Assessing the role of legitimacy in the October 2019 Social Uprising in Chile

Wiersma, Aimee

Assessing the role of legitimacy in the October 2019 Social Uprising in Chile

Aimée Wiersma
s1307851
Master Thesis
International Relations
Leiden University
November 2022

Supervisor: Prof. P. Silva

Table of contents

Introduction

In October 2019, the price of the Santiago Metro Ticket was raised by 30 pesos. This immediately blew up the pressure of the Chileans, who exclaimed "It's not 30 pesos, it's 30 years", hereby referring to the 30 years of democratic governments, following the end of the Pinochet regime (De la Fuente & Mylnarz, 2020). The protestors criticised the remains of a military regime, especially in the Constitution written up during a military rule, while Chile had become a democracy. Defying the curfew and staying outside with car horns and pots and pans, the Chileans demonstrated for huge reforms that would finally turn their country into a full democracy (Meléndez-Tormen, 2019).

One of the main reasons for the October 2019 protests in Chile has been said to be a lack of legitimacy. The main idea behind this thesis is to explore how exactly legitimacy has influenced Chile's instability, and how this lack of legitimacy has led to protests and crises. A lack of legitimacy was one of the causes for the protests. Due to the scope of this thesis, legitimacy will be the central factor that will be investigated.

For the past two years, many books and articles have been written on the influence of legitimacy on the protests in October 2019 in Chile. It is remarkable how a country like Chile, that had been one of the top economic performers in Latin America, can still experience social instability and a lack of legitimacy. Even though many of the reasons for the lack of legitimacy can be traced back to Pinochet and his military rule, other reasons can also shed light on how the Chilean government was not deemed to be legal. It was said to have been detached from its citizens, especially from indigenous groups, and was found to widen the inequality gap through heavy fees for the pension reforms. All in all, this decline in legitimacy led up to the social protests in Chile in October 2019, and the exact reasons will be explored in this thesis.

The topic is relevant as the October 2019 crisis in Chile showed how even an influential and economically prosperous country can still experience social upheaval. As many other countries have shown economic growth over the last years, a study like this can outline how a social crisis can still take shape and put a country off balance. The reasons for the lack of legitimacy can warn other governments and countries how to avoid situations like these, and how to build their legitimacy.

The central question to this thesis is as follows: “What is the role of legitimacy in the social uprising in Chile in October 2019?”. This question will be answered through detailed literature study. In chapter 1, legitimacy and governability will be explored. It will also outline the legitimacy in Chile, including background information, issues with legitimacy, and what these issues resulted in. Chapter 2 discusses legitimacy and democracy, starting out with Chile’s transition from a military dictatorship to a democracy. The chapter will also describe the meaning of governance, and will discuss various institutions, as well as how a democracy can be representative or direct. It will end with some challenges of democracy. The third chapter describes how Chile’s military rule was transformed into a democracy, and the rule of the Concertación. The fourth chapter describes the crisis and how President Piñera’s second administration and social movements influenced this. In 4.2, the October 2019 crisis is discussed, as well as the current crisis in Chile, followed by the conclusion.

Chapter 1 – Legitimacy and governability

This chapter will explore key theoretical issues concerning legitimacy and governability, and will draw attention to the factors that signify that the problems with legitimacy in Chile can be traced back to Pinochet and the Concertación governments. Firstly, the definition of legitimacy will be explored, including how legitimacy can be measured. Next, the meaning of governance and governability will be assessed, as these are central themes in this thesis. The last part of this introduction will be devoted to legitimacy in Chile.

1.1 Legitimacy

State legitimacy has arguably been defined as modern tradition of political philosophy and has been integral to empirical studies of politics for centuries. According to Gilley (2006), state legitimacy means assessing the relationship between the state and society. In other words, it is the degree to which public institutions and power are recognized as being legal by citizens of the state, and whether they are right to govern. State legitimacy does not exist if public authorities and political institutions lack regard and respect of the entire population (Englebert, 2000). Particularly in places where democracy is challenged, state legitimacy is often questioned.

1.1.1 Elementary legitimacy

In order to understand state legitimacy, it is crucial to have knowledge of elementary or fundamental legitimacy. According to Matheson (1987), elementary legitimacy is based on the 'do no harm' principle by the state power. The legitimacy of an authority is to be decided by the authority's members or citizens (Mazepus, 2017). Under elementary legitimacy, there are three dimensions; the first is inherited legitimacy (Matheson, 1987). It focuses on the evolution of the relationship between people and the state. In other words, the perceived legitimacy is based on the inherited ideas that exist in a country's culture. This form of legitimacy relates to access of power, and shared norms and values of society. The second is acquired legitimacy. This questions the quality of public institutions through assessing fairness criteria in terms of shared resources and public goods (health, education, environment and employment). Aside from shared public goods, there is also the aspect of fairness in justice, respect of rights and quality of law enforcement. The third dimension is durable legitimacy. This dimension deals with sustainability, meaning ensuring that future generations are not endangered by any form of disaster. These three dimensions together shape elementary legitimacy.

1.1.2 Measuring legitimacy

There are many different ways in which legitimacy can be measured. According to Bonnell and Breslauer (2001), an institution can only be argued to be legitimate when people view it as satisfactory, with the belief that there is no other superior alternative than the current institution. However, this is a very harsh and strong way of measuring legitimacy, as the people need to regard their own institution as the best possible institution.

A more balanced way of measuring legitimacy is through a legitimacy index. There are three dimensions of legitimacy that have to be considered to measure legitimacy: elementary legitimacy, inherited legitimacy, and acquired legitimacy (Matheson, 1987).

The first dimension is exclusive while the rest is complementary. Elementary legitimacy is regarded by scholars as the integral part of legitimacy, as it is the first step towards the legitimacy process. According to Matheson (1987), a state can be deemed 'lacking in elementary legitimacy' if it gets a score of '5' on a five-point scale from either the U.S. State Department Country Reports on Human Rights Practices, or Amnesty International.

Inherited legitimacy in the legitimacy index captures procedural legitimacy that gives access to power (Matheson, 1987). It estimates legitimacy based on political inheritance and this is measured using three components.

The first component is shared political beliefs, and it is believed that shared political beliefs by citizens improves state legitimacy (Bourricaud, 1987). The second component is the trust people have in the institutions of power. A state can only be termed legitimate when citizens have trust in its institutions. To assess this, the state legitimacy index looks at the voting system and this legitimacy is measured using data from IDEA (International Institute for Democracy & Electoral Assistance), that provides voter turnout data for national elections of different states. The third component is the right to public participation in policy-making issues. An illegitimate state does not allow public participation. A good example is of authoritarian regimes which disempower citizens and deny them participation in decision-making processes.

Acquired legitimacy takes account of welfare and justice. For this dimension, states can improve their legitimacy score by working towards meeting conditions of social development

in their state. This dimension is important as it deals with various dynamic aspects; improvement of public goods that meet basic needs, sanitation, reflecting service delivery in education and health, and evaluating state capacity to deliver basic services (Bourricaud, 1987).

1.2 Governability

Many confuse the terms 'governance' and 'governability'. That is why I pay here attention to both concepts to clarify their differences. There is a close relationship between governance and governability. Governance refers to mechanisms employed in order to bring order to a population. In narrow terms, it could also mean the different forms of purposeful acting that root from collective concerns (Mayntz, 2009). All in all; governance entails in what way a state is governed.

The meaning of governability is the ability to govern (Montero, 2012). This means that governors, those governed and their interactions all contribute to governability in societies. Governability is dynamic and ever-changing depending on external and internal factors. This means that effective governability at a given time or place could be termed ineffective at another time or place (Kooiman, 2008). A more detailed definition of governability is offered by Calhoun (2002), who states that governability is government's ability to meet citizen's economic, social and political needs democratically.

1.3 Legitimacy in Chile

This thesis focuses on legitimacy in Chile, and how the origins of the issues with legitimacy in Chile can be traced back to Pinochet and the Concertación. In this paragraph, the origin of the Chilean issues with legitimacy will be explored, as well as what these issues led to, namely a social uprising in 2019.

1.3.1 Background information on Chile

This paragraph will briefly outline the background information on Chile's political and democratic advancements. Following Pinochet's regime in 1990, the *Concertación* coalition government started a 20-year long process of democratic transition, moving past their dictatorship under Pinochet. Both the population as well as the international media thought of the democratic transition as very successful, and the governments knew high approval rates (Jara, 2014). Next to this, Chilean economic growth was double the Latin American average (Meller, 2000). In other words: Chile was booming and a promising emerging democracy.

However, starting around 2010, various demonstrations occurred due to a decline in trust in public institutions and approval of the government (Jara, 2014). One particular movement of demonstrations happening in 2011 turned out to be more serious; thousands of people took place in the marches, fighting for a better education system and various activist projects. Even though Piñera, the president at the time, created special funding for educational projects, the students would not cease. This demonstration phase also knew a distrust of the government, and Piñera's support dropped from 44% to 22% (Jara, 2014). In August of 2012, the approval rate sank even lower to 12% (Jara, 2014). The legitimacy was gone, and in 2019, this resulted in the 'Chilean protests' – a series of massive demonstrations. The first demonstrations started in Santiago, but quickly spread to smaller cities and villages. The main concerns were the high costs of living, privatisation, and inequality (Jara, 2014).

1.3.2 Origin of issues with legitimacy

According to Heiss (2017), Chile's transition from a military state to a democratic state has led to an incomplete and damaged democracy. Even though numerous constitutional reforms led to a change in power (where the military received less power, and more power was given to elected politicians), there are still many issues with legitimacy. According to O'Donnell (1994), the main reasons for these issues with legitimacy in Chile arise from the cultural, political, and institutional legacies of authoritarianism (O'Donnell, 1994). The 1980 Constitution still poses a real threat to the democratic progress Chile has known over the years. Even though the majority of people have similar views, the 1980 Constitution is said to be fundamentally incompatible with these modern views, as this constitution was originally written during authoritarian times.

