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Delegative Democracy Revisited

CHILE'S CRISIS OF REPRESENTATION

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Chile is unusual among Latin America's democracies in having both a highly stable party system and comparatively low levels of citizen identification with parties. Since 2011, however, this state of affairs has been under strain as the country has wrestled with a lingering crisis of political representation. Traditional politicians still hold nearly all elected offices, but are ever less able to represent societal demands. Frustrated citizens are now increasingly making themselves heard outside established political institutions, in the streets and via new movements that seek to alter the status quo.¹ Calls for major institutional change—including a new basic law to replace the Constitution of 1980—have become widespread.

A 2013–14 opinion poll sponsored by the UN Development Programme (UNDP) and carried out by the respected Chilean survey-research firm Adimark sheds light on the problem. The UNDP report found a sizeable gap between “social elites” (the study’s shorthand for social-movement activists and intellectuals) who felt ready for sweeping changes—including a new constitution—and “political elites” who expressed far more cautious views.² The gap, moreover, also separated the political class from the general public in this country of eighteen million: While 73 percent of “nonelite” respondents voiced support for constitutional reform, only 32 percent of the political elites interviewed agreed that the 1980 Constitution needed significant change.

Declining partisan identification tells the same story. A Latin American Public Opinion Project (LAPOP) survey estimates that between 2006 and 2014, only about 12.5 percent of Chileans identified with a political party. That figure is on par with figures from countries such

as Ecuador and Peru, where traditional party systems have been swept aside by leaders from outside the old political class.³

Members of Chile's political elite are wary of change. They recall the spiraling polarization that gripped the country after Salvador Allende of the Socialist Party was elected to the presidency in 1970. They remember the 1973 coup led by General Augusto Pinochet that violently toppled Allende, resulted in his death, and ushered in close to two decades of brutal military rule. The UNDP survey captured this wariness. In that poll, 43 percent of the respondents from the political elite stated that unleashing a deep transformation of Chilean society could end up fomenting strife. Only 25 percent of other respondents agreed with that statement.

In December 2013, Michelle Bachelet of the Socialist Party won a runoff to become Chile's president for the second time. (She had finished her first term in 2010 as a popular figure, but the 1980 Constitution bars presidents from consecutive reelection.) Her 2013 platform had addressed several crucial demands put forth by the social movements, and her coalition had expanded leftward: Long known as the Concertación and led by the Socialists and Christian Democrats, it grew after the 2011–12 protest wave to include the Communists and changed its name to Nueva Mayoría.

On one level, Bachelet's second election to the presidency looked like a textbook example of democratic responsiveness and healthy vertical accountability. Chile is definitely *not* a case of what Ivan Krastev calls "democracy without choices."⁴ Yet Chilean parties, those in Bachelet's coalition included, still operate without strong ties to a number of major groups in civil society, a circumstance that tends to work against vertical accountability even when elections are clean, competitive, and between parties that take significantly different policy stances.

A year into Bachelet's second term, her approval rating plummeted. In September 2015, it was down to 24 percent. The crisis of representation, never really resolved, was back. A corruption scandal involving Bachelet's son and daughter-in-law may explain part of the president's tumble, but the deeper reason was Nueva Mayoría's lack of links to organized civil society and its continuing ties to business interests and technocratic elites, especially via the Christian Democratic Party. Bachelet's agenda was reformist, but it enjoyed little credibility in the eyes of civil society and made scant headway in Congress. Political elites' "social distance" from average citizens, epitomized by the absence of any organizational or institutional vehicles for mediating among different interests and channeling popular discontent, hampered the government's push for reform and left Bachelet's popularity ripe for a tumble.

Underlying all this are two things. One is the decision that Chile's political parties made decades ago to demobilize civil society in order to safeguard stability at a time of democratic transition following nearly

two decades of military dictatorship. The other is the difficulty of developing a more widely representative political system in a society marked by deep socioeconomic inequality.⁵

Inequality's return as a political issue has helped to trigger the current crisis of legitimacy, but the even more basic reason why it is a crisis is the Chilean polity's lack of effective channels of vertical accountability. To put it most simply, in Chile the political system has drifted away from civil society. Strong horizontal accountability, the popularity of individual political leaders, and the progress of socioeconomic incorporation during a time of prosperity masked the vertical-accountability deficit for a while, but the arrangement was always fragile.

