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## FROM POLITICAL LEADERSHIP TO THE CRIMINALIZATION OF THE STRIKE ON THE STATE RAILWAYS. DECREE 1,157 GENERAL LAW OF RAILWAYS (1889–1931)

*The Chilean State Railway Company implemented regulations aligned with the liberal world's political circumstances. Key laws included the State Railway Police Law (1863) and State Railway Administration Law (1868), amended multiple times. These regulations aimed at effective management, prioritizing good service, probity, and efficiency. Labor protests from the late 19th to early 20th centuries prompted regulatory adjustments.*

**Keywords:** railway Police, labor movement, strike, penalty, criminalization, social protest.

**Problem setting.** From its beginnings, the Chilean railway project had to face detractors. On the one hand there were the aristocratic landowners who disputed inch by inch the lands through which the railway route ran, always seeking proximity to their production centers and thus streamlining the internal economy; The local oligarchy also rushed into disputes with foreign industrialists who saw a possibility of gaining a part of the Chilean state business. The Government, lacking internal investment, seeks, through the issuance of participation bonds, foreign capital that will accelerate the railway articulation, both from the Valparaíso branch to Santiago as well as the longitudinal projects. The peasant sectors that in the first phase opposed technological advancement also joined these disputes.

**Analysis of previous academic publications.** The analysis focuses on various aspects of Chilean history and politics, particularly centered around workers, labor unions, labor movements, and political processes. Cortés, Alexis et al [1] delve into the phenomenon of populism in Chile and explores its proximity to the contemporary context. The article includes a comparative analysis of political and socio-cultural trends in Chile with other countries or historical contexts. DeShazo Peter [2] examines the role and influence of urban workers and labor unions in Chile during the period from 1902 to 1927. Using a historical approach, the author analyzes

organizational and socio-economic aspects of the labor movement. Escobar Zenteno [3] offers a compendium of social legislation and the development of the labor movement in Chile. It provides a detailed description of legislative changes and their impact on the working class.

Garcés Mario [4] analyzes the labor movement in Chile during the 1930s and its interaction with the political movement «Popular Front». It explores political and social aspects of this period. The publication by Honores and colleagues [5] offers insights into the social and charitable initiatives undertaken by the state railway company in Chile during the period from 1900 to 1930. The work examines the role of the state railway company in addressing societal needs, supporting charitable causes, and fostering community development within the context of early 20th-century Chilean society. Illanes O., María Angélica [6] explores the history of workers' mutual aid societies and their impact on the social sphere in Chile from 1840 to 1920. Matus Jean Pierre [7] analyzes the criminal doctrine in Chile in the context of the failed recodification of legislation in the 20th century and the beginning of the 21st century. Mason Patricio [8] provides a brief historical overview of the labor movement in Chile and the socialist republic of 1932. Pinto Vallejos Julio [9] explores the struggle for politicization of Pampina in Chile from 1911 to 1932 and the role of socialism and Alessandrism in this process. Pinto Vallejos Julio [10] examines the dictatorship of Carlos Ibáñez in Chile in a populist context from 1927 to 1931.

These research works and publications contribute to understanding various aspects of Chilean history, politics, and society and their connection to the labor movement and political processes.

***The purpose of the article*** is to study the transition from political leadership to the criminalization of strikes under the General Railway Law in Chile from 1889 to 1931. The article will examine the evolution of labor relations, in particular the role of political leadership in shaping policies related to railroad workers' rights and strike regulation.

***The main body of a research paper.*** The resistance ranges from a childish discourse that can argue that the train «will affect the milk production of the cows» to «the danger of fires caused by steam locomotives that spread waste and put crops at risk» [11, p. 51]. In this first stage there were attempts to oppose the railroad operations, which led to a series of spontaneous activities by peasants that ranged from letters to the newspapers of the time denouncing events, to accusations against deputies or senators calling on them to defend their rights. and responded to their fears and, as an anonymous direct action, resorted to sabotage on the roads. This last frequent activity during the first ten years of the execution of the Valparaíso to Santiago branch, led the authorities of the state Railway Company to make a series of instructions to the executive so that it legislate around these «irrational

acts that not only put into risk not only their lives but also those of others, and that due to an obscurantist whim in the face of railway development, they impede the advancement and technological progress of the country» [11, p. 73]. It is from this attention that the State Railway Police Regulation of August 6, 1863 emerged, which years later would give rise to the Civil Railway Police corps, based in Valparaíso.

