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Approaches from the Argentinean case and the idea of social justice.**

Juan Ignacio Estévez Rubín de Celis

Ph.D. student and Graduate Teaching Assistant, Complutense University of Madrid, Spain

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The complex conceptual relationship between political institutions and populism. Approaches from the Argentinean case and the idea of social justice.

Juan Ignacio Estévez Rubín de Celis, Complutense University of Madrid

Abstract

Contemporary debates on populism in general, and within Latin America in particular, have oscillated between two critical positions. One situates the phenomenon as a sort of democratic anomaly due to its anti-institutional character and another that, in an exercise of positive understanding of the phenomenon as a democratic expression, maintains that institutionalism is the moment of the death for politics, the death of populism as an authentic aspiration for the construction of a popular subjectivity. This essay seeks to connect with other readings and interpretations that are situated in a third way to present, populism as a form of political intervention that questions the ideational foundations of the dominant political paradigm, the foundations of hegemony. In this aspiration for ongoing consistency and future perpetuation, populism aspires to institutionalize new political ideas and new principles for reading the political order. To illustrate this perspective of the phenomenon of populism, we will turn to the Argentine experience of Kirchnerism as an example of contemporary populism in Latin America and focus on the ideas of "inclusion and social justice" that accompanied Kirchnerist discourse and its reflection in the institutional field.

Introduction

Populism as a political phenomenon has been the subject of concern for numerous investigations that have focused their efforts on giving an account of what we are talking about when we talk about populism and, consequently, have endeavored to conceptually delimit the phenomenon (Norris and Inglehart 2019; Ramírez Gallegos and Stoessel 2017; Mudde and Rovira Kaltwasser 2017; Panizza 2009; Rovira Kaltwasser et al. 2017; Aibar Gaete 2013; de la Torre and Peruzzotti 2008; Laclau 2005; 2009; Weyland 2001). This exercise has been to some extent fruitless, as the polysemy around the theoretical definition of populism is too broad to strike consensus on the issue. However, there is a certain tendency to link both in academic debate and in political language, populism with

anti-institutionalism. This has translated into "a dichotomous and mutually exclusive look between the world of political institutions and the nebula of populism" (own translation, Ramírez Gallegos and Stoessel 2017, 108). Thus, a populist government is anti-institutionalist and, vice versa, a government that respects the institutional order is anti-populist.

This is also because in recent decades, poststructuralist (Laclau 2009; 2005; Biglieri 2011; 2010) and liberal (Weyland 2001; Mudde and Rovira Kaltwasser 2017; Levitsky and Roberts 2011; Kaufman 2011) approaches to populism have reinforced this mutually exclusive dichotomy between populism and institutions. But at the same time, this view of mutual exclusivity between populism and institutions has opened the door to a series of works that propose a "third way" that reconciles the phenomenon of populism and institutions (Aboy Carlés 2010; Coronel and Cadahia 2018; Freidenberg and Casullo 2018; Ramírez Gallegos and Stoessel 2017, among others). From different perspectives, these works appeal to the need to study the relationship between populism and institutions in greater depth, since the empirical evidence shows that this relationship is much more complex and fluid than what the liberal and poststructuralist currents of populism have proposed.

Ideational approach to populism: the discursive/constructivist institutionalism as an opportunity.

What we now must agree among Argentines is that this model is politically institutionalized so that it cannot be changed again when, perhaps, some other theory, such as the Washington Consensus in a few years, finds communicators to tell the country that everything public is horrible and that the State is useless. (APPLAUSE) (own translation, Fernández, October 21, 2008)

The ideational school (Bèland and Cox 2011; 2016; Mehta 2011; Larsson 2015) and discursive (Schmidt 2010b; 2010a; 2015) or constructivism institutionalism (Hay 2006; 2001; 2011) hold a view on political ideas and institutions that offers great possibilities for the study of the relationship between populism and institutions. From the ideational approach, *institutions are the foundations of social life* (Campbell 2004), the *institutions are built on ideational foundation* (Hay 2006, 65) and *ideas are the foundation of*

institutions, since political actors seek to crystallize in institutions their interpretations about what things are or should be (Bèland and Cox 2011, 8-9); that means that institutions are not only systems of rules or ways of organizing; they are always the implementation -more or less faithful- of certain values, ideas and norms (Muñoz 2012, 44).

