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State violence, the rule of law, and social uprising in transitional Chile

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Abstract

This article analyses Chile's 2019 social uprising within and incomplete democratic transition, examining how authoritarian legacies and institutional violence strained the rule of law. Employing an interdisciplinary multi-method design, the study triangulates field observations, in-depth interviews, media analysis, and a systematic review of judicial files regarding human rights and property crimes. It argues that the revolt constitutes a large-scale civil commotion rooted in multidimensional inequality rather than a coordinated insurrection. Findings highlight systemic state violence and persistent structural impunity, evidenced by a small number of convictions for human rights violations. The article's distinctive contribution is refuting state-sponsored war narratives through empirical evidence while identifying the urgent need for a second wave of transitional justice. This renewed political-institutional pact is essential to reconcile democratic stability, social justice, and human dignity.

Keywords

Social uprising, rule of law, transitional justice, institutional violence, Chile.

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1. Introduction: The paradox of Chilean stability

For two centuries of republican life, Chile has projected a persistent image of institutional stability, even as that appearance has coexisted with episodes of profound political conflict. Although the country experienced civil wars, acute ideological tensions, and major social crises throughout the nineteenth and twentieth centuries, the 1973 military coup constituted the most severe rupture with its democratic tradition (Collier and Sater 2003, 307-312). That rupture inaugurated a civil-military dictatorship that reconfigured Chile's political, economic, and cultural structures through a refounding project anchored in the 1980 Constitution and a neoliberal model which — despite subsequent reforms — continues to shape social life (Constable and Valenzuela 1993).

The transition initiated in 1990 adopted a negotiated and gradual character that limited both the speed and the depth of institutional change. Chile was constructed and internationally promoted as an exemplary model of democratic transition precisely because it fulfilled the principal features of elite-based pacts, particularly by avoiding political confrontation over past human rights violations (Doran 2017, 196). This narrative reinforced what Bermeo (1997, 306) has described as the "myth of moderation," according to which democratic consolidation depends on political restraint and consensus among elites. Although the substantial electoral support that General Augusto Pinochet retained in the 1988 plebiscite — 44 percent of voters backed his continuation in power — helps explain the constraints facing the democratic opposition, it does not by itself account for the adoption of gradualism. While the majority vote enabled the return to democracy, polarization persisted, producing a political landscape in which authoritarian enclaves coexisted with emerging democratic practices (Garretón 2003). One of the clearest expressions of this institutional continuity has been the persistence of the Constitution adopted during the authoritarian regime, despite repeated efforts to replace it through democratic means. Thirty-six years later, the Chilean transition can be understood as a protracted and incomplete process, marked by unresolved tensions between the legacies of authoritarianism and the dynamics of democratic-institutional modernization (Rojas 2024).

From an economic perspective, Chile's transition is frequently portrayed as a success story. Poverty declined markedly, and the country integrated rapidly into global trade and financial circuits (Larrañaga and Valenzuela 2011). Yet this economic performance coexisted with a gradual erosion of public trust in political actors and state institutions (Somma *et al.* 2020). While the neoliberal model generated significant gains in macroeconomic stability and poverty reduction, it simultaneously constrained the public provision of social rights and shifted onto individuals the costs associated with health care, education, housing, and pensions (Castiglioni 2005). This institutional configuration produced a form of "market citizenship" characterized by heightened exposure to social risks and sustained levels of household indebtedness, thereby fostering a pervasive sense of injustice and relative deprivation (Araujo and Martuccelli 2014, OECD 2018, Ferrer 2019, 25 November). This mismatch between economic growth and social expectations gradually evolved into a broader crisis of legitimacy affecting both the political and economic order. Beyond persistent socioeconomic inequalities, political discontent became increasingly salient as citizens grew dissatisfied with the perceived shortcomings of the democratic

transition. As early as 2002, the United Nations Development Programme (UNDP) identified widespread political disillusionment stemming from the limited capacity of democratic institutions to respond to citizens' expectations and to overcome the legacies of authoritarianism (UNDP 2002). A growing segment of the population came to perceive that state institutions prioritized entrenched elite interests, systematically failing to secure equitable access to fundamental social goods and services (UNDP 2017). Social fragmentation deepened and became increasingly visible in areas such as urban segregation, educational inequality, and disparities in the quality of public services. Under these accumulated tensions, Chile's political stability began to exhibit signs of structural erosion (Luna and Medel 2023).

The social uprising that unfolded between 18 October 2019 and 17 March 2020[1] exposed the depth of a long-accumulating crisis of political and social legitimacy (Somma *et al.* 2020). Although triggered by student protests against an increase in Santiago's public transportation fares, the uprising rapidly evolved into a nationwide revolt that challenged both the neoliberal economic model and the effectiveness of democratic institutions. Rather than constituting an isolated episode, the 2019 protests represented the culmination of a broader cycle of social mobilization that had developed over the previous two decades. Earlier expressions of collective discontent — including the 2003 "*Por un Chile Justo*" general strike, mobilizations against the HidroAysén hydroelectric project, and the large-scale student movement of 2011 (Larrabure and Torchia 2014) — had already revealed growing demands for social justice, political participation, and structural reform (Doran 2010, p. 104). The slogan "It's not 30 pesos, it's 30 years" captured the widespread perception that the democratic transition had failed to deliver a more just and equitable social order (Llanos and Aceituno 2021). The state's response further deepened the crisis, as the disproportionate use of force and the resulting human rights violations severely undermined public trust in democratic institutions and the rule of law.

The consequences of the 2019 social uprising, and particularly of the state's response to it, have been reflected in recent international assessments. Chile has experienced a significant decline in institutional quality, especially in indicators measuring the rule of law and political stability (World Justice Project — WJP — 2025). To be sure, aggregate global assessments — such as International IDEA's Global State of Democracy Report (International IDEA 2019) — continued to assign Chile high rankings in broad electoral democracy metrics during this period. However, disaggregated socio-legal indicators (such as the WJP Rule of Law Index) and international human rights oversights reports revealed a sharp internal tension between top-line electoral stability and ground-level erosion of fundamental rights protections. This deterioration is closely associated with widespread state repression, serious human rights violations, and the limited accountability that followed, all of which undermined confidence in democratic institutions. At the same time, it reinforced a paradox that had long attracted the attention of scholars and international organizations: a country consistently portrayed as a model of economic success was simultaneously experiencing growing social conflict and profound demands for institutional transformation (UNDP 2017). It is this paradox that motivates the present study. The article

[1] On 17 March 2020, President Sebastián Piñera declared a state of emergency in response to the global COVID-19 pandemic, resulting in widespread restrictions on population movement and effectively bringing the ongoing social mobilizations to a halt.

examines the trajectory of the rule of law in post-authoritarian Chile by analysing the relationship between social protest, state repression, and the persistence of authoritarian legacies. It argues that the state's response to the 2019 uprising — characterized by widespread police abuses and high levels of impunity — not only strained the democratic commitments established after 1990 but also exposed the unresolved tensions of Chile's negotiated transition. In doing so, the article reassesses the contemporary relevance of the *Never Again* principle as both an ethical and legal commitment to preventing the recurrence of institutional violence (Seguel 2026).

