

**DEMOCRACY AND THE ARMY IN THE 21ST CENTURY. LESSONS FROM
THE CHILEAN EXPERIENCE.**

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A. INTRODUCTION.

I would like to begin by thanking for the opportunity to present on a very relevant subject in such an important organization. I do so as the Director for the Center for International Studies of the Catholic University of Chile. I understand that the foundation for this invitation is based in my experience as Commander in Chief of the Chilean Army, from March 2002 to March 2006. I wish to clarify that I am responsible for my opinions only in the personal sense.

I have been asked to refer to the lessons learned from the Chilean experience about the way in which Armies in the twenty-first century are inserted in, and therefore contribute to the democratic process.

It would be pretentious to pretend to give lessons on a subject where each reality is different. Although I am sure that in Chile we have seen objective changes, I could not say that the process has necessarily been completely successful or replicable.

Having made these points I wish to refer to the following subjects:

- o The role that constitutes the traditional duties of an Army
- o Specific aspects of the Chilean process
- o Characteristics of the twenty-first century, specific Latin American traits and their effect on Armies

- o How we face these realities in Chile
- o Finally, a view on the effect of these actions on Chilean society

B. THE ROLE OF THE ARMY IN DEMOCRACY.

The Army exists in order to supply the State and the Nation with security and defense in the framework of duties that are defined in the Political Constitution of Chile. The Constitution suffered important changes in regards to the original 1980 text that stood until 2005. Here we find the first characteristic of our process, marked by the search for consensus in the definition of a mission and the characteristics of the Armed Forces in accord with a modern democracy.

The writers of the constitution established, in full agreement with civil society, political actors and the Armed Forces, that these “exist for the defense of the homeland and are essential to national security.” In addition, to meet this need, they are “professional, hierarchical, and disciplined.” I would like to highlight a particular passage, uncommon in Latin America, stating “that the Commanders in Chief of the Army, the Navy and the Air Force will be designated by the President of the Republic from the five generals with the longest-standing careers... and the they will remain four years in their positions, cannot be named for a new period, and the President of the Republic, through decree and previously informed to the Chamber of Deputies and the Senate, can call them to retirement before the completion of the respective period.”

These norms are in effect since August 26, 2005, date on which the current Constitution took effect. In my judgment, it is the moment that the mission of the Army came to be

fully concordant with democracy, and as such, its role was accepted and valued by all civil society. Essentially, the changes with respect to the Constitution of 1980, promulgated during the military government, were:

- o From 1973 to 2005, which is a period I suggest to distinguish as an exception from the norm, the Armed Forces were the guarantors of national security and as such their leaders comprised the majority of the National Security Council (of which they continue to participate but no longer as a majority). Furthermore, they could call members to this body, and it had a wide range of activities, which are currently limited to advisory to the President on related issues. The Council currently does not adopt agreements, but does express its opinion.
- o A formula was included so that the President of the Republic could call some of the Commanders in Chief into retirement. The previous statute considered this issue but required the votes of the already mentioned Council, which without a doubt limited the presidential role.
- o In sum, the best of the existing 1980 norm is maintained in the sense that the role of the Army is security and defense. It does not exclude the institution from an essential responsibility in national security, but now it is shared with other sectors. The Commanders in Chief are maintained in the Security Council and therefore provide opinions on transcendental issues. Political discretion is also limited by election from only the five generals with the longest careers, which is extremely important in an Institution where the most important aspects are experience, the continuity of command, and election by the president awarding merit. In Latin America this norm is uncommon and for that reason we are witnesses of frequent rotation and designations, which at times throws the high commands into disorder caused by the designation of someone from lower ranks.

Additionally, the reestablishment of the presidential faculty to call a Commander in Chief into retirement, with due knowledge of the Chamber of Deputies and the Senate, recovers the power of the Chief of State in a relevant issue.

In sum, there was a transition from a very wide in ways autonomous role - not characteristic of democracies- to one perfectly reduced as described. I believe it is an example of making compatible the political authority with the criteria of professionalism and participation intrinsic to modern Armies.

In the Chilean formula this balance has been achieved and in my view favors true democracy.