For Panizza (2002), any discourse that articulates a project of hegemonic aspiration –populist in our terms– must find roots in institutions and an "institutional home" that allows it to acquire ongoing consistencies and future perpetuation. Therefore institutions are understood as a reflection of the power relations that occur in a given historical context and assets of ideas or "collective memories" that can be trusted, distrusted, and modified over time (Schmidt 2010b). Consequently, the institutionalization of certain ideas reflects the consolidation of power exercised by actors who represent these ideas and establish new ways of understanding the limits of what is possible, desirable, feasible or legitimate (Hay 2006). That is, they establish new principles for reading the political order (Panizza 2002) or new political paradigms (Hall 1993), which ultimately legitimize inequalities and/or differences in power (Bèland and Cox 2011, 9). Thus, the construction of moral and/or cultural values, expressed in a political paradigm that conditions how a large part of society analyzes the political order, end up crystallizing in political institutions and therefore these embody not only rules or procedures but also -and above all- values and symbols (Panizza 2002).

On the other hand, ideas are what shape our understanding of political problems, define our objectives and strategies, and are the element we use to communicate politically; they are, in short, the interpretive frameworks we use to see things one way or another (Bèland and Cox 2011). Therefore, language, ideas, and discourses are the instruments that translate political struggles, expressing and constructing reality, but it is also that by which political and cultural battles are fought (Scillamá 2007, 323).

In analytical terms, ideas can be studied as policy solutions, as problem definition, and as public philosophies or as zeitgeist (Mehta 2013; 2011; Hall 1993). While each of these levels is important in political and institutional analysis, when it comes to understanding populism, we are particularly interested in third order ideational shifts; that is, shifts in political paradigm, zeitgeist, or hegemony. Third-order political ideas respond

to a disparate set of cultural, social and/or economic interests that are overwhelmingly dominant in public discourse (Mehta 2011, 40; see also Weir 1992).

In relation to the study of populism, in this essay we argue that populism is also a form of political intervention that aims to carry out, with aspirations of success, a questioning of the pillars on which a dominant political paradigm is based. That is, a questioning and replacement of the cultural, social, and/or economic foundations that are overwhelmingly dominant in public discourse. This occurs especially in times of major social, political, or economic crises, as radical changes occur in the principles of reading the political order and new institutional arrangements replace the preceding ones (Panizza 2002). These are, in a way, processes of dislocating the symbolic apparatus (Palti 2010) that sooner or later ends up producing effects on political institutions.

This approach to populism does not pretend to be an alternative to other formulations on the phenomenon of populism. The difference we maintain with the liberal or poststructuralist approaches has to do with the different concerns that arise according to the epistemological stance of each approach. While for the poststructuralist reading the construction of political identities is central, for the liberal position it is the respect for the rules of liberal democracy. In our case, we are concerned with political ideas as explanatory variables of political change, the questioning of these in populist contexts and the different forms of institutionalization acquired by the new dominant ideas, the new principles of reading the political order.

Kirchnerism, social justice and political institutions

Kirchnerism, which has been defined as populist by different authors and from different perspectives (Biglieri 2010; de la Torre 2017; Gradín and de Piero 2018; Retamozo and Morris 2014; Rodríguez 2014; Svampa 2011; 2014, among others), was characterized by various elements, among which a strong challenge to the norms/principles of the political, economic and social order of the 1990s stood out.