Drawing on a review of the specialized literature and on first-hand data collected, the article seeks to contribute to a critical reflection on the political and legal strategies necessary for advancing toward a fully consolidated democracy. It argues that soon Chile will require a new political-institutional pact capable of harmonizing democratic stability, social justice, and human dignity. Only then will it be possible to overcome the historical fractures that the social uprising brought to the surface. To address this paradox, the core hypothesis of this study (*H1*) posits that the 2019 Chilean social uprising constituted a large-scale civil commotion triggered by multidimensional structural inequalities and an incomplete transition, rather than a coordinated insurgent action. Derived from this, I further hypothesize (*H2*) that the state's repressive response and persistent judicial accountability deficits exposed unresolved authoritarian legacies within law enforcement and judicial practices, demonstrating (*H3*) the urgent necessity of a second wave of transitional justice to restore the rule of law.

2. Methodology

This research forms part of a broader, long-term project in which I have been actively engaged since October 2019. It employs an interdisciplinary, multi-method design, triangulating diverse sources and techniques to capture the complexity of the 2019 Chilean social uprising. The methodology integrates a systematic review of specialized literature and media coverage with original empirical data collected with a team of eight research assistants from sociology, law, political science, and journalism.[2]

2.1. Field observation

During the months of the uprising, the author conducted daily field observations in Santiago, focusing on Plaza Baquedano — renamed Plaza de la Dignidad by participants — as the epicentre of protests. Contemporaneous field notes provide rich qualitative data on perceptions of violence, collective dynamics, and social mobilization.

[2] I gratefully acknowledge the contribution of the research assistants who supported the collection and revision of data. Alejandra Pinheiro-Guimaraes (journalist) helped with the selection of news articles and press releases; Mauricio Carrasco and Jorge Lagos (sociologists) conducted interviews under my supervision; Claudio Quintana and Catalina Cataldo (lawyers) reviewed court records, and Miriam Shaftoe (political scientist) contributed to the analysis of comparative experiences.

2.2. Literature review

A systematic review encompassed scholarly works on the 2019 uprising, democratic transitions, transitional justice, and socio-legal theories of the rule of law, institutional violence, social mobilization, and human rights. National and international human rights reports documenting state violence were also analysed to contextualize the empirical findings. Particular attention was given to the following documents: “Ojos sobre Chile: Violencia Policial y Responsabilidad de Mando durante el Estallido Social” (Amnesty International 2020); “Chile: Events of 2019” (Human Rights Watch — HRW — 2020); “Situación de Derechos Humanos en Chile” (Inter-American Commission on Human Rights — IACHR — 2022); “Report of the Mission to Chile: 30 October — 22 November 2019” (Office of the United Nations High Commissioner for Human Rights — OHCHR — 2020); “Informe Anual: Situación de los Derechos Humanos en Chile 2019” (Instituto Nacional de Derechos Humanos 2020); and “Informe de Seguimiento: Verdad, Justicia y Reparación de Derechos Humanos de Niños, Niñas y Adolescentes Víctimas de Violencia Estatal durante el Estallido Social” (Defensoría de la Niñez 2022).

2.3. Focus groups

The author participated in or reviewed transcripts from fifteen focus groups conducted between 2021 and 2025, predominantly in Santiago, with additional sessions in the regions of Coquimbo, Valparaíso, Maule, and Los Lagos. The analysis of five focus groups specifically focused on citizens’ pending demands for economic, social, cultural, and environmental rights has been published in a collective volume (Cereceda *et al.* 2025), providing insight into perceptions across diverse social and regional contexts. Participants were recruited targeting key urban hubs, structured to achieve socio-economic heterogeneity across groups while providing a safe qualitative space for collective reflection.

2.4. Semi-structured interviews

Under my supervision, two research assistants conducted thirty in-depth, semi-structured interviews across communes of Greater Santiago in September 2024. The interviews examined citizens’ retrospective reflections five years after the 2019 social uprising, focusing on experiences of state violence, everyday insecurity, and protest dynamics. By capturing individual narratives and interpretations, the interviews provide insights into the longer-term construction of social and political memory surrounding the events. Informants were selected through a purposive sampling strategy designed to capture a broad diversity of social actors, ensuring varied ideological, gender, and generational perspectives to minimize potential selection bias.

The sample consisted of thirty participants, evenly divided by gender (15 men and 15 women), residing across sixteen municipalities of Greater Santiago, including Puente Alto, Maipú, La Pintana, Renca, Quilicura, Conchalí, and Santiago Centro. The age distribution was concentrated among adults aged 30 to 50 (19 participants), followed by younger respondents aged 18 to 29 (7 participants) and those aged over 51 (4 participants).

Participants represented diverse occupational backgrounds, including professionals, independent workers, homemakers, technicians, and university students, enabling the study to capture a broad range of experiences and perceptions regarding state violence, social demands, and the aftermath of the uprising.

2.5. Court records analysis

A total of 344 judicial files related to the uprising were systematically examined. From 3,216 complaints filed by the National Institute of Human Rights on human rights violations, a stratified sample of 232 cases was selected. This sample was constructed prioritizing geographic representativeness across northern, central, and southern jurisdictions, the severity of alleged violations (focusing on ocular trauma, political-sexual violence, and severe physical injuries), and cases with defined procedural progress. The review of these complaints was conducted between 24 November 2023 and 4 January 2024 at the request of the Undersecretariat for Human Rights, resulting in a document titled “Identification of Harms Suffered by Victims of Institutional Violence during the Social Uprising, Based on a Review of Judicial Case Files”.[3]

Additionally, a sample of 112 convictions from the period of greatest intensity (18 October — 15 November 2019) were analysed, including 103 looting and 9 arson cases, affecting primarily supermarkets, retail stores, and pharmacies. The sample was selected through a three-stage design using the Judicial Branch’s Jurisprudential Database, prioritizing first-instance rulings with national geographic representativeness. The profile of the convicted individuals is predominantly male (77.87 percent), Chilean (91.8 percent), and under 35 years of age. Procedurally, expedited outcomes predominated: 61.61 percent through simplified proceedings and 34.83 percent through abbreviated procedures, reflecting a judicial management approach geared toward offenses of lower political complexity.