«The railway police will have a military character and will use weapons, uniforms and insignia. Formed by two Sections, one for Order and the other for Security, for the purposes of the service it was organized into an Inspection and three Police Stations. The first, with a seat in Baron, in charge of a Commissioner, a Deputy Commissioner and 82 guardians; the Second, Santiago-Alameda, whose staff included a Commissioner, three Deputy Commissioners, 131 guards and the Third located in Concepción, in charge of a Commissioner, three Deputy Commissioners and 85 guards» [12].

This first statutory body had the following objectives: Prevent sabotage, for this purpose a group of railway police patrolled the tracks, inspecting that there were no stones or debris that might cause a derailment. Added to this preventive work – in the event of accidents – was the function of pursuing those responsible and, if found, taking them to the relevant court for the respective trial. The legislation contemplated sanctions for those who caused railway accidents, which could range from a fine of 5 to 50 pesos in the case of a derailment to minor imprisonment if it was proven that the activity caused injuries. If the effects were greater, the guilty party could risk a five-year sentence, classifying the action as voluntary manslaughter.

Whippings and stocks were a practice inherited from British and North American speculators and that over time became normalized and even legitimized. These practices do not exempt well-known railway industrialists such as Guillermo Wheelwright, Allan Campbell and Henry Meiggs, on the contrary they are part of the national railway history. Around 1889, the regulations normalized the actions of company workers who were caught drunk, gambling or starting a fight, stole or stole company material, and imposed sanctions that ranged from physical punishment to arrest, sequestration of salary and in the case of recidivism, dismissal and placing at the disposal of ordinary courts for a more exemplary sentence. Why weren't they expelled immediately if a crime was proven? The administration knew that the training of qualified workers was a complex task, many workers grew up as artisans or technicians as the railroad expanded, «getting rid» of them was not easy, since replacement was not a matter of days or weeks. Furthermore, two major immigration processes can be observed of railway workers who come from Europe to form part of the team of professionals as a form of implementation of qualified labor. The first of them operated between the years 1858–1878 with a significant contingent of British, Italian and German locomotive drivers who came as specialized

technicians and as such received better remunerations than national novices; a second migratory block that covers the years 1920–1925 when the Company opts for electrical conversion and which precipitates the arrival of Spaniards, Belgians, Italians, French, and Hungarians. This second block not only provides new technology, especially in the Spanish and Italian ones, but also renewed airs of socialist and anarchist ideas [13].

At the beginning of the 20th century, the Regulations combined their preventive and punitive function with their persecutory actions. The railway mutual organizations have a mirror in the socialist currents, which carry out their own political actions with the aim of achieving improvements that range from salary demands (curiously, they are the minimum), housing, educational and health demands. In the period from 1900 to 1926, calls for strikes by railway workers' organizations took on various nuances, from peaceful rallies to stoppage actions that generated serious setbacks for the Government, due to all the economic impact that this entailed. The State-Government is attentive to these signs of ideological purification and begins to generate changes in the regulations, at first in an improvised manner and supported by discretionary interpretations of the statutes, until 1931 Carlos Ibáñez del Campo manages to impose the Decree on July 13 1.157 [14].

### **The railway strike. Political reaches and persecution**

The railway strikes had various nuances and reasons, depending on the sections that initiated the call for the strike, to those that emerged as a manifestation of support for the national dynamic. Within railway organizations, one of the turning points that occurs in matters of salary relations between employees is the difference established between national and foreign workers. This led early on, around the year 1888, to a call for objections from the technical staff of Chilean machinists and machinists because they felt diminished in their duties. The letters to the Director of the Company at that time allege a lack of commitment to Chilean personnel.

“Don”t Chilean workers have the same working hours as foreigners? They both get up early, leave everything to make the country great, but not all of them are considered equally, while the British machinist is paid up to three times more than ours. enjoying privileges that we do not know about. Up to two stokers assist him, however the local must do one and everything at the same time, and thus accidents can be more frequent in the national operator than in foreign ones, for the Chilean the penalties are harsher because we are condemned immediately , without having anyone to defend us, instead the Director of the Company and the Consul help him to explain his mistake” [15].