Néstor Kirchner's precarious electoral victory in April 2003 was characterized by a much greater set of uncertainties than certainties regarding the political scenario that would begin with the new government. With less than a quarter of the votes and after Menem's renunciation to participate in the second round or *ballotage*, aware of the slim

chances he had of winning (Cheresky 2009), Kirchner assumed the presidency in less than ideal circumstances for building a solid and consistent leadership. At the same time, his rule began in circumstances marked by a sense of urgency that demanded the task of building a new legitimacy, a new credibility of the representative bond, and to respond to the desires for order and pacification that had been installed with the Duhalde government (Rinesi and Vommaro 2007).

Despite scarce electoral support, Kirchner would adopt a very significant discursive and programmatic turn: he expressed his favor of reconstituting the national project, of subordinating the economy to politics (Pérez and Natalucci 2010), while giving centrality to social inclusion as a declared objective of the policy, in a clear opposition to the neoliberal model (Muñoz 2012, 21-22). With this mode of discourse sustained in the spirit of overcoming the long neoliberal decade (Campione and Rajland 2006), Kirchner was able to offer society the image of a viable alternative considerably different from the economic and social policies of the Menem and De la Rúa governments.

From this (re)reading of the past, new ethics and new political horizons were installed in Argentine politics, which sought the re-composition of political legitimacy to respond to the urgent need to manage the crisis in a way that was sensitive to popular needs (Riggirozzi 2009; Campione and Rajland 2006). At the same time, there was a reevaluation of the ideals of justice and social inclusion, characteristic of classical Peronism, especially of the Peronist version most closely linked to the figure of Eva Perón (Perelmiter 2017; 2016).

The analysis of the presidential speeches of the first year of Kirchner's government reveals three central axes linked to the idea of "justice and social inclusion": the reading of the "neoliberal decade", the positioning in the face of "the 2001 crisis", and the centrality of the problem of "poverty, indigence and social exclusion". Thus, in the reading of the nineties, Kirchner formulates not only a critique of the economic principles of the Menemist regime, but also a critique of the ethical and moral foundations of the legitimacy of the politics of the nineties. This simultaneously opened up the possibility of building a new framework for understanding the limits between the possible and the impossible, the legitimate and the illegitimate, the desirable and the undesirable in political terms.

"Hunger is a flagellum that shames us, that outrages us and that we are determined to eradicate. We must refuse to accept, as if it were a fatality, the existence of compatriots submerged in the most extreme poverty (...) There is no freedom without hunger, there is no dignity without work, there is no equality without education" (own translation, Kirchner, October 16, 2003).

The Kirchnerist paradigm linked to the centrality of justice and social inclusion would have a discursive turn in 2008 after the so-called "countryside crisis" faced by Cristina Fernandez a few months after winning the 2007 elections¹. If the 2001-2002 crisis was a moment of rupture and paradigmatic reconfiguration, during 2008 there was a crisis that produced a discursive shift, a change in the coordinates of meaning, but within the same political paradigm. In Svampa's (2011) words, this crisis marked the beginning of the exacerbation of the national-popular, characterized by the old binary schemes between Peronism-anti-Peronism; people-anti-people, and where the idea of justice and social inclusion will further condition Kirchnerist social policy.

The translation of Kirchnerist political ideas in the ANSES

Regarding the aspirations of social inclusion that are usually attributed to populism, part of the literature has focused on the link established by the populist leader with the masses as a mechanism of social and/or political inclusion. The will to lead would condense, then, the exercise of social inclusion (Ramírez Gallegos and Stoessel 2017). According to this approach to populism, this direct link dispenses with institutions as instances of representation and intermediation in said process of social inclusion. Now, an in-depth analysis of the Kirchnerist discourse reveals that the aspirations of social inclusion would present throughout the twelve years of Kirchnerist governments, and this produced important transformations in institutions such as the National Administration of Social Security (ANSES for its acronym in Spanish). Conceived during the government of Carlos Saúl Menem in the nineties as an institutional space destined to disappear in time², ANSES during Kirchnerism will become one of the most important institutions in terms of design and implementation of public policies related to social inclusion and social

¹ The electoral formula to be presented by the ruling party will be Cristina Fernández - Julio Cobos under the same coalition with which Néstor Kirchner ran: the Concertación Plural (Frente para la Victoria). The victory of the ruling party was sufficiently comfortable, since it obtained more than 40% of the votes and a difference with respect to the second candidate of more than 10%, which prevented a second round from being held.