2.6. Media analysis

An exhaustive review of national and international media coverage was conducted for the five months of highest conflict. The focus included reporting on protests, human rights violations, theft and looting, governmental actions, and political negotiations, including pathways out of the crisis, such as the 2021-22 and 2023 constitutional processes. This component complements judicial and field data, providing temporal and narrative depth to the analysis. Given that the database of the Chilean National Congress Library contains more than 37,000 news articles related to the 2019 social uprising, it was necessary to select a representative sample. The selected articles and reports were categorized by journalistic genre — descriptive, analytical, and opinion pieces. A systematic examination was carried out to identify recurring patterns, assessing how the language employed reflected or reinforced structures of power and social inequality. The analysis also considered how the news was presented to shape public understanding and how meaning

[3] To date, this report has not been made publicly available and remains under the custody of the Undersecretariat for Human Rights.

was constructed through story framing. The sample included national print media (*El Mercurio*, *La Tercera*) and regional outlets (*El Mercurio de Valparaíso*, *El Sur de Concepción*), prioritizing the three regions with the highest population density: the Metropolitan Region, Valparaíso, and Biobío. Digital newspapers (*CiperChile*, *Radio Biobío*) and audiovisual reports from major television networks (*Meganoticias*, *T13*, *TVN*), were also reviewed. The sample was organized chronologically, covering key events from October 2019 through special reports published in 2020.

2.7. Scope and significance

While the full scope of six years of fieldwork cannot be conveyed in a single article, the findings presented here are grounded in rigorous empirical evidence and systematic literature review. The study meets standards of geographic representativeness and experiential saturation in contexts of high sociopolitical vulnerability. This methodological framework ensures robust contributions to national and comparative debates on social mobilization, state violence, transitional justice and the rule of law.

3. Theoretical framework: Democratic transition, transitional justice, social mobilization, and institutional violence

Transitions from authoritarian regimes to democracy do not entail an immediate break with the past; rather, they are typically marked by the persistence of institutional, cultural, and coercive structures that shape the prospects for democratic consolidation (Linz and Stepan 1996). Numerous scholars have emphasized that democratization is a gradual process, structured by pacts, concessions, and grey zones that permit the survival of authoritarian mechanisms within the new political order (O'Donnell *et al.* 1986). Within this framework, the concept of authoritarian legacies is used to describe the persistence of practices, norms, and doctrines that constrain the full realization of the rule of law and democratic governance (Garretón 2003).

The literature on delegative democracies (O'Donnell 1994) and recycled authoritarianisms in post-dictatorial Latin American contexts highlights that police and military institutions — socialized under repressive logics — often struggle to adopt democratic standards concerning the use of force, accountability, and the unconditional respect for human rights (Bruneau and Trinkunas 2006). This is particularly salient in the Chilean case, where the negotiated transition of the 1990s left intact a range of institutional structures inherited from the dictatorship, including police autonomy, the constitutional design, and internal security doctrines (Agüero 2003).

The rule of law in societies emerging from dictatorial regimes is strained by the simultaneous need to preserve institutional stability while advancing transitional justice processes (Teitel 2000). Transitions require balancing the pursuit of memory, truth, justice, reparation, and guarantees of non-repetition, frequently confronting institutional and political resistance (Rojas 2024). The literature shows that when these processes remain

unfinished or are only partially implemented, persistent deficits in human rights protection may emerge and become particularly visible during periods of crisis or social mobilization (Skaar *et al.* 2016). In Latin America, comparative studies demonstrate that weak accountability mechanisms are a recurrent factor in the reproduction of institutional violence and the erosion of democratic safeguards (Davis 2006). The absence of effective sanctions for state agents involved in abuses perpetuates impunity, undermines public trust, and weakens democratic stability (Sikkink 2011). Moreover, police impunity has been closely linked to the criminalization of protest, the escalation of state violence, and the deterioration of human rights protections across different Latin American contexts (Peñafiel and Doran 2018).

Chile — despite its international reputation for democratic stability — has not been immune to these challenges. The limited accountability for police violence during and after the 2019 social uprising reflects a longstanding tension between the imperatives of public order and the protection of fundamental rights. While the 2019 mobilizations have sometimes been interpreted through the lens of democratic erosion or deliberalization, such interpretations require caution: the movement itself was largely articulated around demands for greater inclusion, social rights, and democratic renewal rather than the rejection of democracy (Rojas 2019). Nevertheless, the state's response revealed important deliberalizing tendencies, insofar as excessive use of force, restrictions on fundamental freedoms, and weak accountability mechanisms challenged core liberal-democratic principles. The Chilean case therefore illustrates how unresolved authoritarian legacies can resurface during moments of social conflict, placing renewed pressure on the rule of law and the guarantees of non-repetition.

The literature on social movements provides a crucial framework for understanding the dynamics of the 2019 social uprising. Far from being interpreted as an episode of collective irrationality, contemporary studies emphasize the interaction between political opportunities, interpretive frameworks, and organizational resources (Tilly and Tarrow 2007, Tarrow 2011). Mass protests often emerge in contexts of multidimensional inequality — economic, territorial, and symbolic — which fuel feelings of injustice and erode the legitimacy of political systems, given that income inequality is associated with perceptions or unfairness that influence individuals' propensity to mobilize and protest in Latin America (Gasparini and Reyes 2022). Recent research has highlighted that social protest also expresses demands for dignity, recognition, and broader rights, as evidenced in the case of the 2019 Chilean uprising, where understood as a response to deep systemic inequities and claims for social justice (Sasse 2021, Gordon-Zolov 2023). As discussed below, the 2019 uprising can be defined as a case of large-scale civil commotion, characterized by heterogeneous and diffuse mobilization that brings together long-standing grievances and new forms of collective action.

The use of force by state agents is one of the central issues in contemporary democratic theory. Since Max Weber (1918/2015), who defined the modern state as the entity that claims the legitimate monopoly on the use of physical force within its territory, the literature has recognized that the exercise of state coercion is a distinctive attribute of political authority (Valverde 2025). However, international human rights frameworks establish that such use must adhere to the principles of legality, necessity, proportionality, and exceptionality, such that any excess constitutes a violation of human rights that undermines institutional legitimacy (Franco Martín del Campo 2017).

High-intensity protests often expose the weakness of internal and judicial oversight mechanisms within police forces, contributing to what various studies have described as an accountability deficit, in which the lack of effective convictions for excessive use of force reinforces patterns of impunity and distrust in the very institutions charged with protecting human rights (Holmes and Smith 2012, Prenzler *et al.* 2013). In the Chilean case, post-uprising scholarship has documented that, despite the significant volume of complaints involving eye injuries, unlawful detentions, or cruel treatment, the number of convictions has been minimal, reflecting ingrained tensions between public security and human rights (Rojas 2025).

Another relevant line of scholarship analytically distinguished between politically oriented collective action and opportunistic criminal behaviour that emerges during episodes of social instability (Haider-Markel *et al.* 2018). Studies on disorder opportunism emphasize that contexts characterized by crowd formation, temporary reductions in police control, and political polarization may facilitate criminal acts detached from legitimate protest (Zhang *et al.* 2020). For the empirical analysis of the Chilean uprising, this perspective is essential to avoid simplistic interpretations that either reduce mobilization to vandalism or, at the opposite extreme, justify all conduct under the umbrella of social protest (Farías *et al.* 2022).