The main issue with the 1980 Constitution is that it protects authoritarian views, as it was written up during the Pinochet dictatorship. Fundamental changes cannot be made as long as the political heirs do not agree. As Atria (2013) notes, this shows how the 1980 Constitution cannot be used in a modern-day democracy, as it requires a veto power that is unknown to democracy. This leads to many older fashioned views that are written up in the 1980 Constitution, but have become untouchable as the democratic system is out of touch with the basic laws. The most pressing issues cannot be solved through platforms or elections, but are still resolved through secret get-togethers of some high-profile politicians, who decide on whether to grant or deny the desired changes as stated by the majority (Heiss, 2017).

Even though the 1980 Constitution is based on authoritarian views, some of the people's wishes have been granted over the last years. Even though Chile was one of the last countries in Latin-America to decriminalize homosexual relations, they still changed this law in 1999. As of 2012, the Chilean government also made an anti-discrimination law and even wrote up a Civil Union Agreement in 2015, that gives some legal protection to hetero or homosexual couples living together. Still, many views are incompatible with the constitution as it is now, and can therefore not be translated into law as democracy requires. An example of something the majority of Chilean people want to change, but cannot due to the constitution, is the decriminalization of abortion (Htun, 2003; Blofield, 2006).

1.3.3 Results of issues with legitimacy

The fact that the 1980 Constitution is based on an authoritarian regime and can therefore not live up to the standards as set and expected by democratic states, has mostly led to a lack of legitimacy from Chile's inhabitants. Not only can laws not be altered, or can they only be altered to a certain extent, new laws are also difficult to draw up. Out of the 200 constitutions worldwide, over half were written (or rewritten) in the past 40 years. Not only emerging democracies spend much time evaluating their constitutions, stable democracies can also be observed actively changing and rewriting their constitutions to fit more modern views (Nolte & Schilling-Vacaflor, 2012).

As far as Latin-America is concerned, many countries have decided to replace their constitution as a whole. Examples are Brazil in 1988, Colombia in 1991, Paraguay in 1992, Peru in 1993, Venezuela in 1999, Ecuador in 2008, Bolivia in 2009, and the Dominican Republic in 2010. The main reasons for these replacements was to expand the people's rights (Gargarella, 2013) and to include mechanisms for a well-functioning democracy (Altman, 2010; Negretto, 2013). Now that many other countries in Latin-America have replaced their constitution, Gargarella argues that Chile is seriously lagging behind. Even though an expansion of rights can be observed, presidents continue to have excessive tools to impose their will and views, regardless of the majority's opinion (Gargarella, 2013).

In short, the fact that the veto was still with the president caused a lack of legitimacy in Chile, especially because the inhabitants felt no changes could be made due to an old-fashioned and outdated constitution that was written up during authoritarian times (Gargarella, 2013).

Around 2010, a constituent moment was observed in Chile (Heiss, 2017). Even though people were not actively protesting, the idea of a new constitution became a prevalent idea even in the higher circles of the Chilean society. Seven out of nine presidential candidates in 2013, including the winner Michelle Bachelet, had reforming the 1980 constitution as part of their political program. The extent of the reforms ranged from moderate to a full replacement. In October 2015, president Michelle Bachelet announced several stages in which the constitution would be changed. Through a 15-membered Council of Observers, the transparency of the process was said to be protected, and even local civilians were actively motivated to take part in shaping the new constitution. Even though Chile was trying, serious issues with legitimacy had already arisen and were hard to get rid of.

Chapter 2 – Discussions on legitimacy and democracy

This chapter will discuss the theoretical concepts regarding legitimacy and democracy. It will start off with an explanation of the transition from dictatorship to democracy, followed by a discussion of the terms 'governance' and 'institutions'. Lastly, direct versus representative democracy will be explored.

2.1 The transition from military dictatorship to democracy

Military rule or regime refers to "a form of authoritarian regime where the military act as the major or predominant political actors, holding preponderance of power" (Geddes et al. 2014, p.49). This basically means that in a military dictatorship, rules are dictated and enforced through military rule. For the most part of human history, the idea of military rule was mostly the norm, as political regimes in large-scale societies would use power to forcefully enact their desires. Even during World War two, military rule was the way of dictating a nation in most developing countries. Even with hope of an end to military rule as predicted by modernization theorists in the 1950s and 60s, military rule escalated and reached its peak in the 60s and 70s. An example is the cascade effect of military rule that first begun with Brazil coup in the 60s, after which Argentina followed suit in 1966, and then Chile in 1973 (Philip, 1984).

Transition is defined by Garretón, who states that transition is "the end of military rule and adoption of representative democracy by states" (Garretón, 1995, p. 12). Moving to the late 20th century, the world witnessed numerous political upheavals across the globe. With the collapse of the Soviet Union, countries worldwide began embracing and adopting democracy. These transitions from non-democratic regimes to democratic regimes became sudden and explosive.

Linz and Stepan (1996, p.32) define democracy as "a public contestation among leaders where they fight for control of the government via free fair elections which ultimately determines who governs the state". Mainwaring and Viola (1985) broaden this view, adding that a democracy entails offering the citizens freedom of speech, freedom of political association, and individual civil rights. Next to this, a democracy traditionally has a so-called 'separation of powers', dividing its government in three branches: the executive, judiciary and legislative branch.

The main ways in which military rule and democracy are different, is that first and foremost the leaders in the latter have been chosen by the public, whereas the leaders appoint themselves in

the former. Next to this, in a democratic state, there is a judiciary branch to hold the politicians accountable for their actions. In a military state, there is no such way to control the rulers (Schmitter & Karl, 1991).

2.2 Governance

'Government' and 'governance' are often used interchangeably to refer to exercising authority either in an organization, institution or country. However, these two terms are different terms even though they are related. Government is a term that refers to an institution of power and is as old as the society, while governance occurs without direct state involvement (Kersbergen & van Waarden, 2004). In traditional parlance, the government is responsible for controlling and ruling, whereas governance orchestrates and manages (Abbott et al., 2012). In its widest sense, governance can be viewed as the manner in which institutions coordinate social life, and is an institution in governance. Therefore, it is likely for governance to exist without government, but government cannot exist without governance (Williamson, 1996).

Governance has become a widely discussed concept, both in the social sciences and in the world of policies. There are various definitions of governance according to different scholars. According to Kaufman (1998, p.12), governance refers to "power exercised by institutions in a given state". On the other hand, the World Bank states that governance is the manner in which "social, political and economic institutions exercise power" (World Bank, 1994, p. 3). To conclude, governance is the power exercised by social, political, and economic institutions.

2.3 Institutions

Institutions can be described as a broad cluster that includes many sub-levels, for instance; economic institutions, political institutions and social institutions. Economic institutions shape economic incentives and stability in a state while political institutions shape political incentives. Social institutions on the other hand shape social order that is focused on meeting social needs. The various categories of institutions (social, political, and economic institutions) will be further explained in this section.

2.3.1 Political institutions

According to March and Olsen (1996), political institutions are organizations in government responsible for creating, enforcing and applying laws. Political institutions are essential because they mediate conflict, and formulate economic policies and social systems that provide equal

representation of the people. In a democracy, political regimes are categorized into two institutions; parliamentary and presidential institutions (Croissant & Merkel, 2001). Legislatures on the other hand are primarily built to support regimes and these can either be unicameral or bicameral for instance; house of commons and house or senate. There are three types of party systems; a two-party state, a multiparty state, or a one-party state. From these divisions, a political system can either function as democracy, republic, monarchy, communism or dictatorship (Gandhi, 2008). In total, political institutions consist of bodies such as legislature, political parties, and the head of state that make what we have as modern governments.

2.3.2 Social institutions

Contemporary sociologists' term social institutions as complex social forms that reproduce themselves like family, hospitals, businesses, legal systems and government (Miller, 2003). Knight and Sened (1998) define social institutions as mechanisms or patterns of social order that aim at meeting social needs and these institutions include government, family, healthcare and religion. Social institutions are the most visible when they break down. This is because their downfall results in outcry and social strikes. A good example is strikes by healthcare workers during 2020 pandemic witnessed in most African healthcare systems as a result of inadequate safety equipment and low pay by governments. This resulted in various patients unattended to, increase in rate of infections and numerous deaths as a result of halt in treatment operations.

2.3.3 Economic institutions

Economists define economic institutions as well-established arrangements and structures that are part of society, for example; competitive markets or the banking system. Economic institutions major on production, distribution and general consumption of goods and services (Groenewegen et al., 1995). Every society has economic institutions as one of their basic institutions for the sake of survival, ensuring resources are well allocated. The functions of economic institutions include social stratification of society (upper, middle and lower class), control power and authority, enhance interdependence of other institutions, needs satisfaction, creation of employment and circulation and provision of funds (Fukuda et al., 2006).

Political, social and economic institutions are all interconnected. For example, political institutions directly or indirectly affect business environment (economic institutions) and other

activities of a country. For instance, political systems and institutions (legislature) make policies and even yearly budgets on the state's spending including tax on commodities that directly affect economic institutions and growth in the country (North, 1988). Additionally, survival of the economic institution depends on cooperation of other institutions. For instance, labor force work from different industries come from the social institution and without labor it is impossible to produce. Without production, the economy breaks down and the result is increasing poverty, debts and suffering (Granovetter, 1992).

Developing countries have been linked to weak institutions and this is because of poor governance emerging from issues such as increase in corruption cases and lack of accountability. For many developing countries, it is seemingly hard to quickly establish good governance because it is not only a gradual process but one that requires societal effort to change its systems entirely. However, not all developing countries qualify as states that have weak institutions, with a good example of developing country like China. It can be concluded that normatively weak institutions can also be functionally strong. Most first-world countries like the U.S. and UK are often viewed to have the strongest institutions because of good governance and through their lens, the norm has always been that structures in low-income, pre-industrialized countries are weak and backward. However, developing countries like China have shocked the world by building institutions that can adapt and be repurposed to kick-start development. With discipline and good governance, China today is a hub of development and innovation that all first-world countries want to associate with because of rightly placed and functioning institutions (Shirley, 2005).

