

Divergent Paths Toward Democratization: Chile and Argentina from Military Rule to Civilian Politics

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ABSTRACT

This paper examines the democratic transitions of Argentina and Chile with special attention to how different exits from authoritarianism went on to shape the post-dictatorship political development of both states. Drawing on Samuel Huntington's typology of "replacement" versus "transplacement," this paper argues that Argentine transition was premised on rapid regime breakdown, while Chilean transition occurred via negotiations within an institutional framework established by the Pinochet regime. This contrast produced differing relations between civilian authorities, the military, political parties, trade unions, and human rights movement in the two countries post-transition. In Argentina, the swift loss of legitimacy by the military government allowed its democratic successors to pursue new initiatives like CONADEP, *Nunca Más* report, and the Trial of the Juntas; the new regime was consequently endowed with high moral authority but lacked governability relative to Chile. Meanwhile, in Chile, 1980 Constitution entrenched many elements of authoritarianism, yet the formation of the *Concertación* and a negotiated transition led to higher stability that allowed for the gradual diminishing of military powers. These differing historical trajectories of Argentina and Chile ultimately produced differencing understandings of memory, truth, and accountability that continue to shape both countries today.

INTRODUCTION

In the late twentieth century, Chile and Argentina were two of the most closely watched cases of political change in Latin America. In Chile, the regime of General Augusto Pinochet was dismantled between 1988 and 1990, while in Argentina, defeat in the Falklands War in 1982 catalyzed the decline of the junta. Both countries left military rule in the context of what scholar Samuel P. Huntington termed the "third wave" of democratization across the globe.¹ Yet, despite these surface similarities, the two countries did not make the transition to civilian politics in the same way or with the same legacy of military rule, nor did they use memories of dictatorship in the same way to define democratic legitimacy.² The difference lies not simply in the varying

speeds at which these two nations transitioned to democracy but also in their particular historical trajectories. In other words, Chile and Argentina formed their respective dictatorships under distinct historical conditions, dissolved their dictatorships through separate means, and founded new civilian governments while inheriting differing balances of power between the military, political parties, labor unions, and human rights groups.

This essay explores these differences by engaging secondary scholarship alongside primary sources, including Chile's 1980 Constitution, Argentina's Law No. 23,040 and Decrees No. 158 and No. 187, the CONADEP report *Nunca Más*, and the Rettig Report. It reveals that the divergence between Chile and Argentina preceded the actual process of democratization in either country. The differing structural arrangements of the two country's respective dictatorships gave them different negotiating capabilities during their democratic transition. Argentina's transition was shaped by abrupt regime collapse, whereas Chile's was shaped by negotiated withdrawal and institutional continuity; these contrasting exit conditions determined both the strength of civilian control and the forms of moral authority available to the new civilian regimes. To be clear, moral authority here refers not to the moral superiority of one national experience over the other but rather the ability of the civilian state to reject the dictatorship via processes of investigation, lawmaking, and prosecution. In other words, morality is understood in this context as a political claim made by historical actors as they negotiated democratic transitions. Argentina, for example, adopted the practice of invalidation, investigation, and prosecution early on, whereas Chile instituted acknowledgment and reparations without criminal responsibility.

The broader differences between Chile and Argentina's experiences also map onto comparative typologies of regime exit, specifically Huntington's distinction between "replacement" and "transplacement." In Huntington's terms, replacement occurs when opposition forces displace a regime that has lost the capacity to dictate the transition, whereas transplacement results from bargaining between authoritarian incumbents and organized opposition forces.

Argentina approximated replacement. The military junta invaded the Falkland/Malvinas Islands in April 1982 even as it faced domestic unrest stemming from inflation, labor conflict, and human rights mobilization. The military defeat in June led to a split within the military forces, forcing the resignation of General Leopoldo Galtieri. The last of the military presidents, Reynaldo Bignone, had no option but to organize elections for October 1983. In short, military defeat and political disintegration deprived the junta of control over the timetable; when opposition leader Raúl Alfonsín came to power after the October elections, it was without a negotiated constitutional settlement, which allowed for the pursuit of a more active democratic transition.

Chile, by contrast, approximated transplacement. An economic crisis in 1982 helped spark widespread protests in 1983; however, Pinochet retained the guarantees of his 1980 Constitution and control over the planned 1988 plebiscite regarding continued military rule. The opposition

unified gradually in support of the 1985 National Accord and the “No” campaign that defeated Pinochet in the plebiscite; the result was constitutional negotiations in 1989. Democracy was thus installed in Chile under Patricio Aylwin in March 1990 without clear demilitarization. Pinochet had been defeated, but the opposition assumed office through negotiations within an existing institutional framework, meaning that the outgoing regime retained significant leverage.³

Huntington’s dichotomy of replacement versus transplacement functions as a yardstick for understanding the divergent paths of Chile and Argentina during the latter half of the twentieth century. However, it is still just a point of departure. It leaves unexplained why one military regime retained enough institutional power to negotiate its way out of power while the other was deprived of such bargaining powers. Equally important is to ask how the different exit conditions impacted governability, truth, justice, and accountability in the aftermath of democratic transitions. In short, fully understanding the democratic transitions of Chile and Argentina require that we return to the specific historical experiences of the two countries.