4. Anatomy of the social uprising in Chile

Far from being a spontaneous or episodic event, the 2019 uprising crystallized long-standing tensions linked to the persistence of authoritarian legacies, structural inequality, and the political system's inability to channel accumulated social discontent through institutional means (Rojas 2022). Its rapid, massive, and disruptive unfolding strained the boundaries of the rule of law and exposed the fragility of a transition that remained incomplete — both in its institutional dimension and in its promises of full citizenship.

4.1. Underlying causes of the social uprising

The structural backdrop of the social uprising is closely linked to the institutional legacy of the dictatorship and the constitutional framework established in 1980. Although the Constitution contributed to consolidating a neoliberal development model based on market-oriented principles, its legacy extended beyond economic arrangements to shape the broader architecture of democracy and the rule of law. Through mechanisms such as high quorum requirements for constitutional reform and the constitutional entrenchment of the 'subsidiary state' principle — which restricted public provision in favour of private market dynamics (Vallejo Garretón 2016, Viera and García-Campo 2024) — the 1980 Constitution created a rigid institutional design that constrained substantive reforms in social, economic, and political spheres. Moreover, its legacy also affected the transitional justice process by preserving institutional obstacles to accountability, including the 1978 Amnesty Law, which remained a significant impediment to justice despite advances in international human rights law that enabled courts to prosecute human rights violations. These unresolved authoritarian legacies contributed to persistent tensions between democratic consolidation,

human rights protection, and the capacity of Chilean institutions to respond to demands for social and political transformation.

The combination of rigid institutional framework and a concentrated pattern of economic accumulation produced a scenario of multidimensional inequality that permeated various spheres of life — from the privatization and commodification of health and education services to precarious labour markets and insufficient pension systems — thereby entrenching deep social gaps and inequities in access. These factors fuelled a widespread sense of vulnerability and injustice, particularly among working-class sectors and indebted middle classes, who perceived a state that prioritized markets over social welfare (Pizarro 2005).

The resulting social fragmentation weakened community ties and contributed to declining levels of interpersonal and institutional trust. This erosion was not the result of generalized corruption or institutional failure, as Chile continued to be regarded as one of the region's strongest cases of democratic governance and administrative capacity. Rather, growing perceptions of unequal political influence and the privileged position of economic elites generated increasing distance between citizens and political institutions. These tensions were reinforced by the persistence of inherited institutional arrangements that facilitated elite consensus while limiting deeper structural transformations. In this context, specific episodes of institutional misconduct — including corruption scandals, cases of corporate collusion, and controversies involving political and economic elites, particularly during the second Piñera administration — contributed to a broader perception of declining accountability and weakened legitimacy (Peña 2021). These accumulated tensions did not reflect the collapse of Chilean democracy, but rather the growing gap between the achievements of democratic consolidation and citizens' expectations regarding equality, representation, and institutional responsiveness, creating fertile ground for mass mobilization when an immediate trigger emerged.

4.2. Immediate causes of the social uprising

If structural discontent outlined the conditions of possibility for the social revolt, the immediate triggers acted as catalysts for the outbreak. Several public statements by political and business figures — perceived as gestures of arrogance, social detachment, and class-based contempt — had a decisive symbolic impact (González and Le Foulon 2020). Episodes such as a businessman expelling vacationers from Lake Ranco or ministerial recommendations to "wake up earlier" in order to access lower Metro fares were interpreted as signs of an elite impermeable to the living conditions of the majority (Jiménez-Yáñez 2020). In this climate of moral irritation, the thirty-peso increase in the subway fare functioned as the spark that ignited accumulated indignation. The response was immediate: high school students organized the "Evade" campaign, coordinated primarily through digital platforms (Gómez Aguilera 2020 20). What initially appeared to be a sector-specific protest quickly transformed into an act of civil disobedience with strong symbolic resonance. The governments' reaction — oscillating between punitive threats and the excessive use of force — not only failed to contain the fare evasions but also reinforced the public perception that the authorities prioritized coercive order over social listening. While structural inequality provided the long-standing combustible conditions, the precise

timing of the October 2019 outbreak was catalysed by the convergence of high-school student civil disobedience, rapid digital network diffusion, and an unyielding governmental response that transformed a localized protest into a nationwide civil commotion.

4.3. Escalation and sequence of the revolt

The evolution of the social uprising can be understood through an analytical periodization that identifies the tactical, political, and symbolic transformations of the process across four phases.

1. Student Mobilization (6-17 October 2019): The mass fare evasions in Santiago's Metro system inaugurated a cycle of protest marked by youth-driven creativity and coordination (Sasse 2020). Although initially focused on resisting the fare increase, this phase foreshadowed the broader escalation of the conflict through the slogan "It's not 30 pesos, it's 30 years," which succinctly captured the structural nature of the underlying discontent.
2. Escalation of Violence and State of Emergency (18-27 October 2019): 18 October marked a decisive turning point: the simultaneous burning of Metro stations, widespread looting across multiple municipalities, and attacks on critical infrastructure produced an operational collapse without precedent (Martínez 2019, Sasse 2021). The declaration of a state of emergency and the deployment of the armed forces onto the streets — measures unseen since the beginning of the transition to democracy in 1990 — reactivated traumatic memories of the dictatorship. Police repression during this stage generated a substantial number of reports of human rights violations, particularly ocular injuries, arbitrary detentions, and excessive use of force (Somma and Donoso 2023). Yet the massive and peaceful march of 25 October, which brought together more than 1.2 million people in Santiago alone (*El Día* 2019, *TVN 24 Horas* 2019), demonstrated that society rejected both institutional abuses and destructive violence.
3. Political Opening and Governmental Reconfiguration (27 October–15 November 2019): The lifting of the state of emergency on 27 October initiated a phase of political recalibration. The Piñera cabinet reshuffle — including the replacement of eight ministers — constituted an attempt by the Executive to regain legitimacy. In parallel, citizen forums and territorial assemblies (known as *cabildos*) multiplied, creating horizontal spaces for deliberation that reflected a broader societal search for direct participation amid a deepening crisis of political representation (Zambrano and Huaiqui 2020).
4. Institutional Channelling of the Conflict (15 November 2019–17 March 2020): The protracted nature of the crisis, the persistence of violent incidents, and the pressure exerted by a mobilized citizenry precipitated the signing of the *Agreement for Social Peace and a New Constitution* on 15 November 2019 (Suárez Delucchi 2024). This cross-party pact opened an institutional pathway for addressing the conflict, enabling the 2020 constitutional plebiscite and the subsequent constituent processes of 2021-2 and 2023. Although these processes later encountered significant challenges and ultimately failed to produce a new constitutional settlement, they nonetheless marked the most explicit acknowledgment to date that post-dictatorship stability had

rested on fragile foundations, and that demands for social justice, fundamental rights, and human dignity could no longer be deferred (Peñafiel and Doran 2024).