Recent empirical research on institutions have focused on relating representatives for institutions in relation to countries' level of income or growth rate. For instance, representatives for public institutions refer to issues like quality governance, limits placed on political leader and legal protection on private property (IMF, 2003). Figure 1 below for instance, shows cross-country differences with common institutional factors like regulatory burden, voice and accountability, rule of law, graft, property rights, and restriction on executive power. The figure below helps gain insight of potential rewards of improving institutional quality (Gill et al, 2014). For example, after studying a sample of Latin American countries, Calderón and Schmidt-Hebbel (2003) found that one standard deviation increase in the index of governance, is averagely associated with 0.75% increase in growth rate. Additionally, according to IMF (2003), an increase of one standard deviation in aggregate measure of governance, reduces

output volatility by one-fourth on average. IMF also found out that countries with the weakest institutions benefit the most from improvement in their public institutions.

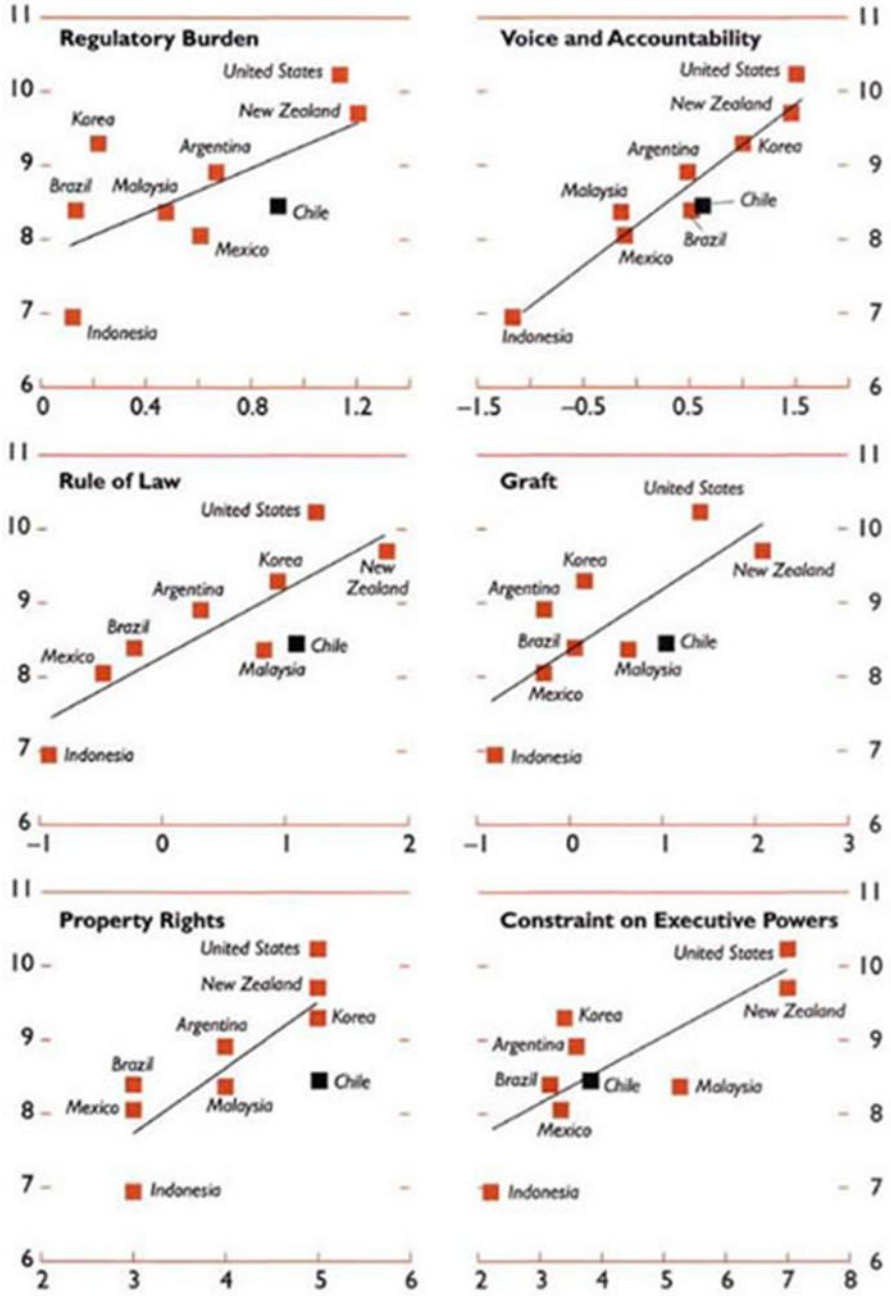

Figure 1 Chile institutions compared to Latin American countries (Gill et al, 2014).

2.4 Direct versus representative democracy

A representative democracy is a system where citizens freely elect those who will represent them and assist in making laws on their behalf while direct democracy is where citizens individually vote on laws and policies they desire to come to play by themselves without any mediator (Budge, 2006). The major difference between direct and representative democracy is

who is voting for the new laws and policies; either the citizens themselves (direct democracy) or elected officials (in a representative democracy).

The world's population today is growing larger, with representative democracy being embraced in the 21st century. An example of a representative democracy today is the US, since its citizens participate in electing senators and members of Congress to vote on behalf of its citizens. Other examples of representative democracies include the United Kingdom, India and France. With regards to direct democracy, the only known country that practices direct democracy is Switzerland. This country sets aside four special occasions annually for its citizen to vote on issues affecting the country and make laws that are enacted by the people (Fossedal, 2002).

Chapter 3 – Military to democratic rule

This chapter will discuss the transition from military to democratic rule further and will outline how legitimacy was a central theme during this transition. The chapter will start out by describing how the military rule came into being after the socialist government of Allende, how the 17-year-long military rule under Pinochet was influenced by a lack of legitimacy, and lastly, how the military rule transitioned to a democratic rule. The *Concertación de Partidos por la Democracia*, or the Concertación for short, played a central part in this transition. The Concertación was a coalition of centre-left political parties in Chile that was founded in 1988. It provided Chile with presidents from 1990 – when military rule ended – until 2010, when other coalitions started winning the elections.

3.1 Socialism under Allende

During the 1970's, it became a great concern when democratic governments found it hard to respond to society's demands. At this time in Chile, the acting president was Allende who was elected in 1969. As the head of socialist party, his mission was to accomplish transition of Chile to socialism (Boorstein, 1977). The result of this mission saw the breakdown of the political system in 1973 as well as violent polarization of Chilean society. Allende's capacity to govern was put to test and he failed due to two aspects of his reforms that led to the future disorder resulting in the coup. The first aspect of reform was Allende's plan to nationalize the agricultural and industrial sectors in Chile. The second major reform he planned was seizing factory workers.

Nationalization occurred in this manner; all industries that were in possession of more than $1 million dollars were automatically nationalized. The foreign-owned copper industry at that time was also nationalized using dubious means. Allende's administration also used the 1932 decree which allowed the state to take over affairs of companies if the ruling government so pleased (Boorstein, 1977). By using this decree, the government was able to control at least 60% of Chile's gross national product by 1973. The government was also able to seize all properties in excess of 80 hectares, distributing them to individual peasants. As a result of Allende's reforms, the economic situation in Chile became increasingly more devastating. There were fixed prices on more than 3,000 items which resulted in food shortages and expansion of the black market (Medina, 2006). Tariffs were averaging 105% in more than 5,000 items, which sealed off foreign trade. Nationalized industries were operating at a fiscal deficit and there was now a

drain on Chile's budget. With a fiscal deficit at 55%, the annual inflation hiked and in the last few months of Allende's administration, inflation was even higher by 1,000% (Boorstein, 1977). This political and social polarization and subsequent economic impact ultimately led to demonstrations and strikes in Chile. Economy was in chaos and legislative impasse also resulted in political and social instability in Chile as the government was unable to act. It is this lack of being able to govern that the military decided to intervene.

Next to this great economic impact, the working class had increased its political participation and demands during the 1960s and 1970s. This group of working people had previously been a marginalized group, and had therefore never had political recognition. The group supported the political left, and gave way to a political reform that wanted certain changes in capitalism and the role of economics for the state (Thomas, 2011). The members of the elite became concerned as their interests were no longer fully protected, and became increasingly willing to support military enforcement to protect these interests (Thomas, 2011). Fernandez (2020) remarks how influential this has been; the fact that the elite wanted to endorse violence towards the citizenry, just to protect their own interests. Fernandez (2020) calls for a new relationship between the two, while Encina (2020) argues this is not necessary; a 'new people' has emerged from the crisis; a new people that insisted on equal possibilities and social mobility. All in all, the government did not seem to be able to solve the socioeconomic problems, which led to a decrease in legitimacy (Linz, 1978) and the possibility of a *coup*.

3.2 Military rule under Pinochet

In response to the chaotic state Chile was in, the military took charge in September 1973 and started running affairs of the state, while at the same time Pinochet became head of the military. While planning for the coup, the military planned to rotate power across the four branches of the military, and while they were still contemplating on this, the planned four-part junta quickly shifted to one-man dictatorship headed by Pinochet. Having consolidated both the state and military, Pinochet was now on a mission to transform Chile economically, politically and culturally. He presented the rule as a national reconstruction.

