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Chile to the Plebiscite

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REPORT ON PLEBISCITE DEVELOPMENTS

JANUARY -- AUGUST, 1988

International Human Rights Internship Program

Vicaria de la Solidaridad
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VIEW FROM CHILE

August, 1988

OVERVIEW

On Tuesday afternoon, August 30th, General Augusto Pinochet Ugarte was officially designated the government's "candidato unico" for the presidential plebiscite. Pinochet appears resolved to remain Commander in Chief of the Army during the course of the campaign, and, presumably, will relinquish his military duties only after winning the October 5th plebiscite. The Armed Services are officially responsible for guaranteeing the fairness and impartiality of the plebiscite process.

The official ceremony proclaiming Pinochet candidate took place at the Diego Portales building in the center of Santiago at four in the afternoon, followed by a gathering in front of the Moneda Palace at five. "Spontaneous" displays of support at both locations had been announced and organized the week before. Free bus transportation was provided pobladores (shanty-town dwellers) who, together with pro-government political parties, formed the core groups demonstrating for Pinochet outside the Moneda Palace. Still, the turn out was disappointing: the plaza roughly one-third full, 15,000 to 20,000 people.

Meanwhile, all afternoon in downtown Santiago, the streets were aswarm with protesters, Carabineros, water cannons and tear gas. Initially, Carabineros were restrained, perhaps due to the large number (300) of foreign press on hand for the nomination. Late that afternoon several buses were burned at different points around the city, and later that evening three people were killed -- one most likely by Carabineros and the other two, apparently, shot at random by unidentified civilians.

The NO Command had previously announced a pot-banging ("cacerola") demonstration for 8 in the evening, asking its partisans to be at home by 7, emphasizing the peaceful nature of the protest and the "happiness" that would be Chile's once Pinochet is removed from office. On my 20 minute walk home from work, at 7:30 p.m., I was indeed struck by the emptiness of the streets and thoroughfares. In my neighborhood (and reportedly elsewhere throughout the country) the "cacerola" was a big success: men, women and children enthusiastically thumping on pots and pans, from their windows and in front of their homes. In my area, an impromptu parade of 100 pot bangers grew to 500 as they threaded their way through residential streets.

Still, it was the "chaos" of the day's events, the deaths and the bus burnings, that made the evening news and morning papers. Pinochet's acceptance speech was full of allusions to the Marxist spectre still facing the nation, and his undying crusade to crush it. If he is successful in his plebiscite bid, he will have had nearly 25 years to do the job. Over 7,300,000 voters (a record number and percentage) will make the decision.

WHAT THE POLLS SAY

CERC Poll

On August 25th the Centro de Estudios de la Realidad Contemporanea (CERC) reported the results of a nation-wide poll of 12,400 people. It found the NO ahead with 40.6% of the vote, the YES with 30.8%. 11% were undecided. The break-down by town size is as follows:

	Santiago	Large Cities	Mid Cities	Small Towns
NO	48.3	43.6	35.3	31.1
YES	25.5	26.1	34.4	39.4

They found the YES margin in small towns (less than 5,000) to be considerably less than what is advertised by government sources (a three to one advantage) and not sufficient to offset the NO margins in Chile's large population centers.

Despite the preponderance of the NO vote, voters continue to expect the YES to prevail: 41% anticipate that the government will win, 34.7% think the opposition will. The gap is greater in small towns: 46.6% expect the YES to win, 27.1% the NO.

According to this poll, a high number of voters anticipate fraud in the vote process: 38.9% think there will be fraud while 46.1% think the process will be "clean." Youth are more apt to believe that fraud will occur: 41.3%.

In addition, a sizable number of voters doubt the secrecy of the voting booth. 29.5% believe their vote will be known by others; 38.1% of the youth think this. (Note: The fears documented in this poll have also been observed in civic education workshops held by the Catholic Church. The most often expressed fears are cameras in the voting booths and water-marked -- traceable -- ballots.)

Finally, the CERC poll found that 41.9% thought the country would be better off with a NO victory while only 34% thought the country would be better off with a YES victory. The NO was deemed superior to the YES in addressing economic issues, eliminating poverty, and expanding liberties. The YES was better than the NO in terms of maintaining security in the streets.

Gemines Poll

On August 28th Gemines (think tank) reported that its July poll found 27.7% of the voters still "undecided," 45.4% favored the NO; 26.9% favored the YES. Their study concluded that the incidence of undecideds was going down, and that most of the

"newly decided" were opting for the NO based on the following:

	August, 1987	July, 1988
NO	30.1	45.4
YES	22.8	26.9
Undecided	47.1	27.7

As the figures show, a drop of 20 points in the undecided ranks occurred over the course of one year, with 3/4 of the newly decided (15 points) going to the NO.

The NO was strongest with men and youth. Pinochet scored best with those over 55.

The Gemines poll also points out, like the CERC poll, that although the NO is ahead, when people are asked who they expect will win the plebiscite, 57.4% say it will be Pinochet, and (29.7%) the NO.

Diagnos Poll

APSI magazine writes that on August 22 Diagnos (polling firm) reported its government commissioned poll to La Moneda. The polling was done between July 29th and August 5th in Greater Santiago. Results: 44.7% for the NO, 33% for the YES.

CIS Poll

A CIS (CED, ILET, and Sur) poll conducted the second week in August in Santiago and released August 30th finds the NO winning 43.4% to 20.1% over the YES. The poll opines that as the plebiscite approaches and the possibility of a consensus candidate diminishes, the "undecideds" are shifting to the NO ranks. Their weighted projection for the final breakdown on the plebiscite in Santiago puts the NO at 66.7%, the YES at 31%.

The CIS poll found that 66.6% of the Santiago voters felt Pinochet had been in office too long, and that it would be good to have someone else as president. The word most frequently associated with General Pinochet (by 27.5% of the people) was "abuse."

The poll also found growing confidence in the capacity of the opposition to govern, with 59.2% rejecting the government argument that "the opposition is dominated by the Communist Party." An opposition victory was seen more likely to bring peace than a government win:

"There will be violence and division with people if the NO wins."

Agree	30.2	Disagree	50.9
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"There will be violence and division with people if the YES wins."

Agree	44.8	Disagree	37.2
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The poll determined that voters had greater confidence in an opposition government to deal with human rights, reducing unemployment, dealing with poverty, increasing Chile's prestige in the world, and advancing educational opportunities.

A continuation of the existing government would be better for maintaining public order, eliminating delinquency and drug problems, and controlling terrorism.

Flacso Poll

A Flacso poll, also released August 30th, determined that the margin of victory in the Santiago area is sufficiently large (920,000 votes) to offset even substantial losses elsewhere in the country. These results coincide with the CERC results.

Nationwide, dividing the "undecided" vote equally between the YES and the NO, Flacso found the NO winning 55% to 45%. By weighing the "undecided" vote according to observed tendencies in the voter, Flacso increased the margin of the NO to 57.4% to 42.6%.

It is in the Santiago vote, however, where the size of the NO is particularly dramatic. Two different polling samples put the NO at 42.1% and 43.2%; the YES at 17.3% and 17.5%.-- translating into the 920,000 vote advantage.

In the event of a NO victory, the poll found 37.3% of the population desiring opposition negotiations with the Armed Services to facilitate a transition; 31.3% agreeing that Pinochet should complete his additional year in office as set out by the Constitution; 13.7% supporting mass mobilization to put an immediate end to the regime; and 3.5% favoring annulment of the plebiscite results by the Armed Services.

Flacso observed a very low level of confidence in public institutions with political parties and TV media getting lowest marks. 61.8% informed the pollsters that they did not participate in any kind of group or organized activity.

While 58.8% responded that they were not attracted to any of the political parties, still, when asked specifically, political allegiances lined up as follows:

Christian Democratic Party	39%
Party for Democracy (PPD)	27.9%
Socialist Party	16%
Humanist Party	15.6%
National Party	13.9%

Finally, Flacso ascertained that in the event of a disputed plebiscite outcome, 14% would believe government results, 24.1% would believe opposition party results, and 23% would believe results determined by the Catholic Church. 31.2% would believe

no source of information. It is this last statistic, according to Flacso, that underscores the "credibility crisis" facing Chilean political institutions.

GOVERNMENT CAMPAIGN

"General" Strategy

On Sunday, July 31, the area immediately surrounding the Mondeda (Presidential Palace) was cordoned off to permit the filming of masked revolutionaries burning automobiles and running riot in the streets. Carabineros serenely stood guard. Within several days opposition press confirmed that, as suspected, TV spots were being filmed for the government's YES campaign.

The government's campaign, premised on economic achievements and fear of the unknown (Pinochet: "Me or chaos"), took on more dramatic dimensions in August -- increased efforts to portray the NO parties as violence-prone and dupes of the "Marxist-led" opposition. And even more resolute efforts were made to conjure up negative images of the Allende years. Pinochet's acceptance speech August 30th echoed these tactics as did TV news coverage of the day's events.

The pro-government press now run a series of ads entitled "Only 15 years ago....." which repeat headlines, photos and stories culled from press accounts then -- always of food shortages and violence. A new daily publication, named "Then and Now," dedicated exclusively to the sensationalistic rehashing of 15-year-old news, appeared in August. This escalation of rhetoric in the government campaign was anticipated, of course.

Perhaps the vehemence is necessary in the face of growing evidence that a relatively strong economy is not enough to win the plebiscite for the government. Polls show that despite nearly a year of massive publicity regarding the "economic miracle" wrought by the military government, voters continue to place economic worries as their number one concern. (See CEP Poll, July Report). People accept the proposition that the economy has improved, but apparently feel the prosperity has yet to benefit them personally.

Polls also show that the YES is running behind the NO. Recourse to fear of the unknown and veiled threat, then, remain the most viable tools in the government's arsenal of campaign weapons. Veiled threats were perhaps most dramatically manifest in speeches given August 23rd by Generals Pinochet and Sinclair. Pinochet went so far as to argue the sovereignty of military in matters of State. These speeches are detailed below.

Finally, this month, the states of exception were lifted (see special section later in report) and several important laws passed or proposed. The law governing TV access during the 30 day official campaign period gives YES and NO partisans 15 minutes each, daily, between 10:45 p.m. and 11:15 p.m. And, on

August 15th, the government announced its plan for Congressional districts in the future Chilean legislature which heavily favors rural, conservative constituencies. More on this later.

The "Pinochet Doctrine"

Pinochet's declaration naming the Armed Services sovereign in matters of State was made on the 15th anniversary celebration of Pinochet's assuming command of the Army, before an audience of cadets, military brass, and an array of civilian supporters gathered at the Military School. Military analysts here say it was the most open acknowledgement ever made by Pinochet concerning the primacy of the military in the affairs of the nation.

Prior to his luncheon speech, Pinochet reviewed the troops and listened to a remarks by General Santiago Sinclair, Vice-Commander in Chief of the Army and a man speculated to replace Pinochet as head of the Army after a successful YES campaign.

As the troops marched by, special and prolonged applause was given Col. Jose Zara, Commander of Special Forces -- the "Black Berets." Zara gained notoriety last March 31st when, in a widely publicized speech, he professed undying loyalty to Pinochet and vowed that the "curved knives" of his troops were sharpened and ready in the case of any emergency that might befall his leader or the "the new institutional order." (See March report)

General Sinclair's remarks were directed to the political opposition, "who go around the world spreading lies and taking actions contrary to the great and lasting values of Chile. These politicians, he said, "seek a real rupture (with the institutions of Chile) that has led them to rebellious, seditious and revolutionary acts." All the worse because they are now "hatefully challenging the Constitution." Marxist extremism "has begun open warfare, trying to turn Chile into a battlefield." In the face of this "very real danger" the "Armed Services and Forces of Order can do nothing else but respect the Constitution and make it respected."

The General's remarks could easily be interpreted as laying the groundwork and justification for military intervention in the aftermath of a NO victory and opposition demands for constitutional change.

General Pinochet's speech, given less than an hour after General Sinclair's, openly and defiantly argued for military sovereignty in the affairs of the Nation and placed special emphasis on the doctrine of national security and the sanctity of the new institutional order embodied by the 1980 Constitution. Said Pinochet:

"In this context (of the 1973 coup), inspired by the most noble of national traditions and the values of the civilization to which we belong, a new institutional order

was born which finds its greatest expression in the Constitution that now governs us.

It recognizes the fundamental role of military institutions, institutionalizing their placement in the society they have always served, beyond their function as defenders of liberty and sovereignty that they have always had in our history.

For many years the political sectors, absolutely removed from Chilean reality, kept the Armed Forces marginalized from national development and public affairs, relegating them to passive obscurity.

This attitude ignored the new kinds of confrontation appearing after World War II, which made impossible the separation of conflict and politics.

For Marxism, war is a political instrument, which obligates the Armed Services to take permanent action to prevent conflicts that occur within a country from being fed, intentionally, so as to destroy the existing institutional order.

It is not possible, then, to concede that the military are only called upon to intervene at the sound of the cannons of conflict abroad, when every day it is more certain that the permanent enemies of western civilization are acting within the borders of their own countries; trying to provoke fratricidal, internal wars; attempting to irrevocably destroy democratic political systems and suffocate liberty.....

Lastly, and perhaps the most important reason for our influence in politics, is that our primary concern is for the Nation and its values, more so than for whatever the government that accidentally reigns, because our legitimacy rests precisely on the defense and promotion of the Nation and its values."

Pinochet's remarks have special resonance on the eve of the plebiscite, in the face of growing demands for significant change in the 1980 Constitution and Chile's "new institutional order." Like Sinclair's remarks, they could be interpreted as laying the groundwork for a "golpe" should the plebiscite prove unfavorable and opposition demands too shrill.

Regarding negotiations for constitutional change, Pinochet declared on August 27th: "I say to those that give negotiation priority over ethics and who believe that the ends justify the means, that they will never be able to understand the idiosyncracies of the Armed Forces, and even less the fundamental role of the Armed Forces in society."

Pinochet's intransigence is countered somewhat by statements by General Stange (Carabineros) appearing in the August 20th issue of the British paper, The Independent: "If the NO wins and there is a desire for change in the Constitution, there would have to be an agreement about the nature of the

changes. The agreement would have to be between those who were in the majority in the plebiscite and the Junta." Stange was careful to point out he was talking about "modifications" to the Constitution, not wholesale alteration. The exact nature of changes sought by the opposition (and many government supporters) is discussed in further detail later in this report.

YES-Party Politics

Two more political parties fractured in August on the YES/NO crucible of the plebiscite vote. Partido Nacional finally ended its schizophrenic promotion of a consensus candidate, splitting in half, and a branch of the Socialdemocratic Party declared itself for the YES -- not unexpected.

The Partido Nacional break-up was seen as almost inevitable: the Patricio Phillips faction leaning YES, the German Riesco faction decidedly NO. In the end it amounted to a complete lack of trust between the two sides, a lot of finger pointing, and, many suspect, some intervention from the Moneda. The National Party had prided itself on being the bastion of the "democratic" right, and had tried unsuccessfully to promote a consensus candidate to lead the country away from the looming polarization embodied by General Pinochet's anticipated candidacy.

Rumors suggest that Nacional Party President Phillips, in his May 5th meeting with Pinochet, was shown a government file with compromising information, and that since that date he has been decidedly for the YES, continued consensus candidate strategems notwithstanding.

The Socialdemocratic Party -- a small, non-Marxist socialist party spun off from the Radical Party in the early 1970s -- split many months ago: the part headed by Eugenio Velasco belonging to the NO Command; the Arturo Venegas faction just recently declaring for the YES.

The Renovacion Nacional Party, U.D.I. for the YES, and Avanzada Nacional remain firmly on board the YES campaign, although Renovacion Nacional asked for (and was denied) TV time of its own during the free time slots allotted the YES campaign.

The Future Congress

In mid-August the Interior Ministry proposed legislation creating 60 Congressional Districts. Two Deputies would be elected by majority vote from each District. Majority election (as opposed to proportional representation) is completely foreign to the Chilean political experience and the proposed districts are designed to favor rural areas.

Nine Districts are in the north of Chile, 15 in the center of the country, 21 in the metropolitan area, and 15 in the southern area. Santiago, with 40% of the country's population, is allocated 35% of the Deputies. Moreover, political scientists here calculate that one third of the electorate will be able to elect over half of the Deputies. This is because a Deputy from Huasco area, for example, would need only 30,000 votes to be elected, while one from the Santiago area communities of Conchalí or Recoleta would need over 187,000 votes.

The Senate, as examined more thoroughly in the Constitutional Issues section of this report, has one third of its membership appointed.

OPPOSITION CAMPAIGN

Positive Image for the NO

Outspent by the government by an estimated sixty to one, the 16 NO Command parties remained united in August, concentrating on low key, low budget campaign activities. Leadership spent considerable time in provincial cities and communities encouraging political activities. The NO Command emphasized their unity and the "happiness" that will be Chile's upon the return to real democracy. They spoke constantly against the polarization and war mentality of the government campaign.

On the last day of the month the 16 NO parties signed a document, "Basic Principles for Institutionalizing Democracy," outlining steps the group would take upon winning the plebiscite, including "an ordered and rapid transition to democracy" and "full political and ideological pluralism." Said spokesperson Patricio Aylwin: "We are going to beat the government, just like David beat Goliath."

The NO efforts were joined in August by "Independents for the NO" (led by former Pinochet cabinet member Orlando Saenz) and the majority faction of the National Party. Leadership in both the Christian Democratic Party and the Party for Democracy (ostensibly the two largest collectives) reached tentative agreement to nominate a consensus, transition candidate for presidential elections subsequent to a NO victory in the plebiscite.

Also, in August, a faction of the MIR (far, militant left) joined with the Communist Party in endorsing a NO vote, but both remain officially isolated from the NO Command because of their parallel advocacy of armed struggle.

The Leadership of the Bishops' Conference made an appeal in mid-August for a "consensus" candidate and opposition labor unions organized a nation-wide Central Unitaria de Trabajadores (CUT). Both events are discussed in greater detail below.

Catholic Church and Civic Crusade civic education efforts continued and will continue until the days immediately prior to the plebiscite. Music events throughout the country have been organized by the Civic Crusade, with free admission given youth showing valid voter registration cards.

In mid-August NO Command Youth organized a very successful, "NO" Music Fest in Santiago. Authorities approved the event, but only at a relatively inaccessible (by metro) part of the city. None-the-less, at least 50,000 youth were in attendance. The panorama of colors was rather impressive -- orange (Humanist Party), green (Green Party and MAPU party), blue (Christian Democratic Party) and, of course, an assortment of reds (Communists, Socialists, Frente and MIR). All enthusiastic, all harmonious. No violence. The effort to project the positive, non-violent face of the NO campaign will be exceptionally difficult in the five weeks to come. Provocateurs from both extremes are anticipated. The first really mass demonstration organized by the whole of the opposition is set for September 4.

C.U.T. Organized, Leader Relegated

On August 22nd the newly formed Central Unitaria de Trabajadores (CUT) met in Punta de Tralca and elected a directorship of 44 members, led by Christian Democrat Manuel Bustos as President. 900 were in attendance, representing over 150 labor unions, federations and confederations. This is the most important opposition-oriented, nation-wide organizing effort since the Central Unica de Trabajadores that formed part of Allende's United Front coalition.

Christian Democrats won 37.3% of the vote; a combination of the Communist Party, MIR and Historical Socialist Party won 27.1%; Almeyda Socialists took 19.01%; and a combination of Radical Party/Nunez Socialists took 16.93% of the vote.

Just three days prior to the Punta de Tralca meeting, the Chilean Supreme Court upheld a relegation sentence (internal exile) given Manuel Bustos for illegally organizing a strike in October, 1987. Legal appeals seeking clarification of the decision allowed his attendance at the CUT organizational conference. The first formal statement made by the newly formed CUT was an endorsement of the NO vote.

Bishops Call for Consensus Candidate

On August 12 the Chilean Bishops' Conference formally called for the designation of a consensus candidate, implicitly rejecting a Pinochet candidacy. The appeal was signed by all Conference officers, including Santiago Archbishop Fresno.