The pages that follow attempt to accomplish just that. The case is made in three parts. Section One examines the construction of military rule in the two countries, particularly the contrasting ways power was or was not institutionalized. It then traces how these differences impacted the crises and regime exits of the 1980s. Section Two proceeds to examine the ways in which civil regimes, political parties, trade unions and other social actors maneuvered within the framework and constraints imposed by replacement and transplacement. Finally, Section Three shifts to consider the politics of justice and memory that resulted from these arrangements.

MILITARY RULE AND REGIME EXIT

To understand different regime exit, it is necessary to first consider how a dictatorship came to power and how it maintained its power. In the case of Argentina and Chile, particularly important was the ways in which their respective regimes institutionalized (or failed to institutionalize) military rule. This distinction comes to play a decisive role in shaping their eventual democratic transitions.

Institutionalizing Military Power

In Chile, Salvador Allende won the presidency in 1970 through free elections, and he sought to realize a socialist agenda that entailed nationalization, land reform, and redistribution within the context of a liberal democratic system. However, tension between the president and the parliament opposed to him became increasingly debilitating for the constitutional order, culminating in a September 1973 coup that overthrew Allende’s democratically elected government and replaced it with a dictatorship under General Augusto Pinochet.⁴

Yet Pinochet's regime was not simply a military government that ruled solely by fiat; it was also a constitutional project. While the passage of the Constitution did not occur until 1980, it had by then already been nearly a decade in the making. In 1973, the junta ordered the creation of a constitutional commission headed by Enrique Ortúzar. A draft was presented to Pinochet in 1978, after which the text underwent corrections by the Council of State. By August 1980, it was approved by the junta via decree and put to a referendum on September 11; after its ratification, the Constitution was published in October and entered into force in March 1981. What this sequence of events demonstrates is an attempt by Pinochet and his regime to institutionalize their power. The process of producing the constitution sought to channel military power into a broader legalized structure that would last longer than dictatorship itself.⁵ Indeed, the 1980 Constitution created a system of institutional veto points, later described as authoritarian enclaves, that entrenched unelected military and conservative influence that endured even after the return of democratic elections.⁶

This institutionalization gave the Chilean regime unusual durability compared to other dictatorships. The Pinochet government linked repression with constitutional engineering and attempted to ensure the transformation of military rule into a stable political order. The constitution and organic laws preserved appointed senators, bolstering majorities in the legislature; reinforced the National Security Council, ensuring an official military presence in politics; and restricted the range of institutional options available to future civilian governments through high constitutional amendment thresholds and a binomial voting system that favored the right. The binomial electoral system in particular allowed right-wing elements to maintain disproportionate influence in the post-authoritarian period.⁷ The significance of this system was apparent in the late 1980s. Even after Pinochet conceded electoral defeat in 1988, civilian rule was still being exercised through a system that was designed to preserve the military, empower the right, and prevent constitutional reforms. Taken together, these provisions meant that democratization began inside a constitutional order that allowed unelected military and conservative actors to obstruct reforms supported by an elected majority. Despite this authoritarian slant, the 1980 Constitution did include one silver lining for the opposition, namely that it nevertheless endowed the regime with a formal legal timetable and a discourse of managed normalization, a factor that later mattered in Chile's transition to democracy.⁸

If Chile's military regime was characterized by its use of constitutional engineering, Argentina's dictatorship by contrast emerged from a longer cycle of conflict between Peronism and anti-Peronism, which was itself characterized by repeated military intervention. The central divide concerned not only dictatorship versus democracy but also the unresolved conflict between Peronist and anti-Peronist forces. Since the mid-twentieth century, Peronism, the mass political movement associated with Juan Domingo Perón, mobilized large sections of the Argentine working class and poor at large via its union and party organizations, but anti-Peronist forces within the military, traditional elites, and political parties saw any resurfacing of Peronism as a

threat to stability. When it assumed power in 1976, the anti-Peronist military junta led by Jorge Rafael Videla found a polarized political environment characterized by coups, repression, and increasing internal strife within Peronism. This divided political landscape meant that the new regime had little opportunity for political institutionalization; unlike Pinochet's Chile, it could not and did not leave a durable constitutional framework through which it could govern its eventual withdrawal and constrain the civilian order that followed.⁹

Lacking constitutional entrenchment, the junta maintained its power via repression, censorship, and the *Proceso de Reorganización Nacional*, its official program of national reorganization. As such, it was unable to establish an institutional settlement that could transcend its tenure in office. As the junta started to disintegrate, it had fewer tools at its disposal for its transition out of office.¹⁰ Moreover, the regime's infamous Dirty War, a campaign of kidnapping, torture, and disappearance against suspected opponents, also resulted in the weakening of civil society while producing moral outrage. The 1984 *Nunca Más* report later described the armed forces as answering insurgent violence with "a terrorism far worse than that which they were combating."¹¹

This institutional weakness reflected Argentina's longer pattern of political disintegration. Perón's overthrow in 1955 did not produce a consolidated anti-Peronist republic; instead, proscription, intermittent civilian rule, military intervention, and renewed mass mobilization repeatedly unsettled the political system. Peronism came back to power in 1973; however, after the death of Perón in 1974, the regime of his wife Isabel was faced with rising inflation and increasing violence. Armed conflict involved leftist forces like the Montoneros and the *Ejército Revolucionario del Pueblo* (ERP) as well as right-wing anti-communist groups like the Triple A. The Peronist forces in power could not contain the escalation, allowing military commanders to present the March 1976 coup as a restoration of order.¹² The junta, therefore, emerged from not a durable constitutional project but rather failed political compromises and an expanding logic of repression.