The case of Chile has implications for the study of delegative democracy. O'Donnell's term describes a political order in which vertical accountability (the electoral link between the voters and the president) is strong, while horizontal accountability is weak. But what about countries where the opposite pattern holds? Chile has strong horizontal accountability—parts of the state can and do check other parts of the state, as prescribed by law—but its vertical accountability is a narrow affair. Elections are competitive, yet they take place in a fairly "stiff" party system that does not fully represent the width and breadth of society.

Depoliticizing Inequality

To many, Chile is still Latin America's poster child for sustainable socioeconomic development. From 1990 to 2013, the country's Human Development Index rose steadily from .70 to .82. The latter number puts Chile close to the top fifth of all countries worldwide on this common measure of a national population's overall well-being and places the country squarely in the UN's "Very High Human Development" category. Poverty fell, social protection and access to education expanded, and GDP kept growing. Even when growth waned, the state was able to "cushion" the social effects. Under Bachelet and the earlier Socialist president Ricardo Lagos (2000–2006), the targeted social programs inherited from General Augusto Pinochet's dictatorship (1973–90) were expanded and enhanced.⁶

After 2005, when a constitutional reform eliminated what are often called authoritarian enclaves such as unelected Senate seats and grants of military autonomy from civilian control, Chile also won praise for its liberal-democratic achievements. In addition, observers noted the high level of party-system institutionalization and the overall quality of the policy-making process.⁷

Against this positive backdrop, critical voices in the center-left governing coalition then known as the Concertación often called attention to two worrying trends: 1) the stubborn persistence of wide socioeconomic inequalities; and 2) declining party identification and election turnout,

especially among the young. Taking in stride the drama caused along the way by the Asian financial crisis of the late 1990s, corruption scandals, riots, and student demonstrations, both Lagos and Bachelet (in her first term) made progress toward easing socioeconomic inequality and left office with high approval ratings.

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Chile seemed to have resolved the tension between democratic political stability and social incorporation, and was showcased as a successful example of social democracy in action.⁸ Declining voter participation and partisan dealignment were often called “healthy” signs of widespread satisfaction and a lowering of the stakes of politics in a country where, not many years before, people had been jailed, driven into exile, tortured, and killed for their political views. More probing analysts

pointed to the risks of political demobilization engineered by out-of-touch elites, but these critics mostly went unheard.⁹

The prospect of education-powered upward mobility played a pivotal role in marketing the “Chilean dream” to the public. President Lagos was fond of pointing out that 70 percent of all college students were the first in their families to have gone beyond secondary school. Under Pinochet, the educational system had been significantly privatized, with state-sponsored tuition credits (lent at a fixed 5 percent rate of annual interest) used as a major means of financing schools. With few regulations in place, for-profit educational institutions—including some of distinctly uneven quality—had come into being. The large student population that Lagos pointed to with pride would prove a factor in national politics.

In January 2010, center-right candidate and successful entrepreneur Sebastián Piñera won the presidency in a tight runoff against Eduardo Frei Ruiz-Tagle of the Christian Democratic Party, the rightmost member of the Concertación. Frei had served as president from 1994 to 2000. Piñera, had campaigned on the promise that he would “manage” the country better than the “rusty” Concertación had been doing. His talk of “creating a million new jobs” and his warning to criminals that “your party is over” resonated at a time when voters felt worried by an economic slowdown and a perceived increase in crime.

Piñera’s first year in office was fairly quiet politically. Efforts to recover from the severe earthquake and tsunami that struck central Chile in February 2010 absorbed much attention, as did the emotional, headline-making saga of the 33 men who were trapped deep inside an Atacama Desert copper mine in Chile’s north in early August and brought

up alive 69 days later. In 2011, however, the quiet would end. A wave of social mobilizations led by but not limited to students began to sweep the country.¹⁰ The student movement started over minor issues, but escalated rapidly and gained mass support.

The major issues that came to the fore concerned the heavy burden of student debt as well as the dubious financial practices and low quality of universities and private schools that had begun as business ventures seeking profits in the expanding education market. Degrees from these institutions were costly but often failed to lead to high-paying jobs as graduates struggled to repay their loans.

The Piñera administration mishandled the protests in ways that fueled popular mobilization, but “antibusiness” sentiment played a role too. The billionaire president was identified with the business and financial elite at a time when high-profile scandals—including one that involved collusion among pharmacies to inflate prices—were giving wide public currency to the students’ rallying cries against “profit” and “abuse.”