The statement said in part:

"Many hope that the Commanders in Chief of the Armed Forces and the General Director of the Carabineros would propose a

candidate that would impartially preside over the country during its transition to democracy, a democracy that the great majority aspires to, as much those supporting the government as those opposed to it. The candidate should be the result of an agreement between the Government and the opposition, and one who inspires respect and confidence in the great majority of the people. The transition should occur, it seems to us, within the confines of the present Constitution; but at the same time it should be made possible that the Constitution be modified in the way that many see fit."

At a press conference later that day, Bishops' Conference President Mon. Carlos Gonzalez said that the plebiscite was polarizing the country, each side believing in their imminent victory, like two trains headed in a collision course. "We would like to avoid at all costs a confrontation in the country, where one side will not recognize the victory of the other. This has to be done because it will create immeasurable harm." He also expressed concern about the lack of fairness in the communications media and the continued states of exception.

President Pinochet did not respond publicly to the Bishops' statement. Renovacion Nacional President Sergio Jarpa commented dryly that this was the first public acknowledgement by the Bishops of the legitimacy of the 1980 Constitution. He made no acknowledgement of their call for a concensus candidate.

Human Rights Update

The Human Rights issue has begun to take a higher profile in the country. On Friday, August 26, the Relatives of the Arrested/Disappeared held a press conference with 17 (mostly leftist) opposition parties who had signed on to a statement seeking justice for those who suffered human rights abuses at the hand of the government, annulment of Amnesty Laws already passed on behalf of the military, and abolition of the National Security Doctrine.

Signers included the PPD, the Humanist Party, the Greens, various socialist parties, the Communist Party and the MIR. Noticeably absent was the Christian Democratic Party. Organizers of the press conference said that the Christian Democrats had participated extensively in all discussions surrounding the document but -- for what ever reason -- decided not to sign or participate in the event.

On Monday, August 29, the same group organized a very moving demonstration in downtown Santiago, with hundreds of members holding five-foot tall, blackened posterboard sillouettes bearing the name of someone disappeared, killed, or abused by the military government. Below each name was written the question, "Have you forgotten me?" and then a YES and a NO, exactly as the YES and NO will appear on the October presidential plebiscite ballot. The completely non-violent demonstration lasted 10 minutes before being dispersed by water cannons and tear gas.

LIFTING THE STATES OF EXCEPTION, FREEDOM OF THE PRESS

On August 27th, Laws 1917 and 1918 published in the Diario Oficial put a formal end to the two states of exception that had been in force throughout Chile. In fifteen years of military rule, there had not been one day, until last week, without some kind of "state of exception" in effect.

The lifting of the "State of Emergency" and the "State of Danger to the Disturbance of Internal Peace" denies Pinochet the right to exile by decree, to relegate (internal exile) by decree, to curtail public meetings and to limit new press publications. In the shadow of these states of exception, however, the government has implemented a host of statutory and Constitutional laws that make the lifting of the states of exception a somewhat academic point.

Never-the-less, the lifting was widely considered as very good news for almost all sectors, for psychological reasons, if no other.

The exiling of Chileans was largely done by executive decree under powers granted by states of exception. With the lifting of the states of exception, the justification for maintaining exiled Chileans would seem to be gone. Initially, the government said that exiled Chileans could not return without a special executive decree. On September 1st, however, a week after lifting states of exception, an order was given terminating all exile, except those who exchanged prison sentences for exile. This surprise announcement reflects an apparent new effort by the government to moderate Pinochet's image -- at home and abroad. See Addendum at end of this report.

States of exception also abridged the right to meet in public places: requests for public meetings had to be sought weeks in advance from military authorities. With the states of exception now lifted, the government maintains that Decreed Law No. 1086 of September 15, 1983 is now in effect, requiring 48 hr. advance permission from public officials, who also happen to be military. Requests may be denied if the military authority judges the site a hindrance to public transit.

Lifting the states of exception affects press freedoms in only one small way: citizens may now start, edit and circulate new publications without prior government approval. Nothing, however, has changed with regard to the dozens of Chilean journalists facing prosecution in military courts for "offenses against the Armed Forces." What follows is a recounting of journalists presently under legal process. Information is from the opposition daily, La Epoca, in its August 21st edition:

<u>Journalist and Publication</u>	<u>Date and Reason</u>	<u>Case Status</u>
Ivan Badilla (<u>Analisis</u>)	1988, article about arms purchases in Chile	Pending, Military Court
Juan Cardenas (<u>Analisis</u> , Director)	1986, articles criticizing President	One year imprisonment, nightly
	1987, column about military prosecutors	Pending, Military Court
	1987, published article by F. Paulsen	Pending, Military Court
	1987, published Communist Party insert	Pending, Civilian Court
	1988, published column written by T. Moulian about Eitel case	Pending, Military Court
	1988, published humor piece by A. Rojas	Charged, Military Court
Patricia Collyer (<u>Analisis</u>)	1987, wrote article identifying military responsible for 1973 shootings	Pending, Military Court
	1988, wrote interview of returned exile; for opinions expressed by exiled person	Pending, Military Court
Marcelo Contreras (<u>Director, APSI</u>)	1987, special humour edition	Pending, Military Court
	1987, publication of opinions about source of violence in Chile	Pending, Military Court
	1987, publication of article about assassination of A. Meyer	Pending, Civilian Court
	1987, publication of Communist Party ad	Pending, Civilian Court

Pablo Cruz (<u>Prensa Austral</u> , Director)	1988, publication of statement by Bishop regarding return of exiles to Chile	Pending, Civilian Court
Juan Jorge Faundez (<u>CAUCE</u>)	1987, published inter- view with CNI dissertor	Pending, Military Court
Emilio Filippi (Director, <u>La Epoca</u>)	1987, publication of Communist Party ad	Pending, Civilian Court
Gonzalo Figueroa (former <u>CAUCE</u> Director)	1986, publication of article on arms-cache case	Pending, Military Court
Alberto Gomboa (formerly with <u>HOY</u>)	1985, serialized publi- cation of experience in in detention center, 1973	Pending, Military Court
Monica Gonzalez (<u>Analisis</u>)	1987, interview with Christian Democrat Andres Zaldivar	Suspended sentence
	1988, Publication of book on assassination of Gen. Pratt.	Charges, Civilian Court
	1988, interview with Karen Eitel	Pending, Military Court
Eugenio Gonzalez (<u>CAUCE</u>)	1987, article denounc- ing Lan Chile operations	Pending, Civilian Court
Alejandro Guillier (<u>HOY</u>)	1987, article on Col. A. Fernandez Larios on Letelier assassination	Pending, Military Court
Edwin Harrington (<u>CAUCE</u>)	1988, article on drug use	Pending, Civilian Court
Francisco Herreros (<u>CAUCE</u>)	1985, article on student tortured by CNI	Pending, Military Court
	1987, interview with ex-minister critical of regime	Pending, Military Court
	1987, article about ar- rest of P. Hernandez, sodomy in CNI	Pending, Military Court

	1987, editorial questioning Military Court powers	Pending, Military Court
Jorge Lavandero (<u>Fortin Mapocho</u>)	1988, publication of opinions about CNI	Pending, Military Court
Ismael Liona (<u>Fortin Mapocho</u>)	1987, published Communist Party ad	Pending, Civilian Court
Sergio Marras (<u>APSI</u>)	1987, publication of special humor edition	Pending, Military Court
Marcelo Mendoza (<u>APSI</u>)	1987, publication of article on assassination of A. Meyer	Pending, Civilian Court
Tomas Moulian (<u>Analisis</u> columnist)	1988, opinion piece on K. Eitel case	Pending, Military Justice
Gilberto Palacios (<u>Fortin Mapocho</u>)	1986, article on military inscription	Pending, Military Court
Fernando Paulsen (<u>Analisis</u>)	1985, article titled "Assassins," about military justice	Pending, Military Court
	1987, article questioning official version of a killing	Pending, Military Court
	1988, publication of I. Badilla article about arms purchases	Charges, Military Court
Ariel Poblete (<u>CAUCE</u>)	1986, article about arms cache in N. Chile	Pending, Military Court
Filipe Poza (ex-Director, <u>Fortin Mapocho</u>)	1986, published article by G. Palacios on military inscription	Pending, Military Court
Alvaro Rojas (<u>Analisis</u>)	1988, humor column on supposed municipalization of Armed Forces	Pending, Military Court
Manuel Salazar (ex-journalist, <u>CAUCE</u>)	1986, article on drug use mentioning Armed Forces and National TV executives	Pending, Civilian Court

Abraham Santibanez (Director, <u>HOY</u>)	1987, published article on Col. A. Fernando Larios about Letelier assassination	Pending, Military Court
Manuel Suarez (Correspondent, <u>La Prensa Austral</u>)	1988, publishing of information relating to the return of exiles	Pending, Civilian Court
Victor Vaccaro (<u>CAUCE</u>)	1987, published interview with ex-Minister A. Rios Valdivia	Pending, Civilian Court
Patricia Verdugo (author)	1987, independent publication of <u>Burned Alive</u> , about Rodrigo Rojas and Carmen Gloria Quintana case	Pending, Military Court

CONSTITUTIONAL ISSUES -- POST PLEBISCITE

Consensus is forming among civilian leaders on the political right and left that constitutional reform is a key ingredient in negotiating political differences within the next year, no matter which side wins the plebiscite. Pro-government civilian leaders Andres Chadwick (U.D.I. for the YES) and Andres Allamand (Renovacion Nacional) have acknowledged that changes are inevitable. The willingness of the Armed Forces to negotiate, of course, remains to be seen. Most likely they will see much less need to negotiate constitutional change if the YES is successful at the polls.

The 1980 Constitution, drafted by a commission of five Pinochet appointees and later revised by the Junta, was approved in a plebiscite 30 days after it was made public. The opposition was allowed to meet only once during this period, was denied access to the media, and has compiled evidence of government fraud at the voting booths. The regime's 1980 Constitution, which is broken down into "permanent" and "transitory" articles, is noteworthy for its granting of broad powers to the President, its weakening of the legislative branch, its rejection of pluralism (Article 8), and its giving the Armed Forces a majority voice in a more powerful National Security Council, thus institutionalizing military hegemony in affairs of the nation. For these reasons, it is described as instituting a "protected democracy."

The first feature in need of reform, according to political leaders and constitutional law experts from all sides, is the mechanism prescribed for reforming the Constitution. There are two ways to modify the Constitution: During the period of

transition -- from March 1981 to March 1990 -- only the Junta has the power to propose reforms, which must be ratified by means of a plebiscite. Rumors from government sources speculate that the Junta may propose a constitutional plebiscite in conjunction with the presidential plebiscite; there is nothing in the Constitution prohibiting such a move, but the votes must be registered and calculated separately.

If the Constitution is not reformed before March 1990, it becomes much more difficult to make changes, especially if Pinochet remains in power. The Constitution mandates three different procedures for reform:

- 1) To reform the articles relating to "Bases of Institutionalization" (which include Article 8), the Constitutional Tribunal, the Armed Forces and Public Order, or the National Security Council, requires the approval of the President and two-thirds of each house. In addition, the change will not become effective until approved by "the next complete renewal of both houses," in other words, a period of up to eight years;
- 2) To reform articles relating to the plebiscite mechanism, to diminish the powers of the president, or to expand the powers of the Congress or of individual members of Congress, requires the approval of the President and two-thirds of each house;
- 3) To reform the remaining articles of the Constitution, including the chapter relating to amendment of the Constitution itself, requires the initiative of the President or a member of Congress, plus three-fifths approval of each house. Sixty days later, the Congress must meet in full session to vote again without debate, this time by simple majority. The president then may 1) approve the reform, 2) reject it totally, or 3) reject it partially. In the latter two cases, the Congress, with three-fourths or two-thirds majority respectively, may insist on the amendment; at that point, the president may promulgate the law or convoke a plebiscite.

In addition to the demand to amend the reform mechanism, opposition leaders are calling for changes in the National Security Council, the separation of powers, and Article 8. Patricio Aylwin, President of the Christian Democrats and spokesperson for the NO Command, commented recently that the powers attributed to the National Security Council leave future governments "at the mercy of the Armed Forces." Aylwin was referring to the fact that the NSC, a constitutionally sanctioned organism with a 4-3 majority in favor of the Armed Forces, exists as a powerful force inside the government which may at any time "pronounce" itself with regards to executive or legislative acts it considers inimical to the well being of the country. Furthermore, it is equipped with the power to declare and enforce a state of siege while Congress considers more serious action. Some opposition leaders suggest that the National Security Council issue could best be dealt with by simply expanding the number on the council, thus securing a civilian majority.

Opponents of the Constitution also seriously criticize the

weakening of congressional powers and inadequate popular representation in the Senate. Twenty-six senators will be elected by direct vote when congressional elections are held in January 1990, and nine will be appointed -- six by Pinochet or the National Security Council, and three by the Supreme Court. These nine appointed Senators will have the same voting rights and privileges enjoyed by the elected Senators. In addition, a variable number of ex-Presidents will be given Senate seats as well. This means that any type of constitutional reform that requires a two-thirds majority or more demands unanimity among all those elected directly, plus at least one of the appointed Senators. It also demonstrates the undemocratic nature of the document, and the control the military will continue to exercise over any civilian government.

Finally, and perhaps most fundamental, is the question of party and ideological pluralism, represented symbolically by Article 8. Drafted in response to the perceived evils of Marxism in the Allende government, and modeled after the West German Constitution's proscription of fascism, Article 8 outlaws acts that propagate doctrines against the family or advocate violence, totalitarianism, or class warfare. The government insists that it does not sanction thoughts or ideas, but only acts which, in the judgment of the Constitutional Tribunal, diffuse doctrines with an intent to capture adherents. The regime has not hesitated to use Article 8 to outlaw the Communist Party, the MIR, and the Socialist Party-Almeyda, as well as punishing ex-canciller Clodomiro Almeyda with ten years denial of all civil and political rights.

The opposition, however, has made derogation of Article 8 one of its main rallying cries for constitutional reform, and has repeatedly called for Almeyda's release. The language of the text is broad and ambiguous enough to allow the court to find the very expression of ideologically sanctioned doctrines unconstitutional. In this way, as the opposition argues, Article 8 sanctions free and open speech, and is blatantly anti-democratic. Critics also claim it violates other basic principles of the Constitution, as well as United Nations and Organization of American States conventions signed by the Chilean government.

Proposals for reform include retaining the language referring to violence and totalitarianism, and eliminating reference to "class warfare." But the key issue is whether Chile can handle full political pluralism, with open participation by the Communist Party, after its 1970-73 experience, and still maintain a stable and peaceful democratic society.

ADDENDUM TO POLITICAL DEVELOPMENTS

24 hours after his vituperative acceptance speech, Pinochet spoke to the nation in civilian dress, asking the support of all Chileans. "Chileans, if to this day I have diligently kept my

promises made, now, from this point on, I assure you I will equally respect my pledge if the country ratifies my name..... I ask all citizens, those for me and those opposed, to assume this noble task because Chile needs everyone together in liberty and democracy. I invite you to share a future of progress and development: we have arrived at the moment to harvest the crops planted these years."

This, together with the ending of exile, make it appear as though Pinochet's campaign is about to take another tactic. It should be pointed out, however, that with the ending of exile there will be a steady arrival back to Chile of the most well-known political activists and leaders of the Allende years. This could very well serve the government's campaign by reinforcing in the public's mind the negative images of those years.

Nearly 48% of the 7,300,000 registered voters will be voting in their first presidential campaign.

REPORT FROM CHILEAN PROVINCES
REGARDING REACTION TO PINOCHET'S DESIGNATION AS CANDIDATE

Vicaria of Solidarity
National Coordination Section
September 1, 1988

National Coordination Director at the Vicaria of Solidarity, Attorney Luis Toro, reports that in the provinces of Chile over 800 people were arrested during protests of Pinochet's nomination, and over 200 injured. All were partisans of the NO; not one YES partisan was arrested or hurt. In the opinion of the Vicaria, there was blatant partisanship in police response to the demonstrations of August 30th. What follows is the official report made by the National Coordination Section of the Vicaria regarding events in the provinces.

Coyhaique

At 12:30 a.m., August 31st, as the Director of Radio Ventisquero de Coyhaique, Jorge Diaz Guzman, was driving to the local hospital accompanied by people injured in a demonstration opposing Pinochet's nomination, he was stopped by police officials in Carabinero vans, pulled out of his car without explanation, beaten and then taken to the Comisaria under arrest.

That morning he was put at the disposition of the Military Fiscal, accused of offenses against the Armed Forces. The two accompanying Guzman had been injured minutes before in a confrontation between YES and NO partisans on a public street. Their names were Maria Collin, 21, cuts on her right hand; and Jose Torres Reyes, injuries to his neck. There are also reports of a 15 day old baby almost asphyxiated by a tear gas bomb landing in her yard as Carabineros moved through the neighborhood.

Temuco

In the early evening of August 30th incidents occurred in the center of the city between YES and NO partisans. One was arrested (name unknown) and various injuries were reported, including bites from Carabinero police-dogs.

The arrested person was placed at the disposition of the Military fiscal early on the 31st, accused of mistreating Carabineros.

Antofagasta

Carabineros arrested 16 people the evening of August 30th as they marched through the city shouting slogans against the regime and Pinochet's nomination. They were taken to the Comisaria, accused of provoking public disorder, and released the morning of the 31st.

Valdivia

At mid-day, August 30th, a demonstration at the Plaza de Armas occurred, protesting the likely nomination of General Pinochet. It dispersed at 1:30 without incident.

At 5 p.m., in the center of the city, about 25 people gathered to express their support for the YES. A counter-demonstration then occurred and the event soon broke up.

At noon and at 5:30 p.m. there were demonstrations in front of the Electoral Junta by people protesting the suspension of voter registration. Police came and hit those present, wounding Dagoberto Montecinos Huaiquimilla, who had been waiting in line to register since 9 a.m. Registration closed just as his turn was due.

At 10:15 p.m. in Anibal Pinto Street with Baquena|o, NO partisans demonstrated with barricades, pot-banging, and an electricity blackout. An electric company vehicle trying to correct the blackout was beat against and later burned by irate demonstrators. Police then arrived, arresting two.

Los Andes

NO partisans repudiating Pinochet's nomination met in the Plaza de Armas on the afternoon of the 30th, then marched to neighboring poblaciones. More joined the march which then returned to the Plaza de Armas. After ignoring police requests that they disperse, violence ensued. Demonstrators throwing construction materials that lay near the Plaza and the police using tear gas. 32 were arrested and taken to the Comisaria, where some were violently beaten. Two were released, the other 30 remain jailed.

San Felipe

A demonstration against the Pinochet nomination occurred in the Plaza de Armas, attracting a large number of people. No arrests occurred, despite the presence of Carabineros.

Talca

YES and NO demonstrations occurred the afternoon of the 30th which dissolved themselves without incident.

Calama

YES and NO demonstrations occurred the afternoon of August 30th. The YES partisans united in the Plaza de Armas, surrounded by Carabineros who gave the protection. The NO partisans were on the outskirts of this circle. At this moment a 100S car YES caravan arrived, uniting themselves with the 500 or so YES people already on the Plaza de Armas. The NO demonstrators were of about equal number. The event ended with several incidents, but no arrests occurred.

Arica

Barricades and pot-banging occurred the evening of the 30th in different parts of the city, mostly beginning at 8 p.m., but earlier where students were located. Carabineros were on hand at the student protests, arresting 5 and using tear gas.

At a different part of town Carabineros intercepted a car with youth aboard. The driver refused to deliver the youth over to the Carabineros, who then grabbed the man by the hair, dragging him out of the car and then engaging the youth as they left the car to defend the driver. All were then taken to the Comisaria.

In the Tucapel set of town, the rotunda was occupied by 300 people beginning at 8 p.m. Several were arrested.

Valparaiso

Various demonstrations occurred in the center of the city at mid-day resulting in three arrests. In the evening 163 were arrested. Villa del Mar registered 51 arrests.

Villa Alemana

Arrests are not known, but two wounded people are documented. Both had been protesting the Pinochet nomination, when a car appeared, running them over. Cristian Munoz suffered a broken leg, Gloria Manguayo suffered lesions.

