



ALTRNAUTAS

(Re)Searching Development: The Abya Yala Chapter

Vol.3 – Issue 1 [July 2016]

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Alternautas is a peer reviewed academic journal that publishes content related to Latin American Critical Development Thinking.

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How to cite:

Villalobos-Ruminott, S. (2016), The Chilean Case and the Latin American Pink Tide: Between Democracy and Developmentalism, *Alternautas*, 3(1), 119-127.

URL :

<http://www.alternautas.net/blog/2016/5/24/the-chilean-case-and-the-latin-american-pink-tide-between-democracy-and-developmentalism>

Editor : Alternautas

<http://www.alternautas.net>

London, UK.

ISSN - 2057-4924

ISSN - 2057-4924

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The so called *Marea Rosada* (Pink Tide) specifically refers to the turn that several Latin American governments took by the end of the 90s, in favor of public and social agendas that opposed the neoliberal order that characterized the region in the previous decades. These new agendas also broke away from the age-old ideal of revolutionary partisanship, pursuing a critique of neoliberalism that was not reducible to a radical (impossible) delinking still embedded in the logic of accumulation. The new political agenda brought to the fore by the governments of the Marea Rosada without opposing neoliberalism tried to radically modify its logic and produce a more humane economy. In spite of the anti-imperialist and nationalist rhetoric that have flourished in the regional Left, it is also true that for cases such as the Chilean and the Brazilian ones the scene is dominated by a type of government that seeks to correct unjust income distribution while maintaining a disciplined fiscal budget as to facilitate its entry into international markets.

Even so, the nationalizations that have recently taken place in Venezuela, Argentina, and Bolivia seem to contradict the balanced rhetoric and practice of the Marea Rosada. This series of heterogeneous initiatives seems to respond to an age old agenda

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² This article was translated by Gerardo Muñoz. It was originally published in <http://www.alternautas.net/blog/2016/5/24/the-chilean-case-and-the-latin-american-pink-tide-between-democracy-and-developmentalism> on May 24th, 2016.

inscribed in the logic of the imperial geopolitical order toppled by contemporary globalization. In any case, it comes as no surprise that the Chilean case is still used today as the paradigm to distort the potential for more radical options.

One must recall that Chile underwent its formal transition to democracy in the early nineties immediately after experiencing one of the longest and most brutal military dictatorships in the region. However, what gave the Chilean case its notoriety was not just its constricted democratization, but its position as an ideal model for implementing neoliberal policies in authoritarian conditions. While neoliberal policies were being applied in the rest of Latin America during transitional or democratic periods, Chile already opted for a distinct neoliberal path since the 70s (Harvey 2007), appeasing social unrest through forms of anti-communist security rhetoric. At the same time, the transition to democracy in Chile, formally inaugurated in 1990, was oriented to the administration of macroeconomic policies supplemented with neoliberal engineering born out of the dictatorship. Attenuating its social impact through light redistributive policies, such as fixed bonds and selective assignments, class composition or the overall pattern of wealth or ownership distribution were not altered in a significant way.

To this one should also add that the high price of copper, the main national product, together with the arrival of China to the international market, produced an exceptional financial situation that favors the political strategies of a government uninterested in serious political or economic reforms. In other words, this increase in the price of copper on the international market produced a surplus in the fiscal budget that allowed for multiple redistributive initiatives without really altering the monetary policies, the interest rates on property and profit, or the condition of international exchange. During the years that followed the Pinochet dictatorship, the administrations of *Concertación de Partidos por la Democracia* devoted themselves to politically managing this model, balancing its own deficiency vis-à-vis a permanent strategy of social deferral and forced social mourning, while incapable of advancing judicial accountability for crimes committed during the dictatorship; many of these criminals were recycled in the state bureaucracy and intelligence apparatus.

The experience of the Brazilian PT, Bolivia's MAS, or the state transformation initiated by Kirchnerismo in Argentina could serve as a contrast to the Chilean case, since in Chile the processes of radical popular organizations that made explicit the crisis of governability of the dictatorships in the 80s were appropriated by the old political elite, constituting itself as the central political actor when the dictatorship ended. From this process of juxtaposition of old partisan cadres and its actors, minimally renewed through social democratic robes, a logic of hegemony under which the central actors continued to be the state, the national army, and the traditional political parties was rearticulated. Thus, in the 90s we see the emergence of a securitarian rhetoric directed not anymore against the communist, but against the delinquent, the drug lord, or even indigenous people and anarchists. This served a single goal: political decisions had to be consensually taken within Parliament and among parties, and not in the streets. There was a clear need to deactivate the social movements that, against all odds, had not ceased to occupy the streets and protest the inherent contradictions of the Chilean democracy.

