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DECLARACION PUBLICA

El Comité Directivo

~~Los dirigentes~~ de la Unión Demócrata Independiente (UDI) ~~que suscribimos~~ ~~www~~ ~~estiman~~ oportuno declarar lo siguiente:

1) En el contacto con las bases que crecientemente se incorporan a la Unión Demócrata Independiente (UDI), hemos recibido el clamor de ^{miles} millares de chilenos, y especialmente de aquéllos de extracción más modesta, que nos instan a redoblar nuestra ~~vanguardia~~ ^{vanguardia} en la lucha contra el comunismo, cuyo rostro ^{español} totalitario ~~prepotente~~ y violentista ha vuelto a emerger en nuestro país, con ~~especial~~ particular ~~agresividad~~ ^{agresividad} en ~~los~~ ^{sectores poblacionales} poblaciones populares. ~~Para~~ Para ellos, el combate anti-comunista no es una cuestión académica o meramente doctrinaria. Es una ~~necesidad~~ ^{necesidad} dramática y vital.

2) Interpretando ese sentir popular, la UDI estima que ha llegado el momento de requerir oficialmente al Tribunal Constitucional para que, en conformidad al artículo octavo de la Carta Fundamental vigente, declare la inconstitucionalidad del ^{denominado} Movimiento Democrático Popular (MDP), y ~~es~~ más específicamente, ~~del~~ ^{actúa como} Partido Comunista, del MIR y de la fracción del Partido Socialista de los cuales el MDP ~~es su actual~~ ^{es su actual} aglutinante y organismo de fachada.

3) La procedencia ^{de ese requerimiento} ~~resulta~~ resulta absolutamente indiscutible, aun cuando tales entidades carezcan de personalidad jurídica y de existencia legal partidaria, ya que la ~~Constitución~~ ^{Carta Fundamental} Carta Fundamental declara que "son inconstitucionales" no sólo los partidos sino "también "las organizaciones y movimientos" que "por sus fines o por la conducta de sus adherentes tiendan a propagar doctrinas que propugnan la violencia" o ~~doctrinas~~ ^{doctrinas} una concepción de la sociedad, del Estado o del orden jurídico de ~~carácter~~ ^{carácter} totalitario, ~~o fundado en la lucha de clases~~ ^{o fundado en la lucha de clases}.

~~El~~ ~~del~~ ~~precepto~~ ~~transcrito~~ ~~en~~ ~~la~~ ~~Constitución~~ ~~de~~ ~~la~~ ~~República~~ ~~de~~ ~~Chile~~ ~~que~~ ~~se~~ ~~encuentra~~ ~~en~~ ~~el~~ ~~artículo~~ ~~octavo~~ ~~de~~ ~~la~~ ~~Carta~~ ~~Fundamental~~ ~~vigente~~ ~~que~~ ~~establece~~ ~~que~~ ~~se~~ ~~debe~~ ~~dejar~~ ~~de~~ ~~ser~~ ~~considerado~~ ~~como~~ ~~partido~~ ~~político~~ ~~cuando~~ ~~se~~ ~~propone~~ ~~como~~ ~~aglutinante~~ ~~de~~ ~~otras~~ ~~organizaciones~~ ~~políticas~~ ~~que~~ ~~no~~ ~~están~~ ~~reguladas~~ ~~por~~ ~~la~~ ~~Carta~~ ~~Fundamental~~ ~~vigente~~ ~~de~~ ~~Chile~~ ~~o~~ ~~cuando~~ ~~se~~ ~~propone~~ ~~como~~ ~~organismo~~ ~~de~~ ~~fachada~~ ~~de~~ ~~otras~~ ~~organizaciones~~ ~~políticas~~ ~~que~~ ~~no~~ ~~están~~ ~~reguladas~~ ~~por~~ ~~la~~ ~~Carta~~ ~~Fundamental~~ ~~vigente~~ ~~de~~ ~~Chile~~ ~~o~~ ~~cuando~~ ~~se~~ ~~propone~~ ~~como~~ ~~organismo~~ ~~de~~ ~~fachada~~ ~~de~~ ~~otras~~ ~~organizaciones~~ ~~políticas~~ ~~que~~ ~~no~~ ~~están~~ ~~reguladas~~ ~~por~~ ~~la~~ 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precepto jurídico que excluye de la vida cívica a los ^{movimientos} ~~organizaciones~~ totalita-
rios y violentistas y permite accionar respecto de ~~las personas que los integran~~ ^{de sus integrantes}
~~para obtener la suspensión~~ que se les suspendan los derechos cívicos que
el mismo artículo octavo de la Constitución ^{enuncia} ~~señala~~.

