commanders of the armed forces, as the fundamental legacy of the military regime. In the view of the government it is a constitution that will permit the establishment of a modern and stable democratic regime, one that avoids the "vices" of the past. Key provisions of the constitution include the prohibition of "totalitarian parties" (Article VIII), the establishment of a military-dominated national security council which gives the military a broad tutelary role over other political institutions, the creation of a strong executive and a relatively weak congress, and an extremely cumbersome amendment process that would make difficult any profound change in the document.

It is clear that the 1980 Constitution remains a fundamental obstacle for the opposition. It is not considered legitimate by most opposition leaders, and a number of its provisions are regarded as profoundly undemocratic. The sixteen parties that supported the No campaign made it clear before the plebiscite that they regarded a No vote as a rejection not only of the candidacy of Pinochet, but also of his regime. Therefore they have requested negotiations that would lead to fundamental changes in the constitution before the next presidential elections. Those reforms would modify provisions that are viewed as critical by the military and its closest supporters.

It seems doubtful that the opposition will obtain fundamental concessions from the Pinochet government. Many military officers believe that the modifications asked for by the opposition will only open the door once again to the election of a leftist candidate to the presidency and a destruction of Chilean institutions. There are also practical considerations. The presidential elections have been scheduled by law for December 14, 1989. Any modification of the constitution would have to be agreed to by the junta and submitted to a plebiscite for ratification before that time. Opposition leaders may well realize that to press for fundamental changes might distract from their objective of preparing a campaign capable of winning the 1989 elections.

With the junta still in power, the opposition will be negotiating from a position of weakness. Although the No won the plebiscite, opposition leaders are stymied by the

weakness of their individual claims to representativeness and legitimacy. In a narrow legal construction, the No only signified a rejection of eight more years for Pinochet; it did not provide a clear mandate for an alternative to the 1980 Constitution. In the absence of competitive democratic elections, leaders with little popularity may claim as much authority as leaders with larger followings. The government has been skillful at incapacitating politicians. For every demand from leaders of the multiparty opposition, the government claims that its own spokespersons should have as much say.

It is possible that the government will be willing to negotiate some changes. The two most likely seem to be a relaxation of the stringent rules for amending the constitution and a modification of the provision that calls for over one-fourth of the senate to be appointed, not elected. These changes could be possible because parties of the right might join the opposition in making a case for them. Rightist politicians disapprove of a senate with a large number of unelected senators, would prefer a stronger legislature, and are worried about the tutelary role given in the constitution to the military. In the future, other constitutional requirements might be softened through implementation or interpretation. For example, the role of the national security council could be diluted by adding civilian members and by defining narrowly the scope of national security concerns. Even the highly restrictive Article VIII, prohibiting Marxist participation, will depend for its impact on how it is enforced.

The paramount question for both the Yes and the No forces is whether they will be able to maintain their unity for the coming elections. Because of its loss, the Right seems to be more divided in the weeks after the plebiscite than the opposition. Leaders have stumbled over one another trying to attribute blame for the defeat of the Yes option. Renovation has made it very clear that it intends to distance itself from the government and not allow the presidential palace to dictate the course of the campaign. UDI and other rightist parties, that are much more linked to the regime, are likely to seek partisan advantage by remaining close to the authorities. While it is likely that the Right will come up with a consensus candidate who would be supported strongly by the government, the choice may generate further conflicts and divisions and make it difficult for the right to project a coherent strategy and program.

Opposition leaders realized that to win in the plebiscite they had to put aside profound ideological, group, and personality differences. They may be capable of retaining that solidarity in order to achieve the political power necessary to initiate more fundamental transformations in the institutional order, but their task will not be an easy one. The stakes are even higher now than before the plebiscite. The challenge no longer is unifying to block the reelection of an authoritarian leader, but uniting to shape the future of the country. The sharp divisions in Chilean politics, which brought democracy down in the early 1970s and allowed Pinochet to remain in office for sixteen years,

constitute serious stumbling blocks. The formation of a new left-wing coalition, the Broad Party of the Socialist Left (Partido Amplio de la Izquierda Socialista-PAIS), including socialists from the No campaign and the Communist Party, clearly complicates the unity efforts by once again pushing the Christian Democrats toward the right. Although the opposition is likely to turn to the Christian Democrats for a standard bearer, that choice has been further complicated by serious intraparty divisions along ideological, personal, and generational lines. Until the Christian Democrats are able to come up with a candidate, serious efforts at structuring a transitional program and coalition for "governability" will have to wait.