The social movement began as opposition to the center-right government, but the establishment center-left, including the Communist Party, found dealing with the movement a challenge as well.¹¹ The Concertación’s leaders carried out a classic “leftward straddle” by persuading the Communists to join their group and then “rebranding” the resulting larger coalition under the Nueva Mayoría handle. This had some success in placating the movement, some of whose young and photogenic leaders had decided to “work within the system” by winning seats in Congress as Communists, Christian Democrats, or members of new parties. Bachelet pledged to pursue education, tax, and constitutional reforms as she ran successfully for her second term. She won her runoff handily, and her coalition gained ten additional seats in the 120-member Chamber of Deputies as well as another seat in the 38-member Senate.

Social-movement leaders mostly saw Bachelet’s second term as boding well for their agendas, though they were hesitant to build formal ties to Nueva Mayoría. Putting her popularity to work, Bachelet seemed to have contained the ferment that was roiling civil society. She stocked her team with fresh faces, including some from the student movement. In her first year, she managed to pass a tax-reform package. She also sent Congress a bill to reform Chile’s unique “binomial” electoral system (which favors coalitions), as well as education-reform measures including a proposed ban on for-profit schools.

Her opposition, meanwhile, found itself damaged by factionalism and scandal. The two major center-right parties, the Independent Democratic Union (UDI) and National Renewal, currently control a total of 54 Chamber and 17 Senate seats. The coalition that they lead, known as Chile Vamos (Let’s Go, Chile), saw the dissident groups Amplitud and Evópoli split off in order to promote more centrist policies. The scandal was the Penta case, news of which broke in October 2014. Penta is a

business conglomerate that was caught colluding with tax officials to funnel money illegally to the UDI.

The next scandal to go public, however, would strike very close to President Bachelet herself. In February 2015, it became known that her son and his wife, acting as owners of a company called Caval, had obtained (without much collateral) a loan worth millions that they used to buy rural land later rezoned as urban, allowing them to sell it for a massive profit. The loan came via personal dealings with Andrónico Luksic, a Chilean multimillionaire—and Bachelet campaign donor—who heads an economic group with interests in industries subject to state oversight, such as mining companies accused of causing environmental damage.

The president's denials of involvement notwithstanding, this insider-dealing scandal has hurt her standing as the candidate of equality and equal opportunity. It has also shown that it is not only politicians of the right who are willing to do things under the table with the business class. The point was further driven home by the SQM case, an extension of the Penta case. This scandal, which hit the news in January 2015, revealed how a mining company with roots in an irregular concession that Pinochet had given to his son-in-law had illegally financed the campaigns not only of right-wing candidates, but also of several Concertación figures.¹²

The upshot of these scandals has been to reinforce the perception that political and business elites are colluding to perpetrate “abusos” for the sake of “lucro” (unjust profit). The entire established political class appears to be in the pocket of business and a perpetuator of inequality.

Bachelet's response to the public outrage at corruption was to name a high-profile technical committee—politicians were excluded—to make recommendations regarding corruption and political finance. On 24 April 2015, the committee delivered its recommendations. Bachelet quickly accepted more than 90 percent of them. As of this writing in May 2016, they still need to be made into bills and sent to Congress. In the same speech, Bachelet announced the September 2015 launch of a “consultation” process with citizens. On 1 May 2015, during the day's traditional labor marches, various popular organizations demanded that this vaguely defined process should be converted into the convening of an assembly to write a new constitution. This is a longstanding goal of the social movements and one that the government has tried to circumvent. The anticorruption reforms and the consultation process are still pending as the crisis of representation deepens.

Elites and Voters: The Growing Disconnect

During the 1990s and 2000s, despite sustained economic growth and improvements in well-being (recall the rising Human Development Index), Chile seemed to experience a crisis of legitimacy, albeit a

slow-motion and low-intensity one. There were occasional popular mobilizations, but successive governments were able to coopt and defuse each one. The Concertación—the main ruling force since the return to democracy—improved Chile’s social safety net and promoted upward mobility, but at the cost of demobilizing society and sapping vertical accountability. Demobilization meant that the center-left lost its organizational presence at the grassroots. Students and indigenous groups (the latter have sizeable populations in the Araucanía region) abandoned or never formed partisan affiliations. Not only did elites lose vehicles for representing civil society, they also lost empathy. In a highly unequal and territorially segmented society, elites began living in a bubble, interacting only with one another.