Linares

YES partisans organized in the Gymnasium at 5 p.m., numbering around 1500. At 8 a NO march gathered approximately 3000 adherents. Carabineros violently intervened with the NO march, arresting 40, all of whom were released later.

San Javier

On Saturday, the 27th, Christian Democratic youth demonstrated, only to be broken up by Carabineros. Five were arrested, released later the same day.

Chillan

YES and NO demonstrations occurred after the announcement of Pinochet's nomination. Two were arrested and released later in the day. The "caceroleo" was very loud.

San Carlos

Like Chillan, YES and NO partisans went to the center of the city, the Plaza de Armas, creating a few incidents. Carabineros intervened, making no arrests.

Punta Arenas

At noon, August 30, there was a large demonstration called by NO youth. No incidents occurred. In the afternoon, after a YES car caravan passed the voter registration sight, incidents occurred requiring intervention by the Carabineros. The press reported 27 arrested. Nine complaints were filed at the Bishop's office.

Concepcion

At 1 p.m., August 30th, different demonstrations occurred throughout the city in anticipation of the Pinochet nomination. Several people were hurt by violent actions of the Carabineros and 40 arrested. NO partisans occupied most spaces at the Regional Intendente's headquarters where the announcement was to be made, getting there prior to the arrival of the YES partisans. YES partisans were upset, incidents followed and the police had to intervene, arresting 25.

VIEW FROM CHILE

July, 1988

Overview

On July 9, in a speech in Talcahuano (Southern Chile), General Pinochet announced that the plebiscite would be held within 90 days. He also made reference to "those bad Chileans who insult on television, who know that we are in a democracy and we won't do anything to them;" but went on to warn that patience has its limits, "and they (those 'bad Chileans') may come to know that limit." He chastised most of his political opponents as "traitors" and spoke out strongly against foreign interference in the plebiscite process.

And so, amid this kind of threat and intimidation, Chile's plebiscite took a giant step forward. Junta members met some days later to ratify Pinochet's announcement and by the month's end the nomination date and the rules surrounding the process were published in the Diario Oficial. The Commanders of the Armed Services and National Police are to meet August 30th, 12 noon, in the Defense Ministry, to make the nomination.

In the formal nominating process, General Stange (head of the National Police -- Carabineros) goes first. This order of nominating confers extra importance on the decision of General Stange. In the event of more than one nominee, voting takes place in order of hierarchy, with Pinochet voting first.

The plebiscite, by law, must take place within 30 to 60 days of the announcement of the candidate. In theory, the actual announcement could be delayed, making the vote date still a matter of great conjecture. Extra-officially, it is said that the date will be either October 5th or 11th. Electoral Service officials need between 40 and 42 days from the time of the closing of voter registration to prepare all the mechanics (ballots, voting urns, voter lists verified for accuracy, etc.) necessary to ensure a smooth voting day process. Therefore, since voter registration closes the day Commanders in Chief meet to make the nomination, October 11th seems the most likely date for the plebiscite. Also, October 12th is a national holiday.

With the official announcement regarding the imminency of the plebiscite, voter registration is up decidedly over the previous month. Best estimates are that the 7 million mark will be reached by early August, and that the final tally will be 7,200,000 (of a possible 8,073,000) by nomination date. 14,807 Chileans are unable to register because they are in some stage of judicial proceedings -- including many political and labor leaders, journalists, and human rights activists.

This month's report pays special attention to the role of the Catholic Church in the plebiscite process. Ted Piccone, Columbia Law School Human Rights Intern at the Vicaria, writes on the "human rights issue" and how it is being treated by the opposition campaign.

What the Polls Say

Four different polls made headlines in July, three opposition and one pro-government. In order of appearance:

CEP Poll

On July 16 a CEP poll, financed by National Endowment for Democracy (NED) and developed in conjunction with the University of South Carolina, (based on a sample of 969 people in Santiago) determined that 30% favored the YES, 37% favored the NO, and 30.5% of the voters still remain undecided about how to cast their ballot. The undecided vote appears to be most prevalent among the unemployed, those with least education, lower economic groups and women -- with no significance regarding age variation.

A majority of those polled would prefer the next president to have ideas similar to those of ex-President Frei (Christian Democrat), but expect that the next president will, in fact, have ideas similar to those of President Pinochet.

Some questions asked:

With which political position are you, or with which do you sympathize the most?

Left Center/Left	19.2%
Center	27.4
Right Center/Right	17.9
No classification	35.5

How would you classify your present economic situation?

Negative	43.2%
Positive	12.9
Not good or bad	43.8

How would you classify your country's present economic condition?

Negative	55.2%
Positive	9
Not good or bad	35.4

People associated a NO victory with greater economic growth and more personal and familial tranquility. On the downside, they also associated it with more taxes, state takeover of businesses, labor strife and inflation.

Problems facing the country, in order of prominence: unemployment (62.5%), bad personal economic situation (39.5%), bad country-wide economic situation (28.4%), delinquency (14.3%), terrorism (13.5%), human rights (11.7%), housing (6.5%), democracy (5.2%) and debt (3.5%).

CERC Poll

A CERC poll published July 21 found that Chileans have a very high interest in the plebiscite and that therefore the turnout should be quite high. Nationwide, the NO was shown winning with 47%, YES with 32.8%

Support for Pinochet's candidacy, nation-wide, was measured at 22.6%, up from 16.3% a year ago. A "consensus candidate" was favored by 46.3% of the population, compared to 41% a year ago.

Like the CEP poll, CERC found that citizen perception of the state of the economy was not as optimistic as the government's. The poll found that citizens perceive there is more poverty now than in 1970 (42.8% more, 19.5% less, 34.1% the same) and that government economic policies have disproportionately benefitted the rich.

42.8% of the citizens thought there would be fraud in the plebiscite and, of that number, 81.6% thought the fraud would favor the government.

Asked about military involvement in the campaign, 23% considered it correct behavior, 69% considered it incorrect. CERC also asked those polled in Santiago about the Armed Services and their respective levels of support in the population. The results showed that the Air Force had the greatest support, and least negative rating; while the Army had the least support and highest negative rating.

SKOPUS Poll

The Skopus Poll (July 24) of 19,890 people throughout Chile showed a YES victory of 59.8% over 40.2% for the NO. The Skopus Poll, using indirect questions, was able to assign a YES or NO to all respondents. Without this weighing of the undecideds, the response was 33.1% YES, 25.9% NO, and 41% undecided.

GEMENIS Poll

The Gemenis Poll (July 28) was a simple matching of Pinochet in a face to face race against a series of opponents: Eduardo Frei Ruiz-Tagle (Christian Democrat, son of the former president, wins 48% to 26%), Andres Zaldivar (Christian Democrat, thought a leading standard bearer for the party, wins 40% to 29%), Ricardo Lagos (Socialist, President of the PPD opposition party, wins 35% to 31%), Admiral Merino (Junta member heading the Navy, loses to Pinochet 39% to 10%), General Matthei (Junta member heading the Air Force, is just behind Pinochet at 26.6% v. 27.9%), and Sergio Jarpa (President of the pro-government Renovacion Nacional Party, trails Pinochet at 31% v. 35%).

The relative merits (or value) of these polls, of course, could be discussed endlessly. Still, they serve some limited purpose: they are part of the psychological make-up of the Chilean political landscape at this juncture in the plebiscite process. They consistently indicate a strong "undecided" factor in the contest and are able to identify characteristics of the

undecideds. The economy is the greatest concern to people, human rights issues do not rate very high, and indications are that Pinochet would fare better in a free election (assuming the opposition divides its vote along partisan lines) than in a YES/NO plebiscite. As explored later in this report, these findings are, indeed, shaping the course of the plebiscite campaign.

In addition to the above mentioned polls, it is common belief that each of the Armed Services and National Police are conducting its own poll to determine the true state of the country vis-a-vis the plebiscite and the viability of a Pinochet candidacy. Those polls, of course, will most likely never make the newspapers, but they might be the most important of all in determining Pinochet's viability as a candidate.

The Government Campaign

The powers of incumbency -- all the greater in a dictatorial regime -- will express themselves to the maximum these next 60 to 75 days. In general, expect to see a higher military presence in the campaign, increased government give-aways to the low-income, xenophobic haranging regarding international "intervention," increased suppression of opposition media and events, and greater pro-government media hype centered around the campaign's basic tenet -- "Pinochet or chaos." Violence of any kind these next 60 - 90 days will immeasurably aid the government campaign. Significantly, on Sunday morning, July 31, unnamed camera crews were filming reenactments of "terrorist violence" on the grounds immediately in front of La Moneda. Reports later in the day confirmed that it was a government PR crew making TV spots for the YES campaign.

Quality Control Adjustments

Apsi magazine reports that the greater military presence in the nuts and bolts organizing of the YES campaign led to the removal of several U.D.I. adherents from positions of responsibility. (U.D.I. was the rump faction of the Renovacion Nacional Party that supported Pinochet's plebiscite candidacy unconditionally, lost in a power struggle to somewhat more moderate rightists, and then decided to set up shop independently again. It was originally formed several years ago with the help of Sergio Fernandez -- presently the Interior Minister and the head of the YES campaign).

The military apparently felt that the U.D.I. did not accurately assess the political situation for those areas it was responsible for (too optimistic) and often was at odds with other pro-YES parties; preventing their full utilization in the campaign.

A "Youth for Pinochet" rally held mid-July at the Central Mapocho station in Santiago, unlike a previous Santiago rally noted in an earlier report, was impressively organized: 30,000

youth were brought in on municipal buses from dozens of different communities.

The Avanzada Nacional Party, perhaps the most extreme of the right-wing parties in Chile, elected Sergio Miranda Carrington as its new president, replacing Carlos Cruz Coke and Benjamin Matte. Carrington is reportedly very close to high-ranking Army officials (he has been defense counsel for numerous officers charged with human rights violations) and, it is rumored, with the C.N.I. He reportedly asked Pinochet that his party be given greater participation in the YES campaign, and that less prominence be given the U.D.I. Also, in July, a group called "Patria y Libertad," famous in the Allende years for right-wing agitation, announced that it was organizing itself once more throughout the country to fight Marxism. It is led by 16 anonymous directors.

The Renovacion Nacional Party also had internal party elections in July. Sergio Jarpa was prevailed upon to continue as President of the Party, Andres Allamand was named Executive Director, and the Executive Committee was split evenly between Jarpa and Allamand followers. Elections for Political Committee membership were not negotiated and reflected the views of the entire party membership, resulting in the election of 10 Allamand partisans, 3 Jarpa partisans, and 7 non-aligned.

On July 28th RN President Jarpa publicly stated that the upcoming plebiscite was a "lifeboat for the opposition" in that it unified them and they did not have to propose a constructive alternative. He asserted that open elections would best serve the government because then the opposition would divide.

The Partido Nacional continues in its quest for a "consensus" candidate, helped along in July by a group of high profile, former Pinochet partisans, who organized themselves to politely suggest that democracy might not be served if Pinochet is the Junta nominee for the plebiscite.

At the end of July, PN Vice-President German Riesco publicly complained that the PN was being "infiltrated" by U.D.I. or C.N.I. (!) adherents in an effort to influence a YES position within the party. The PN is to decide for a YES or NO stance once the candidate is officially nominated.

Economic Carrots

With polls indicating continued voter preoccupation with economic issues (despite months of an impressive advertising campaign extolling Chile's economic and social achievements), it is anticipated that last month's roll back of the value added tax (IVA, from 20% to 16%) is merely an opening volley of government largess. It is expected that the government will target benefits more directly to those lower on the economic ladder -- precisely

where the polls say the most "undecideds" are situated.

Economic "adjustments" the government is anticipated to make within the next two months are:

-- a readjustment of pension benefits, with a 50% hike to those receiving the smallest incomes, directly affecting 1,300,000 Chileans.

-- a reformulation of the U.F. debts to permit easier terms regarding house mortgage payments (explained in last month's report), impacting 120,000 homeowners.

-- bonuses to the country's 300,000 public sector employees, 100,000 teachers, and 61,000 PEM, POJH and PEMO employees (government workfare programs).

Additionally, new lines of credit might be opened up for small and mid-sized businesses and extra monies funneled to poorer neighborhoods to permit greater numbers of people to access municipal relief doles. This last item is direct payment to pobladores of survival money. Demand, obviously, far outruns supply, and the government gives the money to those supporting Pinochet.

In sum, nearly 2,000,000 people could be directly impacted by economic carrots such as these, possibly influencing their plebiscite vote.

Political Pressures

Two states of exception (rigidly controlling civil and political rights) remain in full force. Several Junta members have publically expressed their desire to lift the states of exception soon, but it seems more likely this will occur only thirty days prior to the actual vote. Interior Minister Fernandez stated on several occasions that there is no legal barrier to holding the plebiscite during the states of exception.

Peaceful demonstrations continue to be repressed severely (most recently, July 27, a group of Christian Democrat women in downtown Santiago), and more militant demonstrations get full and energetic front page coverage in all the pro-government media and on TV.

On July 11, for example, a "March Against Hunger" organized by Santiago pobladores in downtown Santiago (allegedly with Communist Party support) resulted in the burning of six buses and the breaking of storefront windows. This violence, of course, lends itself to the government's campaign to characterize the opposition as representing a return to the "chaos" of the Allende years. The opposition, however, was quick to denounce the violence.

It is anticipated that the final month of the YES campaign will focus directly on a contrast between Chile today and Chile 1970 - 1973. The government has reportedly purchased very large amounts of television and radio advertising time for the month of September. The government is averaging more than one million dollars monthly on its media campaign -- as reported by APSI

magazine regarding the first six months of 1988. The opposition media remains under tight wraps -- thirty journalists under prosecution for various crimes against the honor of the Armed Forces and four magazines accused of violating Law 18.662, regarding propagation of outlawed ideas (see last month's report for greater detail). Opposition daily La Epoca has been denied permission to have a reporter attend "Legislative Junta" meetings, causing both opposition and pro-government media to protest in La Epoca's defense. The government domination of the television news reporting continues. The law governing television access during the course of the official 30-day campaign period will allow 15 minutes daily to both YES and NO partisans. No provision is made regarding time slots for the free television time.

Direct government manipulation of voting results appears unlikely: the opposition will closely monitor the vote count. However, double registration and direct pressures on voters prior to election day may create problems. Christian Democrats charged in July that in the town of Tocopilla (Northern Chile) there were more registered voters than inhabitants. Their allegations that soldiers from nearby areas were doubly registering are under investigation.

Rural voters are expected to be under the greatest pressures. Smaller communities, generally, are more easily intimidated than larger communities. Jobs are more scarce. Reliance on a single, large employer or government/municipal employment programs means less opportunity to openly express political dissent. Opposition leaders make a point of stressing to their audiences that the ballot will be secret and that often the wisest course is to say "YES" when asked to sign pro-government petitions or attend pro-government events, but to vote NO in the secrecy of the ballot box.

It is important to note that no in-depth polling has been done in rural Chile due to the expense and time involved. Moreover, some rural areas are relatively prosperous because of increased fruit, timber and fish exports. These areas are isolated from opposition media and, generally speaking, have not experienced human rights violations so much a part of the urban poblacion (shantytown) reality. Opposition presence in these areas will not be as evident, while the military and local government (Pinochet appointees) will very much be on the scene. Pinochet is expected to prevail in the rural areas. Still, the rural vote is only about 20% of the total electorate. Time and limited resources dictate that most all opposition efforts concentrate in the cities.

The Opposition Campaign

The No Campaign continued organizing and door-to-door campaigning. Their effort is to project the NO as a positive and

responsible (unified) alternative to the Pinochet regime. This is a direct response to polling information gathered and in anticipation of very negative government publicity. The NO Campaign has adopted a rainbow as its symbol. NO Campaign Director Genaro Arriagada, at the end of July, explained the strategy in part: "Our interest is to announce to the country that this long, sad part of our history is coming to an end, and that happiness is just ahead. This is a happiness of a country reconciled with its history, an honorable history of tolerance and democracy, which we express by this rainbow that shows Chile in the plurality (diverseness) that we aspire to." He added, "September will be a month of large, mass acts; while in August we will continue working door to door.....Our message will continue to one of happiness, of tolerance, and we hope that nothing disturbs the triumph that is ours."

July also saw the "internationalization" of the NO effort begin to take place. The European Parliament voted to send an observer delegation to Chile, the European Economic Community called for a free and open plebiscite in Chile (taken as an insult by the Chilean government) and an International Mayors' Conference was held in Santiago, with former French Prime Minister Pierre Mauroy insisting that "in Chile there is a dictatorship and where there is a dictatorship, no matter where it is, all democrats must be concerned."

U.S. delegations (both governmental and NOG) began to arrive more frequently, the most important this month being the visit of Republican Congressman Henry Hyde. Hyde, a conservative Congressman with considerable clout in the House Intelligence and Foreign Affairs Committees, had the temerity to suggest to Pinochet that he had already achieved an important place in history, but that now it was time to move on; that Pinochet's and Chile's own interests would be best served if a suitable replacement were found now, rather than later. Hyde and Pinochet spent 45 minutes together, with only an interpreter in the room with them.

Also, in July, PPD President Ricardo Lagos flew to the United States to visit with government and business officials, and a somewhat spontaneously organized event called "Chile Crea" took place, attracting a bevy of international artists to Chile. The Vicaria of Solidarity received the UNESCO Human Rights Award in Paris, and a very high ranking Vatican official -- Cardinal Ratzinger -- visited the country.

The impact of all this activity has to be of concern to the government. An estimated 300 foreign visitors holding elected office are expected to be on hand before and during the plebiscite, not to mention the NGO representatives. Pinochet characterizes the international observers as "puppets" and both he and Admiral Merino have threatened to prevent their entry into the country. Opposition groups point out that the visitors will be entering the country as "tourists" and that the laws governing the plebiscite clearly permit public access to the voting area.

They anticipate no problems.

On the home front, in July, student strikers were in the newspapers daily (protesting cut-backs in educational budgets) and labor organizers continued working to build the first opposition dominated, nation-wide federation of labor unions (Central Unitaria de Trabajadores -- C.U.T.) since the government restricted labor organizations in the 1970's. Another national labor federation exists (the C.D.T.) but has been politically neutral.

The NO Command, now comprised of 16 opposition parties, continued distancing itself from the Communist Party and other adherents to armed struggle, thwarting efforts by the Communist Youth to join with the NO Command Youth. A lot of careful thinking is going on regarding the possibility of mass mobilization of NO partisans during the 30 day campaign period. Although many in the NO Command would support such efforts, there is a great deal of concern that events could either get out of hand or be infiltrated by violent, pro-government forces.

Organizational and civic education efforts by the Civic Crusade and the Catholic Church's Belen Project continue apace. Partisan propaganda efforts by NO adherents (door-to-door and leafletting) are on-going, occasionally interferred with, sometimes violently, by unidentified groups or Carabineros. At the month's end a very successful forum on the "Role of the Armed Forces in a Democracy," organized by the Centro de Estudios para el Desarrollo (CED), took place at the Hotel Carrera. Military and Marxists spoke together in the same setting.

Catholic Church

As the plebiscite date approaches the role of the Catholic Church, the influence it chooses to assert, becomes more and more critical. Its clergy will be urging believers to vote at the polls. Its authority could be decisive in the event of voting irregularities; its voice preeminent in the event of negotiations between successful NO partisans and the military. Indeed, on July 31, former Santiago Archbishop (ret.) Cardenal Raul Silva Henriquez said that he would be willing to intermedate between the opposition and the Armed Services in the event of a NO victory. Carlos Gonzalez, President of the Bishops' Conference, stated that the Church would study "calmly and tranquilly" the possibility of mediation -- but only if both sides expressed their desire for such help.

July was a stressful month for the Catholic Church. On July 3rd Santiago Archbishop Fresno criticized by name Jesuit Priest Jose Aldunate (an activist involved with the anti-torture group Sebastian Acevedo, and signer of last December's letter to Pinochet calling for his removal from office for human rights violations). More importantly, however, Fresno went on to say

that he would not personally involve himself in any partisan way in the plebiscite campaign and that partisan opinions given by the different Bishops throughout Chile (most supporting the "NO") were simply their personal opinions, and not that of the Church. A Christian could vote either YES or NO in good conscience. He closed no doors, however, regarding Church mediation or the need for transparency in the vote process.