The military rule under Pinochet endured for 17 years, from September 1973 until March 1990. During Pinochet's rule, little occurred in the public area without his permission. This included the re-establishment of political parties or holding democratic elections. He not only controlled political parties and elections but also controlled the 1980 constitution and had it closely

supervised (Ensalaco, 2010). He created a timetable in the constitution that directed when democratic elections would be held, and even structured future subsequent governments and how they would operate, regardless of the type of regime (democratic or military). Pinochet exercised significant power by force of his personality, as well as being the head of state and the self-declared head of the military. He controlled Chile's most powerful branch of the military all the way to the subordinate roles. Pinochet's use of power in Chile was unchecked since he commanded the armed forces amongst other institutions and no one in opposition could face him. Even though Pinochet ruled as a military dictator, he was able to govern the country and in particular, he uplifted Chile's economy back to its feet through reforms. Pinochet became the first to initiate Chile's economic philosophy of neoliberalism (the classical economic model). With Sergio de Castro as the minister of economics, he managed to cut the state budget and remove price controls. Tariffs were reduced by more than 90% to 10% by 1978. Nationalization made during Allende's administration was reversed as the state opted to simply privatize its assets. A private pension plan was created and at the same time restrictions on foreign investment were lifted (Huneeus, 2007). As Pinochet's regime came to an end, exports increased from 12% to 35% as inflation was tamed by 5% (Ensalaco, 2010). Unemployment between 80's and 90's was averaged below 6%. Ultimately, wages increased as per capita income grew steadily and the economy's growth was over 6% between 80's and 90's. The difference between the two regimes show difference in governability and that economic capacity is good for the governability.

Even with all this power, Pinochet and social movements played a critical part in restoring democracy that Chilean people were deprived of for 17 years. The Chilean transition process from a military dictatorship to a democratic regime was planned to a certain level and orchestrated by the military dictatorship either directly or indirectly (Stepan, 1985). This transition was also as a result of the pressure applied by the civil society against the regime. Viola and Mainwaring's (1985) intermediate transition theory applies to Chile because the actions of the regime helped manage and plan the transition. Chilean military dictatorship was more capable in managing the country and this made it more influential in mapping out the transition process. In 1973, the Chilean coup began as a result of the instability that occurred during the last phase of Allende's administration and was replaced by military dictatorship led by Pinochet (Frank, 1967). Military dictatorship (which is known for liberal use of force) became effective in restoring stability and order to Chile. Food and material shortages and strikes, dispossessions of private property were all reversed with effective markets, labour

calmness and restoration of private property. The most significant repression occurred in Chile for seven years up until 1980. After these seven years, Chile embarked on a process of liberalization, marked by the 1980 new constitution which became law. Even though this constitution contained 'transitory dispositions' effective for decades, it still provided greater protections for political activism compared to the previous constitution.

Liberalization only awakened groups like the civil society who forged ahead for the transition to democracy and elimination of other restrictions posed by Pinochet's regime. By mid-1980's, particularly by 1987, similar liberalizations occurred as well. Political parties in Chile were once again allowed to be formed, direct campaigns could occur, and the first genuinely contested election was held in Chile in 1988. Even though Pinochet initiated the liberalization process that led to democracy, he preferred institutionalizing the military rule, and this would happen if not for the civil society's energetic response against the military regime. The transition from military dictatorship to democracy was directed by Chilean military either directly or indirectly. For example, directly, Pinochet regime was able to dictate the time of the transition and even the process that would lead to democracy. This regime established a date when regulated elections would be held. They also indirectly manipulated public opinion to maintain the legitimacy of their rule. Pinochet would have easily survived up until the transition but preventing this revolution was impossible. Civil society only has indirect control over timing and scheduling of this transition but their constant emphasis on change made democracy an inevitable occurrence (Scott, 2001).

3.3 Legitimacy under Pinochet

During the overthrow of Allende in 1973, the repressive coercion by Pinochet had brought on economic sanctions by many European countries and the United States. This slowed the rate of Chile's economic recovery. Pinochet could extend the repressive coercion to further reform Chile, but it was essential that legitimacy was encouraged (Huneeus, 2007). Therefore, Pinochet decided to spend fewer resources and attention to repressive coercion, hereby decreasing the number of imprisonments, disappearances, threats, and arrests (Huneeus, 2007).

According to Pinochet, law and legality should be central cornerstones in his ruling. As Eidahl (2017) notes, this at least gave the appearance of legality in his actions. In 1978, Pinochet even tried to further strengthen his legitimacy through a plebiscite, asking the citizens: "Faced with international aggression launched against our fatherland, I support president Pinochet in his

defence of the dignity of Chile and reaffirm the legitimacy of the government." The citizens could circle 'yes' or 'no', and the final tally counted 75% that voted 'yes'. This showed the existing legitimacy during this time, and Pinochet started drawing up a new constitution. The plebiscite asking for the Chileans' vote on the constitution, also showed a great majority voting in favour: 69% approved of the constitution. This further secured the feeling of legitimacy at the time. Moreover, Pinochet allowed three major opposition magazines to be up and running; *APSI, Hoy,* and *Análisis,* as he found allowing the press to run an appealing form of legitimacy (Eidahl, 2017). Later, the press found new ways to expand beyond their limits, and Pinochet was not willing to close the press down due to legitimacy issues (Eidahl, 2017). He therefore restricted the topics of the articles, but this quickly resulted in damaging views about his ruling as many journalists were imprisoned. Heavy fees were installed to try and limit the press outings.

Next to the cry for a free press and Pinochet trying to hold onto power in that regard, Chile's economy nearly collapsed during a global recession in 1981. Pinochet abandoned some of his neoliberal principles and turned to repression, which greatly impacted his legitimacy (Eidahl, 2017). Furthermore, the press now had the opportunity to comment on the recession and Pinochet's actions, which further reduced the legitimacy (Eidahl, 2017).

Ranging from 1981 to 1990, a new constitution was formulated for Chile during the transition period. Even though the military kept absolute power during this period, there was the constitutional tribunal that still played an important role in Chilean transition to democracy. Throughout the transition period, civil and political rights were restricted by transition clauses. Apart from this, the executive had the power to detain without trial, to exile and to even limit freedom of expression and association (Fuentes, 2015).

In the late 1980's, general Pinochet was defeated. Pinochet had been pressured into starting a plebiscite and had agreed, looking for more legitimacy, asking the Chileans if Pinochet was to stay in power for a further eight years as a 'transition period' to legitimacy. In case the vote turned out to be 'no', a transition to democracy would start immediately. Nearly 56% of the Chileans voted 'no', and when the results were announced, people streamed into the streets in celebration (Eidahl, 2017).

According to Boeninger (1990), this defeat of Pinochet shows that for example economic growth, as was one of Pinochet's successes, does not guarantee continued public support in a developing country. He notes that governments must solve social problems efficiently and consider the needs of people to ensure public support. In order to perform effectively, a government needs a political majority that is stable, and this was a challenge for Chile. The political system of Chile was not able to meet this requirement as there were confrontational politics and ideological divisions.

3.4 Democracy under the Concertación

In 1988, with the transitional constitution, came the responsibility for appointing a presidential candidate for the next 8 years, and this candidate was to be approved by plebiscite; a system clearly tailored to suit Pinochet. At this point, the opposition was in a dilemma on whether to campaign against the authoritarian government or to step up their strategy and popularly resist and expect the fall of the regime. Most political parties decided to fight the rules of the system, with the exception of the communist party which decided to rebel but finally joined the system strategy in the end.

By 1987, 17 political parties teamed up to form a coalition which was then referred to as the Concertación which means agreement. The first task was campaigning for the registration of voters. This time for parliamentary elections for 1989, the regime was forced to set the minimum number of institutions the constitution provided (Garretón, 2000). Going by this, between 1985-1988, laws were enacted that created an electoral system responsible for organizing political parties and for setting electoral tribunal (Schilling-Vacaflor & Nolte, 2016).

The Concertación is one of the longest and most successful coalitions ever recorded in Latin America. This coalition's success is what made it rule Chile ever since the conception of democracy in 1990 up until a point where Chile designed a formula of governance. The mode of governance after democracy was agreed upon based on an agreement among centre-left political parties who strongly opposed Pinochet's authoritarian rule (Alberts et al. 2021; Siavelis, 2010). This strategy also included negotiating with powerful players like the military. By using this strategy, Chile took in increasing levels of economic growth, elimination of poverty and political stability.

3.4.1 Human rights under the Concertación

There are interesting trajectories that have occurred with regards to human rights in Chile. Despite being key in mobilizing and discourse framework that united national and international opposition to the Pinochet regime in 1980, human rights became a minority interest for civil society after initiation of transition in 1989 (Ensalaco, 1999). This change was deliberate according to Garretón (2000), who describes the Concertación as being determined and effective in deactivating radical projects and contentious issues, among them being human rights.

After the insight of Aylwin into memorialization politics, attention was focused on economic and social fine-tuning in order to offset dictatorship's social debt, instead of highlighting dramatic iniquities. For Chile, those who died or disappeared were not remembered, particularly by individuals who were not directly connected to them. Looking at comparative regional politics, path-dependency theorists find Chile suitable for contention, where initial conditions overdetermine initial policy choices in sensitive areas where action should have been taken against authoritarians (Diamond et al., 2010). For more than eight years, Chileans had Pinochet as leader of the army and at the time, certain issues were off limits, particularly those with the potential of affecting Pinochet's image and over the institution he presided over as the dictator.

Chile's human rights question was never resolved until Pinochet's demise in 2006, which brought a new significant incarnation. 'Civilianization' of human rights framing was largely welcomed and this allowed reformulation of state-society relation. During 1990's and early 2000's, the Concertación government avoided legislating and acting on controversial issues of impunity that were associated human rights issues (Collins, 2010). For instance, Chile became one of the last countries in the world to pass divorce law and has still not come to terms with same-sex civil partnerships. Apart from this, the judicial activism as well as rights-guaranteeing behaviour witnessed in Latin American countries, was still absent in Chile during the Concertación.