² A historical approach to ANSES and the changes occurring in the social security system in the 1990s can be found in the works of Massa and Fernández Pastor (2007), Gerchunoff and Torre (1996), Costa, Curcio and Grushka (2014) or Gamallo (2017b; 2017a).

justice. This leads us to ask ourselves why ANSES went from being conceived as a residual entity to occupying a central place in the institutional framework that manages and designs a large part of social policy. But the transformations undergone by ANSES do not only refer to the number of public policies implemented, but also to the work approach adopted by the agency since the arrival of Kirchnerism to power. In general terms, there are three central elements when it comes to understanding the transformations undergone by ANSES. First, the dichotomy between the Menemist past and the present. Second, the decision to re-nationalize the pension funds in 2008 changes the organization's operating logic. Finally, with the creation of the Universal Child Allowance (AUH is its acronym in Spanish), the change in logic was radicalized.

Menemism in the memory of the organization

If, as we have seen, the politics of the 1990s is present in the discursive construction of Kirchnerism in a broad sense, it will be even more specific in the discourse built on the organization during the Kirchner years specifically. For its protagonists, many of whom were part of the institution during the 1990s, the history of ANSES and its role in social policy changed radically between the 1990s and the 2000s. In the words of the former General Director of Planning of ANSES (2007-2018):

The whole decade of the nineties in Argentina was based on neoliberal social policies. What does this mean? That poverty was stigmatized, that the State had to withdraw from spaces where it had historically been or should not be in new spaces where it had been in relation to helping those who have less (...). There was a strong belief in the spillover theory; that is, because the economy grew and because there were more companies or more jobs, the poor would automatically get out of poverty (interview with the author, 11/1/2019).

In this sense, official publications of ANSES expressed that the birth of the agency responded to "criteria of efficiency and economic rationality that did not take into account the social impacts that such decisions would bring" and later points out that "[t]he new government administration that took office in 2003, Néstor Kirchner, began to reverse this process of dismantling the Social Security policy inspired by the postulates of neoliberalism" (own translation, Administración Nacional de la Seguridad Social 2015, 23). As such, this marks the paradigmatic break with the policy of the 1990s is marked and principles of social justice along with the need for a state present and promote the recognition of rights is raised. Therefore, the text goes on to say that the "changes implied

the development of a new 'know-how', linked to new ways of designing, planning and executing public policies capable of guaranteeing the fulfillment of the social rights of all citizens" (own translation, *ibid.*, p. 25).

During the interviews conducted with senior officials of ANSES and the Ministry of Labor and Social Security, two discursive axes can be observed in which the paradigmatic conception of the state and social justice shifts within Kirchnerism. On the one hand, Menemism is irremediably associated with "the whole idea of privatizations, of dismantling the State"³, or that "the whole decade of the 90s in Argentina was based on neoliberal social policies"⁴. On the other hand, Kirchnerism is understood as "the counterpart of the 90s and of the 2001 crisis, especially"⁵, as "overcoming the neoliberal process"⁶ or as the moment in which "a revolution in social security in Argentina actually took place"⁷. Regardless of their political affiliation, which for some is more explicitly Kirchnerist and for others not necessarily so, people who were in the orbit of the ANSES and had a great decision-making capacity -managers, area directors, etc.- mark a clear boundary between the policy promoted by the agency during the nineties and the Kirchnerist period. This is not only reflected in the number of policies, their scope, or their impact on society, but also in the ideas behind the decisions made in the organization. In general terms, the interviews conducted express a clear conceptual shift that translates into a sort of recovery of old slogans of classic Peronism and a clear willingness to turn towards positions focused on issues related to "social inclusion", "social justice" or the idea of "rights versus privileges".