The public criticizing of Father Aldunate was highly unusual in Chilean Church politics, and Fresno's distancing of himself from partisanship in the campaign raised concern with a number of Bishops that some kind of retrenchment by the Church was in process.

On July 15, the Bishops' Conference Permanent Committee met to "clarify" a few matters, noting that when the full Bishops' Conference was not in session, it was the Permanent Committee that spoke for the Catholic Church in Chile; further stating that Christians should look to events as though through the eyes of Jesus Christ. "With this vision, we ask that one orient oneself to the plebiscite," they said. Bishops' Conference President Carlos Gonzalez, in a Pastoral Letter emitted the same day, addressed the issue of "fear," how fear must be overcome in the lives of all Chileans, and especially with regard to the plebiscite.

Behind this delicate waltz of words, of course, is the whole dynamic of Chilean Catholic Church politics and the history of the Church vis-a-vis the Pinochet regime these past 15 years. At risk of oversimplifying a complex subject, several points made in Chilean national magazines bear repeating.

First, that there was great disappointment among some Chilean Bishops and church members in 1980 when the Church did not more actively speak out against a very fraudulent plebiscite campaign that ratified the 1980 Constitution.

Second, that in anticipation of this year's plebiscite, more progressive Bishops within the Chilean Bishops' Conference were successful in electing Bishop Carlos Gonzalez as their President, by a vote of 16 to 15.

Third, that the Church is divided regarding Vatican appointment of Bishops, especially now with so many vacancies occurring. The most recent appointment went to the head of Opus Dei, a very, very conservative denomination within the Catholic Church. With the filling of the other four vacancies, more progressive Bishops no longer expect to be in the majority. This fact could argue caution for their positions vis-a-vis the plebiscite or, contrariwise, might lead them to be more decisive than ever.

Fourth, that the Bishops are divided regarding the plebiscite. Most have encouraged civic education efforts within their dioceses aimed at raising voter awareness about the plebiscite, but some have refused even that. Conservatives within the Bishops' Conference think that the Church should stay strictly neutral regarding the plebiscite, or at least wait until

the day of the actual vote before making any kind of pronouncement. Those more activist assert that the Church should openly denounce the "structural fraud" presently under way in Chile (limited opposition access to TV, municipal pressures on citizens, involvement of the military, continued states of exception, etc.).

All the above are part of the complex equation that makes up the present positioning of the Catholic Church. In the final analysis, it is the Bishops' Conference that speaks for the whole of the Chilean Catholic Church, and its voice will carry the greatest weight in the months to come. Cardenal Silva Henríquez -- though now retired -- is revered throughout the country, and may also be a very important influence as events in Chile develop.

Human Rights and the Plebiscite Campaign

A common inquiry of North Americans visiting Chile is how does "the human rights issue" play in the opposition's campaign for the NO. After 15 years of systematic abuse of human rights by the Pinochet dictatorship, one would assume that the opposition forces would jump at the opportunity offered by the political opening now underway to criticize the government's human rights record. But in fact, there is only slight mention of the thousands of cases of disappearances, kidnappings, torture, etc. that remain unresolved, though the politicians refer generally to human rights as a problem.

Why the reluctance? There are many reasons. First, the Junta has been very careful to crack down on its enemies -- the labor unions, the political left, the opposition press -- within the legal boundaries of its own crafted decrees and laws. Hence, the superficial appearance of legality for the dozens of arrests each week, and for the continued states of exception, which give the President enormous powers to detain and search individuals and homes suspected of anti-government activity.

Second, after so many years of government control of the media, especially television, the average Chilean on the street is simply not aware of the human rights abuses occurring every day. The dictatorship's propaganda appears to be paying off handsomely, as even those Chileans aware of the human rights violations do not believe them or think the victims were looking for trouble anyway. A climate of fear exists throughout the country, discouraging investigation, or even open discussion of abuses for fear of the police knocking on your door. Statistical evidence of this phenomena was shown in the FLACSO poll cited in the June report (82% of respondents expressing at least "some fear" in answering poll questions) and many postulate that the continued high incidence of "undecided" in the polls is likewise attributable to a fear about expressing one's opinion.

Third, and related to above, the Junta has changed its tactics of repression from wholesale violence after the coup to a

more selective targeting of those most vulnerable to its effects -- the poor and the young -- as well as the most dramatic cases of terrorism or arms possession. Figures developed by the Vicaria of Solidarity show that while total arrests in 1987 were down over previous years, there was a greater statistical likelihood that those arrested would be subject to torture. As a result, the extreme left is driven further and further underground, the hatred and polarization worsen, and those seeking revenge against Pinochet increase. For example, one of the leaders of the assassination attempt on Pinochet in September, 1986, was a youth whose father was "disappeared" in the months immediately after the 1973 coup.

Fourth, the political opposition is doing its best to stress economic issues and downplay potentially explosive human rights issues in an attempt to present a unified and consistent message to the public.

All these forces combine to discourage the political opposition, as well as the Church, from speaking out vociferously on human rights as a campaign issue. Perhaps the most overriding reason, however, is simply that it is not in the opposition's political interest to raise the subject when trying to reach a viable reconciliation with the military -- when and if the time comes.

There are some elements, however, working to ensure that the "reconciliation with justice" theme is not pushed aside in the public debate. Toward that end, Servicio Paz y Justicia (SERPAJ) and the Agrupacion de Familiares de Detenidos-Desaparecidos (Relatives of the Detained-Disappeared) recently petitioned the 16 opposition political parties to highlight human rights issues in the campaign. The latter group, however, received only one response -- from the newly formed Humanist Party.

There is a legitimate concern that the voters just don't care, and an acknowledgement that it will take some time before awareness of what this regime has done sinks in. A comment from Andres Zaldivar, Vice President of the Christian Democrats, on a political talk show July 25 seemed typical of this thinking: Those in the military involved in human rights violations will be charged under standing law and within the traditional court system, and not under a special Nuremburg-type Commission. Article 19 of the government's 1980 Constitution virtually says the same thing.

REPORT FROM CHILE
June, 1988

Overview

Winter rains finally began in June, but not enough to give reprieve to the awesome contamination affecting Santiago. Political smog, of course, remains undiminished.

Though still without an officially nominated candidate, the government is at full throttle with its publicity campaign. The "YES Vote" is now sold on television as a "YES" for democracy. In late June Interior Minister Fernandez (officially recognized campaign manager for the YES effort) brought indictments against four opposition media for Article 8 (Law 18.662) violations-- "making apology or propoganda for officially outlawed groups" (Communist Party). This is the first time the government has used this controversial new law abridging freedom of the press; a special analysis of this development prepared by Columbia Law student Ted Piccone is included herein.

The opposition remained united during this particularly stressful month. Stress due in part to internal pressures regarding organizational restructuring of the NO Command, and also partly due to the new pressures/complexities added by the (outlawed) Communist Party's public call for NO vote participation.

Individual Catholic Bishops and the Catholic Church as an institution spoke more critically of conditions surrounding the plebiscite. Leadership of the Bishops' Conference met in June and issued a statement regarding the plebiscite. This statement, in part, is included in this month's report.

Perhaps most important, however, was the continuing increase in voter registration. 510,888 people registered to vote in May, a somewhat lesser number in June. By June's end nearly six and one half million Chileans had registered to vote -- out of a possible eight million. A target of six and one half million was set by opposition groups some months ago as a number that would truly represent the will of the Chilean people. It would also be sufficiently large to counterweight possible vote fraud. A total of seven million registered voters now seems possible-- depending on when the plebiscite is called (registration ends the day the government sets the plebiscite date).

What the Polls Say

The general assumption regarding the Chilean electorate is that the NO is strongest and winning in the urban areas, while the YES prevails in rural areas. NO leaders jokingly refer to the Pinochet strategy as "Maoist": converting the peasants and then trying to storm the cities. The NO strategists plan to work the opposite direction, from the cities to the rural communities.

Government sponsored polls have the YES winning; opposition polls say the NO is ahead. All pollsters, however, agree that the "undecideds" remain about one-third of the electorate. Hence recent polling efforts to get behind the thinking of the "undecideds," to figure out the voters' true inclination.

A recent government financed SKOPUS poll found the YES winning 53% to 11%, but only by sorting and weighing the "undecideds" by indirect questioning. Thus 44.5 % of the YES vote in this poll came from the undecided ranks.

NO partisans are not discouraged by the large percentage of undecideds. They think that fear is an unspoken factor, reminding people that none of the polls in Uruguay prior to the negative vote given to that military dictatorship had the opposition winning. Concepcion Archbishop Jose Manuel Santos points out that "If one says he is going to vote YES, then that person has nothing to fear. If he says he is going to vote NO, then he has something to fear. So it is logical that a lot of people just don't answer."

A recent FLACSO poll put the NO ahead 27.6% to 25.8% nationwide, the rest undecided. However, among those actually registered to vote, the YES held a slim majority. In the large city of Concepcion, the breakdown was 29.3% NO, 13.5% YES, 48.7% undecided. In order to better understand the nature of the undecideds, the following questions were asked:

Do you think people are afraid to respond to questions such as those posed in this poll?

A lot of fear	--	41.1%
Some fear	--	41.3%
Nothing to fear	--	16%

Do you think people feel obligated to lie when responding to questions like these in this poll?

Yes, they lie alot	--	17.9%
Yes, they lie some	--	32.2%
No, but some things are not said	--	24.4%

Does the government of General Pinochet seem more to you a

dictatorship or a democracy?

Dictatorship -- 50.6%
Democracy -- 15.8%
No response -- 33.6%

A CIS poll (CED, ILET, and SUR) in Santiago recently showed undecideds increasing from 28.5% in April, to 47.9% in May. But some more indirect questions gave the following responses:

Should the Government change? 61.5% Yes
Should Pinochet continue? 19.8% Yes
No response 18.7%

Regarding what is thought to be the government's strongest issue -- the economy:

Has there been economic progress under the government of General Pinochet?
Yes -- 47.9%
No -- 35.9%

Has the economic progress personally helped you or your family?

Yes -- 32.8%
No -- 53.5%

When you see General Pinochet on television, what words come to mind?

Abuse -- 23.4%
Security -- 12.3%
Fear -- 7.1%
War -- 6.1%
Peace -- 3.6%

This effort to divine the thinking of the undecided will most certainly continue until the day of the plebiscite vote. Clearly, Pinochet presents liabilities as the government candidate. Yet just as clearly, there appears to be little alternative for government partisans.

FLACSO (opposition) pollster Angel Flisfisch commenting on the recent poll, believes that the plebiscite is a virtual dead heat, and will probably remain so until the end. He is less certain about the true leanings of the "undecideds," thinking that they will split in proportion to the YES and NO vote.

The Government's Campaign

General Pinochet has traveled more to Chilean provinces the first six months of this year than all of 1987, most always for the inaugural act of some new government development -- housing, bridges, roads. On each occasion he reminds his audience of the chaos that was Chile during the Allende years, and the stability he has brought the country, almost always in strident, sometimes

abusive language. In mid June, making reference to the nomination, he allowed that "God wants that I be named the candidate."

In mid-June the government lowered the IVA (value added tax) from 20% to 16%. It was seen as a populist measure, fiscally acceptable due to greater than anticipated revenues from copper sales. (Copper prices have sustained record high levels for some months.) The lowering of the IVA will temporarily halt the monthly rise in the Unidad de Fomento (U.F.) -- an inflation indexed loan mechanism that has bankrupted thousands of middle class families who bought houses using the U.F. only to see their loan payments increase while their salaries remained static.

The government has been using its arsenal of political tools well. The IVA reduction is well timed for the plebiscite, and government spending/give-away programs are well publicized. The television media is still almost totally dominated by the government -- both in the news reporting (especially National TV, the only country-wide station) and the omnipresence of the "Democracy, Yes" TV ad campaign. An estimated 90% of all Chileans receive the news via the television. The National TV station (government owned) is the only station reaching far away rural areas, and is unabashedly partisan to the government. Finally, the hierarchical nature of provincial and municipal government (all Pinochet appointees, many active or retired military) lends tremendous government presence and strength throughout the country, especially in the rural areas.

Still, many observers here sense a tremendous uncertainty in the efficacy of the effort. It is reflected in the continued dominating presence of the "undecideds" in the polls, and the tremendous incongruency between the message being sold over the (mostly) television media and the public perception of the erstwhile candidate. The "sell" is an impossible one, it is argued, because whatever else Pinochet may be, he is not a democrat, and would be unable to cope in even the "protected" democracy contemplated by the 1980 Constitution.

In June several former, close collaborators with Pinochet publically distanced themselves from his candidacy. Former Justice Minister Monica Madariaga (a relative of Pinochet's) suggested that those favoring a projection of the regime could vote NO in good conscience because they could then seek a representative candidate in Presidential elections following a NO victory.

Former Press and Government Spokesman Federico Willoughby was pointed in his comments about Pinochet and the difficulties of his candidacy: "Pinochet's upbringing was autocratic, he was never exposed to the contradictions of ideas, never had the possibility of freely expressing his feelings. He has guarded

his thoughts more than two thirds of his life." His subordinates changed around 1980, said Willoughby. He is now surrounded by adulators, "a servile and non-democratic group. There's a basic schism in the confusion between his personal good and that of the public. He understands power to be something for himself. I am sorry for him. I am sorry for Chile."

Pinochet's support from the democratic right remains on the wane in the wake of the Partido Nacional Party's June convention. Although President Patricio Phillips was able to maintain a majority (145-120) for the concept of a "consensus candidate," the forces within the PN in favor of an outright commitment to the NO were placated by the placement of their leader on the national governing board of the Party and a promise to have another vote on the issue once the Junta officially names the candidate. Observers think a NO position by the Partido Nacional is inevitable if Pinochet is the nominee.

Renovacion Nacional leader Andres Allamand criticized the government for its human rights excesses and leader Fernando Cuervas publically complained about the presence of the military in the YES campaign. RN President Sergio Jarpa, however, seemed not bothered by either issue. He has announced he will not seek reelection in July's RN national convention, opening the door to possible new leadership.

Still, the government's campaign is strong in resources and in its control of the media, especially television. Furthermore, it was helped along --possibly -- by the June decision of the Communist Party to publically ally itself with a NO vote. Andres Chadwick, a Renovacion Nacional leader put it this way: "Now, as to the electoral effect, the most important thing is how it will be evaluated by independent voters and those inclined to NO before the entry of the Communist Party. I tend to think it will be very positive to help the YES vote....people will have to ask themselves if working together with the Communist Party, will they attain democracy and a free society."

The Opposition Campaign

With voter registration now heading towards the seven million mark, NO Command leaders are beginning to turn their attention to other matters. In the words of NO Command Executive Director Genaro Arriagada, "There's no more work regarding registration. In 1973 there was 82% registration. Now, in 11 months, we have reached 80%....From this point onward the central problem will be the NO vote." More specifically, how to get the undecided vote and counter-attack the government campaign.

The NO Command also recently installed computer hardware that will permit a vote count parallel to the government's. There will be 48 different locations around Chile where local and regional counts will be made, with the information then relayed to Santiago. The law governing the vote count requires the presence of legally formed political parties at the voting table at the time of the count, and requires that these parties be given a certified statement regarding the vote results. Hence, the possibility of a parallel count.

Despite Arriagada's assessment of the voter registration situation, efforts are still being made to get registration in poblaciones and with the youth up to the same levels as other segments of Chilean society. Political parties, the Catholic Church, and the Civic Crusade continue in these efforts, on the assumption that the majority of those still unregistered are NO oriented.

Anticipating voter ignorance about the actual voting act (and its potential for dispute at the voting table) the Catholic Church is devoting time to educate voters about the process. The marking of the plebiscite ballot is particularly cumbersome, though completely consistent with past practices in Chile. The YES or NO on the ballot must be marked in a certain way, and only in that way (a line drawn vertically, intersecting a horizontal line; "x's" or check marks invalidate the vote). The ballot must then be folded by the voter and sealed. Again, this must be done in a certain, prescribed manner or the ballot is void. Education such as this is essential in a country that has not had a real election experience in over 15 years.

The Communist Party's official entry into the plebiscite effort had been anticipated for some time and appears to have been dealt with as expected by both YES and NO forces. (See statement by Andres Chadwick in Government Section)

The CP declared their decision to be consistent with their efforts to fight against the dictatorship on all fronts. They called theirs a "NO rupterista," that is, a NO to everything the regime stands for; and stood firm in their parallel support for the "armed struggle" against the dictatorship.

Many observers here feel that while the CP remains strong with its core groups of support, it has lost much of its appeal to larger audiences by virtue of its continued adherence to the merits of armed struggle, and because of its belated entry into the plebiscite arena. There has evidently been quite a lot of soul searching within the party itself regarding the plebiscite issue, in some ways dividing it.

Left observers here point out that in the aftermath of the failed attempt on Pinochet's life two years ago, the Frente Patriotico Manuel Rodriguez split into two factions; one still controlled by the Communist Party, the other independent and much more militant. The schism between those strongly committed to the viability of the armed struggle and those less militaristic

continues to plague the CP, a CP which prior to 1980 had a history of full and pacifistic participation in Chile's democratic institutions.

The NO Command has spoken strongly for the right of all Chileans to participate in the plebiscite, but has just as strongly rejected any kind of formal alliance with the CP in view of its continued commitment to an armed struggle.

The NO Command spent part of June struggling with leadership issues in part brought about by the continuing prominence given Ricardo Lagos by pro-government media and spokesmen. Lagos, aware of this government effort to paint the NO vote as one for "socialist" Lagos, has made special efforts to downplay his own political ambitions. Still, he continues to draw the largest crowds in opposition gatherings, and remains the most forceful speaker of note. In late June he upset government officials again by warning that military officers who insist in meddling in politics would have to face the political consequences in the eventuality of a NO victory -- i.e. retirement.

Christian Democrat Patricio Aylwin is now the official spokesman of the NO Command, and there appears to be an effort to get Aylwin more center stage as the plebiscite draws near. Still, no really center-focused leader has emerged.

Opposition leaders of all parties continue speaking throughout Chile, and daily there appears to be more political activity: marches, car caravans, leafletting. With smog so much in evidence the past months, the Green Party has been particularly visible in downtown Santiago, wearing masks, and seeking party adherents.

Article 8 and Freedom of the Press

Calls for reform of the 1980 Constitution have long focused on Article 8, which outlaws doctrines based on totalitarianism or class warfare, or which advocate violence. The Pinochet government has used this provision sparingly: In 1985, the Supreme Court ruled the Communist Party, the Movement of the Revolutionary Left (MIR) and the Socialist Party (Almeyda) unconstitutional, while in December of 1987, former Allende Foreign Minister Clodomiro Almeyda was found guilty of advocating Marxist doctrines.

But the penalty -- prohibition against holding any political, public, labor, student or business association position for ten years -- was considered inadequate by the government; therefore, last fall it approved a complementary law (Law #18.662) to put teeth into Article 8 and raise the stakes for the opposition as the plebiscite nears. Furthermore, the complementary law expands Article 8's scope to include the media who "make apology or propoganda for those entitities declared

unconstitutional." The penalty: Fines up to \$20,000; if the offense is repeated, the fine is doubled and publication is stopped for ten days or ten editions. Such penalties would hit the poorly financed opposition press hard and jeopardize their ability to survive.

On June 27, Interior Minister Fernandez charged opposition newspaper Fortin Mapocho and opposition magazines Analisis, Apsi, and Cauce with violating the new law by inserting an advertisement from the Communist Party about its position in favor of the NO. Each had inserted a paid political statement regarding the CP's decision to participate in the plebiscite. The intention seems clear enough: The government is using this law as another instrument to intimidate and censor the opposition press and to tie it ideologically to the Communist Party.

But the charges may do more harm than good if the Constitutional Tribunal accepts the persuasive arguments against the law's constitutionality. Technically, the law is an "organic" constitutional law, and therefore must be reviewed by the Constitutional Tribunal before it goes into effect. The government cleverly sidestepped this constitutional safeguard by labeling it a "complementary" law. The Constitutional Tribunal ducked the issue earlier when it decided it did not have the competence to determine the law's constitutionality, as demanded by the Constitution.