Prior to the Inter-American court of human rights, there have been many human rights complaints against Chile's institutions. There was concern over a case where a judge was associated with domestic prosecutions of Pinochet and had previously made remarks on upholding censorship laws instead of relatively progressive constitutional courts as was done in other parts of the region. Chile has lagged behind in various human rights issues. Up to date,

Chile is one of two South American countries that does not have a human right ombudsman office (Johnson, 2000). It only has adverse Inter-American human rights system opinions, unilateral reservations to ILO (International Labour Organization) signature treaty on indigenous rights and managed to ratify Rome statute of international criminal court after a decade of negotiations.

3.4.2 The fall of the Concertación

Michelle Bachelet became the coalition's fourth president, who then lost to Piñera on March 11 2010, leaving office with a general public approval of 80%. Having such a record of governing Chilean people, and positive public support, it was hard to predict that the Concertación could lose such an election.

To some extent, the Concertación coalition fell victim of its own success. The model that the coalition made after gaining democracy that governed Chile was only effective for that period during the transition to democracy. However, the model fell short in terms of representation accountability and even citizen participation. Such disregard was more evident in the coalition's governance style, and this became a more compelling ground for the opposition to bring arguments against such important aspects of democracy, which led to the defeat of the Concertación.

In as much as the Concertación's model and governance helped regain and build consensus, the arrangement that made this coalition possible also contributed to the so called 'elitism' or image thereof even in governance. During this time, a big factor of the success of the transition was the agreement that some parties of the Concertación, based on their strength, would share presidential cabinet portfolios. However, the ministers had to be of a different party than the sub-secretaries. This led to extensive party input into government that ensured the legislative success of presidents (Sehnbruch & Siavelis, 2014). During this time, accusations arose that those political positions were allocated based on party connections instead of qualifications; this according to Chileans was cronyism and elitism at its peak. For instance, cabinet appointments and legislative candidacies were all decided at the elite level, overlooking the concept of open primary involving citizens' output (Rhodes-Purdy & Rosenblatt, 2021; Siavelis, 2010). Just like cabinet appointments and legislative candidacies, presidential candidacies followed with similar deals, made behind closed doors and democracy was completely tampered with at this point.

Chapter 4 – The crisis of Chilean democracy

This chapter focuses on the Chile crisis that occurred in October 2019. This chapter will start by sharing an overview of what led up to the crisis, including Piñera's rule and social movements during the democratization. In 4.2, the crisis itself will be explored, including the origins of the crisis, what happened on October 18 2019, and what the current crisis entails.

4.1 Leading up to the crisis: lowered legitimacy

There are various reasons and influencing factors for the crisis that occurred in Chile in October of 2019. In this paragraph, some central themes will be explored that can be connected to legitimacy. As De la Fuenta and Mylnarz (2020) argue, the "it's not 30 pesos, it's 30 years" is not entirely accurate – in fact, Chile has struggled with a lowered legitimacy for over 200 years, ever since the country came into existence. According to them, the social crisis in 2019 only brought to the surface long-existing legitimacy problems. This started with Sebastian Piñera's second rule from 2018 onwards, during which the problems with legitimacy arose (De la Fuenta & Mylnarz, 2020). Next to this, social movements showed how the political field was not actively involved with societal life.

4.1.1 Piñera's second rule

March 11, 2018 marked the day Chile's former president (2010-2014) Sebastian Piñera took office for the second time. In the 2018 elections, Piñera won by 58% from Alejandro Guillier in the centre-left party (Czyżyk, 2014). Piñera gathered more votes in this election, more than has ever been recorded since Chile's return to democracy. Similarly, his second win marked the biggest loss ever recorded by centre-left party, a coalition that had dominated Chile's political space since Chile's return to democracy (Jonas, 2004). Piñera called Chile a true 'oasis' of political stability in Latin America, and even took part in the G7-summit in Biarritz at the end of August 2019, as a special guest of French president Emmanuel Macron. Moreover, Chile was preparing to host two very important summits, welcoming over 32,000 international delegates combined, including Xi Jinping and Donald Trump. Both summits would have acknowledged Piñera as a central ruler in Latin America (Peña & Silva, 2022).

After occupying the presidential office for a month, Piñera made some decisions that were disappointing to his supporters and among them two of these decisions stand out. The first was supporting the re-election of José Miguel Insulza as the head of American states organizations

(Figueroa-Clark, 2010). José Miguel, who was supported by Piñera, had a bad reputation and was known as incompetent and a violator of democracy and civil rights.

Second, Piñera proposed an increase in taxes for large companies as a temporary measure. This increase was from 17% to 20% coupled by a hike in mining royalties and increased tax on tobacco. Piñera's reason for such changes was to fund Chile's post-earthquake reconstruction needs (Czyżyk, 2014). In reaction to this, a number of Chile's economists protested and criticized the proposed tax increase, suggesting other possible solutions the government could take that would be less damaging to the Chilean economy. According to the economists, this increase in taxes would bring around a drop in productivity, which would inevitably danger Piñera as he had been actively campaigning saying he wanted to increase productivity.

In addition, at the end of 2019, Chile was filled with tensions rising from different sides of the political divide. In combination, the parliament also proposed a disputed reform which would see 10% of Chileans pension savings directed towards emergency coronavirus aid (Benedikter et al., 2018). This proposition is rather controversial as Piñera's government during campaigns vowed not to interfere with Chilean decades-old private pensions scheme.

According to Benedikter et al. (2018), these factors were part of the reasons that led to the protests of 2019. The proposal of the Chilean pension savings led to very unhappy citizens (Useem et al., 2020). In fact, a survey for Chileans to measure their political support showed that only 6% of Chileans were in support of Piñera, while 81% stated that the government's failure was primarily due to its inability to manage any crisis facing Chile (Benedikter et al., 2018).

4.1.2 Social movements

Since Chile regained its democracy, there has been rise in social movements. There has also been a degree of compatibility of alignments witnessed between political parties and social movements. According to Morales (2014), there has been existing controversy between political party's priorities and them actually solving needs of the Chilean people.

The rise of social movements began right from 1983, where mobilized groups began to assemble and strategize their way to fight against dictatorship in Chile (Collier & Sater, 1996). Aside from the growing political opposition, Chileans also began protesting and this marked

the first signs of a reconstruction era in Chile (Oppenheim, 1993). Ever since Chile regained its democratic rule, social movements have also revolutionized. In fact, social movements and civil society of that time are often characterized as being institutionalized, weakened and demobilized as a control measure (Salazar, 2012; Tricot & Albala, 2017). Even though social movements were weakened, they did not completely disappear. They failed in their fight against the dictator but in turn gained media attention, and managed to influence the agenda against dictatorship.

Chilean press

In this paragraph, the main social movements will be identified, starting with the Chilean press. Figure 2 shows collective actions in Chilean press witnessed between 1990 and 2013.

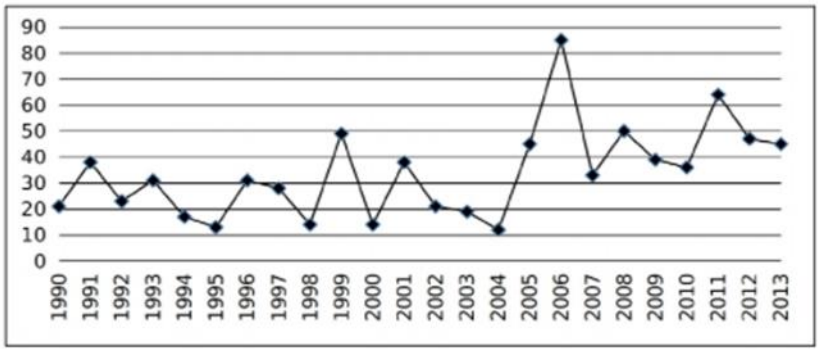

Figure 2 Chilean press actions recorded between 1990–2013

Chilean press collective actions can be grouped into six; civil rights, human rights, regional, indigenous movements, student movements and other unions including religious and environmental groups. Among all these collective action groups, the human rights movement was the most relevant group during Pinochet's era. Media presence and active participation remained constant during the first few years of the transition governments.

Indigenous actions

A sharp increase can be seen in the number of indigenous collective actions from 1990 to 2013. According to Albala and Salomon (2017) many more indigenous people started their own actions to improve their lives. Among them was the Mapuche indigenous organization that gradually grew into an important social movement in Chile. This cross-linked, decentralized, and autonomous resistance movement seemingly distanced itself from Chilean politics.

Democracy also helped in bringing to light people of Mapuche and continuous mobilization made their grievances known to the Chilean government (Martínez & Rodríguez, 2016). Figure 3 visualizes the number of actions by indigenous people.

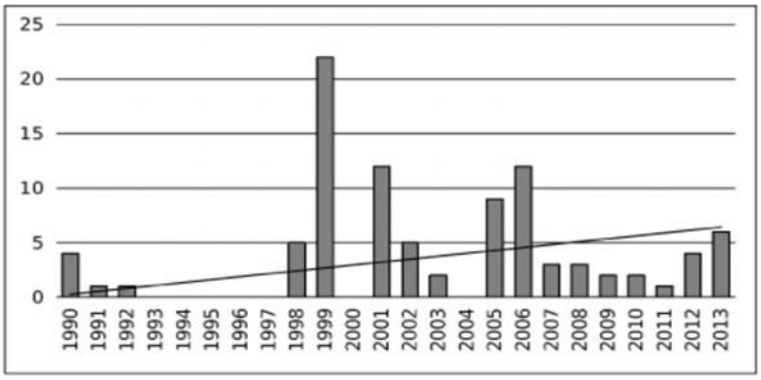

Figure 3 Indigenous collective actions, 1990–2013 (Albala & Salomon, 2017)

Students

Compared to other social movements, student movements have occurred continuously since the beginning of the transition as observed in figure 4. The most popular student movement began back in 2006 with high school students protesting during the so-called "Penguin Revolution". This protest began with students demanding bus passes, but slowly escalated to the students demanding for structural reforms in the education sector. From here, a massive protest was witnessed in Chile and this was not only viewed as a student protest but as a new revolution and citizens' desire for change in public institutions (Silva, 2009; Salazar, 2008). The second peak of student movements in Chile was witnessed in 2011, which marked emergence of a new cycle of collective action. The 2011 movement was not only unprecedented but also represented added demands of students including free education. As a result of these protests, prominent leaders of the student movement won seats in Congress. Several months later, protests emerged in Santiago and other parts of the country, with the student movement questioning the government and its acts which were similar to Pinochet's era of dictatorship, that played out in institutions (Tricot, 2012).