Crisis and Exit from Dictatorship

These different foundations in turn shaped how the two regimes exited dictatorship in the 1980s. In Argentina, the defeat of the junta in the Falklands War contributed to a general crisis of government, which was exacerbated further by economic collapse, debt, inflation, and social unrest. After Argentina surrendered to Britain on June 14, General Leopoldo Galtieri, the junta leader who had ordered the April invasion of the Falkland/Malvinas Islands, was forced from the presidency. Because the army, navy, and air force could not agree on another collective junta, General Reynaldo Bignone became the final military president and promised elections by the end of 1983.¹³ In a last-ditch attempt to manipulate the transition process, the regime passed in September 1983 a self-amnesty law to protect military personnel from prosecution for war crimes

committed during the Dirty War. Opposition leader Alfonsín rejected this law during the election campaign, and once he took power, Congress annulled it.¹⁴

The defeat in the Falkland War was certainly a catalyst for regime collapse, but it was not the sole determinant. Defeat was significant in that it demonstrated the incompetence of the military regime, but it must be contextualized by broader social factors. Rising inflation and falling wages were undermining the regime's claim that only military rule could maintain stability. Human rights activism also proved to be significant. The Mothers of the Plaza de Mayo, an organization consisting of family members of the disappeared, ensured that the regime's abuses remained in public discourse. Even before the war, opposition had begun to organize, with the General Confederation of Labor (CGT) and the *Multipartidaria*, which was an alliance between the main opposition political parties, coming together in a protest march on March 30, 1982, in Buenos Aires. Using the slogan "*Paz, Pan y Trabajo*," the protesters approached the Plaza de Mayo but were driven back brutally by the security services.¹⁵ With no durable constitutional backing and few tools beyond violent repression, the Falklands defeat left the military regime divided and ill-equipped to confront this cascading series of social crises. Unable to set terms for its own succession, Argentina quickly morphed from an authoritarian crisis to what Huntington terms regime replacement.

Contrast this with Chile, where the transition to democracy was the result of extended pressure and bargaining. The Chilean debt crisis of 1982 had led to economic recession and unemployment, thereby challenging the regime's claim of effective economic management. From 1983 onwards, trade unions, community groups, and opposition parties began organizing nationwide protest days demanding the liberalization of politics. The 1985 National Accord for the Transition to Full Democracy saw Christian Democrats, Socialists, and other opposition leaders unite on a shared goal: elections and constitutional change. Yet their method for accomplishing this goal was not a coup; instead, they sought to hold a plebiscite on Pinochet's rule, an option allowed for under the 1980 Constitution. Scheduled for 1988, the opposition groups waged a "No" campaign that was followed by negotiations with the regime over fifty-four constitutional amendments, which were eventually adopted by a referendum in July 1989.¹⁶

The result of the 1988 plebiscite forced Pinochet to accept electoral loss, but the regime was still in charge of the constitutional environment in which the transition was taking place. The presidential elections held on December 14, 1989, and the inauguration of Patricio Aylwin in March 1990 marked the beginning of nominally democratic rule, but in practice the new government was being formed under the umbrella of the dictatorship: Pinochet was still the army's commander-in-chief, the National Security Council still gave the military significant weight, right-wing senators retained significant political sway, and the military maintained privileged access to resources. This is where the institutionalization of military rule came to matter. Institutional entrenchment meant that losing the election did not deprive Pinochet's regime of the ability to

negotiate its own exit from power. In this way, Chile typified what Huntington terms transplacement: the opposition assumes power but under an arrangement in which the outgoing regime still retains control to some degree.¹⁷

GOVERNMENT AND GOVERNABILITY

The previous section discusses how differences in authoritarian institutionalization shaped the regime exits of Argentina and Chile. The current section explores the responses of civilian and social actors. It examines the options these different exits provided to the newly installed civilian government in terms of dealing with the military and the legacy of dictatorship as well as the role played by parties, trade unions, and other potential allies in building legitimacy and attaining governability.