In this picture the Communist Party faces difficult choices. Party officials at first had refused to endorse voter registration and later had refused to call for a No vote. In both cases they relented when they saw that many of their own supporters favored trying to defeat the regime under its own rules. However, even though the Communists supported the No option at the last minute, they remained convinced that the Yes would win, either through voting fraud or some kind of internal coup. The fact that neither took place reinforced the arguments of the democratic opposition that the electoral route was the best way to seek political change in Chile.

The Communists contributed to the No victory by turning out voters and by agreeing to keep their own partisans home on election night. After the plebiscite they sought to recoup lost strength by helping to forge PAIS as an answer to Ricardo Lagos and the PPD. Even in PAIS, however, they will have to play a secondary role and wait for free and open elections and a return to full democratic practices to have an active say in politics. The military will be very reluctant to change Article VIII of the constitution nor will they permit Communist candidates. The Communists want a deal with the other opposition groups to obtain those changes after democratic politics have returned. This position may be rejected by the left of the party and by the armed Manuel Rodríguez Patriotic Front. Leftwing Communists fear that the moderate politicians will only betray the people by agreeing to operate within the framework of Pinochet's legality. Insurrectionary elements, in some cases aided and abetted by government security forces, may seek to provoke violence and to destabilize the political process. However, it is likely that these positions will receive much less support within the PC than they have in the past. Chile is likely to move to elections and to a democratic transition because most Chileans have opted for that course.

For Pinochet the options are much less promising than before the plebiscite. Pinochet is already feeling his power slipping as the logic of "lame-duckness" sets in. Within his own institution, the professionally oriented members of the army may well seek to distance themselves from their commander. Most likely, Pinochet will attempt to retain his position as commander-in-chief of the army, which he can do for another four to eight years. It is possible, however, that he will feel pressure to step down

in favor of newer leadership unless he is prepared to retain a largely ceremonial role.

For the armed forces, the transition process is complicated. The regime has defined the transition in a constitutional document they have sworn to uphold. Chile's armed forces have evolved away from the tradition of military leaders of the past, who viewed their role as clearly subservient to civilian democratic authority. Many army officers strongly believe that the military must maintain a tutelary role over civilian leaders they regard with contempt. Politicians will have to move cautiously in structuring reforms and attempting to dialogue with the armed forces in order to bridge the enormous chasm which exists between the civilian and military worlds.

At the same time the opposition will have to tread with caution in dealing with the issue of human rights. Human rights seems destined to become an important item on the agenda of a new civilian government. While elected leaders may have to respond to the demand for justice, they also will have to work out a policy aimed at reassuring the armed forces that the institutions themselves are not in jeopardy. A resolution of the civil-military relationship remains a vital element in the process of Chilean redemocratization.

For the future of Chilean democracy, the plebiscite represents only a first step, albeit a giant one. It leaves open minimal as well as maximal scenarios. A minimalist outcome resulting in "democradura"¹² would preserve virtually all the authoritarian features of the 1980 Constitution. The plebiscite would signify little more than a termination of the presidency of Pinochet, who could retain considerable behind-the-scenes power as army commander and member of the national security council. The armed forces commanders would maintain a veto power over the policies and actions of constitutionally elected representatives of the people in the legislature and presidency and would invoke those powers when they felt "national security" was threatened. Although a civilian president would be elected in December 1989, with strong powers vis-à-vis a very weak legislature, ultimate authority would reside in a remarkably autonomous military institution. The participation of opposition parties would legitimize the system and the Marxist parties—representing at least 25 percent of the population—would remain banned from political life. In this scenario, virtually no progress would be achieved on questions of human rights and social justice. Although the scope for democratic freedoms and activities might widen over the years, further democratization would remain gradual and tentative. A continual role for the armed forces might risk open politicization of the institution, a politicization which has not taken place under military rule because of Pinochet's and the junta's insistence on a clear separation between military and governmental functions for armed forces personnel. A minimalist outcome seems most likely if the parties represented in the No command fail to unite in order to win the presidency and a substantial majority of the Congress to be elected in 1989.

In a maximalist outcome, the plebiscite will have generated momentum toward an untrammled democracy. Whether voting No or Yes, most Chileans expressed their preference for settling their disputes through the peaceful verdict of the ballot box. Despite fifteen years of harsh authoritarian policies, they have retained their partisan loyalties and democratic political culture. The logic of the political marketplace should take hold, as national attention turns to competitive elections for congress and the presidency. If the parties represented in the No Command succeed in structuring a joint transitional program led by a common presidential candidate, they stand a good chance of obtaining the mandate they need in order to bring about the constitutional reforms required to return to genuine democratic institutions. Only with substantial majority support will political leaders succeed in devising subordinate roles for the armed forces and an exit for General Pinochet while taming the passions of extremists from the Left and Right. Only with majority support will they be able to address the grievances of the millions of Chileans who expect that their vote for the No in the plebiscite will alleviate their serious economic predicament. Even if they win broad support for their policies, Chilean leaders will have to move cautiously in responding to the country's pent-up demands. The relatively favorable macro-economic picture of Chile should make that task somewhat easier.