5. The rule of law under strain: State violence, exceptionality, and the crisis of legitimacy

The 2019 social uprising placed Chile's rule of law under a level of strain unseen since the return to democracy. The scale of the mobilization, its rapid territorial spread, and the intensity of the confrontations challenged the State's capacity to manage the conflict within constitutional boundaries. The government's response — focused almost exclusively on restoring public order through coercive mechanisms — not only failed to contain the crisis but also deepened the fissures between formal legality and institutional practice. The result was a marked erosion of state legitimacy, exposing the authoritarian continuities embedded in the transition and the fragility of democratic oversight mechanisms governing the security forces.

5.1. The constitutional state of emergency: Ambiguous legality and the militarization of public order

The declaration of the state of emergency on 18 October 2019, through Supreme Decree No. 472, marked a turning point in Chile's post-authoritarian democracy. For the first time since 1990, this constitutional mechanism was invoked to address a public-order crisis, enabling restrictions on freedom of movement and assembly and transferring command over affected areas to National Defence Chiefs drawn from the armed forces. According to Heiss, "the state of emergency following the October 2019 uprising exposed a zone of indeterminacy regarding the responsibility of the President and the Minister of Interior for the measures adopted during the state of exception" (2020, 67). A legal analysis of these measures reveals that their implementation operated in a liminal space, marked by normative ambiguity and the *de facto* expansion of exceptional powers.

While Article 43 of the Constitution empowers the Executive to restrict freedom of movement during the state of emergency — under which curfews are legally framed (Williams *et al.* 2019) — their practical enforcement and the mass detention of civilians in public spaces pushed the constitutional boundaries governing proportionate coercion, operating in a liminal space of normative ambiguity. These actions prompted criticism from international human rights bodies for the sweeping curtailment of civil liberties and the deployment of the military in public-order functions (HRW 2019, OHCHR 2020). In practice, these measures constituted a regime of exception more closely resembling a *state of siege* than the constitutional provision formally invoked, particularly given that the procedural and substantive safeguards required for the more restrictive regime were never fully activated. The presence of thousands of military and police personnel in the streets — many without specialized training in crowd control — intensified perceptions of democratic rupture and reactivated memories associated with past episodes of state violence.

The legal ambiguity surrounding the declaration of the state of emergency was one of the central elements in the constitutional accusation brought against the Minister of Interior, Andrés Chadwick. His removal from office and symbolic disqualification by Congress reflected a broad political consensus regarding the Executive's responsibility for failing to take reasonable measures to prevent human rights violations committed under the protection of the emergency regime (Senado 2019). This episode exposed the limits of an institutional design that grants the Executive extensive powers in extraordinary contexts, while providing insufficiently robust oversight mechanisms to prevent their expansive or improper use.

5.2. State violence and human rights violations

The repression deployed during the social uprising revealed structural failures within Carabineros and the broader public security framework. Several international organizations, including the IACHR, the OHCHR, HRW, Amnesty International, documented a pattern of disproportionate, indiscriminate, and deliberate use of force against both protesters and bystanders.

One of the most controversial instruments was the use of riot shotguns loaded with rubber bullets. Technical analysis conducted by the University of Chile found that the pellets used by Carabineros consisted of only 20 percent rubber, while the remaining 80 percent were high-hardness metals and minerals (Universidad de Chile 2019), substantially increasing their injurious potential compared to conventional less-lethal ammunition. International organizations, including the OHCHR, have noted that both the frequency and severity of pellet-related injuries during the protests exceeded international standards of proportionality and harm minimization in the use of force by state agents (OHCHR 2020). The use of these riot shotgun pellets was linked to an alarming number of severe ocular traumas, described as an unprecedented public health crisis in eye injuries in the context of modern protests (Reynhout 2020).

Emblematic cases such as those of Gustavo Gatica and Fabiola Campillai — who lost vision in both eyes — became symbols of state violence, exposing critical failures in police operational protocols and internal oversight within Carabineros. Both victims of state violence later ran in parliamentary elections and were elected.

In addition to the documented physical injuries, national and international bodies recorded arbitrary detentions, torture, sexual violence, mock executions, and other cruel or degrading treatment in the context of the 2019 protests (IACHR 2019, OHCHR 2020). These incidents were not isolated cases, suggesting systemic deficiencies within the institutional culture, characterized by high operational autonomy, limited civilian oversight, and insufficient internal accountability mechanisms. Five years later, judicial progress remains minimal: out of thousands of complaints, courts have only issued 51 convictions against state agents (Rojas and Fernández 2026). This figure underscores the weakness of judicial mechanisms in ensuring criminal accountability for cases of abuses by the state apparatus and the persistence of a climate of impunity that undermines public trust.

5.3. Erosion of democratic standards and decline in institutional quality

The impact of the social uprising on the rule of law was also reflected in international indicators of institutional quality. Chile, traditionally ranked among the top positions in the World Justice Project's *Rule of Law Index*, fell from 25th-26th place to the 36th within a few years (WJP 2025). This decline is not merely a statistical phenomenon; it represents the empirical manifestation of a deeper political and ethical crisis, characterized by the disconnect between democratic norms and their effective implementation.

The decline in these rankings reflects that the Chilean rule of law, far from functioning as a neutral system oriented toward the equitable protection of fundamental rights, operated in practice as a mechanism serving the preservation of the socio-economic order inherited from the dictatorship. This logic prioritized macroeconomic stability and public security — conceived from a militarized perspective — over citizens' guarantees and proportionality in the use of force. The 2019 crisis demonstrated that the legitimacy of a legal system depends as much on its formal coherence as on its capacity to respond with justice, rationality, and humanity in situations of social conflict.

6. Actors, motivations, and the nature of the revolt

The 2019 social uprising constituted a collective mobilization phenomenon whose complexity defies traditional explanatory frameworks. While the previously discussed institutional rigidities and the erosion of state legitimacy created the structural conditions for unrest, it is the specific character of the mobilization that reveals how these systemic failures materialized in the public sphere. Its development did not follow the logic of a classic social movement with organic leadership, an articulated program, or a coordinated structure. Nor can it be understood solely as a spontaneous eruption of violence or as a mere aggregation of depoliticized disturbances. Rather, it represented a hybrid process in which deeply heterogeneous actors, practices, and repertoires of action converged, united by structural grievances incubated over decades of multidimensional inequality and democratic disillusionment. Examining the actors and their motivations in depth is essential to the overall thesis, as it provides the empirical basis to characterize the revolt as a large-scale civil commotion rather than a coordinated insurrection. This distinction is critical because it refutes the state's war-like narrative used to justify institutional violence and underscores that the uprising was a socio-political response to an exhausted transitional model (Romero 2019). This section characterizes the actors involved, examines their divergent motivations, and propose a conceptualization of the social revolt as a large-scale episode of civil commotion.