Civilian Governments and the Armed Forces

The clearest contrast can be seen in the initial civilian governments formed in each country and how they navigated their respective transitions. In Argentina, Alfonsín made critical moves to signal a moral and political break with the dictatorship. Within two weeks of taking office, Congress enacted Law No. 23,040, declaring the junta's self-amnesty unconstitutional and void. Alfonsín's Decree No. 158 ordered proceedings against senior commanders from the first three military juntas (in power between 1976 and 1982), while Decree No. 187 created the National Commission on the Disappearance of Persons (CONADEP), a temporary civilian commission authorized to collect testimony, investigate the fate of the disappeared, and refer suspected crimes to the courts.¹⁸ Under the direction of writer Ernesto Sabato, the commission solicited documentation of abuses from human rights groups and sent investigators across the country to interview victims and their relatives and verify testimony at former secret detention sites. Sabato presented the report to President Alfonsín on September 20, 1984; titled *Nunca Más*, it turned individual testimonies into an official national record that was later used in the Trial of the Juntas in 1985.¹⁹ CONADEP's investigation and the subsequent trial, in which former commanders were prosecuted in civilian court, gave the new democracy a concrete legal basis for civic legitimacy. Prosecutor Julio César Strassera made that moral logic explicit in his closing words, "*Señores, jueces: Nunca más,*" or "Gentlemen, judges: Never again," turning the trial into a public repudiation of military rule. Strassera's closing argument likewise framed democratic peace as a project grounded in memory and justice rather than forgetting and violence, thereby associating the new government's legitimacy with public remembrance and accountability.²⁰ This sequence of events reveals the strength of moral outrage as a force shaping the Argentine transition: the nascent state did not merely denounce the dictatorship rhetorically; it stripped the junta of its legal cover

and turned victims' testimony into an official archive. *El Diario del Juicio*, the weekly newspaper reprinting testimonies from the 1985 trial, was distributed some 250,000 copies every week.²¹

However, this moral clarity was accompanied by institutional weakness. The armed forces had clearly lost prestige but nonetheless still possessed the ability to organize a collective resistance. Military rebellions, especially the ones related to the *carapintadas*, nationalist military rebels who staged uprisings against civilian accountability efforts, demonstrated the weakness of civilian rule and forced the government to make concessions. The *Punto Final* and *Obediencia Debida* laws, which sharply limited prosecutions of military personnel, not only symbolized the moderation of the government but also marked the moment when the democratic state realized that its control over the armed forces was not total.²² The newly elected Argentine government also had to deal with the issue of governance in general. Economic instability along with the continued existence of Peronist opposition increased the distance between democratic legitimacy and governability. While Alfonsín employed the discourse of renewal in a democratic manner, his regime was still politically vulnerable and structurally weak. Even though direct military rule had been discredited, the newly born democracy still operated in an atmosphere of deep political divisions.

In short, Argentina's transition was characterized by a peculiar combination of moral authority and institutional weakness. There was a symbolic significance to the reestablishment of democracy as demonstrated in the Trial of the Juntas; more than just punishing the former leaders, the new government sought to define a new narrative of citizenship that associated the military government with illegitimacy and ignorance.²³ In this sense, early Argentine democracy grounded its legitimacy in a public legal break with military rule. At the same time, concessions made to the rebel soldiers in the military, specifically the laws that limited the prosecution of the military, represented a hard limit on the power of the newly formed state to fully enforce its democratic law.²⁴ This is a paradoxical result of regime-change through replacement: the disintegration of the previous system gave the civilian government the space to condemn its predecessor legally and symbolically; missing, however, was institutional continuity and stability.

The Chilean transition, meanwhile, featured a negotiated settlement that Argentina did not have. This created an environment of institutional stability, although the short-term result was likewise the imposition of concrete limits on the incoming government's authority. Patricio Aylwin's administration, which was inaugurated in 1990, did not immediately control military finance, senior command, or the constitutional bodies through which officers could pressure elected officials.²⁵ What the civilian government could do, however, was utilize normal bureaucratic, budgetary, and appointment policies to maximize its scope of action. Thus, the transition was not simply a result of high-profile political events like the 1988 plebiscite or the 1991 Rettig Report, which documented the truth commission's findings on the killings and disappearances under the dictatorship, but also of less visible struggles within the state itself. These bureaucratic struggles

were relevant in determining whether elected government would remain constrained by the military and constitutional veto powers or gradually acquire fuller civilian control.

This abundance of caution did not mean that Chilean leaders avoided all conflict. Human rights issues in particular remained highly politicized. In April 1990, just a few weeks into his presidency, Aylwin set up the National Commission for Truth and Reconciliation. With Judge Raúl Rettig at its head, the committee commenced a nine-month investigation into abuses under the previous regime; the focus, however, was on documenting deaths and disappearances rather than prosecuting anyone. The resulting Rettig Report was handed to President Aylwin in February 1991, and he released the information officially the next month.²⁶ As the report observed, by the time of the transition, “human rights stood as the preeminent notion of political ethics,”²⁷ showing that truth-telling had become central to Chile’s democratic self-understanding even before broader accountability was politically possible. Aylwin’s televised apology made the institutional logic visible: Chile’s moral reckoning initially took the form of official acknowledgment, reparations, and institutional truth rather than immediate prosecution of senior commanders.²⁸