Furthermore, the law's scope goes beyond that described in Article 8 to include the media, raising still more questions on its constitutionality. Finally, even if the law is considered procedurally correct, the act of inserting a Communist Party statement in a newspaper or magazine falls short of "propagating doctrines;" lawyers for the accused insist they have the right, as well as the duty, to inform the public about all points of view.

It should be noted that El Mercurio and other media supporting the government widely publicized the statements of the Communist Party's decision, as did the National TV news program, while Catholic University TV deliberately held back coverage a day to determine the legal situation.

In another press-related development, Analisis journalists Fernando Paulsen and Ivan Badilla were released from Valparaiso jail under bond at the end of June. Paulsen and Badilla have been charged with offenses against the Armed Forces and still face lengthy litigation in military court.

Catholic Church

Church officials and organizations increasingly spoke up in June regarding the plebiscite and the conditions now existing in the country. Mons. Tomas Gonzalez (Punta Arenas): "The government violates the conscience of Chileans." Mons. Prado

(Valparaiso): "Conditions necessary for dialogue about the plebiscite are not present." Mons. Camus: "The government's YES campaign is creating a climate of confrontation."

On June 8 leadership of the Bishops' Conference met in Santiago and issued a statement detailing problems it sees in the plebiscite process.

The Bishops stated in part:

"Unfortunately, the plebiscite to which we have been called presents uncertainties that worry us and which we would like to clarify, for the good of the country.....We have indicated the conditions necessary for the moral validity of the plebiscite and which we think have the unanimous support of the country. Some are being met, still there is reason for concern:

- 3.1. the lack of registration of large numbers of youth...
- 3.2. the still very inadequate access by opposition groups to communication media, especially National TV...
- 3.3. the permanence of the states of exception....
- 3.4. the active participation in the campaign by government functionaries and members of the Armed Forces: those who are to guarantee the legitimacy of the election process should not actively support either of the options.
- 3.5. the pressures exercised by public functionaries so that one option is favored.....
4. We see danger in the use of exclusive, aggressive, deprecating language, in different sectors, that is used too often and does not prepare for constructive future collaboration of forces within the country.
5. As we have said on another occasion, if the conditions for the moral validity of the plebiscite are met, substantially, the verdict of the plebiscite should be accepted by all Chileans."

Which is also to say that if the conditions remain unmet, then the verdict of the plebiscite may not be accepted by Chile. It seems apparent that the Catholic Church intends to remain very close to the plebiscite process.

A View from Chile

May, 1988

In Santiago, Chile, winter begins in May. The temperature drops. Thick, sullen, pervasive smog sets in. Cleansing rain fell only once the whole month long. One never sees the mountains surrounding Santiago, and, indeed, some days it is difficult to see beyond the length of a few city blocks.

Somehow I want to think there is a relationship -- direct -- between political and environmental atmospherics at play. Politically, a lot occurred in May, though the meaning is not readily understandable. Yet certainly things have gotten colder, and darker.

Political Smog

The month began with the attempted physical assault of labor leader Manuel Bustos after a May Day celebration in Santiago. The identity and affiliation of the young, masked assailants was never established. Although visually identified as "MIRistas," this left group (and all others) deny involvement.

In mid-May two Carabineros (National Policemen) were brutally shot dead on Santiago streets within a twelve hour period. Government spokesmen loudly attributed the acts to leftist extremists, while junta member Carabiniro Commander in Chief General Stange (the one alleged hold-out for endorsing the presidential candidacy of General Pinochet) remained noticeably distant from the official finger pointing.

Interior Minister Fernandez, responsible under the new voting law for the official, final tallying of the plebiscite results, is the publically acknowledged organizational head of the YES campaign. The Armed Services, Constitutionally mandated to be the guarantors of the plebiscite's impartial administration, have been called upon by Defense Minister Carjaval to actively participate in the YES campaign.

At the month's end, Fiscal Torres, the military prosecutor for the government's investigation of various terroristic acts (everything from the attempt on Pinochet's life to the case against the Vicaria de la Solidaridad for harboring terrorists) had a magnetized bomb allegedly placed on his car by two men on a motorcycle while waiting at a stoplight. The motorcyclists escaped, the bomb fell off the car and was picked up by a passing taxi.

Four priests were brought before military courts for offending the honor of the Armed Forces -- by virtue of a public letter written last December demanding the resignation of President Pinochet. Analisis magazine director Juan Pablo Cardenas was picked up minutes before reporting to his nightly jail cell (sentenced to 541 nights in jail for having offended the President's honor) by Investigaciones police. Two hours passed before officials acknowledged he was in their custody and

had been taken to Valparaiso for questioning regarding another alleged offense against the honor of the Armed Forces.

Two opposition polls released in May show a clear NO advantage in the upcoming plebiscite. A CERC poll (May 5) has the NO winning 44% to 25%. An ILET poll (May 10) gives the NO a 39% to 23% advantage. No opposition poll has ever shown the government getting more than 30% of the vote. A government poll (May 29), however, gives the YES a 36% to 29% lead.

Finally, the last day of the month, the government renewed the "state of emergency" for another 90 days. (This is one of two states of exception presently in effect.) Government spokesmen cited the deaths of the two Carabineros as justification for their decision. Junta member Admiral Merino affirmed publically, however, that during the day of the plebiscite and the 30 days preceding it there would be no state of exception.

Lots of smog.

Government Campaign

Divisions on the Right and miscues by the self-nominated candidate (Pinochet) continue to plague the YES campaign. The government appears to have made the decision to go full speed ahead, no holds barred, in their effort to keep in power an additional eight years. The Interior Minister has been designated manager of the Yes Campaign, the Armed Services have been enlisted to join in the effort. The opposition says it is the beginning of the long awaited campaign of terror -- to bully and frighten the electorate into support of the government's candidate. Or perhaps create enough tension and turmoil to justify cancellation of the plebiscite.

Divisions

In the early part of May Renovacion Nacional President Sergio Jarpa publically criticized Interior Minister Fernandez for the "defective management" of the YES campaign, adding that the government was excluding political sectors and social organizations. Jarpa also observed that a campaign run by public officials "has serious legal problems."

A later meeting between Jarpa and Interior Minister Fernandez appeared to smooth over their differences somewhat. But it seems apparent that Renovacion Nacional, in the aftermath of the expulsion of U.D.I. members (all diehard Pinochet supporters led by Jaime Guzman), is afraid of being marginalized from the center of political power and the campaign.

At the end of the month 200 RN members (including President Jarpa and Vice-President Allamand) were doused by water cannons by Valparaiso Carabineros. The RN activists were standing outside a recently bombed auditorium awaiting word on a substitute meeting place. Carabineros apologized for their zealously in dispersing an unauthorized public demonstration.

The more moderate Right party, Partido Nacional (PN), was humiliated May 5 when its President, Patricio Phillips, went to visit President Pinochet to petition for a "concensus candidate;"

that is, the designation of a conservative civilian as the government candidate as a means to avoid the polarizing effect of the plebiscite. Phillips was made to wait in the hallway 45 minutes, and emerged from his 15 minute interview with Pinochet somewhat shaken. Phillips is said to have told party leadership that Pinochet had a file on all the negative things Phillips had said about the military regime, that Pinochet asserted that the nomination was already his and that Phillip's attitude was not appreciated. Publically, Phillips said none of the above, tried to put a good face on events, and said that the matter of the consensus candidate was not addressed in their meeting.

Other Partido Nacional leaders appear to be tiring of Phillip's middle-ground strategy. Party Youth President Franz Bush was dismissed from his position apparently for being too openly a NO partisan. Bush, on tour in W. Germany, asserted that Phillips was now sailing in waters of the YES campaign, and that reliable government sources had told the PN two months earlier that Pinochet was already the nominee (though not "officially" designated).

Bush's dismissal mirrors the growing discontent and disunity within the party. Provincial PN leaders are said to be firmly NO oriented and have the numbers to elect an new, NO-oriented directorate at the party's convention in June. This may lead to the resignation of some party regulars (YES oriented) and perhaps to the breaking up of the party. Some Partido Nacional leadership have already been meeting with NO Command leaders. The PN, representing the traditional democratic Right, had been a staunch Pinochet supporter for 15 years.

Civilian support for Pinochet's candidacy now consists of the Avanzada Nacional, the Democracia Radical, Renovacion Nacional, and the newly formed U.D.I. for YES.

Candidate Miscues

In a May Day speech in Iquique General Pinochet promised to subsidize bicycle sales to economically disadvantaged workers and to raise the minimum wage from \$38 monthly (11,000 pesos) to \$49 monthly (14,000 pesos). Later in May he made the startling comment that "the rich must be taken care of, because they create the wealth of the country."

These remarks received ample publicity. In 1980 Pinochet had promised that all Chilean workers would have their own automobiles by the end of the decade. The concern for the rich raised the ire of labor leaders and church leaders: Monseñor Cristian Precht pointing out that perhaps it would be more appropriate for the President to take special care of the whole of Chilean society, rather than just the wealthy.

Pinochet's standard political stump speech continues much as ever -- constantly reminding his audience that the choice is himself or the chaos of the Allende years; that the treacherous opposition politicians only want to return to the past. A month after Ricardo Lagos' dramatic T.V. accusation, his spectre is still being resurrected by the government as representing the true (socialist) face of the opposition. The effort was both to intimidate the public and divide the opposition (the thesis being that other opposition leaders would be envious of the assertive

role taken by Lagos). The opposition, however, did not rise to the bait. (See next section on Opposition campaign)

What follows are excerpts from a speech given by President Pinochet in Copiapa, May 17:

"If I could, I would put in jail all those politicians who go abroad to sell their country and get money. The same who acted in those years (1970s), the same traitors that fooled the people, now their fear is gone and they are prospering today....They are, Ladies and Gentlemen, truly wolves now dressed in sheepskin, real good-for-nothings that...don't do anything else but sell their country for money. The decision to be made is whether to accept these wolves dressed in sheepskin or accept democracy, which is what the government is carrying forward. This is the delimita: to choose. This is the delimita. We were witnesses a few days ago to a new alliance between a certain party that calls itself Christian and a Marxist group, with the aim to revive political policies already disproven. (Ed. note: reference is to the 21 point economic and social agreement signed by opposition parties May 11. See Opposition Campaign section) The enemy of liberty and progress is the same as yesterday, the same that yesterday ruined agriculture, destroyed industry, created hate and class warfare, planted violence and made the cities full of chaos and fear. This is the face of the NO. This is what the opposition has to offer."

Pinochet or chaos.

Institutionalization of the YES Campaign; "Campaign of Terror"

Political commentators here in Chile are now suggesting that the Government's plebiscite chances have been thwarted for two basic reasons: higher than expected voter registration and the ability of the opposition to unify and stay unified.

On several occasions in May government supporters (apparently looking at poll results) suggested publically that the government would have a better chance of staying in power if open elections were called. That the plebiscite works to enhance the unity of the opposition, but that free elections would divide the opposition and permit a pro-government electoral victory, similar to recent events in South Korea.

Junta member General Matthei (5/10/88) and Renovacion Nacional President Jarpa (5/14/88) made observations to that effect. They suggested that the plebiscite could be held as planned, but the issue would be a Constitutional Amendment to permit free elections in a year's time. But Interior Minister Fernandez said no such alteration or postponement of the of the plebiscite would occur.

Political analyst and opposition leader Genaro Arriagada suggested in a La Epoca op ed piece (5/18/88) that the government, in the face of almost certain defeat, has but two options: negotiate with the Opposition in order to divide them; or up the ante, escalate the campaign to one of polarization and terror. This, he thinks, is the traditional tool of the radical Right and the Armed Services.

It appears the latter may be the road opted for. Interviews with Interior Minister Fernandez (5/8/88) and Defense Minister Carvajal (5/22/88) in El Mercurio establish that Fernandez will

be heading the YES campaign from his Interior Ministry office and that the Armed Forces are expected to give their full support to the effort. Further insight into this development occurred on a radio talk show May 14 when U.D.I. activist Herman Chadwick spoke to both themes while responding to criticism regarding the Armed Services' intervention in the plebiscite campaign. Said Chadwick:

"This is a government of the Armed Services. They are committed to this government and they want the YES to win, because this implies an extension of the regime beyond 1989. There was a discussion: to create a political or independent Command for the YES, or to place it in the Interior Ministry where at least the great themes and forces of the campaign would be managed. And the second option was decided upon, because of the nature of the plebiscite, it being different than traditional presidential elections -- in the eyes of the government."

"To pretend that those leaders in the Armed Forces in charge of the government or those civilians in charge of the government would become two people and not participate in the electoral fight for the YES is to live a fantasy. It is the judgement of the Armed Forces and the government that this is the most important decision that the country will make in all of its history. It follows that every effort will be made to assure the triumph of the YES."

NO representatives on the radio talk show, Alejandro Hales and German Riesco responded: "I frankly find it seditious....I don't think the Armed Services should remain silent in the face of this attempt by Mr. Fernandez and his mayors to manipulate them and use public resources for a political campaign." "The use of public leverage, including the Armed Services, in this campaign is a much more crude and treacherous kind of despotism than that of centuries ago. Here, the Prince decides what is good....I consider it brutally serious."

At this point, no one is quite sure how far the involvement of the Armed Services actually extends throughout the different branches. The Air Force and Navy have sent specific directives to enlisted personnel to refrain from political involvement. The Army seems the most deeply involved. This could lead to increasing tension within the Armed Services.

Certainly many of the Army officers presently administering parts of the government feel little hesitation in this expansion of their mandate. Col. Hernan Nuñez, Director of Division of Civil Organizations for the government: "Military that have made the call to win the plebiscite -- you have to be very clear -- are those that are doing work within the government. Military doing (military) institutional work do not give opinions regarding political questions. All military men are sworn to respect the Constitution."

General Luis Serre Ochsenius, Subdirector of Regional Development: "Public officials in general and the military that is responsible for government functioning, such as my case, have the obligation to be politically involved, because politics is the art of governing.....We are not speaking of demagogery. Myself, from the moment I assumed my responsibilities as

subsecretary, and those officials that today are working as intendentes and governors, have the obligation to be involved politically.....to say in the loudest of voices YES regarding the plebiscite."

In early May it was reported that General Santiago Sinclair, Pinochet's top aid, toured different Army posts throughout the country explaining campaign developments to officers and in mid-May General Pinochet met in Santiago with military regional Intendentes and governors from around the country. The plebiscite was the main topic of discussion.

Government Media Effort

The Government media effort remains massive. In May it switched its theme from "We Are Millions" (Somos Millones) to one of "Democracy, Yes!" (Democracia, Si!). The impact of the "We are Millions" theme was thought by many to have been brunted by the great deal of media play given the opposition assertion that there are over 5 million poor people in Chile. Much of the discussion in May on the two (now three) political talk shows centered around the relative number of poor in the country. Government spokesmen, by rebutting the assertion that there are five million poor in the country, only served to give the notion more currency. Candidate Pinochet's remarks about catering to the needs of the wealthy did not help the government any, nor did his generous efforts regarding subsidized bicycles and the raising of the minimum wage.

The "Democracy, Yes!" T.V. spots now running are very professional, and, one could argue, deliberately deceptive. The ads begin with the voice-over saying that "some people just talk about democracy, but your government is actually building it." Often the first visual is of a toy railroad train crashing over a fallen track -- symbolizing the opposition's track record with democracy. Then follow cuts of happy, sanitized workers building the new Congressional buildings in Valparaiso. The spot ends with words and voice over intoning: "Democracy, Yes! Complete, Stable, Modern."

The message, of course, is that a YES vote is a vote for Democracy, the NO vote leads to catastrophe, and, implicitly, is anti-democratic. Forgotten are Pinochet's constant refrain for a "protected" democracy and the two years of opposition agitation for open, free elections rather than a plebiscite.

The breakdown on government expenditures in pesos (convert at 290 pesos to the dollar) is as follows:

MONTH	TELEVISION	NEWSPAPER	MAGAZINE	SUBTOTALS
January	330,551,800	14,318,300	2,840,200	347,710,300
February	232,528,000	17,971,600	3,967,400	254,467,000
March	230,728,200	15,191,500	2,531,600	248,451,300
April	245,464,600	6,943,800		252,408,400
TOTALS	1,039,272,600	54,425,200	9,339,200	1,103,037,000

The figures above refer to costs of time bought in the different media and do not include production costs of the ad campaign. They were reported in La Epoca May 29. Twenty five different TV spots were used in the above time-frame (the "We Are Millions" theme), each with an estimated production cost of 5 million pesos. The spots on TV were shown 3,160 times during the first four months of the publicity effort -- more than 54 hours worth of TV time, shared on Channels 7, 11, and 13.

Opposition leader Genaro Arriagada says that government expenditures on advertising exceed those of the opposition by about 35 to one. Pro-government newspapers (La Tercera and La Cuarta) have violated contracts and not run organizational ads placed by the NO Command, and the Civic Crusade has complained loudly that Catholic TV Channel 13 removed voter registration spots (too partisan). An appeal of the station's decision is now in process. It is interesting to note that there has been absolutely no government media effort directed at encouraging voter registration.

Finally, it appears that TV news coverage still remains largely slanted towards the government. A study shows that between April 4 and April 8 Channel 7 devoted 78% of its broadcast time to government efforts and spokespeople, and 1% to the opposition. Channel 13 gave 50% of its coverage to the government, 6% to the opposition.

The Opposition Campaign

The opposition remained united in May, despite a bit of rough sledding in the aftermath of Ricardo Lagos' television appearance and the government's concerted effort to paint socialist Lagos as the "leader of the No and the effort to return Chile to the days of Unidad Popular government of Salvador Allende."

On May 11th the fourteen NO parties signed a declaration of 21 social and economic objectives -- a broad, generalized document promptly recast by government spokesmen as unrealistic and a return to the "40 measures" that formed the basis of the Allende Presidential campaign of 1970.

A few days were spent reviewing the possibility of a leader for the NO campaign (a result of the Lagos incident). Christian Democrat President Patricio Aylwin was said to be the nominal head of the NO campaign. But attention was quickly restored towards efforts focusing on continued voter registration and community organizing efforts. The NO Command organized throughout the country the weekend of May 12 -- to raise the number of NO committees nation-wide from 200 to between 300 and 400. Thirty national leaders, from all the different NO parties, were in the provinces. The "co-habitation" existing between the different parties at the local level was thought to be extremely positive, according to NO Executive Director Genaro Arriagada.

Outreach, civic education and voter registration efforts by the Civic Crusade and the Catholic Church's Belen Project

continue strong. Poor neighborhoods, especially the youth there, remain lagging far behind in registration numbers. A special emphasis has been placed on registering these people by NO Command chief strategist Carlos Vergera.

470,000 voters registered in March; 447,000 in April. Total registered at the end of April were 5,493,000. May figures are not yet in, but it is estimated that the number is ~~less~~ than the previous two months. Half a million youth remain unregistered -- and 80% of the poblacion youth. Poblacion youth are seen as either apathetic or given to more radical solutions than that provided by a plebiscite.

Meetings were held to begin co-ordination of NO Command efforts with work done by the recently organized Socialist NO Command. Early in May the Partido Socialista Historico formally joined the NO campaign. It was one of the three more extreme left parties that had previously opted out of the plebiscite as simply another fraud by the government. Only the Communist Party and the MIR party now remained outside the NO vote effort.

By the end of May there were strong signs that the Communist Party (historically about 12% of the voting public) would formally opt for registration and voting in the plebiscite. This decision is expected to be made in June, and could positively impact voter registration in those areas now lagging behind, i.e. the poblaciones and especially poblacion youth. It will create a host of other problems, however, putting pressures on the NO Command to allow the CP into their organization and giving the government just the kind of propaganda weapon it desperately needs to scare undecided voters.

At this point it appears that a working accommodation between the CP and the NO Command is unfeasable unless the CP retrenches on its commitment to armed struggle as a viable option -- an unlikely proposition. How the NO Command handles this delimma will be the greatest test to date of its unity and strength, its political resiliency and sophistication.

New Supreme Court Chief Justice, Student Elections, Human Rights Week

Luis Maldonado became the new Chief Justice of the Supreme Court the last week of May. As per tradition, the position was awarded to the next most senior judge following the retiring Chief Justice. The position is for five years.