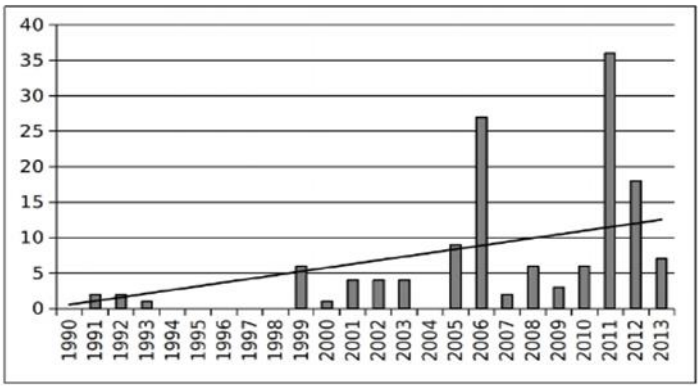

Figure 4 Student collective actions, 1990–2013 (Albala & Salomon, 2017)

4.2 Crisis of 18th October 2019

4.2.1 Origins of the crisis

This paragraph will outline the origins of the crisis.

Detachment between Chileans and government

From the highlighted movements in 4.1.2, it is evident that there were intersecting priorities and evidence of detachment witnessed between demands of the Chilean people and political elites/parties. Priorities mentioned by members of Chilean congress between 2000-2006 do not include indigenous demands (Albala & Salomon, 2017). Despite many being injured, imprisoned, arrested and killed, even in the presence of media, legislators still failed to consider demands that were important for Chileans. Such disregard was evident through persistent denial of existence of the Chilean indigenous group. With the constitution failing to recognize them, they felt like they remained invisible and insignificant. Ultimately, indigenous rights came about progressively and this was not a political agenda but as a result of increasing pressure from Chilean indigenous movement.

The same went for education. This was a sector that was of less importance to congresspersons until 2006 when massive high school student mobilizations began. The protests that marked the peak of movements in 2006 and 2011 brought forth traditional political parties. The irony was that even at the peak of these demonstrations, there was no support received from the Concertación parties, democrats or even Socialists as they were absent from the mobilizations, which eluded more mistrust by Chileans.

The 2011 student movement constituted student leaders who failed to compromise their needs and disagreed with the Concertación coalition parties. In the opposition was the center-left party which did not take advantage of this disagreement to gain more followership. In the long run, the Concertación and Communist Party gradually lacked the power to influence masses (Larrabure & Torchia, 2015). This is because they updated their political programs by abandoning the class struggle, with center-left parties, socialists Democrats distancing themselves from their activists' role. In addition to this, during the dictatorship period, the state reduced its role in development of social protection, which meant reduced resources for civil society (Stahler-Sholk, Vanden, & Becker, 2014). At this time, all Chilean political elites had agreed to continue using the neoliberal economic model and were a stumbling block to reforms or removal of the authoritarian model. This act only deepened the disconnect between social movements and political parties due to the inequality and authoritarianism that was still being practiced by political elites in power, and fuelled feelings of illegitimacy (Larrabure & Torchia, 2015).

Health reforms

The 2019 crisis has its roots deeper and much older than the 20th century that was marked with inequality from governments. Firstly, in 1952, Chile initiated the national health service which was highly advocated for by the then Senator Salvador Allende. This health reform was among the few that put into account saving the poor by including about 70% of the poorest population in Chile. However, it left out the military police, civil servants and private employees (Sepúlveda et al., 2020). This caused a lot of issues with legitimacy; the citizens found it unfair, and were unhappy (Sepúlveda et al., 2020). The inequality issue therefore, was a central theme for the crisis (González, 2020).

The Pinochet regime also progressively cut funding in Chile's health system. It forced employees to contribute 7% of their gross income to the health fund in order to get a health insurance coverage which was only available from highly subsidized private insurers, who offered quality services but were expensive and this presented an inequality gap in the health system (Huneeus & Sagaris, 2007). This created an even vaster inequality gap (González, 2020).

Pension reforms

With regards to pension, Pinochet's government privatized pensions and forcefully made all workers contribute ten percent of their monthly earnings to Chile's Pension Fund Administrators (Borzutzky & Hyde, 2016). The Pension Fund Administrators only made things worse by charging excessive management fees and widening the inequality gap. This caused great dissatisfaction in the citizenry (Peña & Silva, 2022). With regards to education, Pinochet's administration changed schools from the education ministry and placed them under local authorities. The government also introduced the voucher system in schools where families could use vouchers to pay for children in private and public schools, seen as a way of the government moving away from funding education system. Subsequently, there was no improved education standards but increased social stratification (Ensalaco, 2010).

Economic situation

The economy is another underlying reason for Chile's crisis. Chile's neoliberal economic model was strictly imposed from 1973 under Pinochet's rule. According to this model by Milton Friedman, the economist proposed implementation of the model as a 'controlled economic experiment' (Codevilla, 1992). This economic model comprised of deregulating markets, reducing state welfare provisions as well as promoting free trade. With dictatorship being the way of governance in Chile, no one could protest this economic experiment being done. This however immediately state welfare leading to gradual dissolution of social bonds and this also weakened communities in Chile while empowering a select group of individuals (Valdes, 1995). Pinochet's neoliberal and economic experiment crashed the economy by exhausting Chile's natural resources, and even led to the decline of agricultural sector. The economic model that was adopted, created large benefits for the elites and few individuals in Chile. Apart from all these, this model created the current inadequacies still faced in various sectors like healthcare and in the pension scheme that continually elevate poverty levels in Chile (Ffrench-Davis, 2014).

4.2.2 18th October 2019

18 October 2019 saw a large masses of people demonstrating on the streets. In a few hours, booths and buildings were on fire as barricades blocked pathways. To counteract this, the government took measures that were likened to Pinochet's regime, that of using force on the citizens (Garces, 2019). Piñera's government immediately declared a state of emergency, deploying the military on the streets while stating the country was at war. This declaration only made the situation worse by further multiplying the number of people demonstrating on the

streets to voice out their issues (Bruey, 2021). By obeying Piñera's call to war, Chile's police began to distribute protestants by using violence against peaceful demonstrators. Police brutality became uncontrolled as officers continuously tortured, beat and injured protestants (Englart, 2019). From this, it shows how the police lacked restraint and forgot their work of safeguarding citizens. On the other hand, it shows lack of government's commitment in protecting human rights as well as their lack of regard for democracy's provisions.

Piñera's leadership failed to condemn violent acts by the police and instead of restraining, the head of police endorsed such acts (Somma et al., 2021). As a result of the widespread abuse, it caught the attention of human rights commission in America who then begun investigating the situation. The conclusion from the investigations showed that human rights in Chile had been violated by Piñera's government in their response to the peaceful demonstration on 18th October 2019 (Maguire, 2021).

Protests had therefore escalated and every affected citizen from students, indigenous people, to workers all united to protest against the political and economic system which was viewed as unjust and unresponsive by the people of Chile (Gato, 2019). These protests paralyzed the country as Piñera's administration violently reacted to the protests by declaring a state of emergency on October 19th 2019, deploying military to the streets to combat and repress demonstrators (Bruey, 2021). The use of police troops to disperse protestors was likened to Pinochet's era of dictatorship and such a forceful act worsened the situation, and ultimately led to the two big international summits being cancelled. When the protests escalated, the authorities were forced to undergo a massive concession, where the Chilean people were given the will to finally choose whether the country needed a reboot or not. During these discussions, various groups from protestors to critics all held different views concerning the root cause of Chile's woes. Some traced these problems to the 1980 constitution written during the dictatorship of General Augusto Pinochet, which were still actively being used to date, and were causing issues with legitimacy as the state could not be turned into a democratic state. On the other hand, others just trace the current problem to the changing times and current government, seeing nothing wrong with the Pinochet regime.

The issue of legitimacy pops up in such discussions, with literature detailing legitimacy (or lack thereof) of Chile's governance system right from Pinochet regime, trickling down to Sebastián Piñera's regime, where continuous unrest, a common characteristic in these regimes, continues

to be witnessed (Heiss, 2017). While General Augusto Pinochet was publicly known as an illegitimate head of state, some of his characteristics have trickled down to the current Piñera administration, especially with his response to the 2019 protests (Sehnbruch & Donoso, 2020). The issue of how Chile state legitimacy (or lack thereof) has been reshaped over subsequent governments has also been brought to light.

4.2.3 Current crisis

It is evident that the problem facing Chilean democracy today is the continued use and practice of dictatorship-tailored institutions, making public institutions immune to the needs and wants of the people (Hartley & Hartley, 1975). One would assume that with restoration of democracy, Chilean people would view and refer to the Chilean government as being legitimate. However, this has not been the case and figure 5 and 6 show the legitimate index of Chile from 2007 to 2020, showing that Chile's state legitimacy is facing a crisis. From the figures shown below, (0) depicts high legitimacy while (10) depicts low legitimacy. The indicator measures state representation as well as the existing relationship between citizens and the state. The indicator therefore focuses on the level of belief or confidence that citizens of a particular state have with regards to state/public institutions and public processes, and it makes an assessment to measure the confidence level of the people. The confidence level of citizens is measured through the absence or presence of actions like public demonstrations, or any form of armed insurgence. In this case, the higher the value, the lower the state's legitimacy. Chile's state legitimacy index from 2007-2020 therefore shows that the average value for Chile during that period (2007-2020) is 2.96, with a minimum of 1.6 points in 2007 and a maximum of 5.7 points in 2020 (Gilley, 2012).