The lack of prosecution was unsurprisingly due to the active opposition of the armed forces to any reassessment of their role. The *Ejercicio de Enlace* and *Boinazo* incidents of the early 1990s, in which the military used pressure tactics, including troop mobilization and visible military signaling, to warn civilian leaders against moving too aggressively against the armed forces, showed that military pressure was still significant even with a civilian administration.²⁹ In the face of such active opposition, the Chilean leadership chose to treat these issues as problems to be managed over time rather than an immediate battleground where the legitimacy of democracy had to be proven. Rather than risking a direct confrontation, they gradually reduced military prerogatives. Pinochet remained, as did an amnesty law protecting the military, but behind the scenes, appointments, promotions, budgets, and judicial reinterpretation were used to narrow military autonomy step by step. Aylwin’s government reinforced this strategy through careful personnel and institutional choices. The appointment of civilian defense leaders and the measured assertion of authority over promotions were part of a broader approach that sought to address the history of prior abuses without directly provoking military mutiny.³⁰

Where replacement in Argentina created the potential for a significant break with the authoritarian past at the cost of institutional instability, transplacement in Chile produced the reverse, namely, less potential for direct confrontation but a stable environment where civil pressure could accumulate. However, whether such a gradual consolidation of power would lead to real governability would depend not only on the efforts of the civilian government but also the cooperation of other social actors.

Parties, Unions, and Social Mobilization

Civil-military bargaining was not the sole factor determining governability, as civilian governments needed allies that could help handle social strife. The period of Argentine democracy after 1983 was marked by a struggle between the state, Peronist trade unions, and other social groups. The General Confederation of Labor and other labor networks allied with the Peronist movement, using strikes and demonstrations as a means of political pressure.³¹ This pattern reflected more than simple distributive conflict; it also highlighted the underlying divide between Peronists and anti-Peronists, as well as the absence of a broad consensus in post-authoritarian politics on how to bring contending forces together within a shared political framework. The question here is that of transforming political legitimacy into a ruling alliance.

The underlying factors of this conflict lie in the political history of Peronism. In the 1960s and 1970s, Peronism fragmented into right- and left-wing currents, each of which had its own strategies and bases of support. The restoration of civilian rule in 1983 did not overcome these divisions; rather, it transplanted them into a new constitutional framework.³² Labor activism, party rivalry, and debates over memory and justice remained trapped within the Peronist framework that had plagued Argentine politics long before the 1976 coup d'état. In this sense, democratization did not signal a new political field in Argentina; it was a reinstatement of an old field within newly defined constitutional rules.

In practice, this fragmentation prevented the formation of a centrist coalition government in the transition process. Presidential power and the Chamber of Deputies were in the hands of Alfonsín's UCR party, while Peronists retained strong influence in the Senate, provincial governments, and the General Confederation of Labor (CGT). During Alfonsín's presidency, CGT called for thirteen general strikes.³³ The political options available to the government were further restricted by inflation and foreign debts. By 1987, the UCR had lost its majority in the Chamber of Deputies, and the Justicialist party grew in power in the provincial governments. This same period saw the failure of the Austral Plan, a counter-inflationary strategy that included the introduction of a new currency and temporary freezing of prices and wages. Meanwhile, *carapintada* mutineers continued to stage uprisings that exerted military pressure. In 1989, hyperinflation forced Alfonsín to resign, with Carlos Menem taking power five months earlier than scheduled.³⁴ Moral outrage had helped to topple the military regime, but it could not form a governing majority strong enough to control the military, moderate labor disputes, and stabilize economic policy. The president, legislature, provincial governors, labor unions, and opposition simply could not come together to form a common transition agreement.

Thus, in Argentina's democratization process, military rule was far from the only problem; equally troublesome were the powerful social actors who had gained political weight in the course of a long-term historical dispute between Peronism and anti-Peronist institutions. The same factors that

had prevented the institutionalization of military rule in Argentina were now hampering the creation of a transition agreement.

Chilean politics was comparatively more stable. However, this must not be understood as an absence of tension but rather as the ability of the government to channel tension in ways that did not endanger the regime. Indeed, the very same tensions over memory and truth that exposed state weakness in Argentina were contained in Chile. The roots of Chile's post-authoritarian stability lay in the 1988 plebiscite, which both nominally defeated Pinochet and pushed previously divided opposition groups to coordinate. When protests began in 1983, the moderate *Alianza Democrática*, which consisted of Christian Democrats and moderate socialists, had tended towards negotiating and a democratic election path, while the *Movimiento Democrático Popular* was inclined to maintaining direct confrontation with the government. The legalization of parties and the opening of the elections list in 1987 changed the calculations for both factions: the plebiscite became a shared goal that could help them temporarily set aside their differences.³⁵ In early 1988, they officially launched the *Concertación de Partidos por el No*. This coalition remained active even after winning the plebiscite, transforming into the *Concertación de Partidos por la Democracia* and rallying around Patricio Aylwin as the shared presidential candidate.³⁶ The campaign for "No" served to prove to all parties, which had been suspicious of each other, that they could in fact work together in a way that would reach a wider constituency. The resulting center-left *Concertación* coalition became a conduit between the anti-dictatorial opposition and a new stable phase of civilian rule. The organizational continuity it provided helped to make Chile's post-authoritarian politics more governable than Argentina's.