6.1. Sociological heterogeneity of participants

The social composition of participants in the 2019 social uprising was remarkably diverse and, in many respects, unprecedented in Chile's recent political history. Its initial visible

expression emerged from secondary school students in public high schools, who, through the coordinated "*Evade*" campaign, transformed fare evasion on the Metro into a form of civil disobedience aimed at denouncing the commodification of basic services (Tromben 2024, 17). This inaugural gesture quickly assumed a symbolic dimension that exceeded the fare issue, articulating a broader critique of the socio-economic model and the structures of political power (Avendaño 2019).

To this initial wave were added university students, precarious workers, young professionals, impoverished middle-class sectors, and citizens detached from traditional organizations (Caulkins *et al.* 2020, 171). It constituted a broad, deinstitutionalized, and cross-cutting social fabric, whose common denominator was distrust toward the political and economic elite (Avendaño 2024). In parallel, the feminist movement — particularly visible through the performances of the collective *Las Tesis* — introduced a structural critique of patriarchy, incorporating gender equality demands and denunciations of political sexual violence (Doran *et al.* 2024) into the broader repertoire of the uprising (BBC 2019, Sadarangani 2023, 59).

In the most confrontational dimension of the protests, the so-called *Primera Línea* emerged — an informal, leaderless, and tactically adaptive collective, composed predominantly of young men from working-class backgrounds (Ganter and Varela 2020, 6). Their actions focused on containing Carabineros using improvised shields, makeshift projectiles, and rudimentary defences, with the explicit purpose of safeguarding public spaces for the conduct of peaceful demonstrations (Caulkins *et al.* 2020). The coexistence of these actors — from peaceful protesters to organized contingents prepared for direct confrontation with the police — demonstrates that the uprising was not a homogeneous movement, but rather a transient articulation of diverse demands, identities, and repertoires (Gutiérrez *et al.* 2022, 154).

6.2. Political disobedience, instrumental violence, and criminal opportunism

Understanding the nature of the violence documented during the social uprising requires distinguishing between politically motivated actions and criminal logics, which operated in parallel, though not always clearly demarcated. Analysis of judicial records indicates that a considerable proportion of offenses related to looting and property damage were perpetrated by ordinary citizens who exploited the disruption of public order to obtain illicit economic gains (Farías *et al.* 2023).

Testimonies from interviewees highlight that the vacuum of authority created a sense of contextual opportunism among the population. For instance, Nelson, a resident from Quilicura, identified this as a primary factor, stating it was simply "the opportunity given to them to be able to steal". This phenomenon was often driven by social imitation within communities, where witnesses observed "entire families […] grandmothers with shopping carts, children and adult men" entering supermarkets to take whatever they could carry. As Lucía from Conchalí noted, this desperation was frequently linked to economic hardship, as "people were going through a bit of an economic crisis," turning the breakdown of order into a means of seeking personal gain in an easy way.

Additionally, various sources point to the involvement of gang linked to drug trafficking and organized groups such as *barras bravas* (football hooligan groups), whose interests included weakening state presence in socially segmented territories. Reports also indicate that those arrested during the disturbances perceived themselves as having received "unjust treatment" in court hearings, further fuelling public distrust toward the criminal justice system (Morales *et al.* 2022, 464).

However, reducing the social outburst to a phenomenon of opportunistic criminality would be both insufficient and analytically mistaken. Looting cannot be understood solely as criminal acts. Graffiti on the walls of stores and supermarkets indicates that such acts can also be interpreted as forms of protest in response to a system perceived as unjust and exclusionary (Garcés 2020).

This systemic anger is deeply rooted in a perception of long-standing social injustice that eroded moral boundaries. Felipe, a resident of Maipú, explained that participants "felt they were taking back something that deep down the system had stolen from them". This sentiment was echoed by David from El Bosque, who linked the looting to a broader dissatisfaction with a political class perceived as corrupt, remarking that "politicians are stealing all the money". Ultimately, as Camila from Puente Alto reflected, the violence was an explosion of "collective rage" stemming from "a tremendous social injustice," where the act of looting became a visceral response to years of systemic exclusion.

The violence deployed during the social outbreak was hybrid in nature: expressions of protest aimed at transforming the political-economic model coexisted with opportunistic actions stemming from institutional collapse (Martuccelli 2022). The combination of political conviction, accumulated frustration, and the temporary weakening of state capacity created a disruptive scenario that cannot be neatly categorized into rigid labels such as peaceful protest or pure criminality. While private violence, looting, and infrastructure damage caused undeniable harm to third parties — as reflected in the judicial convictions analysed herein — this study assigns analytical priority to state violence, grounded in the normative premise that the state holds the legitimate monopoly on coercice force and serves as the primary duty-bearer of human rights guarantees.

6.3. The nature of the revolt: Between civil disorder and social upheaval

The 2019 social uprising can be most accurately conceptualized as a large-scale episode of civil commotion, characterized by widespread disturbances, significant material damage, and acts of violence carried out by a substantial number of largely uncoordinated actors. Far from a spontaneous outburst, it represented the accumulated eruption of social grievances incubated over decades of multidimensional inequality, life-course precarization, and the commodification of fundamental rights. The cumulative effect was to overwhelm the State's ordinary capacity to manage social conflict through established institutional channels.

Judicial records further validate the scale of this upheaval, with several sentences explicitly acknowledging how the extraordinary circumstances of the country facilitated criminal acts and overwhelmed traditional control. For example, a ruling from the Criminal Oral Trial of Rancagua noted that individuals entered a supermarket while "violating the

curfew that was in effect […] due to the state of emergency declared after the social outbreak" (Tribunal de Juicio Oral en lo Penal de Rancagua 2019). Similarly, the Guarantee Court of Chillán described defendants who entered a store by "taking advantage of the broken windows and other damaged access points" resulting from the ongoing national disturbances (Juzgado de Garantía de Chillán 2019). These judicial reflections demonstrate an institutional awareness that the uprising created a context of commotion where ordinary state capacity was effectively bypassed by the simultaneity of the events.

This phenomenon far exceeded the conventional notion of disturbance or riot, encompassing a simultaneous, sustained, and nationwide disruption of public order, with profound impacts on critical infrastructure and daily life. Yet, contrary to portrayals that reduce it to an irrational outburst of the masses, the mobilization exhibited a remarkable coherence of purpose, centred on transversal demands for social justice, equality, and structural reforms. Among these, the call for a new Constitution emerged as a powerful emblem of democratic contestation against the prevailing social order (Garcés 2020) and the pervading authoritarian legacies inherited from the 1980 Constitution (Doran and Peñafiel 2024).