This first sign that confronts foreigners and nationals, shows strong nationalist ideas. The government speeches expressed in the panacea of order and progress

that intellectual politicians such as Benjamín Vicuña Mackenna, Enrique Mac Iver defended so well and that were expressed daily in the press, appear as a contradiction. Anyone who opposed government policy was branded as anti-Chilean, adding to that that within the consequences of the Pacific or Saltpeter War, a Chileanizing current emerged that permeated the various social strata. Opposing the government was synonymous with treason and activating persecution by the authorities. In the case of northern Tarapacá, the authorities imposed the rejection of everything that contained a Peruvian or Bolivian origin. The ideas of this territorialist nationalism increased in violence over time. From paramilitary civil organizations such as some “patriotic leagues” to the incidental educational policy contained a hegemonic discourse about “being Chilean”. Despite opposition and critical reading of the sources, the elites’ fight against the “anti-Chileans” fell into adulatory comparisons of the great powers, with the oligarchy surrendering early at the feet of everything that was European or North American. An example of this can be found in the editorials of the liberal press, which deals with railway workers:

“...uncivilized, decadent, prone to the vices typical of the Araucanian people and more concerned with feeding the body than the souls. Any attempt to slow down the country’s progress must be repudiated, there are no sound reasons to encourage the stagnation of industrial activity. The differences must be resolved immediately and not give way to questioning the progress that European skilled workers have brought to the country” [16].

For the railway worker, expressions of this type were frequently used, not only through the press, but also in the correspondence between Directors of the State Railways and the legislative and executive authorities. In its beginnings, the Railway Police had a multiplicity of functions, to mention: Preventing the smuggling of alcohol within the railway circuits from the peripheral branches to those of the large cities; transfer criminals and inmates who are referred to penal centers such as those in Valparaíso, Santiago, Concepción and Antofagasta; prevent theft of luggage, correspondence and monetary goods; Conduct and safeguard order inside train convoys and stations; pursue officials or people who, in a state of intemperance, put the security of the service at risk; inspect tracks and check that there are no obstacles that delay service or cause derailments; combat begging in railway areas, which included not only the switching yards, but also the outskirts of the workshops, the alcohol dens where company workers could attend and finally, investigate accidents or deaths that occurred during the work day. of an official. To those functions that we can categorize as security, around 1900 those derived from the frictions that exist within the railway workers were incorporated, especially the already mentioned rivalry between nationals and foreigners and which were a pulse of dispute in the claims for equality. Espionage, of railway mutual activities, began to be nested in the Railway Police Law, especially with the railway crisis of 1912.

### **Strike of 1912. Regulatory adaptation**

By 1912, serious problems were facing the state company. On the one hand, the increase in the population of railway workers complicates the profitability of the service, a fact that in the eyes of the members of the Board of Directors appointed by the Executive in accordance with the regulatory framework of the Law of Administration of the State Railways – regulations that despite From being provisional, it had achieved perpetuity under a series of partisan interventionism that dated back to its origin – and that forced financial results to be audited from a liberal perspective removed from the structural view of the common state good. The administrative exercise was not very encouraging:

“The commission to which I refer, after slightly determining the scope and subject of its powers, considered that the first and most important thing to resolve was the administrative regime of the company, since it seems incredible that this complicated and important distribution of the State, which today Today it operates 3,200 kilometers of railways, spread from north to south of the republic and served by nearly twenty thousand employees, which has an annual budget of seventy-odd million pesos and an effective value of more than four hundred million, remains low. the rule of a provisional decree law” [17].

Added to this is the accounting argument that the members of the Board of Directors who audit the State Company reveal and that reveal poor administration or, failing that, very poor control of the expenses associated with operating operations and that reveal:

“1. Lack of money to carry out double track works in a short period of time on certain routes: in section 1, between Ocoa and Pachacama, La Calera and Quillota, Renca and Batuco, and detours in Tabón to facilitate the mobilization of the towboats ; In the 2<sup>a</sup> section, the lack of double tracks to Rancagua is felt, due to the traffic being very dense at all hours, from that station to the north; In the 3<sup>a</sup> section, this facility from San Rosendo to Concepción is essential; 2. Due to lack of funds, the stations are not widened nor the detours are extended to facilitate the loading and unloading of cars. The delay in executing these operations forces the equipment to be loaded for more than the regulatory time, acting as a warehouse and losing new and continuous freight. If elements were available to make these operations expeditious, the current equipment would provide greater performance, which it would not be unreasonable to estimate at 30 or 40%; 3. Excessive consumption of fuel and lubricants due to the poor condition of the locomotives, which are not repaired in time due to lack of materials and adequate workshops; 4. Discouragement, in general, of contract employees, because they are poorly paid, there is no equity in the distribution of salaries, their sacrifices are not recognized in superiority, in the same way the bad employee is treated as the good one, no one is secure in his position, postponements happen frequently, because the best jobs



are destined for people outside the service, without preparation, but with a portfolio full of recommendations from high personalities; 5.. It is irritating that daily workers in the workshops are paid 16 pence per peso and other employees are paid just over 9 pence. We do not see the reason for this privilege” [17].