Pension fund renationalization

2008 would then not only be the year of the crisis for the rural sector, but also the year in which one of the most important decisions was taken in light of the social protection paradigm that Kirchnerism had been building: the renationalization of the pension funds, which until then were mostly controlled by the Pension and Retirement Fund Administrators (AFJP for its acronym in Spanish). Although pensions as a matter of

³ Interview with who held different positions in the agency between 2005 and 2013, including General Manager (11/5/2019).

⁴ Interview with the former general Director of Planning of ANSES (11/1/2019).

⁵ Interview with the former Secretary General of ANSES (2009-2015), (9/27/2019).

⁶ Interview with former Minister of Labor, Employment and Social Security (2003-2015), Carlos Tomada, (10/2/2019).

⁷ Interview with the former Manager of Standardization of ANSES (11/7/2019)

public policy had already been present during Néstor Kirchner's government, the renationalization of the AFJPs transformed the old contributory social security model into a mixed social security model –contributory and non-contributory– and, in addition, returned to the state the management of the economic resources from social security contributions (Alonso and Di Costa 2015). Likewise, in coherence with the Kirchnerist discourse that was being built, this is a measure that found its source of legitimacy, desirability, and feasibility in the paradigm of growth with inclusion and social justice. The transcendence of this decision implies reversing one of the most important policies of the Menemist/neoliberal period. If, in the Kirchnerist discourse, Menemism claims to be an example of the dismantling of the social protection structure in Argentina, the privatization of the pension funds in 1994 would have been one of the most representative policies of that period.

The renationalization of the AFJP was, at the same time, one of the riskiest decisions of Kirchnerism due to the magnitude of the measure. In the words of the former Secretary General of ANSES (2009-2015),

In 2008, Cristina decided to create the SIPA, which is the public pay-as-you-go system, and to make a final turn in this matter. We are talking about 2008; in other words, from 2003 to 2008 we coexisted with the AFJP. (...) On the other hand, it is up to Boudou and Cristina to generate the next step that confirms a diametrically different model. From then on, the defense of the public pension system and the rest of the measures taken are the confirmation of the role of the State. And we vindicated a lot in the discourse of that time the active presence of the State and its role in the economy, and that is perhaps what most differentiates us from the neoliberal project (interview with the author, 27/09/2019).

The words of the former Secretary General of the organization show that political ideas expressed in the wake of moments of paradigmatic rupture declare significant institutional changes, but not immediate ones, since the process of institutionalization of these is the final phase of materialization of political ideas. This does not mean that the decisions taken up to this point were not significant in terms of change and transformation of public policies, but it is clear that the social security policy between 2003 and 2008 is made within the institutional margins that the policy of the 1990s had printed.

Consequently, the voices of those who were in the trenches of the institutional framework of the ANSES do not hesitate to point out the enormous transformations

experienced by the agency with the arrival of Kirchnerism. One of them being the decision to renationalize the pension funds, not only because of the magnitude of the resources that the agency began to manage, but also -and above all- because of what this implied in terms of policy approach.

The creation of the Universal Child Allowance

The second decision of critical importance, also because of its implications in terms of changing policy approach, is the creation of the Universal Child Allowance. In different interviews, ANSES officials referred to this decision by alluding to the "absolute change of logic"⁸ acquired by the agency, to the fact that it is the "first massive and absolutely depoliticized policy of social protection"⁹ or that it is the first time that the agency stops serving only "the included" and starts serving the "non-included"¹⁰.