Weaker partisan ties and rising voter alienation led to more personality-based campaigns that relied on candidates who could raise funds from private business interests.¹³ These interests thereby gained a high road to buying influence in Congress. One result is that while social-protection schemes have expanded in quantity, the quality of the services provided (be they in health care, schools, pensions, urban infrastructure, or public security) all too often is poor. The scandals of 2014 and 2015 merely exposed practices that were already common in the late 1990s. Even as they promoted economic growth and widened social programs, insiders engaged in systematic “abuse” and “profit”: The social programs largely benefited the business interests whose companies provided privatized health, education, and pension services.

Members of the political class often claim that the legitimacy crisis is confined to a politically active minority. They have a point: Mobilizations against the political class and the economic system (e.g., against extractive industries in different localities) have achieved unprecedented levels of popular support, but the popular sectors are still fragmented and are finding it hard to articulate viable alternatives to the status quo.

So this is Chile in 2016: Politicians do not understand—and cannot control—what is going on in society. Citizens, for their part, feel betrayed. They want to “throw the rascals out,” and maybe then some—popular mobilization is targeting not merely particular politicians, but inequalities (like those in educational access) that have long been taken for granted. But activists struggle to know what to say beyond voicing particular grievances. If they want a “new” Chile, what do they want it to be like, and how will it work?

At present, the main consequence of Chile’s predicament is a situation of anomie that may unfold in differing and even contradictory directions. In a *ritualistic* variant, political elites will look for institutional fixes (such as implementing the technical committee’s ideas) as a solution to a crisis that is not technical, but political. In this response, elites will persist in trying to control the process from above even while failing to address its source. In a *rebellious* variant, civil society will seek

to subvert both the traditional political class's "ends" (its vision for the country) and "means" (its customary top-down way of doing business), but society will still lack the objective capacity to carry out this upheaval and make it stick. This is not, in other words, a prerevolutionary situation.

Political Ills, Political Cure?

For two decades after Pinochet's fall, Chile enjoyed healthy economic growth. The country was able to team a widening, if parlous and overly privatized, social safety net with liberal-democratic politics. But this was accomplished via a political system—the handiwork of leaders haunted by memories of a brutal dictatorship and the strife leading up to it—that sought to demobilize society and to reduce politics to governance from above. The achievements of this arrangement include a restored democracy, robust horizontal accountability, and progress toward wider social incorporation. But vertical accountability has suffered.

Chilean democracy might be thought of as "uprooted." An uprooted democratic regime has strong horizontal accountability, but at the same time, lacks legitimate vehicles (such as robustly representative political parties) for implementing vertical accountability. As such, uprooted democracies are the polar opposites of O'Donnell's "delegative" democracies, which have weak horizontal but strong vertical accountability (and also, according to O'Donnell, powerful personalistic leaders, which Chile does not have). Uprooted democracies face uniquely political challenges that no resort to technical expedients can solve.

When the problem of inequality again became politically salient, the "success" of the 1990s and 2000s backfired and led to a severe legitimacy crisis. Economic growth and reductions in inequality were key structural factors that enabled liberal-democratic institutions to function in the context of a deepening representation crisis, but the disconnect between elites and society was a longstanding feature of Chilean democracy.¹⁴

There are three things about this picture of Chile as a regime with weak vertical accountability and strong horizontal accountability that are worth special mention. The first has to do with corruption. The scandals that have roiled Chile since the mid-1990s, while politically consequential, have been comparatively minor. Most have been triggered by agencies of horizontal accountability acting independently of elected leaders. These agencies include the Contraloría General de la República, the Fiscalía Nacional, and the judiciary. Chile thus has a strong record of officially enforced horizontal accountability, not to mention a free private-media environment in which cases of misdealing have started to receive wide and increasingly vigorous coverage. And as the political effects of these scandals attest, tolerance of corruption is low in contemporary Chile. People do not take corruption for granted or view it

with resignation. When they learn of it, they become angry and want to see it stopped. Thus the official organs of horizontal accountability are reinforced by a strong popular will in favor of vertical accountability: The Chilean in the street wants the elites to answer for misdeeds, and the organs of horizontal accountability are stronger because of this.

Second, Chile has had a series of strong presidents who have been able to use their popularity to compensate for the lack of institutionalized channels of vertical accountability. Yet those leaders have avoided the hyperpresidentialism that is typical of delegative democracies. Moreover, these presidents have found themselves constrained by institutions and political organizations (such as party hierarchies) that have worked “properly” even if disconnected from civil society.