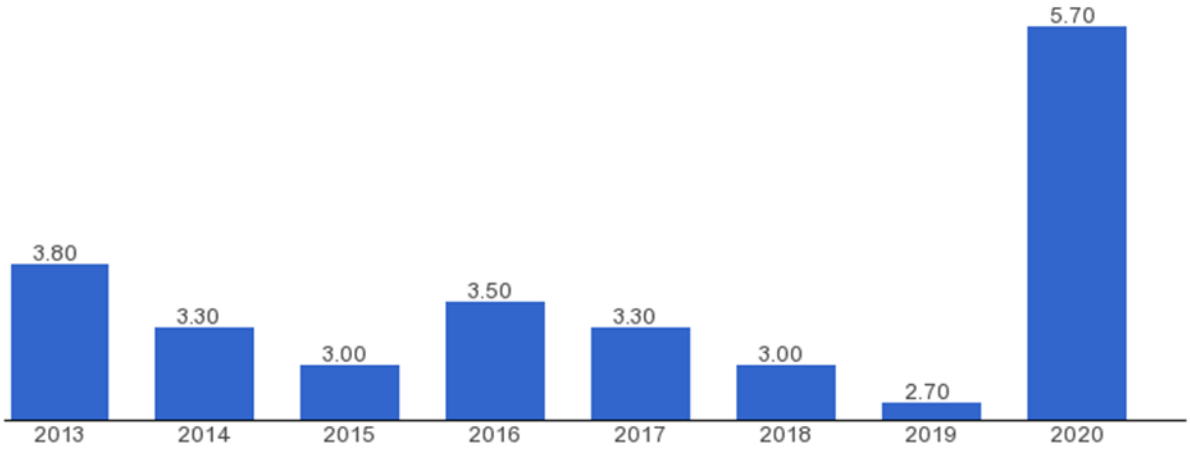

Figure 5 Chile's state legitimacy index from 2007-2020 (Heiss, 2017)

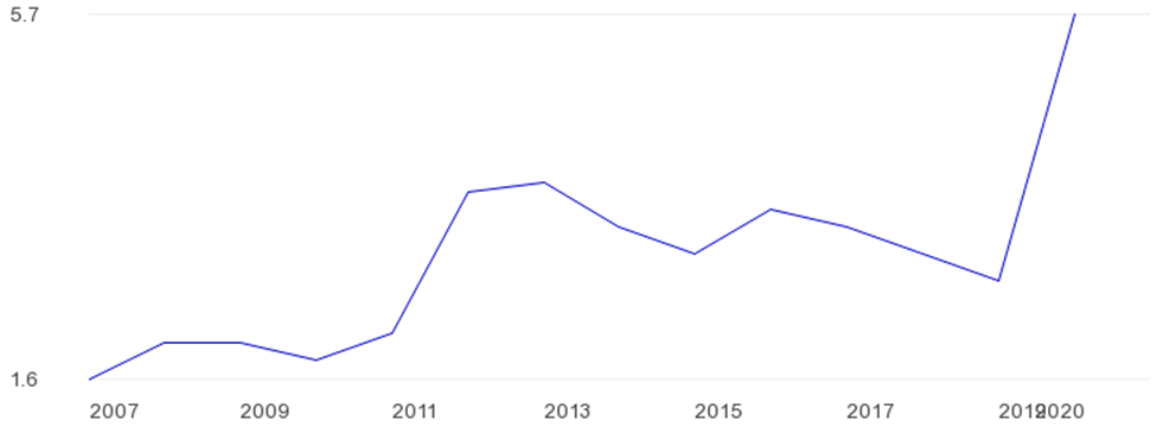

Figure 6 Chile's state legitimacy index from 2007-2020 (Heiss, 2017)

From the state legitimacy index, it is evident that even with the democratic transition that occurred in Chile, there is still a crisis to be resolved. Since mid-2011, Chile has experienced several mass demonstrations and protests, which challenges the social, as well as political stability that has been gained so far (Jara, 2014). Additionally, there have been declining rates of approval for political institutions and rising public dissatisfaction that have further raised questions regarding legitimacy of the Chilean state and government.

As of now, Chile has a new proposed constitution, that has been submitted to President Gabriel Boric. In a referendum on September 4, the Chileans will decide if the majority of people approves of this new constitution. The 388-article-long constitution is long and contains the right to free speech, abortion, clean air and water, and a publicly-funded national health service. Its articles are also meant to try and close the enormous gender pay gap, and will identify and recognize the indigenous population. If the constitution is not backed by the majority, Chile will have to start over and start writing a new constitution.

Legitimacy has been an issue in Chile, with citizenry being dissatisfied with post-dictatorial governments because of continued use of 1980 constitution which people still believe contains elements of dictatorial leadership (Jara, 2014). 2019 saw Chilean's march on the streets to peacefully demonstrate the need for reforms to solve the structural and social injustices in the country. Chileans are collectively demanding for reforms that will boost legitimacy via descriptive representation. This means, Chileans want reserved seats for indigenous people, independent candidates, introduce non-partisan candidates and legislative gender quotas (Jara, 2014).

Conclusion

This thesis explored the role of legitimacy in the 2019 crisis in Chile, with the following central question: “What is the role of legitimacy in the social uprising in Chile in October 2019?”. This conclusion will provide a brief summary, outlining this role in the light of the crisis.

In short, legitimacy played a big role in the social uprising in Chile. As was found for this thesis, Chile has faced many problems with neoliberalism, social movements, as well as with legitimacy. Legitimacy, therefore, is only one of the many factors leading up to the crisis in Chile. Legitimacy entails to what extent citizens believe the public institutions are legal (Gilley, 2006). There is no legitimacy if the citizens lack respect and regard when it comes to public institutions (Englebert, 2000) and there is legitimacy when the citizens believe their public institutions to be legal and trustworthy.

A sharp increase in Chile’s legitimacy index can be observed in various polls, especially in the 2020 results when legitimacy was scored to be 5.7, while the average since 2007 had been 2.96 (Heiss, 2017). This spike means the legitimacy declined very sharply, as higher numbers signify a lower legitimacy. These declining rates of approval for public institutions danger the social and political stability (Jara, 2014).

The reasons for the declining rate in legitimacy are many. First and foremost, there is a detachment between Chileans and their government. This is mostly due to the government failing to recognize its indigenous citizens and its students in its lawmaking, its military police, civil servants, and private employees in the health reforms, and the overall society in the pension reforms. During the latter, a select group of individuals was highly benefitted, while the working class was subjected to heavy fees which widened the inequality gap (Ensalaco, 2010). This inequality gap was widened further by the economic situation, which was built during a dictatorship and which laws promoted inadequacies that elevated poverty levels (Ffrench-Davis, 2014). This has led to Chileans not feeling heard, hereby lowering the legitimacy, and leading up to the current crisis.

This decline in legitimacy was one of the factors that led to the October 2019 crisis in Chile. The increase in price of 30 pesos for the Metro blew up the pressure, and led to millions of people demonstrating in the streets on October 18, calling for a fair political and economic

system where students, indigenous groups, and workers were recognized and taken into account during the decision-making and law-making process. The current system was, according to the protestants, unjust and unresponsive (Gato, 2019).

A state of emergency was declared on October 2019, when Chile deployed military to the streets. This decision was likened to the Pinochet regime, what led to even more citizens actively protesting (Bruey, 2021). The authorities were forced to undergo a concession and were waiting for September 4, when the Chileans voted for the new Constitution. This 388-article-long document contained the right to free speech, abortion, clean air and water, and a publicly-funded national health service.

Unfortunately, almost 62% of voters voted against the new Constitution. Chile's president, Gabriel Boric, originally backed the new Constitution but claimed the voting showed the will of the people (Buschschlüter, 2022). According to the president, Chile will continue to draft a new constitution that will hopefully unite Chile once again.

Bibliography

Abbott, K. W., Genschel, P., & Zangl, B. (2012) Orchestration: Global governance through intermediaries. Available at SSRN: https://ssrn.com/abstract=2125452

Alberts, S., Dávila, M., & Valenzuela, A. (2021). Modernizing the state to strengthen democracy: Public sector reforms in Chile. In B.G. Peters, C.A. Tercedor and C. Ramos (Ed.), *The Emerald Handbook of Public Administration in Latin America.* Bingley, UK: Emerald Publishing Limited.

Altman, D. (2010). *Direct democracy worldwide.* Cambridge University Press.

Atria, F. (2013). *La Constitución Tramposa.* LOM.

Berglund, S., Aarebrot, F., Vogt, H., & Karasimeonov, G. (2001). *Challenges to Democracy*. Edward Elgar Publishing Limited.

Blofield, M. (2006). *The politics of moral sin: Abortion and divorce in Spain, Chile and Argentina.* Routledge.

Boeninger, E. (1990). Chile After Pinochet: Lessons from the Past, Hopes for the Future. *Journal of Democracy, 1*(2), 13-17.

Boeninger, E. (1991). Consolidation in Chile. *Journal of Democracy, 2*(3), 57-60.

Bonnell, V. E., & Breslauer, G. W. (2001). *Russia in the New Century. Stability or Disorder*. New York: Routledge.

Boorstein, E. (1977). *Allende's Chile: an inside view*. New York: International Publishers.

Bourricaud, F. (1987). Legitimacy and legitimization. *Current sociology, 35*(2), 57-67.

Budge, I. (2006). Direct and representative democracy: Are they necessarily opposed? *Representation*, *42*(1), 1-12.

Buschschlüter, V. (2022, September 5). Chile constitution: Voters overwhelmingly reject radical change. *BBC.* Retrieved on October 25, from https://www.bbc.com/news/world-latin-america-62792025

Croissant, A., & Merkel, W. (2001). *Political Party Formation in Presidential and Parliamentary Systems*. University of Heidelberg, Institute for Political Science.