C. SPECIFIC ASPECTS OF THE CHILEAN CASE.

In my judgment, this modification, as well as all other transformations and methods of dealing with the problems of the Army that lead it to accommodate itself to a new century and to a political context that reestablished democracy in 1990, were marked by two specific aspects:

- o General Pinochet was the political leader of Chile from September 1973 to March 1990, maintaining his role as Commander in Chief of the Army. Afterwards, having transferred the Presidency of the Republic to Mr. Patricio Alwin, he maintained the role of Commander in Chief of the Army until March 1998. Finishing this period, he assumed as a permanent Senator until June 2002. In conclusion, one must admit the true fact that during 19 years the figure of General Pinochet is almost synonymous with the functioning of the Army. I will not comment on that issue. Nevertheless, it has a direct influence on

society's perception that, for good or bad, confuses the leader and the institution in a situation where it is difficult to distinguish one from the other. It is to say that society accepts or rejects the Institution in direct relation to the closeness to or distance from the leader of that Institution. Certainly, it was an anomalous issue which had to be confronted. An Army cannot be analyzed from a viewpoint charged with ideas of acceptance or rejection of the political activities of its commander. It follows that a crucial task was to make exceptionally clear that General Pinochet had effectively stopped playing a role in the Army. Also, that his person ceased to have relevance in the political or public arena that could link itself to the Institution.

- o The other specific aspect of the Chilean case and the transformation of its Army is that two causes of the transformation coincide. One is the turn of the century that leads to a new international order, marking a new reality with neighbor countries where highly conflictive periods are resolved, such as the 1973 and 1979 crises in Chile-Peru relations, and especially the quasi-military conflict with Argentina in 1978. The other is that the process of transformation of the Army coincides with the transition to full democracy.

The conclusion of these two characteristics is that the Chilean Army made the decision to produce changes and separate roles. This was a complex process and was viewed in various ways by those sectors that did not consider it necessary to assume a new reality that changed the prevailing status quo of decades. It implied a change in mentality. I am sure that this is the most serious problem in a process of this nature. It also implies the certainty of the need for change that must be assumed with conviction but also with a high level of information, in search that it be comprehended. If the process of change is

not done in this way, it can lead to rejection by the organization itself, generating problems in the place of solutions.

D. SPECIFIC ASPECTS FOR LATIN AMERICA.

I have said that it is difficult to replicate a process since each situation is different. Accordingly, I think it was important to have summarized the milestones and characteristics of our transformation, so closely tied to the Chilean political process. Therefore, I see the need to establish my view that although Latin America is apparently a homogeneous region, in truth it has tremendous differences not only with Chile but also between the majority of our countries. Allow me to note that I find it troubling that we have not been capable as a region- and here I believe the OAS may have a role to fulfill- of creating a defense network in accord with the current needs of the international system.

In effect, it is inappropriate to maintain systems and organizations linked to the Cold War. It is our duty to face change. If we do not, Chile's efforts to readjust its Armed Forces to a new reality will not be part of a wider process that should include the region. In that sense, it is essential to define the challenges that face Latin America today, which I believe are: growth and its sustainability, poverty, crime, the lack of institutions and the incapacity to integrate.

Without a doubt, they are not issues directly tied to the Army, but their effects, if the problems that cause these situations are not contained, threaten internal security and can lead to external situations that are, until now, unknown and dangerous.

E. THE GENERAL FORMULA THAT DIRECTED THE CHILEAN PROCESS.

I have referred to the role of Armies in democracy, mentioned the changes in regards to our Constitution, summarized the Chilean peculiarity of facing a political transition that in practice coincided with a new century and changes in the international system, and have highlighted a brief view of our problems of heterogeneity in Latin America.

Now I would like to describe the aspects that defined the changes referred to in the specific activities and organization of the Army.

This process had already begun when I assumed command in March of 2002. The goal of President Lagos was to consolidate the transformation of the Army in order to assure that its organization, equipment and doctrine were in full agreement with Chilean foreign policy, the country's vocation for peace and regional integration, as well as the will to assume a role in situations where multilateral organizations required its support (of those in which Chile agreed to participate). Another aspect of this goal was to close the gap that still divided Chilean society and that made the Army appear linked to one sector of it (that which had supported the military government) as well as the appearance that the Army had not assumed the issue of Human Rights, and that the responsibility for human rights abuses lied solely on some of its members and that the Institution did not have any responsibility on the whole. In other words, it was to assure that the Army was in full agreement, in all of its aspects, with a functioning democracy.