To be clear, the *Concertación* did not immediately overcome existing ideological tensions between its members. After coming to power in 1990, the coalition faced the danger of losing its left-wing members but still enjoyed sufficient internal cohesion between its constituents to successfully run the country. The *Central Unitaria de Trabajadores* (CUT), Chile's principal labor confederation, continued to denounce the effects of neoliberalism, but labor politics in democratic Chile never produced the same pattern of national confrontation that undermined the Alfonsín government. Indeed, the *Concertación* coalition continued to define the rules for Chilean politics in the 1990s and 2000s.³⁷ Although it was not devoid of internal conflicts and remained unable to eliminate inequality and military pressures, it did manage to create a relatively unified civilian center of power.

These different relationships between state and social mobilization help explain why the Chilean transition appears to be both limited *and* lasting. The "No" campaign of 1988 served to construct not only an electoral alliance but also a broader political agreement in which the anti-dictatorial opposition accepted gradual institutional reform in return for access to government.³⁸ While this settlement proved troublesome for many victims and activists,³⁹ the coalition, however, helped to consolidate the new democratic state. The power of the coalition, however, went beyond mere

stability; it gave the civil leaders some time to reconsider the authoritarian past that was politically untouchable at the time of transition. This, in turn, points to the final part of this story, which is the divergent timelines of justice and memory in the two countries.

JUSTICE, MEMORY, AND THE AFTERLIFE OF TRANSITION

The differing construction of military rule in Chile and Argentina produced differing avenues of regime exit, which in turn constrained how civilian and social actors navigated the transition to democracy. These divergent paths also shaped the long-term politics of justice in the decades that followed. The key difference is in terms of temporality: Argentina's transition began with justice at its heart but found it hard to sustain the momentum, while Chile's initial limitations delayed the realization of justice but left room for its gradual expansion.

Through the 1990s, Chile remained a protected democracy rather than a fully unconstrained one. Its civilian governments inherited a diverse set of authoritarian legacies, which included military autonomy, appointed senators, constitutional restrictions, and the significant political shadow cast by Pinochet. In particular, the political powers of appointed senators as well as those of the National Security Council were not weakened nor abolished until the 2005 constitutional reforms. The delay demonstrates how these institutions functioned as veto points, as appointed senators could dilute elected majorities, while the military-heavy National Security Council could challenge civilian policy. Their removal became possible only after sectors of the right concluded that reform no longer threatened their core interests.⁴⁰ Nonetheless, successive governments gradually eroded these major authoritarian holdovers over time. Civilian control was incrementally extended, judicial doctrine developed, and political space increased. A critical moment of change occurred in 1998 when Pinochet was detained in London, which challenged the aura of impunity that surrounded the former dictator and the institutional framework he had created.⁴¹

The Chilean case is particularly important because it showed that even when there were substantial institutional constraints on democratization, the process could still be advanced. The government of the *Concertación* did not immediately overcome the authoritarian holdovers but instead worked to erode them systematically through a series of calculated decisions regarding ministerial appointments, judicial support, military budget allocations, and more broadly the strengthening of civilian authority.⁴² This strategy depended not on a singular crucial breakthrough but rather gradual pressure applied over a long period of time. What could be perceived by outside observers as an unexpected or even anomalous stability was, in fact, the result of calculated politics intended to curb the military's residual autonomy without triggering a direct conflict.

The developments that followed reinforced this trend. Measures like the 1999 *Mesa de Diálogo* forum, which addressed the fate of the disappeared, and the 2004 Valech Commission, which

documented imprisonment and torture, were examples of attempts to expand truth-seeking and accountability without immediately triggering a political crisis.⁴³ These actions admittedly did not meet all demands for justice and did not eliminate the compromises made during the transition period; however, they do show that the Chilean democracy of the early 1990s was not static. Civilian governments, judges, and human rights advocates gradually extended the reach of democratic accountability, even in an institutional setting created to limit such action.

In Chile, gradualism was grounded in official language from the start. In terms of human rights, the decree establishing the truth commission declared that “the moral conscience of the Nation demands that the truth” about grave violations “be brought to light,”⁴⁴ suggesting that truth-telling was understood as a foundation of democratic legitimacy even before wider criminal accountability became politically feasible. By having an official record of events and recognition of the victims, the Rettig Commission provided evidence and legitimacy, which could be used by other commissions and courts to build further accountability. In this way, truth-telling was not an alternative to criminal justice; instead, it provided an evidential foundation for building further accountability.⁴⁵ The judiciary likewise changed gradually rather than through a single dramatic reform, and it re-established channels for accountability, in part, by refusing to grant blanket immunity for disappearances and other ongoing crimes.⁴⁶ Indeed, the rule of the *Concertación* as a whole was marked by caution without passivity. It was a twofold strategy: the maintenance of institutional order in the short term alongside the use of commissions, legal reinterpretation, and political management to gradually erode the authoritarian enclaves inherited from the dictatorship. Thus, Chilean democracy was limited at its birth but became more civilian and accountable through the accumulation of institutional changes.

Argentina’s democratic trajectory under Carlos Menem, the Peronist president elected in 1989, was in some ways the inverse of Chile’s. While the immediate danger of a barracks rebellion had largely diminished, the democratic state also withdrew from the morally assertive position that had been characteristic of the early years of Alfonsín’s government. That retreat was more than symbolic: Menem issued pardons in 1989 and 1990 to convicted junta leaders and officers implicated in the *carapintada* rebellions, temporarily closing the central accountability process opened under Alfonsín.⁴⁷ Politically, the result was a repeat of the fundamental problem that had plagued the earlier transition period: the state could not simultaneously sustain maximal accountability *and* maximal governability. The issue was not democracy itself but rather whether democracy could be sustained within the unresolved framework of Peronist mass politics without negotiating the legacy of military power.