The defeat of Pinochet in Chile had a profound impact on the fragile and struggling democratic forces in the rest of the continent. The fact that the Chilean people turned down a government which has received international praise for its economic policies, suggests that even "efficient" military regimes are incapable of addressing the fundamental problems of a political community, and gives pause to those who feel that authoritarian solutions are more effective than democratic ones in addressing the serious problems of the region. During the next few years, the international community will continue to watch to see whether Chile can translate the repudiation of dictatorship into durable redemocratization.

APPENDIX

Formation and Operation of the Commission

The Executive Council of the Latin American Studies Association authorized Paul Drake and Arturo Valenzuela to appoint and co-chair an international commission to observe and report on the Chilean plebiscite. The Commission was formed in September 1988 and visited Chile October 2-8, though some members stayed longer. All members contributed to the writing of this report, though Drake and Valenzuela took the primary responsibility. All members of the Commission do not necessarily agree with every statement in this report, but there was broad consensus on most points. The report will be distributed in Latin America and the United States.

Acknowledgements

The LASA Commission owes a debt to many Chileans who gave freely of their time and assistance. Some of them are listed below under interviews, but hundreds of others from many walks of life will remain nameless. For the warm hospitality shown by academic institutions during the Commission's visit, thanks are due to Gustavo Lagos and Boris Yopo and the Asociación Chilena de Ciencia Política, to Oscar Godoy and the Instituto de Ciencia Política of the Universidad Católica, to Norbert Lechner and the Facultad Latinoamericana de Ciencias Sociales (FLACSO), and to Alejandro Foxley and the Corporación de Investigaciones Económicas para Latinoamérica (CIEPLAN). The Commission also thanks Manuel Antonio Garretón and Carlos Huneeus for special presentations. The Commission is grateful to the Ford Foundation for its funding.

Interviews with Public and Academic Figures

Jaime Alé, Director of Research, Sociedad de Fomento Fabril
 Andrés Allamand, Vice-President, Renovación Nacional
 Clodomiro Almeyda, Secretary General, Partido Socialista/Almeyda
 Genaro Arriagada, Secretary General, Comando por el No
 Harry G. Barnes, U.S. Ambassador to Chile
 Manuel Barrera, Centro de Estudios Sociales
 José Miguel Barros, Comité Elecciones Libres
 Carlos Bascuñán, Centro de Estudios de la Realidad Contemporánea
 Pablo Berwart, *La Epoca*
 Andrés Bianchi, CEPAL
 John Biehl, CIEPLAN
 Sergio Bitar, Comité Central, Partido por la Democracia
 Alvaro Briones, *Cauce*
 José Joaquín Brunner, FLACSO
 Fernando Bustamante, FLACSO
 Manuel Bustos, President, Central Unitaria de Trabajadores
 Carlos Cabello, President, Gran Frente Cívico Independientes por el Sí
 Guillermo Campero, Instituto Latinoamericano de Estudios Transnacionales (ILET)
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 Ascanio Cavallo, Editor *La Epoca*
 Germán Correa, Comando por el No; Partido Socialista/Almeyda
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 Enrique d'Etigny, Academia de Humanismo Cristiano
 Jorge Errázuriz, Renovación Nacional
 Octavio Errázuriz, Ministry of Foreign Relations
 Jaime Estévez, President, Santiago District, PPD
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 General Pedro Ewing Hodar (r.), Army; Ministry of Foreign Relations