Maldonado was one of three dissenting votes in the decision convicting former Allende Minister Clodomiro Almeyda for violation of Article 8 -- advocating anti-family or class warfare ideas. In an interview given El Mercurio May 29, he expressed comfort with the way justice had been administered in Chile the past 15 years, but did suggest that he would have some recommendations to make regarding the expansive role taken by military justice.

Student elections at the University of Santiago were held, with opposition slates winning decisively. The right wing pro-

government slate headed by Renovacion Nacional and UDI opted out of the contest 10 days before the vote, citing "irregularities" and calling for a student boycott of the vote. Critics said it was a face-saving measure taken at the Moneda's request. Student vote turnout was 63.19% of all students, about four or five percent lower than historical participation levels.

List Four (composed of Christian Democrats, JS (Almeyda), JS (Nuñez), Izquierda Christiana, MAPU, and parts of the social democrats and radicals) won with over 60% of the vote. List Three (Communist and MIR) received 28.12% of the vote.

Student elections at the University of Chile have traditionally been important barometers in assessing the mood of the young. Clearly, the most recent results bode well for the more moderate, center opposition.

Human rights activists commemorated the International Week for Human Rights with an opening celebration at the Vicaria of Solidarity, followed by workshops and organizational meetings. The activists determined that they would not be in favor of any kind of amnesty for human rights violators in the event that democratic institutions are returned to Chile. The week ended with a large public demonstration which resulted in the arrest of over thirty individuals.

CHILE

View from Down Under -- April 1988

In April the political atmosphere in Chile heated up considerably. The first sustained railroad strike in 15 years occurred. Armed Carabineros (National Police) occupied university grounds while students were on strike. There was a final (and not too pleasant) resolution to the in-fighting in Renovacion Nacional, the largest pro-government political party. Two Carabineros were shot dead in public streets -- acts always attributed to the extreme left. The PPD center in Iquique was attacked. "NO" propagandists/leafletters in the provinces continue being harrassed and sometimes arrested; while on television an opposition leader defiantly challenged General Pinochet to explain himself to the country. And much, much more.

Perhaps most important, however, was the continued swelling of the voter registration lists -- an estimated 500,000 registering in April (a record). Total registered voters now exceed five and one half million; the six and one half million target could be reached by the end of June.

The Government Campaign

The government continued its unofficial publicity campaign much as it has in previous months. Media efforts, concentrated mostly on TV, sell the tonic "We are Millions," emphasizing achievements in housing, export, and the general well-being of Chilean society.

While General Pinochet has stuck to his theme, "Me or chaos," his campaign seemed to be getting scant response -- at least not much in Santiago, home to 40% of the voters. For example, a highly publicized rally at the center square in Santiago on April 15th, complete with two live bands and a huge fireworks display, drew no more than two thousand people. Pro-government media such as El Mercurio and National TV made slight mention of the low attendance and instead had front page pictures and visuals of enthusiastic partisans. To anyone not attending the rally, it must have appeared as a tremendous success. And maybe, to Pinochet political strategists, it was. More on the media later.

The government campaign showed stress on two fronts in April. First, there was the denouement to the internal elections of the largest pro-government political party, Renovacion Nacional (RN).

The UDI faction (linked closely to Interior Minister Fernandez, who orchestrated the 1980 Constitutional plebiscite for General Pinochet) lost its bid to take control of the party. UDI leader Jaime Guzman was expelled by decision of the RN's Supreme Tribunal, and promptly announced the formation of "UDI for YES."

In its efforts to win in the internal elections of the RN, the UDI faction resorted to the worst kinds of political intimidation and outright skulduggery: excrement in opponents' cars; physical threats; the beating and stripping of an opposition poblacion woman leader; use of city resources and pressures to motivate (or intimidate) the constituency; and, finally, a press conference calling for the resignation of the party leadership. But all to no avail.

The UDI's unilateral support for the candidacy of General Pinochet was the only difference between it and the other RN component parts. The prevailing RN factions firmly support a continuation of the regime, but are pledged to support the candidate nominated by the Commanders-in-Chief of the Armed Services. This is a nuance consistent with the Constitution, but not one which General Pinochet finds gratifying.

It is the nomination process which was the source of the second major development in the government's campaign this past month. On April 22, in Viña del Mar, speaking before 4500 enthusiastic women supporters, General Pinochet nominated himself as plebiscite candidate. Speaking extemporaneously, he said that the Constitution "fixed a period of eight years after which the citizenry would say whether or not they wanted the government to continue; whether or not they wanted President Pinochet to continue in charge as President."

Pinochet's "self-nomination" remarks received great publicity in all media except that directly controlled by the government -- National Television and La Nacion -- which omitted the self nomination sentences. It was an interesting case of the government media censoring President Pinochet.

Junta member General Stange (one of the four who, according to the 1980 Constitution, must select the plebiscite candidate) said that in his opinion Pinochet's remark was in no way meant to influence or intimidate others in the Junta. And Junta member Admiral Merino allowed that "at one time I said I would prefer a younger candidate, but now it is very late...."

Several opposition magazines assert that the nomination is already decided upon, and that Pinochet, of course, is the nominee. These sources say that the Junta had stipulated three conditions for Pinochet to meet in order to receive the nomination: that he govern the next eight years as a civilian; that states of exception be lifted prior to the plebiscite vote; and that polls show Pinochet has a reasonable expectation to prevail. Public statements by government official in recent months indicate that the first two conditions will be met. Polling efforts, however, have not conclusively shown that Pinochet will prevail (sans fraud) and this appears to be the only remaining stumbling block to a unanimous nomination. It is reported that each Junta member is conducting a separate poll of his own, closely guarded.

One final observation to the government's campaign in April. The Partido Nacional, the traditional, democratic right party that has been a staunch Pinochet supporter for 15 years has refused to endorse his candidacy -- with party leaders saying

publically that they would vote against Pinochet if he insists on running. National Party President Patricio Phillips has been asking for a meeting with Pinochet to plea for a "concensus" candidate. This traditional right party views a Pinochet candidacy as too confrontational. They have yet to receive an audience with the President.

The Opposition

The opposition effort kept on track in April. The fourteen center and center left parties who joined together to form the Command for the NO began talks at the month's end to coordinate political strategy with the Socialist Command for the NO. While the Communist Party still officially distances itself from the plebiscite, several leaders have made a public event of their registering to vote.

Voter registration efforts by the Catholic Church's Belen Project, the lay led Civic Crusade and the opposition political parties seem to be paying off. Registration in April is expected to exceed 500,000 -- up 20 to 30% from March's record.

Several small skirmishes have been fought regarding the Civic Crusade. Father Baldo Santi of Civitas, the sponsoring group for the Civic Crusade, publically asked the Crusade to withdraw some of its educational material as being too political. The material explained, among other things, that to vote YES meant to vote for the continuation of an "authoritarian regime." Interior Subsecretary Alberto Cardemil had complained about the material and El Mercurio ran an editorial April 16 entitled "Political-Religious Crusade." Crusade Director Monica Jimenez said the material would be suspended.

Additionally, at the month's end, a project to provide indigents with a free ID Carnet began. The project is funded by the National Endowment for Democracy. A new Carnet must be purchased before voter registration can occur. An estimated one million of a total possible electorate of eight million have not, for whatever reason, purchased their new Carnet.

Still, the registration process looks extremely good. Analysts say that Pinochet, early on, registered his partisans (in the provinces, and certain enclaves in the larger cities), and that most of the voter registration now occurring is taking place in areas and with age groups statistically shown to be anti-Pinochet.

More dramatic even than the increasing voter registration rolls was the television political program, De Cara al Pais, on Monday, April 25, when it hosted leadership of the Party for Democracy (PPD).

The PPD is an umbrella party that seeks to unite smaller parties from across the political spectrum for a concerted NO effort. This allows participation by parties unable to meet stiff registration requirements set up by the government. Though made up predominately of left parties, it has representation from right and center parties as well. Its President is Ricardo Lagos, Socialist, a supporter of Allende's government. Lagos is

an attorney and an economist. And a very consummate politician.

Lagos challenged the validity of the 1980 Constitutional plebiscite, pointing out that many communities reported more than a 100% voter turn out, and that the total voting percentage (93.9) defied every previous voting experience in the country's history. He challenged Interior Minister Fernandez to refute his statement.

Then Lagos showed figures demonstrating that the total disposable goods enjoyed by Chileans were lower now than in 1970, and that while a few Chileans had prospered, most had grown poorer. He challenged Finance Minister Buchi to dispute the figures.

Finally, at a very tense and dramatic point in the program, ignoring moderator efforts to quiet him, Lagos turned facing the camera, pointed his finger, and spoke directly to President Pinochet: "You, General Pinochet, have not been clear to the country." At first you indicated you would be in office just a short time, and then just a longer time. And that then in 1980 you said you would not be a candidate, and now you are; that "now you are proposing another eight years of torture, assassinations and human rights violations. It seems to me inadmissible that a Chilean have so much ambition for power, to want to be in power 25 years."

Ratings for the program that evening were at 32.7 of the viewing audience, that is, approximately 1,635,000 Chileans were watching as Lagos spoke. Lagos on several prior occasions (over radio and in speeches) had said exactly the same thing -- only now it was being said over a television program that reached most of the nation.

The government reaction was arid and dogmatic. Minister Fernandez said Lagos portrayed hatred and showed a lack of respect. Col. Nuñez glowered at the "Marxist Lagos" and allowed that the injury he had given "to his excellency the President, the Armed Services, and especially the Army," would never be forgotten.

It seems the decision was made to reinterpret what Lagos said so that the 10.5 million Chileans that were not watching the program would learn that the alternative to the YES would be socialist Ricardo Lagos i.e. a return to the Popular Unity government (chaos) of Salvador Allende.

This, of course, is the political fodder that has nourished and "justified" the military government for the past 15 years. Basic scare politics. It remains to be seen if the event will play towards the government's strategy or will somehow pierce the emperor's cloak and carry the opposition even more towards its goal.

The Press

On April 25 the opposition daily La Epoca featured a lead story revealing that the government communications agency (Direccion de Comunicacion Social de Gobierno -- DINACOS) heavily influences the slant that news is given in the pro-government media. Apparently orders are given to media by DINACOS regarding

themes to cover, people to interview and arguments to be used to counter opposition criticisms. Media receiving these orders include Television Nacional, the daily La Nacion, radio Nacional Channel 11, and most likely the newspapers El Mercurio, La Tercera and some magazines. This, of course, would explain why Pinochet's self-nomination remarks went unreported in pro-government media, as previously mentioned.

This effort to control the terms of the political debate also manifested itself in a series of government statements criticizing opposition leaders for their alleged disparagement of the Armed Forces. Opposition leaders had said nothing against the Armed Forces, but rather had made entreaties that the Armed Forces respect the popular mandate expressed in the plebiscite. La Epoca finally ran an editorial on April 29th ("In Honor of the Truth") saying in part: "It is equally unacceptable, aside from being false, the accusation that the parties are waging a 'campaign of disparagement against the Armed Forces.' Not one word against military institutions has come from democratic politicians. It is respect for (the military's) traditions and irreplaceable importance that makes the parties point out that by aligning itself with only one sector of the country, the institution is selling itself short, and might make it impossible to come to a civilized agreement with the majority of the country."

This, of course, is one of the key debates (or propaganda efforts) now in play in Chile -- will the military actually be willing to make concessions in the event of a NO triumph? Hence the government efforts to alienate the military from the political parties, and the political parties' efforts to bridge the gap.

The shooting deaths of two Carabineros were attributed to "terrorist elements," when by all appearances they were the result of common delinquents. But here again, the government led media played the tune that appears to harmonize best with government needs.

One final kudo for La Epoca. For the second time in as many months it published a front page photo of an "unidentified, armed civilian" used by the government to counter demonstrations. The first photo came out March 31st and identified a municipal employee armed with a machine gun, at a student demonstration in Santiago. The second photo appeared April 21, showing an armed civilian making an arrest during the course of one on the demonstrations supporting the striking railroad workers.

On April 27 APSI magazine director adjunto Sergio Marras was released on bail after after fourteen days imprisonment for charges of offending the military. The charges are based on a February, 1987, editorial commenting on the statements made by former Army Major Fernandez Larios in US Federal Court regarding the Letelier assassination. Larios had confessed complicity in the assassination and implicated higher ups in the military chain of command -- to Pinochet himself.

In mid-April the government suggested that it was possible that there would be news "cadena" on the plebiscite day, that is, the obligatory reporting of the plebiscite results through one

government controlled source. Protests by opposition leaders and an editorial in La Epoca (4/21/88) brought statements by General Stange to the effect that no such cadena would be in effect, or that it would be "voluntary."

As the month ended there were over 20 journalists in some stage of military justice prosecutions for violations against the honor of the Armed Services or defaming the President.

Secret Torture Chambers, Labor Strike and the Catholic Church

At a press conference on April 22, Vicaria de la Solidaridad attorneys denounced the resumed use of secret torture chambers by the Central Nacional de Informacion (CNI). Use of such facilities had been outlawed last year by special governmental decree, but torture had continued in automobiles, the homes of the detained, and even at police headquarters. However, it was only within the past two months that the CNI had resumed use of its own special, secret detention center.

Vicaria attorneys identified four cases within the past month where arrested individuals were held and tortured at a secret CNI location before being handed over to judicial or police authorities. Each individual, although blindfolded, shared common details regarding the secret detention facility: airplane noises, children's voices, lighting, and entry procedure to the site.

Railroad workers went out on strike for 18 days in April, the longest sustained railroad strike in the 15 years of the Pinochet regime. The strike ended April 30, the agreement to end being mediated by Bishop Orozimbo Fuenzalida. The strike was precipitated by the firing of 101 railroad workers, who, under the terms of the agreement, will have their cases individually reviewed and who may appeal any final termination decision. Little really seems to have been gained by the strike, other than the fact that it occurred, and that government repression was minimal. This, of course, may be due to the impending plebiscite.

The Chilean Bishops' Conference met in April and reaffirmed its commitment to a clean and verifiable plebiscite, and the four criteria it had previously set out regarding the upcoming vote. In its document "In Justice and Peace," the Bishops made a special call to respect the norms necessary for a healthy national life, and asked political leaders to "moderate their language, suppress the insults and threats, which are not dignified for those who lead the country."

The Conference said it had the responsibility to meet again if the conditions guaranteeing the plebiscite are not met; and that its Permanent Committee would most likely convene again once the plebiscite date was announced, in order to evaluate the situation.

This continuing vigilance, together with the voter registration efforts mentioned earlier in this report, puts the Church directly in the middle of the developing political events in Chile.

Chile -- A View From Down Under
March 1988

March in Chile is the end of the summer, the beginning of Fall. Santiago, home to nearly 40% of the country, returns to normalcy. Its streets fill up with people, traffic and smog. Students resume their schooling, winter clothes are bought, automobile tags renewed. And with March the political season begins in earnest.

March began and ended on very sour notes -- politically speaking. In between, however, some interesting and perhaps positive developments occurred.

Government Campaign

The government continued its massive publicity campaign heralding the accomplishments of military government. March figures are not available, but government media expenditures for January and February were estimated at 3 million dollars as opposed to opposition media expenses of about \$40,000. Added to the government media advantage, of course, are untold amounts spent at the municipal levels to influence voter preference. General Pinochet continued his campaign throughout the provinces, repeating his theme: "Me or chaos."

Also, during March, the government took several populist economic measures to reinforce its standing with the public. Gasoline prices were lowered, public transit fares reduced. Taxes on imported consumer items (televisions) were trimmed, and home mortgage debts, in some instances, were renegotiated to do away with the pernicious U.F. system -- which tied mortgage payments to an inflation index.

But incumbency, media and money advantages notwithstanding, the government still felt it necessary to begin the month by renewing the two states of exception. The country has been governed under continuous states of exception for over 14 years. These states of exception permit the government to arrest people and hold them 20 days in jail. Basic civil rights such as freedom of speech, assembly, movement -- all are restricted.

Representatives of the Catholic Church, foreign ambassadors, opposition leaders and the UN Special Rappateur for Human Rights had all petitioned for an end to the states of exception. A free and open plebiscite, they argued, required the freedoms the states of exception abridged.

Two Junta members, Generals Stange and Gordon, responded that the states of exception would not be in force at the time of the plebiscite vote.

In mid-March a division seemed to develop within the Junta. Admiral Merino and General Stange both publically stated that "chaos" would not necessarily follow if the NO vote prevailed

at the plebiscite -- that the Constitution contemplated and allowed a transition to democracy no matter which option prevailed. Interior Minister Fernandez and Secretary General Poblete immediately held press conferences trying to reconcile the Junta members' words with the "Me or chaos" theme of Pinochet. Admiral Merino and General Stange hedged.

Analysts saw two issues at play. First, a fear that some Junta members have about linking themselves and their institutions too closely to the outcome of the plebiscite, or the personal popularity of President Pinochet. Second, the growing importance of the debate concerning the Constitution -- its inviolability, the degree to which the Junta would permit alteration if the NO triumphs.

Another very serious government fissure occurred in March. The internal elections of the Renovacion Nacional Party erupted into some particularly nasty infighting, infighting that centered around Pinochet's viability as a candidate.

Renovacion Nacional is the strongest, best organized pro-government party in Chile. Its most conservative faction, the UDI led by Jaime Guzman, strongly endorses Pinochet as the government candidate in the plebiscite. But the predominant, or at least controlling, faction has taken the position that it will support the candidate proposed by the Commanders-in-Chief -- a nuance that General Pinochet most certainly finds distressing.

Guzman and his faction lost in their effort to take control of the party, and face possible severe sanctions from the party for having used extreme and devious tactics in their efforts. The story was still unfolding in newspaper front pages when the month ended.

The upshot, of course, is that Pinochet cannot rely on the total, unquestioning support of the civilian right in his effort to succeed himself as President. Perhaps this is why the event that marked the month's end was so chilling.

On March 31, as General Pinochet reviewed his troops, the Colonel in charge of Special Forces (the "Black Berets") made the following, widely reported remarks:

"My General, you know that the Black Berets would never permit that conciliatory or treasonous acts be witnessed by our brothers in heaven who died in combat September 11, 1973. Our shiny, steel-edged, curved knives shall be ready at our leader's call, to defend the beloved Chilean people, who have always triumphed and have never been vanquished."

"The Black Berets, my General, repeat and pledge once more, with greatest pride and without vacillation, to serve our country.....and the commitment to the new institutional order."

The Opposition

The opposition saw several favorable trends continue in March. Voter registration crossed the five million mark, and citizen and church groups began serious efforts to register the

remaining (and hardest to get) two to three million voters. The goal is 7 million. See the March Report on the Bishops' Criteria, I. B., Sections 1 and 2.

Political parties continued working together. The Christian Democratic Party and the Party for Democracy delivered notarized membership lists to the Electoral Service to formally register as parties. Four to six months must now lapse before they receive the right to have apoderados (monitors) at the voting tables. Individual members of the Communist Party began registering to vote, despite the official party line distancing itself from the plebiscite. See March Report on Bishops' Criteria, I. B., Section 3.

Adverse pressures continue, of course: the renewal of the states of exception and the increased appearance of "unknown, armed civilian groups" threatening opposition leaders and organizations. Pressure on opposition media has grown particularly intense.

A second political opinion program began airing on TV in March -- Face the Nation, on Channel 13. But the extreme advantage the government has regarding content and exposure goes unabated. No adjustment is in sight. A more complete analysis of the media and TV situation is in the March Report on Bishops' Criteria, II.

REPORT ON BISHOPS' CRITERIA FOR AN OPEN
AND HONEST PLEBISCITE -- MARCH 1988

I. A Participating Electorate

A. Registration of Voters; Registration of Political Parties

On June 10, 1987, the Chilean Bishops' Conference called upon all Chileans to register so that "there shall not be one single Chilean not registered in the Electoral Register and not one who does not vote when the time comes."

And on August 13, 1987, the Bishops' Conference repeated its call for voter registration, adding that for the plebiscite to have moral authority "there must be a sufficient number of voters registered and voting to give the results legitimacy as a truthful expression of the national will."