In effect, our actions were characterized by the following:

- o The continuation of the great effort of my predecessor, General Ricardo Izurieta C., who separated the actions of the Army from those of the military government. It is true that the Army was part of this government, but also true that the government it had concluded 12 years earlier. Also, the command from 1998 to 2002 looked to contribute with the files that it had, by offering them to the courts of justice in order to face the issue of more than 2,000 victims, of which 800 were disappeared.
- o In that sense, the idea that already reigned was of truth as a central element of our actions. With that, we would gain the confidence of and credibility among our citizens. This is vital for an Army to find the formula for support of civil society, which legitimizes its actions and guarantees the acceptance of an objective that is for all, and not just for some. This perception among the country's citizens is worth more than any sophisticated armament. An Army that does not reach the heart of every Chilean is not capable of assuring the fulfillment of its mission.
- o We wrote a Concept of command for my four-year term that was a product of the work of all the high command. Issues of the importance described cannot be directed by the particular views of the person who is temporarily the head of an institution. Additionally, we developed a doctrine and an educative process so that all of the force would have a clear idea that it was necessary to take the steps that had to be taken.
- o In regards to human rights all files were handed over in a system that sent thousands of reports to all of the requests of the judicial power. Not a single request was unanswered, contributing what information we had in files that were always supposed to be more detailed than what they actually were. All personnel

requested by the courts, in active service or in retirement, attended when called to present himself. This meant from the Commander in Chief to the last soldier. No one was excluded from the work of justice. The system of corporate defense was rejected, and judicial assistance was offered to all those who were called in all “appropriate” matters permitted under law, and not offered to those on “inappropriate” matters outside the realm of the law or which were reproachable by society. The former was understood as the human aspect of the due defense. The latter was classified as interfering in defense strategies or the delay in presenting materials that were required to assist the person affected by said documents, if they existed. An explicit order to comply with the obligation to collaborate with the courts was added, doing away with the idea of any supposed pact that obligated members to maintain silence in order to protect the Institution. Those who were processed by the courts were discharged from active duty when it was considered that there existed founded suspicion that the subject was involved. Nevertheless, the Institution always insisted that only the final verdict of the courts could establish the true responsibility. In sum, the Institution sought to fully comply with the decision of the courts, charged with sorting out such a complex issue thirty years from its origin.

- o To this, a call was added that actions that lead to the division of the Chilean people never again be reproduced, nor the execution of crimes that meant the deaths of those identified as victims of that period. In that sense the context of the convulsions of the 60’s and 70’s was mentioned, in that all political sectors in one way or another caused the Armed Forces to interfere in politics; however, it was specifically stated that this was not a cause for unethical actions by the Institution or its members in regards to Human Rights, nor for the assuming of

political roles by the Institution. It was left clear that for the Army of normalcy nothing justifies these excesses or crimes. Definitively, the institutional responsibility was assumed for the actions of the past, which certainly is not of a criminal nature before the courts, where individuals are held accountable. The important point is that the Army recognized that it could not distance itself completely from the actions of these people, because at a minimum, it was not able to stop these acts which are contrary to its doctrine and as such revolting. The intelligence systems were reorganized and a human rights education program was initiated at every level.

- o The institution sought to transfer the trials taking place in military courts to civilian courts, and special emphasis was placed in non-interference with Justice, ordinary or military, without pressures of any kind, and more so without participation in its debates or verdicts.
- o With respect to the military government a decision was made to not assume its defense nor comment on its political action. It was specifically stated that this government constituted an exception of which the Army was not an heir, since political action is not the duty of the Army in democracy.
- o A basic principal was enunciated that it was time to heal wounds through the path of a faithful commitment to the truth, to the transition to democracy where all sectors must be respected, and to a sincere comprehension of those who had been victims of death, prison, or torture, all of those identified by commissions with which the Army always cooperated. Likewise, sympathizing with those who had committed crimes, support was offered within the framework permitted by the law.