The radiograph presented by Ismael Valdés Vergara, Manuel A. Covarrubias, Emilio Bello Codesido and Manuel A. Prieto, all of whom were once Directors of the Company, had the objective of achieving a new administrative order that would allow them to achieve sustainable development. For these former Railway Directors, the problem had to be addressed at the very core of the railway issue and that it was the regulations that allowed, under the guise of interpretative gaps, a lack of control and service guarantees, for this the following measures were proposed:

“1. Banish political influences forever; 2. Reduce the number of contract and daily employees by 20%, providing better and equitable income to those needed, but without forgetting or considering the work, responsibility, and hours of service of each employee; 3. As a measure of strict justice, all employees must be paid at the rate of 12 pence. The 4 pence that would be reduced to the workers would be more than enough to meet the greatest expense; 4. Conclude the postponements, establishing a rigorous promotion based on merit and seniority; 5. Set the maximum working hours for each employee and equitably remunerate excess services. Currently, employees in accounting and certain other offices work six hours a day and rest on Sundays, day-offs and holidays, and receive a better or equal salary than the unfortunate workers on the road or in the exploitation, who work every day of the year and never less than 10 to 12 hours each day, with great sacrifices and responsibilities. This does not need to be commented on and only requires a prompt remedy; 6. That railway employees are in the same condition as those of the Army and Navy, with respect to civic rights, that is, they do not have the right to vote. With this measure, political influences to obtain jobs would end and strikes would cease” [18].

The report put workers on alert, because although the problem described by the audit committee clearly pointed to a series of privileged situations from which some benefited while the majority solved it, the measure suggested by the scholars regarding essential translated into transferring the problem of the company”s profitability to the operators. The economic adjustments, meaning layoffs, salary reductions, and hourly redistribution that at first seemed fair, now deepened the problem of human overexploitation. If at first we appealed to nationalist syllogisms, now another problem had arisen: wages and work and the order of dependency in which the classes conflicted.

With the strike of 1912, the railway workers redirected the spontaneous political discourse towards one that was more dogmatic and typical of the times of an industrializing proto-capitalism. The statements leaked in the press:

“Today it is universally accepted that the State is the worst of industrialists; who should not directly exploit only those services that cannot, without serious inconvenience, be entrusted to private contractors. Rail transport is not of that type, since in almost all countries it is in the hands of public limited companies: most are granted in perpetuity, others for specific periods and others, finally, simply leased. Without a doubt in Belgium, in Italy and in Switzerland, the government has bought all or part of the national network, because the defense of the country and international relations have imposed such a measure for certain lines and the mania (l’engonement) has continued. A new influence has emerged protecting the monopoly of the State, collectivist socialism and this is perhaps the greatest danger that this new political party offers” [19].

They placed the board of directors of the various associations and sections that made up the FFCC on alert. The associations publicly repudiated the expressions of the Belgian Luis Cousin, former director of the company, underlining his rejection of the criticism that slides into collectivism. Especially when railway workers’ organizations since the end of the 19th century had pointed to mutualism as a form of protectionism in the face of abandonment or the inequalities to which they were exposed. For the railway worker, the name “collectivist” did not carry any danger and could not be stigmatized as something that violates the objectives of the State. On the contrary, the railway worker feels responsible for the construction of state policy, and is far from being a danger:

“We are builders of the greatness of this country, as much or more than those who, comfortable in their bureaus in Brussels, criticize the strikes we sustain for unfairly reduced salaries or for fighting for decent conditions for our families. That Europeans want to give us lessons on how to run a country is an offense. Have they already banished the misery that they now try to give us advice on how to govern ourselves? They call us anti-Chilean for defending the main state work that for years has been managed by foreigners, they accuse us of being the main cause of the debacle in the railway administration, but they forget about all the positions of trust and officials with letters of recommendations that have arrived to the Service without even knowing the word “rail”, they use the words collective socialism in a derogatory sense but forget that they contain the principles of Unity and solidarity” [20].