Third, Chile does resemble a delegative democracy in one way: There is a lot of technocratic policy making. In 1973, Guillermo O’Donnell wrote that for technocrats:

Emotional issues are nonsense: the ambiguities of bargaining and politics are hindrances to “rational” solutions; and conflict is by definition “dys-functional.” . . . That which is “efficient” is good, and efficient outcomes are those that can be straightforwardly measured; the rest is noise that a “rational” decision-maker should strive to eliminate from his decision premises. The texture of social reality is radically (in some cases, one is tempted to say “brutally”) simplified.¹⁵

O’Donnell was describing technocrats who ran bureaucratic-authoritarian regimes, but much of what he wrote could apply to Chilean politicians today. They know business interests, bureaucracies, and other politicians, it seems, better than they know their fellow citizens at large. Small wonder, then, that Chile is grappling with a crisis of representation and legitimacy that is unlikely to go away anytime soon.

NOTES

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1. Between 2005 and 2010, protests averaged about 195 per year. In 2011 and 2012, that annual number spiked to almost 320. Students accounted for much of the increase (they staged 249 protests across the latter two years), but they were hardly behind all of it. See UNDP, *Informe de desarrollo humano en Chile: Los tiempos de la politicización 2015* (Santiago: UNDP, 2015) on the basis of information compiled by the Observatorio Social de América Latina.

2. The UNDP study distinguishes among economic, political, symbolic, and social elites. Whereas “social elites” (16 percent of all elite members in the sample of the Chilean elite) are identified as those who mobilize and represent citizen interests outside political

parties; “political elites” (29 percent) are those who occupy the most important institutional and political positions in government and the party system. UNDP, *Informe de desarrollo humano en Chile*, 194–95.

3. Juan Pablo Luna and David Altman, “Uprooted but Stable: Chilean Parties and the Concept of Party System Institutionalization,” *Latin American Politics and Society* 53 (Summer 2011): 1–28.

4. Ivan Krastev, “The Balkans: Democracy Without Choices,” *Journal of Democracy* 13 (July 2002): 39–53.

5. With a per capita income of around US\$15,000 a year, Chile counts as a high-income country. Yet its Gini Index of 50.5 for 2013 is among the highest (signifying more inequality) in the 34-member OECD. See World Bank, “World Development Indicators: Distribution of Income or Consumption,” Table 2.9, <http://wdi.worldbank.org/table/2.9>. See also the OECD’s Income Distribution Database, www.oecd.org/social/income-distribution-database.htm.

6. Jennifer Pribble, *Welfare and Party Politics in Latin America* (New York: Cambridge University Press, 2013).

7. Scott Mainwaring and Timothy Scully, eds., *Democratic Governance in Latin America* (Stanford: Stanford University Press, 2010).

8. Richard Sandbrook et al., *Social Democracy in the Global Periphery: Origins, Challenges, Prospects* (Cambridge: Cambridge University Press, 2006).

9. Tomás Moulian, *Chile actual: Anatomía de un mito* (Santiago: LOM Ediciones, 2002).

10. The year 2011 saw the rise of protests against a proposed five-dam hydroelectric project in the Aysén Region of Chilean Patagonia. The following year, in the mining center of Calama in the Atacama Desert, a movement grew up to demand that a larger share of the royalties paid by foreign mining companies to the central government should be spent on improving conditions in the mineral-rich but intensely arid north.

11. Germán Bidegain, *Autonomización de los movimientos sociales e intensificación de la protesta: Estudiantes y mapuches en Chile (1990–2013)* (PhD diss., PUC-Chile, 2015).

12. As in the Penta case, the illegality resulted from the hiding of campaign contributions as professional services “performed” by the candidates’ aides or family members.

13. Juan Pablo Luna, *Segmented Representation: Political Party Strategies in Unequal Democracies* (Oxford: Oxford University Press, 2014).

14. Paul Posner, “Popular Representation and Political Dissatisfaction in Chile’s New Democracy,” *Journal of Interamerican Studies and World Affairs* 41 (Spring 1999): 59–85.

15. Guillermo O’Donnell, *Modernization and Bureaucratic-Authoritarianism: Studies in South American Politics* (Berkeley: Institute of International Studies, University of California, 1973).