Collected testimonies are consistent and coincide with each other in terms of the centrality and impact that the creation of the AUH had on the organization. As noted, the change of focus is radical, as it shifts towards a formulation of public policy where the beneficiary is no longer only the formal worker, but now there is an expansion towards groups that are part of the informal labor market. This has repercussions in qualitative terms, since we are talking about the incorporation of millions of people into the family allowance system, but also in terms of approach. As the former Director General of Planning (2007-2018) pointed out, the AUH consolidates a view that the agency has linked itself to the idea of "inclusion versus privileges" (interview with the author, 11/1/2019). This idea of eliminating privileges versus inclusion will be present in the testimonies of the rest of the officials interviewed; and the most common way of referring to the issue is by linking clientelism. For ANSES officials, the policies implemented, especially those of expanding rights and coverage, were carried out by guaranteeing the agency to be free of political clientelism when allocating benefits. This is largely explained by the enormity of the benefits, the centrality in the granting process -that is, the absence of participation of other subnational administrations- and the technical capacity of the agency. Thus, for ANSES the idea of this absence of intermediation was central when it came to overcoming the ghost that links social policy with political

⁸ Interview with the former Secretary General of ANSES (27/9/2019)

⁹ Interview with the former General Director of Planning (11/1/2019)

¹⁰ *Ibidem*.

clientelism (Auyero 2002; Alonso 2007; Vommaro and Quirós 2011; Zarazaga 2014b; 2014a; 2015).

Conclusions

The phenomenon of populism in Latin America, and within Argentina in particular, has occupied a central place in contemporary political science, which has contributed to a better understanding of the phenomenon. However, different works have pointed out that, regardless of the epistemological approach, there is a blind spot in the theory that prevents a thorough understanding and analysis of the relationship between populism and political institutions. In this sense, this essay resorts to different definitions of populism to propose a view centered on political ideas. Based on the school of ideas, the ideational turn and constructivist/discursive institutionalism, we propose to analyze populism as a questioning of the ideological foundations of the dominant political paradigm and the aspiration to establish new principles of reading the political order. At the same time, from this perspective centered on political ideas as the basis for the construction and consolidation of a political paradigm, the need to study ideas as explanatory variables of institutional change arises. After all, in this aspiration for ongoing consistency and future perpetuation, populism aspires to institutionalize new political ideas and new principles for reading the political order.

This ideational proposal arises as a response to the changes that were analyzed in the ANSES during the Kirchnerist governments. After an analysis of the presidential speeches of Néstor Kirchner and Cristina Fernández during their first year in office, we conclude that there are three ideational elements from which the Kirchnerist political imaginary is built: the questioning of the political, social, ethical and moral principles and norms of the neoliberal policy of the 1990s; the construction of a viable alternative to the demands and claims that emerged in the context of the 2001 crisis; and the consolidation of poverty, exclusion and indigence as a central problem of the Kirchnerist political agenda. It is in this context that the issue of "inclusion and social justice" emerges as a central element of Kirchnerism. Thus, the construction of a new sense of post-Menemist, post-2001 crisis, post-neoliberal or national-popular –populist– era is produced, which in turn allows us to understand the construction of a new political paradigm that is imposed on the dominant view that existed in the nineties regarding the role of society, the economy, and the state in politics.

One of the most representative institutional translations of the Kirchnerist paradigm linked to inclusion and social justice took place in the ANSES. As has been pointed out, these moments of contestation and paradigmatic rupture inevitably herald significant institutional changes, which in the case of ANSES took place from the early years, but it was not until 2008-2009, in a context of domestic political crisis and international economic crisis, that Kirchnerism made the two most transcendental decisions in terms of public policy for social protection, with very strong implications in the operating logic of an institution that, born to disappear, became the most powerful and influential institutional space in the state framework in terms of social protection.

In short, the transformations in the ANSES allow us to reach two relevant conclusions. That the institutionalization of the dominant ideas of the Kirchnerist discourse was reflected in the changes that took place in ANSES, an institution born to disappear and which during the Kirchnerist years became the most important institution for the design and implementation of social protection policies.

Second, that the case of ANSES allows us to understand how populism can be studied from different perspectives depending on the research interests. While the poststructuralist and liberal approaches are concerned with the construction of popular identities or the way in which populism relates to the rules of liberal democracy respectively, the ideational approach is concerned with the ideational changes produced by populism and the effects they have on political institutions. The ideational approach, as opposed to the poststructuralist or liberal approach, thus allows us to better understand the relationship between populism, political ideas and institutional change.

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