

DEMOCRATIC PROSPERITY IN CHILE: EVALUATING ATTITUDES IN A POST TRANSITION DEMOCRACY

ABSTRACT

Maintaining that there is a difference between democratic consolidation and a successful transition to democracy, this paper will systematically analyze some specific criterion of democratic consolidation laid out by Valenzuela (1992). Following the explanation of the research method, a theoretical discussion will attempt to justify why the post-transitional Chile has not reached democratic consolidation because of certain unsatisfied criterion inherent in the notion of democratic consolidation. The idea of these various factors will then be employed in an effort to make a new model that can develop a more general consensus of the important conditions that facilitate or inhibit democratic consolidation. From this new model, hypotheses directed toward what inhibits post-transitional governments from reaching democratic consolidation, can be made. Implications to further research and testing of the saliency of these hypotheses will also be addressed.

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Introduction

The role of institutions and the way they are designed is crucial to successful governance and long lasting democracy in states in transition from authoritarian rule to a political democracy. This logic can be applied further to include that strong institutions are also important in post-transitional governments, in maintaining and consolidating democracy (Valenzuela 1992). For that reason, an interest in the importance of institutional building and reform has grown and has led to theoretical discussion on the institutional effect on democratic consolidation. This is particularly important in post-conflict or post-authoritarian societies where the democratic system may be fragile in its first years and the society may be deeply divided (Reilly 2002). After transitioning from an authoritarian to democratic regime, at what point are these governments considered a consolidated political democracy? Open ended questions like this have been asked by many scholars, but it is obvious that numerous factors contribute to this notion of democratic consolidation in post-transitional governments. The modalities assumed by the transition, the way in which political actors are organized, and the various political institutions that emerge or reemerge during the course of the transition are understood to make a significant difference for the long-term viability of newly democratized regimes.¹ The question still remains; after these factors are taken into account, at what point is a post-transitional government a consolidated democracy? This question can be asked of any post-transitional democracy. For the purposes of this paper the question is asked in the case of the post-transitional government of Chile.

¹ The argument made by Juan Linz regarding the superiority and greater stability of parliamentary over presidential constitutional arrangements for democracies. See his "Democracy, Presidential or Parliamentary: Does it Make a Difference?" (Linz 1994).

Is Chile currently a consolidated democracy; if not, what are the major factors that stand in its way? Examining the notion of democratic consolidation through the Chilean case highlights interesting institutional factors that seemingly inhibit democratic consolidation. Before democratization, Chile's 1980 Constitution embodied the political motives of the nation's military regime. The constitution underwent a process of reform that did away with some of its most blatantly authoritarian provisions but preserved a set of institutions that would characterize and constrain the regained Chilean democracy.² This example of an institutional factor constraining democracy directs inquiry into how democratic consolidation is not achieved in this case.

Research Design

Immense research in the field of transitions to democracy and democratic consolidation has been performed by prominent political science scholars like Guillermo O'Donnell, Philippe C. Schmitter, and Samuel Valenzuela. They have developed theoretical patterns to help explain the implications of transitional governments and democratic consolidation, by building on prior research and consensus based theories. It is along this premise that this paper will explore the way in which their theoretical concepts can be applied to argue contrary to the idea that Chile, almost two decades after the transition to democracy, should be considered a consolidated democracy.

By maintaining that there is a difference between democratic consolidation and a successful transition to democracy (Siavelis 2009), this paper will systematically

² Ugglå, Fredrik. "For a Few Senators More"? Negotiating Constitutional Changes During Chile's Transition To Democracy *Latin American Politics and Society*. This article presents an account of that process. The Chilean case largely confirms the importance of the existing constitution for the outcome; the final outcome depended nonetheless on the participants' assessment of the relations of power, and therefore might have been open to different results.

analyze some specific criterion of democratic consolidation laid out by Valenzuela (1992). Following the explanation of the research method, a theoretical discussion will attempt to justify why the post-transitional Chile has not reached democratic consolidation because of certain unsatisfied criterion inherent in the notion of democratic consolidation. The idea of these various factors will then be employed in an effort to make a new model that can develop a more general consensus of the important conditions that facilitate or inhibit democratic consolidation. From this new model, hypotheses directed toward what inhibits post-transitional governments from reaching democratic consolidation, can be made. Implications to further research and testing of the saliency of these hypotheses will also be addressed.

Method of Analysis and Comparison to Chile

Applying the Chilean case to theoretical concepts of democratic consolidation in post-transitional settings, begins with outlining Valenzuela (1992) research.³ After each criterion is laid out by this framework, an explanation of whether or not the Chilean case has been successful will follow the same format.