Joaquín Fernandois, Universidad Católica, Valparaíso
 Angel Flisfisch, FLACSO; Comité Técnico, Comando por el No
 Alejandro Foxley, CIEPLAN; Comité Técnico, Comando por el No
 Ricardo French-Davis, CIEPLAN; Comité Económico, Comando por el No
 Ricardo García, Foreign Minister
 Manuel Antonio Garretón, FLACSO; Comité Técnico, Comando por el No
 Oscar Godoy, Universidad Católica; Vice-President, Comité Elecciones Libres
 Gastón Gonzalez, Dirección Comunicaciones, Cruzada Cívica
 Jaime Guzmán, President, Unión Democrática Independiente
 Josefina Guzmán, Supervisora Nacional, Cruzada Cívica
 Patricio Hales, Partido Comunista de Chile
 Tomás Hirsch, President, Partido Humanista
 Carlos Huneeus, Centro de Estudios de la Realidad Contemporánea; Comité Técnico, Comando por el No
 General Jaime Izarnótegui, Army
 Mónica Jiménez, Cruzada Cívica
 George Jones, Deputy Chief of Mission, U.S. Embassy in Chile
 Gustavo Lagos, President, Asociación Chilena de Ciencia Política
 Ricardo Lagos, President, Partido por la Democracia
 Norbert Lechner, Director, Facultad Latinoamericana de Ciencias Sociales
 Fernando Leniz, Businessman, Former Minister of Economics
 Marilyn McAfee, Public Information Office, U.S. Embassy in Chile
 Tomás MacHale, *El Mercurio*
 Admiral Ronald McIntyre (r.), Navy
 Luis Maira, President, Izquierda Cristiana
 Luis Medina, Confederación Unitaria Obrero-Campesina
 Admiral José Toribio Merino Castro, Junta Member and Commander-in-Chief of the Navy
 Oscar Mertz, Director of Studies, Centro de Estudios Públicos; Adviser, Secretaría General de la Presidencia
 Sergio Molina, President, Comité Elecciones Libres
 Eduardo Morales, FLACSO
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 Ricardo Nuñez, Secretary General, Partido Socialista/Nuñez
 Eduardo Ortiz, CEREN
 Andrés Palma, President, Izquierda Unida
 Mario Papi, Social Democracia
 Gianfranco Pasquino, Senator, Italy; International Observer
 Bernardino Piñera, Bishop of La Serena; Member, Comité

Permanente del Episcopado Chileno
 José Piñera, Former Minister of Labor and Mines
 Carlos Portales, FLACSO
 Cristián Precht, General Vicar, Arzobispado de Santiago
 Joseph Ramos, CEPAL
 Germán Riesco, Partido Nacional
 General César Ruíz Danyau (r.), Air Force
 Walter Sánchez, Universidad de Chile
 Andrés Sanfuentes, Partido Comunista de Chile
 Lucía Santa Cruz, *El Mercurio*
 Herman Schwember, PET
 General Santiago Sinclair, Vice-Commander-in-Chief of the Army
 Sol Serrano, Centro de Estudios de la Realidad Contemporánea
 Ricardo Solari, Comité Técnico, Comando por el No; Partido Socialista/Almeyda
 Juan Somavía, International Relations Committee, Comando por el No
 General Roberto Soto Mackenney, Army
 Adolfo Suárez, Former President of the Government of Spain; International Observer
 Osvaldo Sunkel, CEPAL
 Eugenio Tironi, SUR
 Luciano Tomassini, RIAL
 Juan Gabriel Valdés, Instituto Latinoamericano de Estudios Transnacionales
 María Elena Valenzuela, Asociación Chilena de Investigaciones para la Paz
 Augusto Varas, FLACSO
 Gonzalo Vial, Historian
 Ignacio Walker, CIEPLAN
 Federico Willoughby, Former Presidential Aide
 Boris Yopo, Asociación Chilena de Ciencia Política

NOTES

1. With the exception of the "background" section, most of the material presented in this report comes from detailed interviews and direct observations by commission members. Most of the interviewees are listed in the appendix to this report. Arturo Valenzuela and Peter Winn spent most of August, and Alan Angell most of September in Chile. Some of the material in the report reflects those earlier research trips.

2. The word in the constitution is *representar*. Some experts argue that this is only an advisory function. Others have argued that such representation would constitute legal justification for a coup should the authorities that are admonished, including the congress and the president, not heed the warnings of the national security council. According to this view, it was the lack of such authority that prevented the Chilean military from acting sooner in deposing Allende. The legislative history of the constitution is found in Sergio Carrasco Delgado, *Génesis y vigencia de los textos constitucionales chilenos* (Santiago: Editorial

Jurídica de Chile, 1980). The most valuable source for the Constitution of 1980 is Luz Bulnes Aldunate, *Constitución de la República de Chile: concordancias, anotaciones y fuentes* (Santiago: Editorial Jurídica de Chile, 1981). All quotes are taken from this edition.

3. See United States Embassy, Santiago, Chile, *Chile: 1988 Plebiscite—Resource Book*, mimeo, 1988, pp. 69-70. This publication, prepared for use by observer teams going to Chile, provides valuable documents and information on the plebiscite.

4. Registration data are taken from mimeographed publications made available by the National Electoral Service (Servicio Electoral Nacional). The service was created by Law No. 18.556, Organic Constitutional Law on the Electoral Registration System and the Electoral Service, published October 1, 1986, in the *Diario Oficial*.