The calls for a railway strike, whether through the traditional press or various self-produced newspapers, have a reflective, rather than combative, discourse. Despite this, the governments always considered that the demonstrations represented violent actions, and for this reason In the ways of addressing them, the armed forces felt they had state support to repress them. Added to this is that within the reformist principles promoted by the Accounts Commission of 1911, the legislative process began to end the provisional nature of the State Railway Administration Law and



introduce a mechanism for “observation” of union activity. The Railway Police Law assumes that the leaders or workers of a railway organization are at the limit of the law, and therefore regulatory action must be protected by this new organic reorganization.

“It is necessary to contemplate complementary regulations for crimes against traffic safety and that calls on the Railway Police to take the necessary precautions to report on actions that are organized within the Company and that prevent or hinder traffic” [21].

Espionage is a mechanism used by the Railway Police to enter the Councils and assemblies and account for the leaders who lead it, as never before a “political police” began to be interwoven that, associated with other institutions, were preying on the labor movements. Municipal Police and Railway Police after the centenary of the Republic became the workers” guards.

“We ask you to have the necessary safeguards before turning to the Council. Delegates from the Traction section have already let us know that officials who are not associated and who belong to the Railway Police began to appear, they dress in civilian clothes and we all know what their intentions are” [22].

Within a comparative analysis of the crimes persecuted by the Railway Police of the Valparaíso Santiago Branch, for the year 1900 we have that the main activities persecuted were: Arrests for drunkenness (399); Alcohol trafficking and smuggling (215), fights (201), begging (118), theft of correspondence (115), theft in railway administration warehouses (99), attacks on the railway track (20) and fires (4) (AN , Statistical Yearbook of the State FFCC Company, 1901). Twelve years later, certain crimes remain, for example: those related to drunkenness and begging, but those related to contempt for authority (127), crimes due to threats (105) and public disorders with attacks on morals (90) are incorporated. Most of these “criminal” actions took place during demonstrations and strikes. It is also important to record the number of workers injured as a result of “sablazos” and horse runs, some with fatal outcome and on other occasions deaths from gunshot wounds as a result of the repression.

“Once they were ordered to stop the rally and the objective was not achieved, the municipal police were deployed, which, outnumbered, had to be assisted by the railway guard who, with shots and saber blows, opened a path between the protesters. The brawl continued until after twelve noon, when a naval squadron approached the protesters and fired deterrent shots. Many workers took refuge in the baron’s workshop, while others fled towards the Calaguala ravine” [18].

Since 1907 with the Federation of Railway Workers, the State aimed at a political “ordering”, however, it had to wait for the crisis of 1911 to introduce changes in the regulations and create an agenda for the control of union and mutual activities. . Between the years 1913 and 1924, the Railway workers” movement still enjoyed

guarantees for their political activities, so much so that there were many leaders who, associated with political parties with a socialist tendency, were able to have representatives before the legislature. However, the vindicationist activity did not stop, on the contrary it was a tremendous headache for the administration of Arturo Alessandri Palma, Luis Altamirano Talavera and even Emilio Bello Codesido, who despite being a few days President of the Government Board of 1925 He was poorly remembered by the railway workers in his role as Director of the Accounts Commission.

### **Decree 1157 general law of railways. Exemplifying penalties**

The period between 1925 and 1930, the country faced a tremendous crisis of representations. Socialist reinterpretations appear with a nationalist approach in the European style and philo-fascist populisms are taking center stage on the stage of national political activity. Liberals deal with the effects of the crises of 29” and worry about emerging socialist activity. Every protesting worker action is branded by the press as a seed of “Bolshevism”, highlighting once again the link between the national business community and the newspaper editorials. The State is vigilant and needs to generate control mechanisms not only for the working classes, but must also seek to intervene in fiscal institutions, which is why it promoted a series of decrees that sought to eradicate the political activities of companies and State institutions. Some examples of this are: Decree 211 of 1924 “Creation of the Maritime Police”; later modified in 1941 and rejected for the Merchant Navy, with a marked anti-strike character; Decree Force of Law 314 of 1931 Customs Ordinance that contemplates the creation of the Customs Police with preventive and persecutory functions of smuggling crimes and also as a body of order and internal security, the configuration of the Customs Police also contemplated of the employees that the Customs Superintendent deems necessary the presence of Carabineros, bosses, officers, classes and soldiers. Finally and in more general terms, Decree Law 50 of 1932, which is definitively the inquisitorial culmination of all activities that put the internal security of the State at risk [23].