The discourse begins with developing a joint understanding of democratic consolidations. By explaining the meaning of this notion, and over the process by which it is achieved, he eludes to minimal definition of democracy. The notion of democratic consolidation should therefore be linked, as has been suggested by O'Donnell, to a minimalist, not a maximalist, conception of democracy.⁴ There is considerable

³ "Democratic Consolidation in Post-Transitional Settings: Notion, Process, and Facilitating Conditions." Can be found in: Mainwaring, Scott. Guillermo O'Donnell, and J. Samuel Valenzuela. (1992). eds. *Issues in democratic consolidation: The New South American Democracies in Comparative Perspective*. Notre Dame: University of Notre Dame Press. Pg. 57.

⁴ Guillermo O'Donnell in "Notes for the Study of Democratic Consolidation in Contemporary Latin America," paper presented at a meeting on "Dilemmas and Opportunities of Democratic Consolidation in Contemporary Latin America" held at CEBRAP, São Paulo, December 16/17

consensus over what are, as O'Donnell and Schmitter put it, the "procedural minimum" of democracies, namely, "secret balloting, universal adult suffrage, regular elections, partisan competition, associational recognition and access, and executive accountability."⁵ By attaching a minimal definition of democracy to the conception of democratic consolidation, this is only a first step towards elucidating what a consolidated democracy is.

Bringing in the both formal and informal institutions, he explains that the latter doesn't buttress democracy but actually undermines it. Calling this *perverse* institutionalization, he explains that informal institutions are perverse and that consolidated democracies do not have perverse elements. He makes a "perverse list" which includes four detriments that can be identified as detracting from the overall consolidation process (Valenzuela 1992).

The first perverse element is the existence of *tutelary powers*. This is marked by an organizational basis to exercise some form of power over the democratic process. An example of this occurred in the Chilean transition. In a clear attempt by the outgoing authoritarian regime, to establish the institutional and organizational basis for exercising military tutelarity over the democratic process is seen in the formation of the 1980 Constitution. This was enacted by General Pinochet, and vaguely stipulates that the Armed Forces "guarantee the institutional order of the Republic."⁶ This specific perverse

1985. Pg. 2, 4.

⁵ Guillermo O'Donnell and Philippe Schmitter, "Tentative Conclusions about Uncertain Democracies" in Guillermo O'Donnell, Philippe Schmitter, and Laurence Whitehead, eds., *Transitions from Authoritarian Rule: Prospects for Democracy* (Baltimore: Johns Hopkins University Press, 1986), p. 8

⁶ *Constitución Política de la República de Chile: 1980* (Santiago: Editorial Jurídica, 1985) article 90. General Pinochet attributes great significance to this clause. In a speech given on August 23, 1989, on the relation between the Armed Forces and the transition, he stressed this clause as one of the main innovations of the 1980 Constitution, one that finally recognizes a

element has most recently been eliminated in an attempt to remove power from the military. In a constitutional reform in 2005, gave the president complete authority over the military and abolished non-elected members of the senate that were instated by the Pinochet government, prior to the transition to democracy.⁷

Valenzuela elaborates on a second element that prevents full governmental empowerment- *reserved domains* of authority and policy-making. This removes areas of government power and substantive policy making from the purview of elected officials. He deciphers that reserved domains are products of impositions by political actors- such as the military, the high civil service, and/or nonstate actors such as capitalists; who are not themselves subjected to electoral accountability but have privileged access to crucial elements of state power to make credible their threat of destabilization (Ibid. 1999). An example of this in the Chilean transition to democracy is seen in the departing Pinochet regimes' creating and naming of the first board members to lengthy terms- an autonomous Central Bank that has control over monetary, credit, and exchange policies, and an autonomous council to oversee radio and television programming and licensing of stations.⁸ Again, this is another example of perverse institutional element that inhibits democratic consolidation in the Chilean case.

Another way in which the operation of minimal democratic procedures can be non-conducive to democratic consolidation, is through major discriminations in the

"natural function of the Armed Forces and Police," one that "recognizes their political function." He went on to list a long number of policies that civilian authorities must follow in the future to remain in agreement not only with the letter but also the "spirit" of the Constitution.

⁷ Ricardo Lagos, then President of Chile, proclaimed that by these constitutional amendments, Chile could at last consider itself "a full member of the democratic community of nations". On the same occasion, President Lagos nonetheless also stated that the most important remaining task of democratizing the political system was an electoral system reform (*BBC* 2005).