Despite its magnitude and disruptive effects, the 2019 social uprising did not constitute an armed insurrection, a rebellion, or an attempt to overthrow the constitutional order. The characterization of the protests as a threat to national security was advanced by sectors of the government of Sebastián Piñera and other political actors during the most intense moments of the crisis, but it was not supported by evidence of the organizational or military features typically associated with insurgent movements. The uprising lacked hierarchical leadership, centralized command structures, armed groups, or a strategy aimed at seizing state power. Although the state retained its formal monopoly over the legitimate use of force, the deployment of coercive power during the protests became the subject of extensive domestic and international scrutiny due to documented human rights violations. Similarly, the events cannot be accurately characterized as terrorism, as the violence was not part of a coordinated campaign intended to systematically generate fear among the civilian population. Rather, the uprising represented a broad and heterogeneous cycle of contentious politics, in which protesters challenged symbols of the socioeconomic and political order while advancing demands for greater social rights, institutional reform, and democratic renewal.

The participation in the uprising was defined by a striking sociological diversity that transcended traditional class and age boundaries. Qualitative research indicates that participants did not conform to a specific profile, encompassing a broad spectrum that included organized criminals, families, minors, ordinary people, and neighbours. This heterogeneity underscores that the social crisis affected a broad swath of the population, where individual actions — whether peaceful or violent — were often perceived not just as criminal acts but as a form of resistance and a manifestation of collective frustration against structural inequality.

The legal and political-science characterization of the Chilean case requires a comparative perspective that situates the 2019 social uprising within the broader phenomenon of contemporary democratic protest movements. Unlike armed rebellions, civil wars, or regime-change episodes, the Chilean uprising did not involve organized militias, military fragmentation, or a strategy aimed at overthrowing the constitutional order.

Rather, it shared important features with large-scale mobilizations in established democracies and transitional societies, where decentralized collective action emerged in response to perceptions of institutional failure, social inequality, and limited political representation.

In this regard, the comparison with Lebanon's 2019 protest movement is particularly relevant. Both cases occurred decades after negotiated political settlements and reflected accumulated frustrations regarding the limited capacity of existing institutions to respond to demands for social justice, accountability, and democratic renewal (Pakradounian *et al.* 2023). Similarly, the Chilean uprising displayed significant parallels with France's *Yellow Vest* movement and the protests following the murder of George Floyd in the United States in 2020, particularly in their decentralized organization, nationwide diffusion, symbolic challenges to established social orders, and confrontations with state authorities over the use of force (Nguyen 2020).

At the same time, the Chilean case differs from insurrectionary or politically orchestrated movements, such as the Colour Revolutions in Eastern Europe or the Arab Spring uprisings, which were generally associated with clearer leadership structures, explicit regime-change objectives, and coordinated political strategies. The Chilean *estallido social* was instead characterized by a plurality of actors and demands, ranging from social rights and economic equality to constitutional transformation. This distinction is analytically significant: the central issue was not the threat of an armed challenge to the state, but rather how a consolidated democracy responded to a broad-based mobilization that questioned the legitimacy and inclusiveness of its institutional arrangements.

A central element reinforcing this interpretation is that the civil disorder generated by the mobilization was ultimately channelled through and institutional pathway, embodied in the *Agreement for Social Peace and a New Constitution* of 15 November 2019. The prospect of an insurrectional escalation existed in the abstract, yet it was contained through political negotiation processes, confirming that despite the temporary collapse of public order, the rupture did not result in a breakdown of the political regime nor in an armed contest for power.

In sum, the category of civil commotion provides a particularly suitable conceptual framework for capturing the nature of the 2019 social uprising: a spontaneous, decentralized eruption of accumulated discontent that brought the country to a standstill, yet — far from constituting an armed insurrection — was resolved within the bounds of an institutional rearticulation aimed at reconsidering the foundations of the social contract. In this way, the Chilean revolt emerges as a liminal phenomenon: sufficiently disruptive to reveal the fragility of the democratic transition, yet neither cohesive nor organized to evolve into a revolutionary or insurgent project.

7. Transitional justice and the post-2019 political challenges

The post-2019 social upheaval reactivated dilemmas historically associated with the transitional justice process in Chile. Far from being an exceptional episode confined to the

authoritarian past, human rights violations perpetrated in 2019-20 revealed the lingering nature of deep institutional deficits and the inadequacy of democratic mechanisms to guarantee truth, justice, reparation, and non-repetition (Rojas 2024, Doran *et al.* 2024, 125). Five years on, the assessment paints a picture of systemic impunity, administrative fragmentation, and erosion of state legitimacy, challenging the foundations of the rule of law and reigniting debates many had assumed were resolved with the consolidation of democracy (Rojas 2025).

7.1. Impunity in the face of institutional violence

The judicial dimension constitutes perhaps the most telling indicator of these tensions. Despite the scale of the complaints — over 10,000 filed with the Public Ministry and 3,214 claims submitted by the National Institute of Human Rights — five years later, the courts had issued only 51 convictions against state agents (Rojas and Fernández 2026). The gap between the volume of complaints and judicial outcomes reflects not only the technical difficulties inherent in attributing individual responsibility within contexts of mass repression, but also structural deficiencies in protocols for recording, tracing, and supervising the use of force by police forces. Currently, 36.63 percent of cases of human rights violations remain under investigation (Rojas 2025), while the vast majority have concluded through expedited decisions that fail to meet the victims' expectations of justice. This prolonged stagnation risks consolidating de facto impunity, undermining confidence in the criminal justice system, and eroding the fundamental principles of international human rights law.

7.2. Critiques of the reparations policy

In the sphere of reparations, the State's response has been marked by a troubling lack of inter-institutional coordination and a predominantly reactive mode of implementation. Programs such as the "Comprehensive Eye Repair Program" (known as *PIRO*) (2019) and the subsequent "Support and Care Plan for Victims of Eye Trauma" (known as *PACTO*) (2022) constituted valuable efforts to address ocular trauma, one of the most emblematic forms of harm during the period.[4] Notwithstanding their merits, these initiatives were largely confined to physical rehabilitation, neglecting the development of a more comprehensive policy framework that would encompass the psychological, moral, social, and material harms experienced by victims and their families (Rojas and Shaftoe 2026).

[4] On 11 November 2019, the Ministry of Health established the "Comprehensive Eye Repair Program" (PIRO), offering free care to victims of eye injuries at Hospital El Salvador in Santiago. In August 2022, the Ministry of Health created the "Support and Care Plan for Victims of Eye Trauma" (PACTO), aimed at addressing the deficiencies of PIRO. In May 2022, President Gabriel Boric announced the "Comprehensive Agenda for Truth, Justice, and Reparations for Human Rights Violations Committed during the Social Outbreak." Subsequently, the "Comprehensive Reparations Table for Victims of Human Rights Violations during the Social Outbreak" was created, and its Executive Secretariat was established on 6 October 2022. Participatory meetings with victims, and seminars and hearings with human rights experts were held in the main cities of the country (between August 2022 and January 2023). On 31 March 2023, the Executive Secretariat formulated a set of proposals for the recognition and classification of human rights violations. In June 2023, the Undersecretariat for Human Rights established the "Human Rights Program for Victims of Institutional Violence and Human Rights Violations" (Mesa de Reparación Integral 2023).

