

Chile Revolts:
From the Uprisings
to the Constitutional Process

Clelia Bartoli

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Incontri con la cultura giuridica latino-americana

2

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to the Constitutional Process**

Clelia Bartoli

Translation by Amaryllis Gacioppo

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Foreword to the Italian edition	Sergio Grez Toso	VII
Introduction		XII
An Overview		XX
Acknowledgements		XXIII
Part One		1
1. For 30 pesos		3
2. Welcomed and enlisted		7
3. A pervading protest		7
4. <i>¡Renuncia Piñera!</i>		8
5. At the supermarket: «Pay in installments?»		10
6. No + AFP		12
7. Apiaries with a pool		15
8. Marching with Pikachu		15
9. <i>¿El pueblo unido, jamás será vencido?</i>		17
10. <i>Plaza de la Dignidad</i> , or naming things		18
11. A matter of taste		20
12. Eyes		20
13. The <i>paco</i> caste		23
14. Stoplight-men		25
15. Under the shadow of which flags?		26
16. We are all Mapuche		27
17. No leaders, thousands of fires		31
18. Heirs of rage		33
19. Prior to the <i>Primera línea</i>		34
20. The fearless generation		37
21. Superheroes		39
22. Culture in the field		39
23. <i>Y la culpa no era mía</i>		40
24. Abuelita Elena and the minority influence		42
25. Decolonizing gender		43
26. Even shamans do politics		45
27. From sloth to wrath		47
28. The inner revolution		49
29. Chile <i>s'è scetato</i>		52
30. Neighborhood councils vs. national government		53
31. A massive open-air school of civic education		56
32. An illegitimate constitution		57
33. Liberalism and illiberty		60
34. Few rights for the many, many rights for the few		63

Contents

Part Two	67
35. Something is missing	69
36. A revolt, not a revolution	71
37. Constituted and constituent power: rupture and continuity	76
38. Leopards	79
39. Democracy of quality	83
40. The solution lies in the problem	86
41. Recoleta: an anomaly	87
42. Classes and classes	90
43. The astonishment of the elite	95
44. Broadening the possible	100
45. The “disordinary”	105
46. Discontent is not enough to revolt	112
47. The joys of synchronicity and public happiness	117
48. Time and revolution	127
Part Three	135
49. From the quarantine to the plebiscite	137
50. A long and hard lockdown	137
51. Famine and flames	138
52. In a disaster, who profits?	139
53. Cyberevolt	139
54. Truckers and Mapuche	140
55. Return to the plaza	141
56. The people have voted	142
57. With feet on the ground	143
58. The statue of discord	146
59. Aspiring constituent parents	150
60. Vaccination and election campaigns	153
61. The puzzling results of the mega-elections	157
62. Women voters and voted	161
63. The silence of the helpless	161
64. Pokémon evolutions	164
65. Street constituent	167
66. Political equinox	173
67. An ending-in-progress	178
Afterword	181
Bibliography	185

Aquí se funda un país. Viaggio nella rivolta del Cile (2019-2020), by Clelia Bartoli, philosopher of law at the University of Palermo, is a book on the Chilean popular rebellion which, due to its qualities, is destined to become a seminal work on the events still underway in this South American country, harbinger of significant international implications.

VII

The literary genre of this work is hybrid, the author defines it as a «narrative essay». In a harmonious, evocative and entertaining manner, the theoretical concepts, knowledge and data taken from various sources blend with the first-person account of invaluable lived experience across two sojourns in Chile (in November/December 2019 and February 2020), during two different phases of the popular protests. Here you will find, moreover, interviews with social and political leaders, students, workers, academics, businessmen and “ordinary citizens” of diverse social backgrounds, generations and political opinions. Over the spring of 2019 and the summer of 2020, dur-

1. This foreword was written for the Italian version [Clelia BARTOLI, *Aquí se funda un país. Viaggio nella rivolta del Cile (2019-2020)*, Roma, Roundrobin, 2020] that is shorter and less updated than the current publication.

ing the marches, the demonstrations, the assemblies, the informal meetings in the streets, plazas and parks of Santiago de Chile, Professor Bartoli was able to experience that public happiness that Hannah Arendt wrote of. Such public happiness is born from the collective discovery that the existing order of things can be called into question, tempting a reconfiguration of the community through the community itself.