Calhoun, C. (2002). *Dictionary of the social sciences*. Oxford University Press.

Calderón, C., & Schmidt-Hebbel, K. (2003). Macroeconomic policies and performance in Latin America. *Journal of International Money and Finance, 22*(7), 895-923.

Collins, C. (2010). Human rights trials in Chile during and after the 'Pinochet Years'. *International Journal of Transitional Justice, 4*(1), 67-86.

De la Fuenta, G., & Mylnarz, D. (2020). *El pueblo en movimiento. Del malestar al estallido.* Catalonia.

Diamond, L., Plattner, M. F., & Costopoulos, P. J. (2010). *Debates on democratization*. Baltimore, US: JHU Press.

Eidahl, B.T. (2017). *Writing the opposition: Power, coercion, legitimacy, and the press in Pinochet's Chile.* College of Arts and Sciences at Ohio State University.

Encido, C.R. (2020). *Octubre Chileno. La irrupción de un nuevo pueblo.* Taurus.

Englebert, P. (2000). *State Legitimacy and Development in Africa.* Lynne Riener Publishers.

Ensalaco, M. (2010). *Chile Under Pinochet*. University of Pennsylvania Press.

Fernandez, P. (2020). *Sobre la marcha. Notas acerca del estallido social en Chile.* Discussion.

Fossedal, G. (2002). *Direct democracy in Switzerland.* New York: Routledge.

Foxley, A., & Sapelli, C. (1999). Chile's Political Economy in the 1990's: Some Governance Issues. In G. Perry and D. Leipziger (Eds.), *Chile: Recent Policy Lessons and Emerging Challenges*. The World Bank Publications.

Frank, A.G. (1967). *Capitalism and underdevelopment in Latin America: historical studies of Chile and Brasil*. Monthly Review Press.

Fuentes, C. (2015). Shifting the Status Quo: Constitutional Reforms in Chile. *Latin American Politics and Society, 57*(1), 99-122.

Fukuda, S. I., Kasuya, M., & Akashi, K. (2006). The Role of Trade Credit for Small Firms: An Implication from Japan's Banking Crisis. Center for Economic Institutions, working paper series.

Gandhi, J. (2008). *Political institutions under dictatorship*. Cambridge University Press.

Gargarella, R. (2013). *Latin American Constitutionalism 1810-2010: The engine room of the constitution.* Oxford University Press.

Garretón, M.A. (1995). Re-democratization in Chile. *Journal of Democracy, 6*(1), 146- 158.

Garretón, M.A. (2000). Chile's elections: Change and continuity. *Journal of Democracy, 11*(2), 78-84.

Geddes, B., Frantz, E., & Wright, J. G. (2014). Military rule. *Annual Review of Political Science, 17*, 147-162.

Gill, I. S., Izvorski, I., Eeghen, W. V., & De Rosa, D. (2014). *Diversified Development: Making the most of natural resources in Eurasia.* The World Bank.

Gilley, B. (2006). The determinants of state legitimacy: Results for 72 countries. *International political science review, 27*(1), 47-71.

González, C.P. (2020). *Pensar el malestar: La crisis de octubre y la cuestión constitucional.* Taurus.

Granovetter, M. (1992). Economic institutions as social constructions: a framework for analysis. *Acta sociologica, 35*(1), 3-11.

Groenewegen, J., Pitelis, C., & Sjöstrand, S. E. (1995). *On Economic Institutions.* Edward Elgar Publishing Ltd.

Hattersley, A. F. (1930). *Short history of democracy*. Cambridge University Press.

Htun, M. (2003). *Sex and the state: Abortion, divorce, and the family under Latin American dictatorships and democracies.* Cambridge University Press.

Huneeus, C. (2007). *The Pinochet Regime*. Lynne Rienner Publishers.

IMF. (2003). Growth and Institutions. Retrieved on June 1, 2022, from https://www.imf.org › pubs › weo › 2003/01 › pdf

Jara, C. (2014). Democratic legitimacy under strain? Declining political support and mass demonstrations in Chile. *European Review of Latin America and Caribbean Studies, 97*, 25-50.

Johnson, K. (2000). The struggle for human rights in Latin America. *Human Rights Quarterly, 22*(3), 862-867.

Kaufman, A. (1998). Leadership and governance. *Academic medicine: journal of the Association of American Medical Colleges, 73*(9), 11-15.

Kersbergen, K. V., & Waarden, F. V. (2004). 'Governance'as a bridge between disciplines: Cross-disciplinary inspiration regarding shifts in governance and problems of

governability, accountability and legitimacy. *European journal of political research, 43*(2), 143-171.

Knight, J., & Sened, I. (1998). *Explaining social institutions*. University of Michigan Press.

Kooiman, J. (2008). Exploring the concept of governability. *Journal of comparative policy analysis: reseach and practice, 10*(2), 171-190.

Kriesi, H. (2013). Introduction—The new challenges to democracy. In H. Kriesi, D. Bochsler, J. Matthes, S. Lavenex, M. Bühlmann, F. Esser (Ed.), *Democracy in the Age of Globalization and Mediatization,* (pp. 1-16). Palgrave Macmillan.

Levitsky, S. & Ziblatt, D. (2018). *How Democracies Die.* Broadway Books.

Linz, J. (1978). *The breakdown of democratic regimes.* John Hopkins University Press.

Linz, J. J., & Stepan, A. C. (1996). Toward consolidated democracies. *Journal of democracy, 7*(2), 14-33.

Mainwaring, S., & Viola, E. J. (1985). Transitions to Democracy: Brazil and Argentina in the 1980s. *Journal of International Affairs, 38*(2), 193-219.

Marangudakis, M. (2016). Visions of Brotherhood; a Comparative Analysis of Direct Democracy in Ancient and Modern Greece. *Política y Sociedad, 53*(3), 773-793.

March, J.G., & Olsen, J.P. (1996). Institutional perspectives on political institutions. *Governance, 9*(3), 247-264.

Matheson, C. (1987). Weber and the Classification of Forms of Legitimacy. *British Journal of Sociology, 38*(2), 199-215.

Mayntz, R. (2009). *On governance: institutions and processes of political regulation.* Campus Verlag.

Mazepus, H. (2017). What makes political authorities legitimate? Students' ideas about legitimacy in five European democracies and hybrid regimes. *Contemporary Politics, 23*(3), 1-24.

Medina, E. (2006). Designing freedom, regulating a nation: socialist cybernetics in Allende's Chile. *Journal of Latin American Studies, 1,* 571-606.

Meller, P. (2000). Pobreza y distribución del ingreso en Chile (década del 90) (Documentos de Trabajo No. 69). Centro de Economía Aplicada, Universidad de Chile. Retrieved on July 1st, 2022, from http://econpapers.repec.org/paper/edjceauch/69.htm.

Miller, S. (2003). Social institutions. In M. Sintonen, P. Ylikoski, K. Miller (Ed.), *Realism in Action: Essays in the Philosophy of the Social Sciences,* (pp. 233-249). Springer.

Montero, J.C. (2012). Gobernabilidad: validez/invalidez o moda del concepto. *Revista mexicana de ciencias políticas y sociales, 57*(216), 9-23.

Mouritsen, H. (2017). *Politics in the Roman Republic*. Cambridge University Press.

Negretto, G. (2013). Procesos constituyentes y refundación democrática. El caso de Chile en perspectiva comparada. *Revista de Cienca Política, 35*(1), 201-215.

Nolte, D., & Schilling-Vacaflor, A. (Eds.). (2012). The times they are a changin': Constitutional transformations in Latin America since the 1990s. In *New Constitutionalism in Latin America: Promises and Practices* (pp. 3-30). Ashgate.

North, D. C. (1988). Ideology and political/economic institutions. *Cato Journal, 8*(1), 15-28.

Peña, C., & Silva, P. (2022). *Social revolt in Chile: Triggering factors and possible outcomes.* Routledge.

Philip, G. (1984). Military-Authoritarianism in South America: Brazil, Chile, Uruguay and Argentina. *Political Studies, 32*(1), 1-20.

Rhodes-Purdy, M., & Rosenblatt, F. (2021). Raising the Red Flag: Democratic Elitism and the Protests in Chile. In M. Bernhard and D. I. O' Neill (Eds.), *Perspectives on Politics*. Cambridge University Press.

Scott, S. D. (2001). *Transition to democracy in Chile. Two factors.* Graduate Student Theses, Dissertations, & Professional Papers. University of Montana.

Schilling-Vacaflor, A., & Nolte D. (2016). Chile: Democratization through constitutional reforms. In C. Fuentes (Ed.), *New Constitutionalism in Latin America*. Routledge.

Schmitter, P.C., & Karl, T.L. (1991). What democracy is… And is not. *Journal of Democracy, 2*(3), 75-88.

Sehnbruch, K., & Siavelis, P. (2014). *Democratic Chile: The Politics and Policies of a Historic Coalition, 1990-2010*. Lynne Rienner Publishers.

Shirley, M.M. (2005). Institutions and development. In C. Menard, M. and M. Shirley (Eds.), *Handbook of new institutional economics,* (pp. 611-638). Springer.

Siavelis, P. (2010). Did success spoil the Concertación? *Americas Quarterly.* Retrieved from https://www.americasquarterly.org/did-success-spoil-the-iconcertacion-i/

Stepan, A. (1985). State power and the strength of civil society in the southern cone of Latin America. In P. B. Evans, D. Rueschemeyer and T. Skocpol (Eds.), *Bringing the state back in*. Cambridge University Press.

Svolik, M. W. (2019). Polarization versus democracy. *Journal of Democracy, 30*(3), 20-32.

The World Bank (1994). Governance, The World Bank's experience. The World Bank.

Thomas, G. (2011). *Contesting legitimacy in Chile.* The Pennsylvania State University Press.

Williamson, O. E. (1996). *The mechanisms of governance*. Oxford University Press.