Seen from this longer time frame, the Argentine experience of democracy took a different course. Although the collapse of the dictatorship created a clearer moral break with the past than Chile managed, it did not immediately result in a similar level of governability. Civil-military conflict, economic instability, and political polarization made the first decade of Argentine

democracy a volatile period. Even after the military ceased to be an immediate coup risk, the democratic state remained tainted by concessions to dictatorial elites and the lingering political presence of Peronist labor networks. Menem's presidency marked a different form of civilian rule, but it did not overcome the problems of earlier periods.⁴⁸ The result was a democracy that was unquestionably real, but one whose first years were marked by fragility rather than institutional consolidation.

Taken together, the two cases exemplify different tempos of human rights politics. In the case of Argentina, replacement allowed justice to become an integral part of democratization. The delegitimization of the previous regime allowed for immediate accountability at its most direct and maximal level. The cost, however, was less governable transition. On the other hand, transplacement in Chile permitted only partial truths and reparations, but institutional continuity and stability allowed for the pursuit of greater accountability over time.⁴⁹

CONCLUSION

What the democratizations of Argentina and Chile demonstrate is that post-authoritarian politics is the product of a longer progression of factors. Differing political context produced differing military regimes. Differing military regimes produced differing conditions from withdrawal. Differing conditions from withdrawal shaped the options and leverage available to civilian governments and social forces. It is the sum of these factors that produced the divergent paths of Argentina and Chile in the late 20th and 21st centuries.

These sequences of events are somewhat paradoxical. In Argentina, democratic legitimacy preceded the consolidation of institutional control, producing an early capacity for moral condemnation; governability, however, lagged behind as civilian leaders struggled to discipline the military, stabilize the economy, and build a durable governing coalition. Chile, by contrast, inherited authoritarian constraints that limited immediate accountability, but its negotiated coalition and institutional framework produced greater governability, creating room for gradual democratic reform.⁵⁰ The political histories of the two countries reveal that the end of the struggle for a democratic state is not reducible to the end of military rule. Instead, it marks the beginning of a new arena in which constitutions, parties, unions, courts, and memories of violence continue to determine what democracy can become. In both cases, building democracy was a political process in which elections were a necessary but insufficient condition for a successful transition. Therefore, a comparative analysis of the two countries' experiences must go far beyond a reductionist approach of comparing "stable" and "unstable" democracies. Instead, it must account for how those democracies evolved in the first place—in this case, the juxtaposition of a democracy that emerges through conflict with one that emerges through negotiation.

ENDNOTES

1. Samuel P. Huntington, "Democracy's Third Wave," *Journal of Democracy* 2, no. 2 (1991): 13.
2. Terry Lynn Karl, "Dilemmas of Democratization in Latin America," *Comparative Politics* 23, no. 1 (1990): 3.
3. Huntington, "How Countries Democratize," 583–84; Angell and Pollack, "The Chilean Elections of 1989," 2.
4. Collier and Sater, *A History of Chile*, 330–58.
5. Collier and Sater, *A History of Chile*, 359–89.
6. Silva, "Searching for Civilian Supremacy," 375–80; Fuentes, "Shifting the Status Quo," 99–122.
7. Collier and Sater, *A History of Chile*, 359–89; Silva, "Searching for Civilian Supremacy," 375–80; Fuentes, "Shifting the Status Quo," 99–122.
8. Silva, "Searching for Civilian Supremacy," 375–80; Fuentes, "Shifting the Status Quo," 99–122.
9. James, "The Peronist Left," 273–96; Huser, *Argentine Civil-Military Relations*, 41.
10. James, "The Peronist Left," 276–96.
11. *Comisión Nacional sobre la Desaparición de Personas, Nunca Más: The Report of the Argentine National Commission on the Disappeared* (New York: Farrar, Straus and Giroux, 1986), prologue.
12. Marina Franco, *Un enemigo para la nación: Orden interno, subversión y guerra (1973–1976)* (Buenos Aires: Fondo de Cultura Económica, 2012).
13. Jorge Antonio Yeverino Juárez, "The Democratic Transitions in Mexico and Latin American in the Late 20th Century," 108; Herbert C. Huser, *Argentine Civil-Military Relations: From Alfonsín to Menem*, 41.
14. Argentina, Law No. 22,924, September 22, 1983; Argentina, Law No. 23,040, December 22, 1983.
15. Roniger, "Human Rights Violations and the Reshaping of Collective Identities," 221–25; Huser, *Argentine Civil-Military Relations*, 41.
16. Angell and Pollack, "The Chilean Elections of 1989," 2; Collier and Sater, *A History of Chile*, 359–89; Fuentes, "Shifting the Status Quo," 99–122.
17. Angell and Pollack, "The Chilean Elections of 1989," 2; Silva, "Searching for Civilian Supremacy," 375–80; Fuentes, "Shifting the Status Quo," 99–122.
18. Argentina, Law No. 23,040, December 22, 1983; Argentina, Decree No. 158/1983, December 13, 1983; Argentina, Decree No. 187/1983, December 15, 1983.