On the other hand, one of the clearest signs of the institutional or juristocratic (Hirschl 2007) limits of the Chilean model rest, precisely, on the indefinite postponement of demands of the subaltern indigenous population, traditionally punished under times of dictatorship and subjected to the policies of appropriation by banks and by the forestry sector. Chilean democracy, recovered during the early 90s according to the official state discourse, was a zero-sum game for the Mapuche movement. The official acceptance of the multicultural and pluri-ethnic character of the nation, vis-à-vis a fetishistic, ideal, totemic indigeneity, only deviated the gaze from the repressive policies directed at the Mapuche people to the folkloric representation of the indigenous as yet another touristic catalogue of curiosities. The appropriation by dispossession studied by Marxist geographer David Harvey (2007) becomes evident not only during the time of the dictatorship, but also in the need for energetic developmentalist expansion that amounts to the sacking of natural resources such as rivers, lakes, and forests.

The continuation of dictatorship within democracy

The concentration of wealth, the precarization of the lives of the popular sector, the hasty increase of financial profit in pension investments, health, or banking, along with the public debt and criminal interest rates, the sustained drive to privatize natural resources, and the overwhelming presence of corporate elites within the state apparatuses (the same families rotate in public appointments), not only confirm the limited character of the Chilean democracy, but the perpetuity of the dictatorship within the so-called “democracy”. The re-election of Michelle Bachelet, following a series of social protests that bear witness to the incapacity of the center-right administration, was conducted on the basis of a promise for structural constitutional reforms and deep changes in the health and education sectors; changes that have not taken place as of today.

Certainly, these reforms have yet to take place, and have only been accommodated through institutional consent, capturing the social demands of recent years within parliament. Chile, the exemplary model of a center-left government, is in fact a classic example of a governmental administration responsible for the neoliberal model and its macroeconomic policies in the hands of an uncreative political class that superficially reinvented itself by changing its name from *La Concertación* to *La Nueva Mayoría*. The political frame of this false premise remains the same as the one conceived in the 1980 Constitution, which functioned as an effective juridical trap fomenting the operative legacy of the dictatorship.

The question of the state form

I would like however to restate the fact that this description of the Chilean case is not *symptomatic* of the rest of Latin America, nor is it based upon a political discontent or a moral denunciation on my part. To be precise, I think that the Chilean case allows us to formulate the question about the form and function of the *late Latin American states* in general. This is a central question that needs to be raised at the moment.

First, I would like to clarify what I mean by *late state form*. I argue that it is not simply a question of the historical evolution of the state, but rather, it is related to the process

of institutional re-foundation that the region has been going through. Taking into consideration the constituent processes and new constitutions in Venezuela, Colombia, Bolivia, and Ecuador, and to some extent the constitutional reforms in Chile and Central America, this new beginning is regularly associated with the evident failure of the post-colonial republican project that emerged out of the consequences of nineteenth century emancipatory movements and civil wars. I do not mean that this failure is associated with a precise moment of globalization understood as the universalization of the flexible pattern of accumulation constitutive of contemporary capitalism, but rather globalization itself is the *coup de grace* of a republican post-colonial project always already in crisis.

Second, it seems to me that it is important to determine the specific *function and form* of this late Latin American state. In principle, discussing the form is relevant because what is at stake goes beyond the differentiation between an institutional restructuring and the contingent political organization at the level of government. These two levels of analysis are not enough. From the question about state form emerges the problem of the status of law and power as a single machine that allows us to take a certain distance from the monumental notions that tend to delimit politics on variations of one and the same model of domination. In the same way that a contemporary genealogical discourse broke away from the institutional or monumental schematics of power, we need to think the state not as a transcendental entity, but as a field of struggle (*campo de lucha*), as defined in the discussions of the members of the group Comuna in Bolivia and Álvaro García Linera (2010).

In a similar way, instead of thinking sovereignty as an attribute proper to the juridical state order (always already pre-defined as the master key of modern governmentality and condition of the biopolitical closure), it would be pertinent to think of sovereignty as an indeterminate relationship. One could argue the same for law. Far from being a simple ideological supplement to domination (a mythic violence that conserves the social order), it is also a performative practice open to juridical creativity. I think this is what is at stake in recent theoretical debates (as in Derrida's critique to Agamben's notion of *Homo Sacer*, or in Deleuze re-elaboration of Hume's associationism and jurisprudence); that is, the possibility of thinking the state, the

sovereign relation and the law not as separate markers on social life, but also as indeterminate instances that wage and define the political struggles in the present. In this sense, the question of the late *Latin American state form* is also a question of the instances where that state, far from being a simple ideological apparatus of reproduction and confirmation of class domination, is a field in which this domination is articulated, but also where it could be interrupted.³

Post-neoliberalism?