1. Voter Registration Process

The 1980 Constitution requires a plebiscite in 1988 or early 1989 to approve or reject a presidential candidate selected by the four Commanders in Chief of the Armed Forces. In preparation for the plebiscite, the government began reconstruction of voter registration lists in February, 1987. Reconstruction of the voter registration lists was necessary because the military government destroyed previous lists in July, 1974, some ten months after assuming power.

Two previous plebiscites -- in 1978 and 1980 -- were held without benefits and safeguards that voter registration lists provide. Lack of this kind of safeguard was one of several problems that cast doubt on the credibility of those earlier plebiscites.

Voter registration centers are open weekdays and weekends. Registering is a time consuming and, for the 40% of Chileans earning minimal or no income, costly process. Rather than utilizing computer records of existing identification cards, the government opted for a manual registration process used prior to 1973.

After presenting a newly purchased identification card at the voter registration center, the potential voter must sign and thumbprint two registers. Once inscribed in the registers, the voter's name is entered in to a computerized electoral list.

Voter registration is not obligatory (as it was before 1973) and registration must cease the day the government officially announces the plebiscite date. Since no one knows when the announcement will be made, it is uncertain when voter registration will end.

2. Legalizing Political Parties

Political parties have a long and honored tradition in Chile and free and active participation by political parties in the plebiscite can only enhance voter registration. For this

reason a brief study of the formation of political parties is included in this report.

The Organic Constitutional Law Concerning Political Parties grants political parties the right to function as legally recognized bodies provided they fulfill a number of very stringent conditions. Until the passage of this law last year, Chile had been without legally constituted political parties for over 14 years. A potential party must amass at least 35,000 notarized signatures of members from all regions of the country. Because the party lists are public property, many prospective members are purportedly reluctant to enroll for fear of job discrimination or possible retaliation. A prohibition against leaders of unions, and student and professional organizations being party members has likewise hindered party enrollment.

After delivery of the membership signatures to the National Electoral Service, there is an investigative period that may last as long as 91 days. At the end of the investigation period, the party is formally inscribed, but must now wait an additional four months before receiving its full legal rights -- most importantly, the right to have apoderados (election observers) at the voting tables.

B. Recent Events Regarding Voter Registration and Political Party Registration

1. Statistical Data Regarding Voter Registration

The Electoral Service projects that by June, 1988, the total population of Chile will be 12,748,207. Of that number, 8,073,153 would be potentially eligible to vote. Taking in to account that in 1973 approximately 20% of the Chilean electorate did not register to vote, the estimated number of registered voters for the 1988 plebiscite is 6,458,526.

By the end of March, 1988, over 5 million Chileans had registered to vote. Registration in both February and March exceeded 425,000 each month -- well above the average monthly inscription rate of 381,287. If the current rate of registration continues, six and one half million voters will be registered by August 1, 1988. It is doubtful, however, that the current rate can be maintained. Those remaining unregistered are the most difficult to register -- they tend to be the urban youth.

Studies show that smaller, rural communities have the highest inscription rates. February statistics show that communities with less than 45,000 population (29% of the electorate) have a voter registration rate of 65%. Santiago, which is potentially 40% of the electorate, has a voter registration rate of only 52%. And of the 52% that is registered in Santiago, most are from more affluent parts of the city. La Pintana and Huechuraba have registered less than 40%, while El Bosque, Peñalolen, La Florida, Cerro Navia San Ramon and Cerrillos have a rate less than 45%.

Youth 18-19 years old have the lowest inscription rate: 41%. Citizens between the ages of 65 and 69 have the highest inscription rate: 69%.

2. Citizen and Church Efforts to Increase Voter Registration and Citizen Involvement

On March 1, 1988, the non-partisan Crusade for Citizen Participation began its efforts to promote citizen involvement in the upcoming plebiscite. Its stated purposes are:

- to register all voters 18 years old and above
- to inform voters of the issues involved in the plebiscite
- to work for citizen involvement and oversight in the voting process

Although the Crusade is not an official project of the Catholic Church, its objectives are consistent with the Bishops' Conference criteria for a free and open plebiscite. The Crusade is holding workshops to train 400 monitors who will return to their home communities to train additional volunteers, who will in turn train others. The first training workshops were held the weekend of March 26. A majority of the 150 people attending were youth under the age of thirty.

The Belen Education Program is an official Catholic Church effort to educate Chilean citizens in their civic responsibilities. The Archbishop of Concepcion, Mons. Jose Manuel Santos, was one of the first church leaders to undertake this program. His efforts began in April 1987, and today Concepcion has one of the highest inscription rates in the country. Most all the Bishops in Chile have joined in this effort.

In Santiago special efforts have been made by the Catholic Church to increase voter registration and participation. Civic education programs include the following: Projects by the Vicario of the Pastoral Worker, led by Mons. Alfonso Baeza, seek to educate workers about the plebiscite. Mons. Ignacio Muñoz of the Vicario of Pastoral Youth in Santiago has called upon all young people to participate in the democratic process. The Vicaria de la Solidaridad, led by Mons. Sergio Valech, has sponsored civic education projects and supplemented Solidaridad magazine with civic education material. Caritas and Instituto de Difusion Social (INDISO) have also participated in this church effort.

3. Political Parties

By the end of March, six political parties had legally registered and were awaiting the four month lapse before receiving legal rights. Parties registered are: Renovacion Nacional, Democracia Radical, Avanzada Nacional, Partido Humanista, Partido Nacional, and Social Democracia Chilena. Eight other parties are in some earlier stage of development.

In March both the Christian Democratic Party and the Party for Democracy delivered the required number of signatures to the Electoral Service. As explained earlier, 91 days may now pass for challenges to be made and resolved and then an additional four months' wait is required before legal rights are given.

Organizers for some political parties reported limited kinds of harrassment during membership drives and, more seriously, some political leaders have recieved death threats. This subject is treated more extensively in Section III of this report.

Marxist parties, traditionally a strong and well organized

part of the Chilean political spectrum, are outlawed by Article 8 of the Constitution. The more extreme Marxist parties (Communist Party and MIR) have opted out of the plebiscite process -- at least for the time being.

C. Conclusion and Recommendations

The registration of voters has proceeded smoothly despite the time and costs involved. It is possible that the goal of six and one half to seven million registered voters could be met by late August. The highest possible number of voters is desired to give greater legitimacy to the plebiscite and to minimize the impact of potential voter fraud on the final vote count totals.

However, the goal of seven million will be reached only if special efforts are made within the next three to four months. Recommendations are:

- Urban voters, and especially urban youth, must be brought into the political process. Efforts by citizen and church groups to increase voter registration must be supported and intensified.
- The Electoral Service should maintain voter registration hours in the early evening hours and on weekends.
- The government should initiate a campaign specifically directed at encouraging voter registration.
- Computerized registration lists (preferably computer disks) should be made available to the public at no cost so that citizen confidence in the plebiscite process is increased.
- Citizens should be given at least two months' advance notice regarding the final day of voter registration.

Regarding the formation of political parties, several recommendations seem in order:

- Article 8 of the Constitution should be eliminated. A battle of ideas can only truly be won in the course of free and open debate. Article 8 offends human dignity and outlaws a large segment of Chilean society, making violence the only alternative.
- The party registration process should eliminate the four month waiting time prior to final legalization of parties. The waiting time serves no apparent purpose other than to frustrate the participation of political parties in the democratic process. More cynically, the delay allows the government to calculate the precise day in which political parties become legally operative, that is, with the right to have apoderados at the voting table. If the date of the plebiscite is announced before opposition parties become legally vested, the opposition parties would not have apoderados at the voting table.

II. An Informed Electorate

A. Legal Restrictions, Intimidation, and Unfair Publicity Advantage by the Government

The Chilean Bishops' Conference on August 13, 1987, stated that an essential condition of a free and fair plebiscite is that "all sectors of opinion should have equal access to the media -- especially television -- and to other kinds of political expression and publicity."

Unfortunately, Chile has been governed 14 years under constant States of Exception which severely restrict access to information and "legally" penalize journalists who in good faith try to inform the public. The Colegio de Periodistas reports that in the first three months of this year sixteen journalists have either been arrested or charged under Chilean law or have been threatened by unidentified terrorists.

Opposition magazines, newspapers and radio stations are permitted to function, but subject to constant legal harassment and threats by unidentified civilian groups. Opposition access to the most important media, television, remains severely limited. The government makes maximum use of the television media and has embarked on a publicity campaign of such magnitude that questions regarding its funding have necessarily arisen.

B. Recent Events

1. Legal Intimidation of Media

In recent months government officials have increasingly used military courts to intimidate journalists. Law 18.662, complementary to Article 8 of the Constitution, increases penalties against journalists charged with ambiguous crimes such as "offending the honor of the Armed Services" or "defaming the President." At least 27 journalists are presently facing some kind of legal action, most usually in military tribunals. Recent examples include:

--- Journalist Juan Pablo Cardenas, Director of Analisis Magazine, condemned to nightly imprisonment for supposed offenses to the President of the Republic.

--- Journalist Monica Gonzalez, sentenced to 61 days in jail (suspended) for defaming President Pinochet. She published an interview correctly repeating critical statements made by an opposition politician. The politician was not charged.

--- Monica Gonzalez, subjected to legal action for correctly publishing words spoken by prisoner Karen Eitel, who accused the military of torturing her.

--- Francisco Herreros, Director of Cauce Magazine, arrested and charged with offending the Armed Services.

--- Director of Hoy Magazine, Abraham Santibañez; Political Editor of Hoy, Alejandro Guillier; and Political Scientist/Opposition leader Genaro Arriagada -- all charged with offending the Armed Services for statements made regarding developments in the Letelier case.

--- Radio Presidente Ibañez and newspaper La Prensa Austral subjected to legal action by the Intendente of Magallanes for reporting an official proclamation of the Catholic Archbishop of Punta Arenas, Mons. Tomas Gonzales, which the Intendente found to be offensive to the Armed Forces.

2. Death Threats and Bombings

Journalists in Chile are also subject to constant threats from unidentified civilian groups. Left terrorist groups have consistently tried to bomb property belonging to the pro-government newspaper, El Mercurio. Intimidation from right wing groups seems much more prevalent and presents a more immediate threat of physical harm to journalists.

Some recent examples:

--- On March 8 a collaborating journalist of Cauce magazine was kidnapped by unknown civilians and advised to tell Cauce magazine Director Francisco Herrera that he would be assassinated. The kidnappers claimed to belong to AChA.

--- Directors of both radio La Voz de la Costa and radio Estrella del Mar received death threats in March.

3. Unfair Publicity Advantage to Government

In January and February the government spent an estimated 811 million pesos to publicize its accomplishments and build credibility for the upcoming plebiscite. Opposition groups spent an estimated 18 million pesos in the same period. The spending by the government in various media -- especially television -- has been so great as to create suspicion that public monies are being misused. Opposition political parties have called upon the Controller General to investigate government media spending.

A similar disequilibrium exists in the way television news is reported to the Chilean public -- reporting is strongly biased towards the government. For example, studies of Channel 13 show that the first week of March government spokesmen were shown speaking 53 times while opposition spokesmen were shown only once. The government was the source for 1 hour and 28 minutes of news during this same time period, while the opposition was the source of 2 minutes worth of news.

A second political commentary program began in March -- Face the Nation -- on Channel 13. The other, Currents of Opinion, began in January on Channel 11. These hour long, once a week programs have allowed limited exposure of opposition leaders, but neither program is broadcast nationwide. Only Channel 7 has that capability.

C. Conclusions and Recommendations

Freedom of the press does not exist in Chile and will not exist in Chile as long as the states of exception and Article 8 (together with complementary law 18.662) remain in effect. Without freedom of the press, the legitimacy of the upcoming plebiscite will be severely compromised. The following measures are recommended:

--- immediate lifting of both states of exception

--- immediate repeal of Article 8 and complementary law 18.662

--- removal of all cases involving journalists from military court jurisdiction to civilian court jurisdiction

Regarding government spending on its publicity campaign:

--- a thorough a complete investigation by the Controller General into the source of funding for the campaign and a full disclosure by the government of amounts spent

Regarding continued government monopolization of television newscast media:

--- measures should be taken to return Channel 13 to full control of the Catholic Church

--- the National Television station, Channel 7, should be directed to rebroadcast political opinion shows presently airing on Channels 11 and 13, or present their own political debate program

--- laws should be implemented guaranteeing opposition groups obligatory equal access to the television media

III. Pressures on the Electorate

A. Pressures from the Government, Pressures Outside the Government

The Bishops' Conference was very clear that the conditions surrounding the plebiscite and the voting should "exclude any possibility of pressure on the voters."

Fourteen years of uninterrupted States of Exception necessarily create a climate inhospitable to a free and open plebiscite. Some of the many powers given the government under these states of exception are:

- the power to prohibit entry and exit from the country
- the power to restrict freedom of movement within the country
- the power to restrict or suspend the right to assembly
- the power to restrict the rights to freedom of information and opinion
- the power to censure correspondence and communications
- the power to prohibit the creation of new communications media

Moreover, the continuous states of exception create a kind of war mentality that serves to "justify" extra-legal actions taken by government officials (such as torture) and violent acts by extremists on both the left and right.

Monseñor Carlos Gonzalez stated the problem well when he recently observed that "Fear is a great problem facing Chile at this moment."

B. Recent Events -- Government related

1. States of Exception, Article 8

The first weeks of March, despite pleas by the Catholic Church leadership, foreign ambassadors and UN Rapporteur Volio, the military government renewed both States of Exception

presently in effect in Chile. While government officials said the States of Exception were necessary to assure a fair and open plebiscite, many disagreed, saying the government action only heightened tensions and fostered an atmosphere of mistrust. Critics point out that powers given the government are most often employed against opposition political efforts rather than against terrorists.

Reacting to the criticism, Generals Stange and Gordon stated in March that the States of Exception would be lifted prior to the plebiscite.

Also, in March, the Procurador General of Chile, Ambrosio Rodriguez, announced that more individuals would be charged under Article 8 of the Constitution. Article 8, among other things, prohibits the spreading of ideas that are anti-family or based on the conflict of classes. The Procurador General did not name those who would be so charged, but it was widely believed that indictments would involve members of the Communist Party.

2. Terror, Torture and Threats

Besides the generalized fear created by the States of Exception and Article 8, specific acts and statements by the government have continued to foster a fear-ridden and anti-democratic atmosphere that does not serve the interests of a free and open plebiscite.

Examples during March:

--- Poblaciones are still subject to allanamientos, which are sometimes accompanied by overflight of helicopters

--- Torture remains an option available to security forces investigating alleged terrorists

--- Use of unnecessary violence, as occurred March 12 when military personnel forced youth to put out street barricade fires with their bare hands and feet

--- The apparent use of armed municipal civilians to quell street demonstrations, as occurred March 31, in Providencia

--- Statements by Interior Minister Fernandez and Procurador Rodriguez that increased terrorism is to be expected in the forthcoming months, and the subsequent distribution of fliers by Carabineros to businesses warning of the same

--- Statements by an official of Magallanes to the effect that those opposing the present government in the plebiscite would be taken before firing squads, "the same as 1973." (Fortunately, the Intendente of this Region was dismissed at the end of March. The status of his Chief of Cabinet, Attorney Alvarez -- the official who made the remark -- is still uncertain.)

--- Repeated statements by President Pinochet and members of his government that a "NO" vote in the plebiscite would bring chaos to the country.

--- And, at the end of the month, the chilling statement by the Director of the Boines Negros, Colonel Jose Zara, to the effect that his troops had their knives sharpened in order to defend the Commander-in-Chief and his new institutional order.

3. Direct Military and Municipal Involvement in the Government Campaign

Beyond legal intimidations and threatening acts, it appears

the military government is actually involving members of the armed services and municipal governments in its campaign for a YES vote in the plebiscite.

On March 9 the Christian Democratic Party denounced direct military involvement in the plebiscite campaign, citing 31 violations by 14 high ranking military officials. Such involvement not only violates the Constitution, but also casts grave doubt that the military can act as a neutral guarantor of the election process.

Also, in March, many complaints were voiced regarding political pressures made by municipal authorities on citizens. Citizens in rural areas are thought to be the most vulnerable to these kinds of pressures. At least one report exists (in Quillota, March 2) that mayors not sufficiently enthusiastic for the government's campaign face dismissal from their posts. Citizens are alternately offered rewards (houses, government jobs and services) or penalties (loss of job or services) to secure their support.

Municipal resources and pressures have also been used to intimidate and pressure citizen participation in the internal elections of the Renovacion Nacional Party. The faction of that party most closely linked with General Pinochet (and municipalities) has used these measures to oppose the faction less tied to present regime.

Finally, as mentioned earlier, March ended on a particularly distressful note in Santiago, where, according to photographs and press accounts, municipal personnel and vehicles were seen armed with machine guns and shooting at unarmed student demonstrators.

B. (2) Intimidation from Outside the Government

March, unfortunately, saw an increased number of threats by clandestine terrorists against people and groups opposing the government. Threats against opposition press were discussed in an earlier in this report. Other intimidations and threats occurring in March are:

- March 1, Osvaldo Muñoz, poblacion opposition leader in Santiago, had his house fire-bombed by unknown assailants
- March 3, Maria Luisa Burgos, President of the Workers Union at Catholic University, received a death threat
- March 7, Renato Cruzat, PPD leader in Talca, received additional death threats
- March 12, President of the Christian Democratic Party of Concepcion received death threat from AChA
- March 13, Church and civic leaders in Punta Arenas received death threats from AChA
- March 15, four attorneys working in Valparaiso with CODEPU received death threats
- March 16, Julio Valderrama, President of Independent Telephone Unionists, received death threat
- March 25, Berta Belmar and others working with the PPD in Santiago received death threats
- March 26, Businessman Juan Manuel Muñoz Gatica received death threats for allegedly working against the government

C. Conclusion and Recommendations

The plebiscite is going forward in an atmosphere of extreme fear and pressure -- intimidation that is generalized throughout the country and, oftentimes, directed at specific people and groups.

Much of the intimidation is a result of government action or omissions. In fourteen years of military government not one individual accused of terrorizing opposition groups has been arrested and brought to trial. Recommendations:

--- The two States of Exception should be lifted immediately. Statements by General Stange and General Gordon that the States of Exception will not be in effect during the vote are not reassuring. For the democratic process to be truly open and transparent, necessary freedoms and safeguards must be in effect many months prior to the actual vote.

--- The government should spend as much time and resources investigating crimes against opposition groups as it does crimes against people and institutions supporting President Pinochet.

IV. Honest, Verifiable Vote Count

A. Pre-Vote Campaigning, Designation of Candidate, and Voting Procedure

The final condition set forth by the Bishops' Conference regarding the upcoming plebiscite was that "the casting and counting of votes should be done in an absolutely correct way that can be verified by all."

The law governing the vote process and vote count (Ley Organica Constitucional de Votaciones Populares y Escrutinios) was passed by the military junta on January 14, 1988, and is presently under review by the Constitutional Tribunal. It deals not only with the vote and vote counting process, but also with the designation of the government candidate and the pre-plebiscite campaign period.

1. Pre-Plebiscite Campaign Period

The proposed law limits campaign propaganda to the 28 days prior to the vote. Campaign literature and posters are strictly regulated, so that the showing of posters and banners in public places is practically eliminated. Use of low budget organizing tools such as loud-speaker trucks is prohibited. Carabineros have discretion to remove propaganda materials they deem in violation of the law.

Article 5 Transitory of this law gives pro-government organizers and political parties unfair advantages regarding publicity, campaign headquarters and personnel. Opposition political party offices are to close the day of the vote. No provision is made for equal access to television media for opposition positions.

2. Designation of the Candidate

The designation of the government candidate is to be

unanimously decided by the four Commanders in Chief. Unanimity must be reached within 48 hours. The law does not say how or when this meeting is to be held, nor how the decision will be shared with the public. The candidate must be at least 40 years of age.

If unanimity is not reached within 48 hours, the designation of the candidate is made by the National Security Council. As both President and Commander-in-Chief of the Armed Services, General Pinochet is given two of the eight votes in the National Security Council. In the event of a tie, 4 - 4 vote, General Pinochet has the right to cast a third and tie breaking vote. The National Security Council is under no time limitation to make its decision and no provision is made regarding announcement of the final decision.