⁸ In the case of the Central Bank, the Pinochet government appointed some Board members sympathetic to the democratic opposition in what was viewed as a major concession

electoral process. Valenzuela explains that the electoral rules may be deliberately designed by actors who hold power at key moments of the first transition, to grossly under represent significant sectors of opinion, while over representing others (ibid, 1999). The Chilean transition shows this in the electoral law that was deliberately crafted to furnish the largest possible contingent of members of congress in both houses for the right.⁹ As a result, with its nine designated senators and its representation greatly favored by electoral system, the right has, with a minority of the vote, a majority in the senate and a sizeable segment of the house. With its senate majority, the right can block legislation and all efforts to reform the constitution dictated by the military regime, which it generally viewed as one of the latter's most important legacies (ibid. 1999). The governing coalition, the Concertación, has relied heavily on the model of party politics (Siavelis 2009). Deal making in Chile was at first necessary to maintain the democratic transition and essential to maintain the Concertación coalition. This has undermined democratic responsiveness, accountability and legitimacy.¹⁰

Finally, Valenzuela explains that a fourth problem of perverse institutionalization pertains to the centrality of the electoral means to constitute governments. Free elections must be *the only* means through which it is possible to do so. Democratic

⁹ The electoral system devised by the Pinochet government is unique in terms of elections. It can best be labeled as a binominal majority list system because each district (whether senatorial or for the lower house) elects two representatives; in addition, the law requires that each list present not more than two candidates per district. The votes are then added by list to determine a first and a second place winning list. If the second winning list has less than half the vote total of the first, then the first list elects its two candidates to fill the district representation. If the second list has half plus one or more of the votes obtained by the first, then the candidates who obtained the highest vote totals on each of the two lists are elected, regardless of whether the runner-up candidate in the first winning list has more votes than those of the best placed candidate on the second list (ibid. 1999).

¹⁰ Siavelis, Peter "The Bachelet Administration: The Normalization of Politics?" Center for Latin American Studies University of California, Berkeley. August 2009. Paper No. 28.

consolidation cannot occur if military coups or insurrections are also seen by significant political actors as possible means to substitute governments (Ibid. 1992).

Valenzuela concludes this section with the paradox that any virtuous or perverse institutionalization can coexist, but conjunction is still perverse- this will lead to a wide spread dissatisfaction with what becomes an inadequate democracy (Ibid. 1992).¹¹

“The expression ‘nonconsolidated democracies’ can be used to refer to political systems where the formalities of a democracy exist, namely, periodic universal suffrage elections, freedoms of expression and organization, and so on, but the electoral process is not viewed unambiguously as the only means to create governments, and/or where tutelary powers, electoral discriminations, and/or important ‘reserved domains’ of policy-making exist” (Ibid.1992).

Dissatisfaction with this “inadequate democracy” can be viewed through available opinion poll data. Only 15% of Chileans think democracy functions well or very well. Further after almost two decades of democracy, only 45% think in all cases democracy is the best regime, and the number who think so has actually decreased.¹² Even in relative Latin American terms, Chile is lauded by academics and analysts as a high quality democracy, but on several key indicators of mass public opinion other countries rank higher, and some of Chile’s indicators are disturbing (Siavelis, 2008). Only 36% of Chileans report being satisfied or very satisfied with democracy. This places Chile in the 8th position among the 18 countries included in the Latinobarómetro survey.¹³ This data has extreme implications to the ability of democratic consolidation in Chile post-

¹¹ Chile’s status as an iconic political model in Latin America belies a growing frustration with the functioning of democracy among the Chilean mass public. See, Siavelis, Peter. 2008. *Elite-Mass Congruence and the Quality of Democracy in Chile*. Annual Meeting of the American Political Science Association, August 28-31, 2008, Boston, MA.

¹² Centro de Estudios Públicos (CEP), et al. “Estudio nacional sobre partidos políticos y sistema electoral,” March-April 2008. Accessible at http://www.cepchile.cl/bannerscep/encuestascep/encuestas_cep.html

¹³ Corporación Latinobarómetro, “Informe, Latinobarómetro 2007,” November, 2007, www.latinobarometro.org

transition. It can be inferred that some perverse institutionalization, outlined above, has had a tangible negative impact on the public's satisfaction, with what can be referred to as an inadequate democracy.

The process of democratic consolidation is then addressed in Valenzuela's framework. The first transition consists of eliminating institutions and procedures incompatible with the minimal workings of the democratic regime, basically eliminating formal/informal institutions that are inimical to democracy. He stresses that democratic consolidation is impossible without undoing the formally established institutions that conflict with the minimal workings of democracy (Ibid. 1992). In the Chilean post-transition period, some formally established institutions have been undone. Siavelis claims that, in light of the 2005 constitutional amendments, this has changed what he regarded problematic in 2000.¹⁴ What still remains to be improved now, according to him and many other prominent academics, is the binominal electoral system (Siavelis 2007). This electoral institution is a continuous area of contention for the ability for democratic consolidation in Chile.

After building on a minimal formal definition of democracy, Valenzuela created a conception of democratic consolidation and of the process of reaching it. He then outlines five broad conditions that facilitate (or hinder) consolidation.