19. Comisión Nacional sobre la Desaparición de Personas, *Nunca Más*, prologue; Crenzel, "Revisiting the Origins of Argentina's Military Junta Trial," 144–64.
20. Julio César Strassera, Closing Argument in the Trial of the Juntas, September 18, 1985.
21. Roniger, "Argentina's Dictatorship and the Post-Dictatorial Policies of Transitional Justice," 425–44.
22. Huser, *Argentine Civil-Military Relations*, 113–16; Hunter, "The Dirty War and Its Aftermath," 200–205.
23. Huser, *Argentine Civil-Military Relations*, 113–16.
24. Huser, *Argentine Civil-Military Relations*, 113–16; Skaar, *Human Rights Violations and the Paradox of Democratic Transition*, 11–12.
25. Silva, "Searching for Civilian Supremacy," 375–80.
26. Chile, Supreme Decree No. 355, April 25, 1990; *Report of the Chilean National Commission on Truth and Reconciliation*, 9–10.
27. *Report of the Chilean National Commission on Truth and Reconciliation*, 9–10.
28. Aylwin, "Address to the Nation upon the Release of the Report of the National Commission on Truth and Reconciliation," March 4, 1991; Cubillos-Vega et al., "Evolution of the Conception of Justice," 272–87.
29. Cath Collins, "Human Rights Trials in Chile during and after the Pinochet Years," *International Journal of Transitional Justice* 4, no. 1 (2010): 67–70; Silva, "Searching for Civilian Supremacy," 375–80.
30. Silva, "Searching for Civilian Supremacy," 375–80; Fuentes, "Shifting the Status Quo," 99–122.
31. James W. McGuire, "Union Political Tactics and Democratic Consolidation in Alfonsín's Argentina, 1983–1989," *Latin American Research Review* 27, no. 1 (1992): 37–45.
32. James, "The Peronist Left," 273–96; McGuire, "Union Political Tactics," 37–45.
33. McGuire, "Union Political Tactics and Democratic Consolidation in Alfonsín's Argentina," 37–45.
34. Tedesco, "Raúl Alfonsín's Government," 78–93; Huser, *Argentine Civil-Military Relations*, 113–16.
35. Huneeus, "The Defeat of the Concertación Coalition and the Alternation of Power in Chile," 1.
36. Carlos Huneeus, "The Defeat of the Concertación Coalition and the Alternation of Power in Chile," (Elcano Royal Institute, 2010), 1; Angell and Pollack, "The Chilean Elections of 1989," 2.
37. Huneeus, "The Defeat of the Concertación Coalition and the Alternation of Power in Chile," 1; Frank, "The Labor Movement in Democratic Chile," 7.
38. Huneeus, "The Defeat of the Concertación Coalition and the Alternation of Power in Chile," 1.

39. Elisabeth Lira, "The Reparations Policy for Human Rights Violations in Chile," in *The Handbook of Reparations*, ed. Pablo de Greiff (Oxford University Press, 2006), 55–59; Elin Skaar, *Human Rights Violations and the Paradox of Democratic Transition: A Study of Chile and Argentina*, (Chr. Michelsen Institute, 1994), 11–12.
40. Javier Couso, "The Politics of Judicial Review in Chile in the Era of Democratic Transition, 1990–2002," *Democratization* 10, no. 4 (2003): 70–75; Collins, "Human Rights Trials in Chile," 67–70; Fuentes, "Shifting the Status Quo," 99–122.
41. Collins, "Human Rights Trials in Chile," 67–70; Couso, "The Politics of Judicial Review," 70–75.
42. Silva, "Searching for Civilian Supremacy," 375–80; Huneeus, "The Defeat of the Concertación Coalition and the Alternation of Power in Chile," 1.
43. Collins, "Human Rights Trials in Chile," 70–76; Couso, "The Politics of Judicial Review," 75–80.
44. Chile, Supreme Decree No. 355, April 25, 1990.
45. Cubillos-Vega et al., "Evolution of the Conception of Justice," 272–87; Collins, "Human Rights Trials in Chile," 67–70.
46. Couso, "The Politics of Judicial Review," 70–75; Collins, "Human Rights Trials in Chile," 67–70.
47. Hunter, "The Dirty War and Its Aftermath," 200–205; Huser, *Argentine Civil-Military Relations*, 113–16; Crenzel, "Revisiting the Origins of Argentina's Military Junta Trial," 144–64.
48. Huser, *Argentine Civil-Military Relations*, 113–16; Hunter, "The Dirty War and Its Aftermath," 200–205.
49. Crenzel, "Revisiting the Origins of Argentina's Military Junta Trial," 144–64; Collins, "Human Rights Trials in Chile," 70–76; Cubillos-Vega et al., "Evolution of the Conception of Justice," 272–87.
50. Huntington, *The Third Wave*, 266–67; Karl, "Dilemmas of Democratization in Latin America," 3.

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