Finally, the question of the function of the late Latin American state form is related to the possibility of discussing what has been called post-neoliberalism; or alternatively, second-order neoliberalism, which, hinging on the state as the catechism or the containment of the demands of social movements (through diverse forms of repressive and persuasive strategies), guarantees the hegemony of capital and secures the macroeconomic space for flexible patterns of accumulation.⁴ In this sense, if neoliberalism was effectively implemented in Chile, within the frame of an authoritarian government that resulted in policies of fiscal adjustment, reduction of social expenditure, and financial deregulation; neoliberalism of the second order does not seem to need military dictatorships, since it articulates itself with a state that lacks interventionist potential with the ultimate responsibility of securing the productive and extractive processes in line with what Maristella Svampa has termed the commodities consensus and destructive-development (*maldesarrollo*) (2007).⁵

I want to linger on this aporia: if on the one hand the state form indicates an opening for struggles of social transformation, on the other, the determination of its function is what demonstrates the extent to which those initiatives of social transformation taken up by the governments of the *Marea Rosada* have viability or remain palliative

³ Jacques Derrida. *The Beast and the Sovereign I*. Chicago: University of Chicago Press, 2009, pp. 408-443. Gilles Deleuze. *Pure Immanence: Essays on A Life*. New York: Zone Books, 2005.

⁴ For post-neoliberalism or what I am calling second order neoliberalism, see Verónica Gago's *La razón neoliberal: economías barrocas y pragmática popular* (Tinta Limón, 2015). The flexible pattern of accumulation is the object of exploration in Gareth Williams's *The Other Side of the Popular* (Duke, 2002).

⁵ <http://www.alternautas.net/blog/2015/4/22/the-commodities-consensus-and-valuation-languages-in-latin-america-1>

to what John Kraniauskas has called “the cunning of capital” (2014). To what extent have the redistributive policies not only been able to produce substantial welfare structure, but also remain active enough as to keep the constituent political processes expanding the democratic institutions in their struggle against transnational capital?

Perhaps this is, once again, the lesson to be learned from the Chilean case: far from confirming the empowerment of social movements that have disputed neoliberal rationality, the “political class” entrenches itself around the state’s Pinochet-designed Constitution that has consistently expropriated citizen participation, enclosing their demands within the narrow institutional parliamentary frame. To repeat, this should not be taken as a moral critique of the status quo, but as a historical reflection on how this particular “political class” continually perpetuates political distrust of the social movements and the “people”.

The “people” that I am referring to, however, cannot be considered as the historical subject produced within national identity, nor an ethnic-political subject of the liberal criollo project. Nor can it be its “neo-indigenist” symmetrical inversion. “People” refers, on the contrary, to a cathacretic figure, unrepresentable by the modern categories of the political as George Didi-Huberman has recently suggested (2014). Instead of being an “exposed people” (*pueblo expuesto*), as in the case of the juridical and historical narratives about The People, narratives that conform and determine, normatively, what this people should be, we are referring to a “figuring people” (*pueblo figurante*) that deactivates the very coordinates of juridical, political, and cultural representation polluting the logic of populism and its fictive ethnicity with multiple forms of participation and social constitutions (Williams 1999).

Therefore, I am not thinking of the “people” of the modern Latin American political (hegemonic) imagination, but rather in the “peoples” where one can account for the possibility of interrupting the savage processes of accumulation in force today. It is in the “peoples” where the *Marea Rosada* should have placed their bet (instead of inscribing them as another emancipatory subject), so as to locate a central actor to wage a battle no longer situated in the infinite reproduction of the total apparatus of development (its governability, security, private property, and the market), but in the

potentiality of other forms of power and social organization. This would be a politics oriented towards a “plebian experience”, as traced by Martin Breugh (2013), where the plebe names the improper site of a community without attributes that allows for dissent as the fundamental condition for a profane republicanism in our times.

The current ‘exhaustion of Marea Rosada governments’, denoted by other scholars, is due both to the inability to fulfill their promises and to the structural exhaustion of the modern Latin American political imagination.⁶ In this sense, the progressive and democratic character of these governments does not transcend that historical imagination, placing them in what we might call a late version of traditional *criollismo*. This *criollismo tardío* (including the decolonial delinking option) is a horizon of thinking still unable to understand politics and history as something other than the battle for recognition, limiting contemporary heterogeneous practices of resistance to neoliberalism to the identitarian agenda of state politics.

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⁶ On the question of the ‘exhaustion’ or crisis of the political cycle, see in this dossier the articles by Bruno Cava, Gerardo Muñoz, and Salvador Schavelzon.

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