5. See Organic Constitutional Law No. 18.700 on Popular Voting and Counting, published in the *Diario Oficial* on May 6, 1988, modified by Law No. 18.733, published on August 13, 1988.

6. Opposition parties had great difficulty agreeing to register "in the legality of regime." The parties law required each party to obtain large numbers of signatures and to conform to a series of rules that were subject to enforcement by the Electoral Service. For the Organic Constitutional Law on Political Parties, see Law No. 18.603, published in the *Diario Oficial* on March 23, 1987.

7. This section and the longer section below dealing with the night of the plebiscite is based on conversations by a Commission member with key sources in the government, the opposition, and the diplomatic service. At first the events described here were denied by government supporters. Eventually, most of the events were confirmed in subsequent published reports. The first published revelations of the events of the night of October 5th appeared in veiled form in Ascanio Cavallo's column, "La hora de los audaces," *La Epoca*, October 9, 1988, p. 8, and Pamela Constable, "Chile Factions United to Safeguard Voting," *The Boston Globe*, October 13, 1988, p. 1. Because of its close ties to the government, the most politically significant account appeared in the rightist *Qué Pasa*, No. 914 (November 13-19, 1988), "La noche más larga...," pp. 6-7, under Patricia O'Shea's byline. Another good report, which draws on the *Qué Pasa* account, is Nibaldo Mosciatti's "La historia de un golpe frustrado," *APSI* (24-30 October 1988), pp. 4-7. The most complete description of what happened published to date is Ascanio Cavallo, Manuel Salazar and Oscar Sepulveda, "La historia oculta del régimen militar: 5 de Octubre," Special Supplement 53 of *La Epoca*.

8. Renato Gazmuri, a leader of Renovación Nacional, caused a sensation when he agreed with these accounts and noted in a public forum that "hot heads surrounding the President" had tried to "provoke a grave confrontation that would have resulted in military intervention...[and] maintain the government beyond the results of the plebiscite." See *Las Últimas Noticias*, November 10, 1988, p. 7. See also *La Epoca*, November 10, 1988, p. 10.

9. The totals are official results issued by the Electoral Service. The regional and small town breakdowns were obtained from the sample of polling places issued by the Committee for Free Elections.

10. Several organizations and research institutions conducted public opinion surveys in the months leading up to the plebiscite. Those identified with the opposition included FLACSO, CERC, ILET, and CIS. Those identified with the regime included GALLOP, SKOPUS, CEP, and the University of Chile. Generally speaking, the pro-regime polls showed results favorable to the government and the anti-regime polls showed results favorable to the opposition. However, with the exception of the CEP poll, the polls conducted by opposition research organizations appeared much more reliable and serious. FLACSO undertook the best polling up until April 1988. Particularly valuable was a regional poll, *Concepción 88: Una Encuesta Regional*, conducted by FLACSO in cooperation with several other research centers. CERC undertook some valuable national polls up until September, although the CERC poll tended to underestimate the Yes vote. The most valuable survey may well be the one conducted by CEP towards the second half of September. The data represented in this report draw on conclusions in the CERC and CEP surveys, which appear to coincide. The more detailed results are from the CEP poll. See CERC, *Informe Encuesta Nacional: Septiembre 1988* and the English language summary of the CEP poll in Brockbank and Associates, Inc., *Estudio Nacional de Opinión Pública de Chile*, September 1988. It is instructive that the CEP poll, which was available shortly before the plebiscite and showed that the No would win, was suppressed by the CEP board. Rather than reporting the results of that poll, of which it had knowledge, *El Mercurio*, the pro-government daily, reported instead the results of a SKOPUS poll that showed the Yes winning by the same margin as that by which the No actually won. See *El Mercurio*, October 5, 1988, p. 1.

11. The above information is taken from the CEP poll. See *Estudio Nacional*.

12. As Guillermo O'Donnell, Philippe Schmitter and Laurence Whitehead have noted, transitions from authoritarianism may stop short of unfettered democracy. They identify four regime types: *dictadura*, or autocracy; *dictablanda*, or liberalized autocracy; *democradura*, or limited democracy; and *democracia*, or full democracy. The plebiscite marks Chile's movement from the first to the second type of regime, though some regression remains possible. Assuming continued progress, the foreseeable future could lead to types three or four, or a variant in between. The O'Donnell, Schmitter and Whitehead work is found in *Transitions from Authoritarian Rule*, 4 vols. (Baltimore: The Johns Hopkins University Press, 1986).

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