These have to do with:

- The modalities through which the transitions to democratic governments took place.
- The influence of historical memories of alternative regimes.
- The moderation of political conflict

¹⁴ In 2005, constitutional amendments were accepted that abolished the existence of the non-elected 'institutional senators'. Therefore, the Senate has, since the parliamentary elections 2005, only been seated by elected members. Apart from eliminating the non-elected senators, the 2005 constitutional amendment reforms also gave the President the power to dismiss the heads of the armed and the police forces.

- The management of social conflict
- The subordination of the military to the democratic government (Ibid. 1992).

At the expense of summarizing each of these broad conditions, in relation to the Chilean case, this paper will presume that the findings evaluated- comparing the existence of perverse institutionalization to the Chilean case- have fostered the understanding that democratic consolidation hasn't been achieved in this post-transition period. Implying that some of the criteria haven't been met, without evaluating all of the other conditions facilitating or hindering the prospects of democratic consolidation in Chile, can be considered a less salient way to answer the primary question of this paper. However, following Valenzuela's logic, the question has been answered and explained.

The lack of robustness in the answer to the Chilean case indicates the need for a more impressive method of evaluating the likelihood that a post-transitional government has actually attained democratic consolidation. Using the framework outlined in this paper, a scale should then be developed. In the following section a theoretical discussion will elaborate on this method and indicate further research needed in this study.

Theoretical Discussion

In the process of conceptualizing the varying factors of perverse institutionalization, and deciphering what of these five broad conditions are either hindering or facilitating consolidation in this Chilean case: can these varying factors be evaluated and coded in terms of creating a scale, and applying this to determine if a post-transitional state can fully be acknowledged as a consolidated democracy?

A general numeral scheme within each of the five broad categories should be assigned to rank how any of the five variables hinder or facilitate democratic consolidation. Creating a scale within each of the five factors between 1 and 10 (1 being the least conducive to democratic consolidation, and 10 being the highest), would create a quantitative measure of each factor. After assigning a numerical value for each of the five conditions that facilitate or hinder consolidation, this method could then be systematically employed in every case of post-transition governments to create average overall scores for each one of the five conditions that facilitate or hinder democratic consolidation. The average score(s) from this cross governmental evaluation would help to delineate a democratic consolidation of any post-transitional government on a quantitative level, by enunciating what conditions actually matter. The use of average scores within each of the five conditions would help to create hypotheses that demonstrate at what numerical value are post-transitional governments most likely to reach democratic consolidation. For example, if the average score taken from “the moderation of political conflict” was a 9; a post-transitional government’s likelihood of democratic consolidation is most secure if “the moderation of political conflict” has been observed. If the cross governmental average score for: “the modalities through which the transitions to democratic governments took place” was a 3 (meaning that in most cases, it doesn’t facilitate democratic consolidation); then it can be hypothesized that the modes of the first transition are not important factor in facilitating democratic consolidation. Minimizing the conditions that facilitate democratic consolidation in Valenzuela’s analysis, by basing them off of the highest average scores of each of the five factors; those should be the determinants of democratic consolidation. Because of

the abundance of variables incorporated into the idea of democratic consolidation, this would more readily determine at what point a post-transitional state can fully be acknowledged as a consolidated democracy. If this information was readily available, determining what are the most important factors facilitating or inhibiting post-transition Chile's move toward democratic consolidation could be better understood. By knowing what factors are the most important, and if they have been successfully met, then post-transitional governments would be able to identify if democratic consolidation has actually occurred.

Implications to this model would be vast. Most apparently, trying to create a standardized way of gathering a consensus on a numerical value of each of the conditions that facilitate democratic consolidation would be nearly impossible. Post-transitional governments would have to decipher these things on an individual basis, with an array of different recourse and gathering techniques. Hypothetically, even after each of these five conditions was numerically valued in every post-transitional government; the ability to consolidate all of these scores into a data-base, and determine the average score of each, would require the funding of an independent organization.

Conclusion

While there is a growing literature addressing the difficulties of achieving democratic consolidation, there has often been conflicting explanations to the process by which it is achieved. This paper began by asking the open ended question: has the post-transition Chilean government undergone democratic consolidation? By using the theoretical framework set out by Valenzuela (1992), and schematically analyzing some

of specific criterion of democratic consolidation as it applies to the Chilean case, this paper reasonably argued that it hasn't undergone democratic consolidation. After explaining that the findings could be more robust by adding a numerical value to the specific factors laid out in Valenzuela's framework, there was a simplistic attempt to create a new model that would rationalize the most important conditions that facilitate or hinder democratic consolidation and the prospects of reaching this goal. There are implications to further research and testing of these hypotheses and this model. It is clear that these things will have to be studied further. For now, the conception that there is an overwhelmingly vast array of variables altering, not only the notion, but the likelihood of democratic consolidation requires a new operational model. This model should credibly assess how post-transitional governments have been successful in achieving democratic consolidation, or in what way are certain (consensus based) factors inhibiting them from reaching this goal.

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