At the same time, the granting of 418 discretionary pensions (*pensiones de gracia*) has emerged as a focal point of intense political contention and parliamentary scrutiny. The identification of beneficiaries with prior criminal records led to the revocation of 27 such pensions, thereby transforming a measure intended as reparation into a source of criticism directed at the Executive's management of the policy (Rojas and Shaftoe 2026).

Moreover, the absence of a unified and consolidated registry of victims, coupled with the lack of substantive public debate surrounding the proposals put forwards in the 2023 report of the Roundtable on Comprehensive Reparations for Victims of Human Rights Violations during the Social Uprising (known as *Mesa de Reparación Integral*) has hindered the consolidation of an official form of recognition capable of restoring dignity to those affected and contributing to the healing of the social fabric. Collectively, these factors have impeded the establishment of a robust and socially legitimized reparatory framework.

7.3. Constitutional failures and constitutional fatigue

This institutional deficit was further compounded by the failure of two consecutive constitution-making processes, originally conceived as the principal political mechanism for structurally transforming the underlying causes of the crisis. The draft produced by the Constitutional Convention (2022) was rejected by 62 percent of the electorate, on the grounds that it was perceived as excessively transformative and progressive, whereas the proposal elaborated later by the Constitutional Council (2023) was likewise rejected — this time by 56 percent — under the inverse perception that it was overly conservative. These failures have resulted in the pervasiveness of the 1980 Constitution, thereby implicitly validating the inherited constitutional order and reaffirming the hegemony of the political and economic elites that the social uprising sought to transform. The stagnation of constitutional debate — unfolding in a context marked by social fatigue and the emergence of new priorities centred on public security — has effectively foreclosed the possibility of a profound institutional revision, leaving structural fractures intact and perpetuating the disjunction between legal reforms and societal expectations of dignity and social justice.

Taken all together, the insufficiency of the judicial progress, the fragility of comprehensive reparation policies, and the inability to achieve constitutional renewal suggest that Chile is now faced with the need to move into a second wave of transitional justice. This phase, however, differs fundamentally from earlier processes: rather than seeking to close a cycle of violations perpetrated under an authoritarian regime, it entails addressing abuses committed within a democratic context and ensuring that the state apparatus does not reproduce practices of exceptionality or institutional violence (Rojas 2024).

The presence of these tensions raises key questions regarding the State's capacity to meet contemporary demands for truth and justice, as well as the viability of a democratic project capable of incorporating the lessons of the past without reproducing its darker legacies. Far from constituting a closed chapter, the social uprising instead opened a new arena of normative and political contestation over the meaning and scope of the democratic rule of law in Chile.

8. Conclusions

A further implication of the Chilean case concerns the debate on democratic deliberalization. This article does not argue that the 2019-20 uprising or its aftermath represented a full process of democratic breakdown. Electoral competition, institutional continuity, and the broad demand for constitutional renewal demonstrate that the crisis unfolded within, rather than outside, the democratic framework. However, the Chilean experience reveals how deliberalizing tendencies may emerge within consolidated democracies when fundamental liberal guarantees are weakened. The excessive use of state force against protesters, documented human rights violations, and the limited accountability that followed represent a significant erosion of the protections that underpin the rule of law. In this sense, Chile illustrates that deliberalization does not necessarily occur through the collapse of democratic institutions, but can also develop through the gradual weakening of rights-based constraints on state power. The persistence of impunity after episodes of institutional violence further compounds this risk by undermining the credibility of guarantees of non-repetition and weakening citizens' confidence in democratic institutions.

A second analytical axis concerns the hybrid nature of the uprising. The 2019 mobilizations were massive, heterogeneous, and devoid of centralized leadership, combining longstanding demands for social rights with expressions of civil disobedience and episodes of opportunistic delinquency. This complex configuration — conceptualized in this article as a civil commotion rather than an insurrection — challenged both the political and normative boundaries of the transitional democratic order. The fact that broad sectors of the population perceived the protests as an expression of dignity in the face of a system widely regarded as abusive underscores the depth of the rift between institutions and citizens, as well as the limitations of the neoliberal model in sustaining a legitimate democratic compact.

A third set of conclusions pertains to the failure of the institutional exit. The two consecutive constitution-making processes — ambitious in design yet divergent in orientation — were both decisively rejected by the electorate. This dual failure does not signal the absence of a demand for structural change, but rather the difficulty of articulating a broad democratic consensus in a context marked by polarization, distrust, and institutional fatigue. The continued validity of the 1980 Constitution, despite extensive reforms over time, has perpetuated the gap between citizens and political institutions, leaving unresolved many of the fractures that contributed to the social uprising.

Taken together, these findings suggest that Chile's central challenge is not the restoration of democratic order, which was never fully abandoned, but the reconstruction of a democratic compact capable of reconciling institutional stability, social justice, and human dignity. The experience of the 2019-20 uprising demonstrates that the unfinished character of transitional justice continues to shape contemporary democratic vulnerabilities. A renewed political-institutional pact will therefore require not only constitutional adaptation, but also a deeper commitment to accountability, memory, and guarantees of non-repetition as essential foundations of the rule of law.

Finally, this analysis suggests that the future of the rule of law in Chile depends on the capacity of the political system to forge, in the medium term, a renewed social pact

grounded in the recognition of human dignity, substantive equality, and social justice. The recent cycle of civil society mobilization also demonstrates that a significant sector of Chilean society continues to understand justice, dignity, and human rights as essential foundations of democratic life. Far from representing a rejection of democracy, these demands reflect expectations of a more inclusive and rights-based democratic order capable of responding to longstanding institutional and social inequalities. Achieving this objective requires not only normative reforms — including a still-pending constitutional revision — but also long-term institutional transformations: the professionalization of police forces under effective civilian control, the establishment of robust mechanisms of comprehensive reparation for victims of state violence, and the implementation of public policies capable of addressing the multidimensional inequalities that shape everyday life for large segments of the population.

The institutional response to the events of 2019 offers a clear warning: an order that sacrifices justice in the name of stability is ultimately unsustainable. Chilean democracy can only be fully consolidated if it succeeds in articulating a conception of the rule of law that functions not as a shield for the status quo, but as an instrument for the effective protection of rights, the redistribution of power, and the recognition of the plurality of social experiences. In sum, the unfinished promise of Chile's transition will only be realized when legal order aligns with social legitimacy, and when justice ceases to be a deferred aspiration and becomes an indispensable foundation of democratic coexistence.

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