- o It was essential to clarify that the Army was part of society and as such, was not a guardian of society or of its values. In this respect, the Army emphasized that it was *in* society, not above or below it. In that way, the issue of military tutelage, a subject which is inappropriate in democracy, was clarified.
- o The concept of participative military professionalism was developed, which looked to define the role of defense and security. Nevertheless, this view added the participation of the army in peacekeeping missions which it is offered. Additionally, this concept considered that the Institution can indirectly contribute to development in areas which, with its means and without straying from its mission, can provide support, such as education, improvement of roads, catastrophic situations, scientific development, and others. The concept also includes the search for a united nation that foments social cohesion.
- o In sum, a careful balance was reached between those who see the Armed Forces in a reductionist form, confined to meet orders without having an opinion on matters in which they can legitimately contribute, and those who would have liked to have the Armed Forces as a political actor or in roles which are foreign to its competencies. Both deviations are dangerous for the democratic process. The concept applied appears to be the most appropriate to take advantage of its potentials without changing the essence of its role or duties.
- o In the military sense, the force was restructured in four great functions, changing from a territorial organization to a functional one with fewer equipment, armament, and units. These tasks were concentrated in the planning of the force; the training and indoctrination of the force; the support of the force in all aspects, and the action of the force which in the end, are the units that carry out the mission. This form of organization is absolutely flat and modern. It is

accompanied by management systems that quantify all aspects. Additionally, the Army rose one level in the standards required by the norms of NATO. The Units were organized with teams now dependent not only on military service, but also increasingly comprised of professional soldiers.

- o Finally, in this sense, units were reorganized, but now as organic wholes with all equipment and armament; education and doctrine were reformed; training and instruction were emphasized; Units were redistributed; logistical support to the maintenance of equipment and armament were emphasized; the force was reduced; special rapid deployment units were created; science and technology were incorporated; processes were optimized; leadership with a conscience and reasoned discipline were emphasized and a code of military conduct, called Ordinance, was written, which clearly defines the orderly behavior of members of the military in the context of today's society.

F. THE EFFECT ON SOCIETY OF THE ACTIONS DESCRIBED.

I have looked to meet with what was asked of me, which was to show the Chilean experience of an Army that experienced a process of transformation, product of the transition of our country from a political regimen seen as an exception (the military government) to a democracy which is reestablished in March 1990, but which lingers in acquiring its full expression, as proof that all transitions require time to complete the process. In turn, our transformation as an Army was marked by the new century, the changing of the times, of the international system and of our position as a country in the regional and global arenas.

I would like to conclude by stating something which at my judgment shows most objectively if the process experienced by the Army met its objectives and contributed to the consolidation of our democracy. I will offer facts, because I am not an authority to express my evaluation of events in which I was partially involved.

The first refers to the acceptance by society of the Army; it is to say if each Chilean feels represented by the Institution, or in other words, perceives that the Institution belongs to him or her, and to all; that it is not patrimony of groups or sectors. There, the evaluation is clear- the political sectors and relevant actors recognize a complete union between the Army and the Chilean people without exception. This is reinforced by the fact that in all surveys, the Institution is placed among the first three that enjoy the most support and credibility. Personally, I feel that this variable is the measuring stick that tests the legitimacy of the Army within democracy.

In another example, between 80% and 85% of the population give the Army grades of 6 or 7, out of 7, in matters of the defense of sovereignty, preservation of the peace, and help during catastrophes. 70% supports its participation in peacekeeping missions. I believe these indicators demonstrate full compliance with the roles assigned by the Constitution.

Another important figure is that 72% of parents would support a child who would want to join the Army, and only 9% would oppose it. This is an indicator of confidence that speaks for itself.

Finally, in 2006 for the first time, after progressive growth, the need for Soldiers for military service was filled 100% by volunteers. Few countries in the world can produce this figure. To achieve it, there is a need to believe in the role of the Army, but above all a need to feel that the Institution is close, secure, and reliable. It is an indicator of social cohesion vital for democracy.

I conclude thanking you for your attention and reiterating the main idea of my presentation. Armies in democracy must assume their traditional role, be respectful of their characterization as professional, disciplined and hierarchical, be distanced from politics, close to the citizen, at the service of all the community and respected by those which hold power. In turn the representatives of State power must give them the necessary space for their professional actions, in the framework of subordination to the political power understood in its wide sense that excludes the inappropriate use of the Armed Forces for any means. Only through these means was the Chilean Army able to successfully transition and become a respected and modern actor in our democracy. Good afternoon.