Upon the convening of the meeting to designate the candidate, all voter registration ends. The plebiscite must be held within 30 to 60 days of the designation of the candidate.

3. Vote and Vote Count Procedure

Voting will take place at approximately 22,000 voting tables around the nation. Voting is to be secret. Voter identity is subject to verification by the vocales (voting table functionaries) and the apoderados (political party representatives). After voting, each citizen's thumb is marked with indelible ink.

The vocales are selected in the same manner as before 1973. An Electoral Junta composed of local officials (all government appointed) submits the names of 15 prospective vocales, five of whom are selected by lottery to actually serve. Vocales, in the course of their official duties, are completely independent and immune to any order given by security forces.

Apoderados have no such immunity. As political party representatives, they have the right to check the identity of voters and to monitor the actual vote count at the voting table. They are to be given a certified copy of the results of the vote count.

Votes count totals are forwarded to the regional level, counted, and then forwarded to Santiago for a final, national level count. The final two stages of the vote count are without oversight by opposition members. Any challenges to the voting process or vote count must be made to the Tribunal Calificador within ten days of the plebiscite.

B. Conclusions and Recommendations

The processes envisioned by this law are generally thought to be good. But several changes would give the public greater confidence in the fairness and impartiality of the plebiscite.

1. Pre-Plebiscite Campaign Period

Several recommendations are in order that would give greater fairness to the campaign process:

--- The campaign period should be extended as long as possible, at least to the 60 maximum period contemplated in the present law. A longer period would serve to give the public more

Chile -- A View from Down Under
January and February, 1988

January and February are normally tranquil, the summer months, the least turbulent months of the year in Chile. They are vacation months spent away from the politically active, larger cities -- especially the capital, Santiago. Chileans, if their means so permit, go to the coastal beaches and to the lake regions in the South of the country. Politics are postponed.

This summer, however, was different. Political forces organized and gathered steam in anticipation of this year's plebiscite. And even the festivities at the annual international celebrity gala and song competition at Viña del Mar were rudely dragged in to the political fray. More on Viña later.

POLLS

The results of two political polls were made public in January. A Gallup poll showed the majority of Chileans (39.4 v. 26.6) preferring a Yes vote in the plebiscite. Yes, that is, to the candidate proposed by the Commanders-in-Chief of the Armed Services and the Director of the National Police --most likely General Pinochet.

Opposition forces promptly disputed the poll's legitimacy, questioning its scientific underpinnings and pointing out that Gallup Chile (franchised from Gallup USA) was a known partisan of the government. Gallup Chile would not, in fact, satisfactorily respond to questions about either its methodology or the client who requested and paid for the poll. Opposition analysts understood the poll and the wide publicity it was given by government media to serve certain needs of President Pinochet. It was seen as an effort by Pinochet to convince fellow junta members of his own viability as the government candidate in the upcoming plebiscite.

The 1980 Constitution requires the heads of the Armed Services --Army, Navy, Air Force and Carabineros (National Police) to make a unanimous selection of the government presidential candidate. If unanimity is not reached, the issue goes to the National Security Council to be determined by majority vote. Pinochet appoints a majority of those serving on the National Security Council. The nomination, therefore, is his for the taking, though certainly he would prefer to get the nomination unanimously from the other junta members rather than by majority vote of the Security Council. Hence, the reason for the poll.

The second poll was taken much more seriously by analysts here. It was researched by the combined efforts of three Santiago think tanks and showed the NO vote ahead in the plebiscite (40.3 v 31.1), but with a large percentage of the voters uncommitted. It showed that over 80 percent of those polled expressed fear about commenting publicly on political issues. Pinochet's support was strongest with the upper class and with poor, uneducated women. He was weakest with the educated, middle class young. He ran better in the provinces than in the capital of Santiago. A majority said the government

had performed well in meeting housing needs in the country, but severely faulted it for economic and social problems, such as unemployment and juvenile delinquency.

The social scientists involved concluded that Chileans strongly favored a return to democracy after 14 years of military rule if the change can be achieved peacefully, without violence or chaos. However, like middle class (or aspiring middle class) societies everywhere, Chileans were shown to favor the status quo over uncertainty.

One short observation regarding polls in a military state. Many commentators point out that every poll in Uruguay prior to that country's plebiscite on its military government showed results favorable to the government. People simply lied to the pollsters (fear) and in the privacy of the voting place expressed their true beliefs: the No vote soundly won.

Government Campaign

The political campaign developing over the latter part of 1987 and into the summer months of January and February of this year seems to reflect the realities pointed out by the second poll. The government campaign for a YES vote in the plebiscite has been massive, especially on television. Themes of economic achievement mix with paeans to stability and orderliness: "We are millions" (Somos Milliones) repeat the televisions ads over and over, after showing sweet scenes of family bliss or economic or social achievement. The PR efforts remind one of Ronald Reagan's very successful 1984 presidential campaign, "A new morning in America," only here there is a constant subtheme harkening back to the chaos of the early 1970s. The contrast is always between now and then, questionable statistics demonstrating the alleged tremendous social improvements that have occurred since 1970. The appeal is that the work has only just begun, and the government needs a YES vote to continue and complete its goals.

There are no clear figures regarding the total amount being spent media-wise by the government, but television costs are reliably estimated to exceed one million dollars monthly.

General Pinochet makes his rounds throughout the country often with his wife Lucy and more often now without military uniform. He describes the upcoming plebiscite (the government has yet to set a time certain for the event) as a choice between himself or chaos. Government ministers vigorously defend the extant system and brand opposition leaders as seeking a return to the chaos of the Allende years. The present democracy that Chile enjoys, they say, must be protected against a reversion to the past. There are no real democrats in the opposition, there are only "demo-Marxists." The 1980 Constitution is vigorously extolled as the only path to the "protected democracy" that the military deems best for the country. The 1980 Constitution, in fact, simply institutionalizes military rule. See Addendum, 1980 Constitution.

One of the most powerful tools in the government's campaign is work done at the local level by municipalities and mayors. Mayors, of course, are directly appointed by General Pinochet.

Public works budgets are primed for this year's plebiscite

and, according to critics, Pinochet partisans are given priority for local services. Primary and secondary education systems have been "municipalized," giving mayors complete discretion over hiring and firing. As a result, thousands of teachers have lost their jobs. Those working will think twice before participating in political acts contrary to the government.

The Opposition

The political opposition, again as if responding to the themes set forth in the second poll, has finally started working in concert. On February 2, fourteen opposition parties agreed to formally work in unison for the NO vote. Parties joining together were center left, center and center right. Signatories include (roughly from left to right on the political spectrum): MAPU, Izquierda Christiana, Radical Party - Luengo wing; Socialist Party - Almeyda wing; Radical Party - Silva Cimma wing; Socialist Party - Nuñez wing; MAPU Obrero Campesino; Social Democrats Chilena; Humanist Party; Christian Democratic Party; Democratic National Party; Union of Popular Socialists; Union of Liberal Republicans, and the National Party.

The Communist Party (PC) and Left Revolutionary Movement (MIR) as political parties refuse to participate in the call for a NO vote in the plebiscite, although many of the rank and file are participating in the effort.

The opposition parties have begun turning the table on the "me or chaos" theme developed by the government. A continuation of the military junta, they say, will indeed bring chaos to the country. A debate is also developing over the true nature of the 1980 Constitution.

Additionally, the Christian Democratic Party joined with several other parties to develop a written, alternative plan outlining Chile's transition to democracy after the triumph of the NO vote, and the kind of society they envision for Chile. Again, this is seen as a response to the public's fear of chaos, or perhaps better stated, the government's effort to instill a fear of change or impending chaos.

Under laws governing the the plebiscite, political parties may be formed on a national basis. Legally formed parties are then entitled to be present at voting tables to act in oversight capacity and to monitor the vote count. (For an exceptionally well done analysis of laws and constraints governing the plebiscite, see "Report on the Chilean Electoral Process," November, 1987, International Human Rights Law Group, 733 Fifteenth St., N.W., Suite 1000, Washington, D.C., 20005, (202) 639-8016)

In January and February two political parties completed registration requirements: Renovacion Nacional, the largest and best organized pro-government party; and the Humanist Party, a surprise, new party, youth oriented and calling for a kind of decentralized socialism. The center Christian Democratic Party is expected to meet registration requirements in March, as is the Party for Democracy (PPD), an umbrella party that seeks to unite smaller parties from across the political spectrum for a concerted NO effort. Other parties are trying to organize on a

national level, but appear less far along in the process.

The Catholic Church must also be considered as a powerful player in the development of events here. Last year the Chilean Bishops' Conference listed four criteria essential for a fair plebiscite: adequate number of people registered and voting; access to media, especially television; no coercion in the voting process; and a fair and impartial vote count. Church officials and property have been subject to various kinds of abuse by unknown (and always unapprehended) assailants. The Vicaria of Solidarity is under intense scrutiny and harassment by government officials -- from special military prosecutors to Cabinet Ministers. (See Preface to 1987 Annual Report, Item 8)

The Press

There is a free press in Chile, but subjected to constant intimidation. Over thirty journalists are presently under judicial proceedings for writing inappropriately about the government (offending the honor of the Armed Services) or certain prohibited topics (Marxist ideas). The opposition press is tolerated because their impact on the media market is negligible (reaching an estimated 3 - 5% of the Chilean population), and their very existence gives the government a very powerful plus in terms of international opinion.

The government, however, has not permitted freedom of the press at the television stations. Broadcasting has been meticulously controlled for fourteen years, completely banning opposition political opinion. Again, television is being used massively in the government's YES campaign.

The TV ban on political opposition lifted ever so slightly in January with the inauguration of a new Sunday evening talk show called Currents of Opinion. The program is prerecorded and edited, and, according to critics, reviewed by government officials before airing. Total exposure of opposition opinion might net thirty minutes weekly on this program.

A new law proposed by the government would require TV stations to devote 40 minutes daily to the plebiscite issue -- 20 to the government, 20 to the opposition. It remains under study.

Death Threats, Bombs and Viña

January and February witnessed bombing deaths under suspicious circumstances, and well as numerous death threats and other kinds of intimidation. (See Vicaria of Solidarity 1987 Summary, Item 7)

Death threats to opposition leaders and organizers -- especially at the community level -- are almost a daily occurrence in Chile. But it was particularly alarming that in February the most senior and revered Catholic Church leader, Cardinal Raul Silva Henriquez was victimized twice in this way.

Cardinal Silva Henriquez had traveled Europe in January speaking out forthrightly against the continued military rule of General Pinochet. The death threats greeted him upon his return to Santiago in early February.

Just as foreboding this summer was a sequence of bombing deaths that leads one to believe the country may be headed into a spiral of violence in the months to come.

On January 26, Major Julio Benimeli, commander of a Carabinero bomb dismantling unit, was killed while searching out a bomb threat, victim of an apparent booby trap. Major Benimeli was the highest ranking Carabinero to be killed by extremists, and in 1986 had been indicted for the disappearances and presumed deaths in 1976 of ten communist leaders. Before the case was brought to trial, the Major was ruled eligible for amnesty by the Chilean courts.

Five days after Benimeli's death, three young suspected leftists were killed in a powerful bomb explosion in a Santiago apartment. Government investigators and security officials claimed the three had accidentally killed themselves while constructing a bomb. But a series of unusual circumstances and government miscues raised many doubts about the official version. Here in Chile the official version of any incident -- even if true -- is always a matter of great speculation.

The summer festivities at Viña del Mar also became part of the political debate when ceremony officials disqualified a Peruvian entry in the song contest, for alleged plagiarism. In the body of the song, the word NO was repeated 36 times. The charges were brought by an obscure Chilean songwriter/singer said to be involved with right wing groups. Most Chileans thought the song's dismissal a strictly political act.

The United States rock group Mister Mister also caused government and pagament officials problems when they read a statement halfway through their musical set expressing solidarity with Chilean actors and artists victimized by death threats. The leader of the group was hustled backstage immediately after the set and intimidated into making a somewhat conciliatory statement later that evening. The group was kept under tight security thereafter and not permitted access to the press. The government said the measures were taken for the group's safety. Mister Mister, once returned to the United States, said otherwise and allowed that they were in fact members of that conspiracy of hope called Amnesty International.

The events in Viña must be understood in their media context: the Viña gala is broadcast live all over Chile. The treatment of the "No" song and Mister Mister by government/gala officials demonstrates the extreme sensitivity (and sophistication?) the regime has regarding opposition exposure on the most critical of media - television.

Summary

The picture painted in these pages is only a quick glimpse of Chile during the months of January and February, 1988. It is hoped that, taken together with documents provided by the Chilean Catholic Church human rights organization, the Vicaria of Solidarity, it will provide the reader with some basic understanding of Chile as the country faces this decisive year of the plebiscite, 1988.

Preface
1987 ANNUAL REPORT ON HUMAN RIGHTS VIOLATIONS
VICARIA OF SOLIDARITY

The Vicaria of Solidarity, through its different legal assistance programs, gathers and documents information regarding the human rights situation in the country. This report reflects our observations during 1987 and contains, in addition to processed and systemitized information, several legal studies about human rights issues.

This introduction will cover some of the most relevant and important themes contained in the body of the annual report.

1. During the whole of 1987 the country remained subject to two constitutionally sanctioned states of emergency: (1) State of Emergency and (2) State of Danger to Internal Security (Transitory Article 24 of the Constitution). This situation has permitted the adoption of several measures that affect basic rights such as personal liberty, right to personal security, the right to live in one's own country, freedom of press, among others. Never-the-less, the means put at the disposal of the executive power by virtue of the states of exception have been utilized to a lesser extent in 1987 than in previous years.

2. The creation of new legal norms increasing the inflexibility of the legal system has been of special concern. Examples: The complementary law to Article 8 of the Constitution and the law increasing the penalties for Article 8 of the Arms Control Law; or those laws that serve to increase the impunity of state agents accused of human rights violations, such as Law No. 18.667 that modified the Criminal Procedure Code and the Military Justice law regarding "military secrets."

3. In 1987 the right to life has been seriously affected by very violent acts. Twelve people died in June, supposedly in confrontation with security agents. But as more information came out and was presented to the tribunals, it appeared not to be the case. And in September five young men "disappeared." a recurrence of a kind of human rights violation thought to have been done away with.

4. The country also witnessed serious acts of violence, directed by opposition forces, some terroristic in nature. Five members of the Carabineros (National Police Force) and one detective were killed -- either by direct assault or while trying to deactivate explosive devices. Armed opposition groups, no matter the justifications their supporters might claim, have been a dangerous part of the national situation. And the repression it has brought with it has been extremely severe, affecting not only the armed groups themselves, but also people not involved with them, or who only have been connected by virtue of personal

friendship, family relationship or of some humanitarian concern.

The kidnapping of an Army Colonel, who was later released unhurt, was also an act of violence condemned by important national groups. The kidnapping provoked repressive measures that had to be endured by a large portion of the citizenry.

The September disappearance of five young men, denounced by the Vicaria and in court, was seen by many as a response to the kidnapping of the colonel. And the twelve deaths in June were thought to be related to a prior attack on a CNI (National Secret Police) headquarters. In this manner it appears the country is caught up in a "spiral of violence" which, as previously stated, not only affects the authors of the violence, but has extended to many beyond them.

5. During 1987 there was a substantial decrease in the number of people arrested. This is explained by a decline in opposition activity in so far as public demonstrations are concerned, and also reflects a more moderate attitude on the part of uniformed officials in the repression of these demonstrations. This more controlled attitude of the Carabineros has also meant a decline in the number legal of complaints regarding "acts of unnecessary violence" from the figures in previous years. Thus is it that in 1987 fewer deaths occurred during the anti-government protests. Never-the-less, acts of police brutality referenced in this report and denounced in the courts continue to take place. It also continues to be a common occurrence that during the repression of demonstrations certain civilians are allowed to roam free, unimpeded, who in fact create most of violence against others. The relative improvement in the behaviour of the Carabineros should be broadened and deepened, solidifying and making permanent this improvement regarding human rights.

6. Torture, cruel, inhumane and degrading treatment continued during the year making this a special concern for those involved in human rights. As indicated by the statistics shown in this report, the percentage of people in 1987 held captive and who later denounced torture they were subjected to, was greater than in previous years. The new law prohibiting the CNI from holding arrested people on CNI premises did not stop mistreatment from occurring -- as had been the hope. Agents from this security service, evading the law, on several occasions mistreated arrested individuals in the individual's own home, in cars, in secret hide-aways, and even on the premises of civilian police. (Case citations given) And when these facts were denounced, the very services involved hindered the judicial investigation while military tribunals took the cases out of civilian court jurisdiction, so that to this day not one of the cases has been clarified or resolved.

7. Of special worry has been the continuation of kidnappings and intimidations, which during 1987 seem to have

been used in a privileged kind of way, and which affected the greatest number of people, as is shown in this report. All of this reveals a more serious difficulty, because in these cases there seems to be no organism or group that assumes responsibility for these acts. The clandestine groups that carry out these acts do so with complete impunity, accessing resources and intelligence information. And when these acts are denounced before the Judiciary, the courts have been unable to find the guilty parties. Finally, in a number of cases, the criminal acts appear to be strangely linked to judicial inquiries carried on by military prosecutors, in such a way as to suggest the acts are done in cooperation with the ongoing military justice investigations.

It is clear that acts as serious as the supposed confrontations and the disappearances are the most aberrant expressions of this kind of "dirty repression."

8. Since 1973 the military justice system has experienced a steady, permanent growth in its jurisdiction. In 1987 military courts have continued to repress not only armed groups, but also people linked in one way or another to dissent against the government. Charges against professionals in the press, opposition politicians, and attorneys linked to human rights efforts -- accused of offenses against the armed services -- have been meticulously pursued by the military tribunals. Charging demonstrators with instigating violence or with crimes against Carabineros is another way the military justice system is used as an instrument of political control, as is set forth in the cases in the relevant chapter in this report.

The behaviour of military prosecutors, especially Prosecutor Ad Hoc Colonel Torres Silva, in the development of his cases, has seriously affected the rights to adequate defense and due process of those charged or involved by him. This repeated conduct by the prosecutor has resulted in complaints about prolonged detention of people held incommunicado, maltreatment of suspects, consistent refusal to permit provisional liberty of those indicted, and so forth, all of which is covered in the body of this report.

The way that military judicial authorities continue to act against professionals of the Vicaria because of their professional and humanitarian concerns, has transformed itself into a kind of prosecution of the Vicaria as an institution, so that physician Ramiro Olivares, a professional indicted by the military prosecutor, was released from jail only at the end of this year and only after the Supreme Court so ordered in a 5-1 split decision (the single vote opposing being that of the Army judge), revoking in this manner the previous decision of the Ad Hoc Prosecutor Colonel Torres.

9. Regarding forced exile, 1987 saw an important reduction of the number of Chileans on government lists restricting re-entry, which, without overlooking the injustice which still keeps many from returning to their country, is a positive sign for

reestablishing the primacy of human rights. In any event, the fact that some Chileans have been forced to adopt the nationality of the foreign country they reside in because of the superior force of others is a serious and treacherous act against the Constitutional rights of Chileans that should be addressed accordingly. More serious still is that some of the excluded Chileans are on a secret government list and called "undesirable foreigners."

10. In conclusion, during the time covered by this report, the human rights situation remains precarious, as will be shown in the body of this document, although some positive actions have occurred.

The coming year is expected to be one of sharp political engagement because of the constitutionally convoked plebiscite that asks Chileans to decide on the continuation of the regime. Acts offensive to basic human rights of people are especially worrisome for this reason.

If 1988 gives witness to aberrant kinds of dirty repression; if acts of political violence by opposition groups do not cease; if really detestible terroristic acts do not stop - including those sponsored by the State; if the military tribunals continue acting against critical political opinion and legitimate public expression; if freedom of opinion and of the press continue in a precarious situation; if serious crimes against human rights continue to go unpunished; and if civil courts, when asked to intervene, remain ineffective in protecting people's rights; then it will be difficult to fulfill the conditions needed for the Chilean political process to develop in a climate favorable to the normalization the country requires.