With Carlos Ibáñez del Campo, the General Railway Law is promoted, decree 1157 reorders, complements and redefines the regulations inherited from the 19th century. With a corporatist spirit, the State Railway Company is reborn with a nationalist motivation and as a strategic company, which is why it generates an articulatory section that defends the interest of the State over the collective actions of the workers. From the perspective of the Chilean labor or union movement, this decree normalizes an anti-strike discourse, leaving those who promote it as enemies of the State, resigning from the leadership activity being a social validation to transforming into actions that are on the limit of political proscription. The General provisions contemplated by Decree 1157 contemplate as Crimes associated with traffic safety, actions that were frequently used in railway movements.

In article 105:

“Whoever voluntarily destroys or decomposes the railway track or places obstacles on it that could cause a derailment or tries to cause it in any other way, will be punished with a minimum to medium degree of imprisonment” [12].

The actions that originated in the regulations of 1863 and that referred to the sabotage carried out by peasants had already been overcome, however during the mobilizations of 1911, 1913, 1919 and 1926 the strike committees promoted railway obstruction to prevent circulation and transit of the locomotives, especially those that were operated by army personnel in order to give continuity to the service. The penal readjustment of the article persecutes the most extreme railway workers, those influenced by the policy of direct action promoted by national and foreign anarchists. There are partial derailments of convoys in transit during the aforementioned strikes, but all of them “controlled”.

“less than 300 meters from the Barón station, the coal freighter that was heading towards the capital was derailed, using a rail mounted on a fulcrum, in the same way that workers lift the boggies they repair” [12].

Complementary to the action described, article 107 of the standard indicates:

“When a consequence of the accident occurred due to the acts just mentioned, the death of one or some of the people who were in the trains or cars was caused, the guilty party will be punished with the penalty indicated for voluntary manslaughter” [12].

The subtle punitive nature of this article is interesting; on the one hand, it establishes voluntary and not involuntary homicide, as contemplated in previous regulations. It remains that the action committed is always done with the intention of killing and may seek to associate the actions of the strikers with a marked criminal intention.

Direct actions, contemplated as a flagrant crime against the State, include articles that penalize the call for Strikes or calls for the mobilization of workers. The extensive production of workers’ newspapers that arise from grassroots organizations, adds to the bulletins of the State Railway Workers, sections on maintenance, traction, roads and works, all of them have at least one pamphlet that reports on the demands’ agenda. Some, closer to popular instruction, incorporate small reviews of socialist theorists, especially those derived from the associations of administrative and teaching officials. The railway intellectual production was sometimes praised by important writers of the time (Juan Emar, Vicente Huidobro, later Oscar Castro) it also had its detractors within the various secretaries of the executive interior. Especially when they observe ideologization rather than literary or philosophical criticism, and the General Directors are called upon to respond to the demands, a summons that in political language had the characteristics of a threat. Article 110 indicates:

“The threat made orally or in writing, to commit any of the crimes provided for in article 105, will be punished with prison and a fine of 50 to 500 pesos.” [12].

Railway leaders had to resort to collecting money to pay the bail bonds or fines of which they were victims when an editorial or letter in the press was declared a Threat crime.

“The Santiago Watt association calls on its members to raise funds and pay the fine to which the leader, Mr. Oscar Fuentes, was sentenced for his comments in which he defended the railway strike for workers” housing and asked Minister Manuel Trucco to respond to the requirements. of the workers” [20].

The presentation of the facts related to strikes achieves an indirect condemnation through this Decree, even complementing and increasing the penalty when the actions described are carried out within the context of a strike. The offense against the authority set a fine of 50 pesos, but if this was done during the development of a demonstration the penalty was multiplied.

“Article 111. If the crimes referred to in article 105 were committed at the time of a strike, riot or sedition, the penalty indicated in the previous articles will be doubled” [20].