5) ^{En consecuencia, este} ~~El~~ asunto ~~no~~ nada tiene ~~pues~~ que ver con ^{las normas legales que regulan} el receso político-partidista, cu-
ya aplicación ^{sólo} ~~compete~~ ^{recabar} ~~legalmente~~ ^{sólo} a la autoridad ~~administrativa~~ ^{Con los circunscritos propósitos que aquí se señalan.} administrativa
frente a los tribunales ordinarios, ^{- conforme al artículo 82 de la Constitución Carta Fundamental -} Aquí se trata de ~~un~~ ^{de inconstitucionalidad} derecho de cualquier
ciudadano, para solicitar del Tribunal Constitucional la precisa declaración a
que alude el mencionado artículo octavo de la ^{Constitución} ~~Carta~~ vigente y con los efectos
específicos que él establece, según lo ~~precisa~~ el artículo 82 de la misma ~~Consti-~~
~~tución~~.

6) Consideramos que el referido requerimiento al Tribunal Constitucional ~~www~~
aparece especialmente oportuno por dos razones:

a) Porque ~~www~~ la no aplicación del artículo octavo ~~ante~~ de la ~~Constitución~~
Carta Fundamental ante ^{la} ~~una~~ actividad política cada vez más desembozada del
marxismo-leninismo en Chile, podría convertir en letra muerta o en norma sobre-
pasada por los hechos, ~~a~~ no sólo a una de las principales disposiciones de la
Constitución vigente, sino a uno de los más esenciales ~~principios~~ ^{principios} móviles que
inspiraron la lucha cívica que culminó victoriosamente el 11 de Septiembre de
1973.

b) Por ~~que~~ ~~la~~ ~~demonstración~~ ~~de~~ la eficacia de la normativa permanente ^{que} ~~de~~ la
Carta Fundamental consagra para la plena normalidad democrática, ^{debe contribuir a} ~~es~~ ~~indispensa-~~
~~ble~~ ~~a~~ ~~fin~~ ~~de~~ fortalecer la transición hacia ella ^a ~~y~~ reducir progresivamente
el uso de los instrumentos legales propios de los estados jurídicos de excep-
ción, particularmente de aquéllos consagrados en el articulado constitucional
transitorio, ^{tendencia que} ~~no~~ ~~cuad~~ ~~ra~~ ~~U~~ ~~i~~ ~~considera~~ indispensable.

7) Los dirigentes demócrata-independientes que suscribimos formulamos un ~~amplio~~

① - y ^{muy} especialmente a la juventud y a las mujeres - a

- 3 -

llamado a ~~emprender esta acción en conjunto con~~ aquellos exponentes de las variadas expresiones del espectro cívico ~~de todo el país~~ de todas las regiones del país ^{que así lo ~~quea~~ ~~deseen~~} ^{con nosotros} dando forma ~~a~~ a una movilización ciudadana a emprender conjuntamente esta acción, dando forma ~~a~~ a una movilización ciudadana que interprete uno de los más hondos sentimientos populares, ~~de las mujeres, los jóvenes y los hombres de trabajo~~ de nuestra patria.

Comité Directivo de la Unión Demócrata Independiente

Santiago, 6 de junio de 1984.

FG / Fundación Jaime Guzmán