From the above it is clear that simple sentences of months could be doubled and in the event that the authority considered it cumulative, the sum could easily lead a worker to a year in prison, an issue that in the long run had the effect of eliminating the position. and exoneration of the employee for contravening the principle of probity and blamelessness. The centenary press describes the penitentiary facilities as overcrowded with thugs and poorly entertained people, “children of Bacchus” who overpopulate the cells and who are a burden on the fiscal treasury; The logic for the 1930s, it seems, is to repopulate the gendarme barracks with customs officials, merchant mariners, and railroad workers. The police files of the national underworld, which included “muggers”, “burglars”, “assailants”, “prostitutes”, “smugglers”, “rustlers”, incorporate the lexicon “anarchist”, “political agitator”, “striker”. Without a doubt, the observations of the various penal schools that involved Ibáñez’s politics managed to impose categories for a reclassification of political actions, transforming them into criminal actions [24]. The Ortiz-Von Bohlen projects; Erazo-Fontecilla and later Labatut-Silva consolidated the perspective of a State that was an enemy of social movements.

Finally, Decree 1,157 states in its article 117:

“Anyone who attacks railway rolling stock, by throwing stones at it or throwing flammable materials at it or by any other similar means not provided for in the previous articles, will be punished with a minimum sentence of minor imprisonment. If, as a result of or on the occasion of the attack, damage is caused to things, whatever they may be, they will be punished according to the amount of the damage in accordance with the provisions of article 477 ° of the Penal

Code. If as a result of the attack the death of a person whose presence there could have been foreseen is caused, he will be punished with a medium term to life imprisonment.

The social effervescence at the end of the 1920s brought about a new cycle of national mobilizations. The State, as a form of containment of the activity, incorporates a sanctioning article for all those who attack railway equipment and even those who cut off the electricity supply (art 118)” [25]. The measure cannot be considered as a control of union activities within the company, but it is the prelude to the coordinates of a policy that changes the way of addressing conflicts derived from the economic issue and that ultimately seeks, through the reactive formula of condemning over resolving, criminalizing the actions of leaders and strikers.

**Conclusions.** It is necessary to exhume new archives to achieve a more comprehensive look at the history of the Chilean Railways. Insisting on traditional documentation, read Ministry of the Interior Funds or Various Funds for the 19th century, Ministry of Railways Fund, contributes to a historical view from the administration and economic-political articulation, however, the social space and the relationships between historical subjects and State, as well as the internal dynamics are still pending. The press review is complementary, there are important archives of labor organizations that are lost, or are part of collections of Associations and even individuals that can be an important point of redefinition of the social facts that housed the company in the change from the 19th to the 20th century. This first draft was born as a proposal to change the perspective on the role played by the Company”s internal statutes, and how these are modified and adapted with a marked anti-strike intention. Social movements in Chile seal their passage with a perspective given by the officialdom that characterizes them as “violent” and outside the Law, this leads to the installation of repressive structures given in the subtlety of legal technicalities that sanction leadership activity.

“Art. 3.o The simple fact of associating with the purpose of preparing or executing any of the criminal acts contemplated in this law, whatever the duration of the associations and the number of their members” [26].

Railways of the State of Chile, within the perspective of a classic historiography, romanticized by the study that highlights the engineering and architectural prowess, generates an amnesia to the internal political history of the railway workers, where repression, imprisonment and exoneration are also They were part of that history and which must be reviewed. Between two numbers –1157 and 50-, Chilean socialist eclecticism is exemplified, contradictions that are not foreign to the present media when the popular vindicationist purge is opposed to the messianism of the leader and that end up incorporating elements that reflect part of the political sense of Carlos Ibáñez del Campo and Carlos Dávila.

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### **ВІД ПОЛІТИЧНОГО КЕРІВНИЦТВА ДО КРИМІНАЛІЗАЦІЇ СТРАЙКУ НА ДЕРЖАВНИХ ЗАЛІЗНИЦЯХ. ДЕКРЕТ 1.157 ЗАГАЛЬНИЙ ЗАКОН ПРО ЗАЛІЗНИЦІ (1889–1931)**

*Чилійська державна залізнична компанія упроваджувала правила, що відповідали політичним обставинам ліберального світу. Основними законами були Закон про державну залізничну поліцію (1863) та Закон про державну залізничну адміністрацію (1868), до яких неодноразово вносилися поправки. Ці нормативно-правові акти були спрямовані на ефективне управління, надаючи пріоритет якісному обслуговуванню, чесності та ефективності. Робітничі протести кінця XIX – початку XX ст. спонукали до внесення змін до нормативних актів.*

**Ключові слова:** залізнична поліція, робітничий рух, страйк, покарання, криміналізація, соціальний протест.