As stated by the author, the style of this text is experimental and *mestizo*, while the first-person narration is a choice of transparency. This is an effort to allow readers to assess for themselves the “inevitable subjectivity” in the face of events unfolding in a country that the author knew only through remote reference, but in which she became emotionally involved during periods of “fieldwork” or “participant observation”. Her book is, simultaneously, a chronicle, an investigation, an analysis and a testimony, that gives space to and recognizes «the emotional realm in the cognitive field par excellence». It is based on the premise that the social sciences cannot and must not expel the emotions of those who do research, but rather incorporate them by recognizing them with honesty.

Working in this way, Clelia Bartoli breaks away from the customary practices of philosophy and even sociology of law, moving closer to the methods of ethnography, anthropology and the critical currents of legal theory. With respect to my own professional field, I can add that her approach also coincides with the currents of critical history, as eloquently illustrated by Georges Duby, when he argues that the historian: «must restrain his passions but not stifle them, and if, on occasion, he allows himself to be carried away, his performance will only benefit», adding that «Passion is not the enemy of truth, but an opportunity to approach it more closely»². Hence her choice – one in which I also recognize myself – for an “impassioned history”, instead of one that is “dry, cold, and impassive”, in the conviction that the former is the more honest. As a Chilean citizen and historian that adheres to an idea of critical

history, I can't help but strongly identify with the epistemic approach that inspires the book I am presenting.

Clelia Bartoli presents the data collected during her research on the Chilean popular rebellion and the recount of her experiences in this country in a masterful way. Her writing is centered around a fundamental hypothesis: that the revolt was born from a discontent that, ossifying in the collective consciousness, then suddenly erupted tumultuously, transforming itself into that social phase in which the crowd mobilized and took to the streets. This is a detailed thesis that explains the slow and, at times, barely visible (for some) process of an accumulation of anguish, suffering, grievances, unfulfilled expectations and demands, not to mention frustration, resentment and social hatred, fostered in Chile over decades of the unyielding application of the neoliberal model.

In the same way, an equally slow and, in some ways, still less perceptible process of development of organic and inorganic social dissent manifested itself at least a couple of decades before the *estallido social* (the outbreak of the protest) of October 18, 2019, through the proliferation and gradual strengthening of social movements and dissent. Similarly, a muffled malaise within the citizenry was expressed through the growing disrepute of the political caste and state institutions, confirmed by the extremely elevated rates of voting abstention, which had been close to 60% of the electorate for at least a decade. However, notwithstanding the fact that malaise increases the possibility that a popular rebellion will break out, for this to happen, as Professor Bartoli points out, there need to occur precise «interior epistemic events». This is with the knowledge that external events and psychological factors influence one another and that political ideas or, in accordance with the author's lexicon, the «space for thought», is a necessary requisite for any action that transforms reality.

These observations take us to the core of the debate on the actors of the Chilean social and political protest. Who is or who can be the revolutionary subject in a context of post-Fordist transnational capitalism? It is clear that – apart from the rare advocates of an orthodoxy rendered obsolete by its own incapacity to account for the changes of the last half century – it is no longer only the

X

proletariat in its classical and restrictive sense (the workers in manufacturing, mining, agriculture and services) that is the revolutionary subject par excellence. Since André Gorz launched his provocative *Adieux au prolétariat*³, reflections on this theme have taken many paths, without one proposal clearly prevailing over the others. The responses can be condensed into three principle groups: the denial of the possibility of the existence of a specific subject, positing a variety of actors beyond or outside the class, which alter according to time and circumstances (indigenous people, women, minorities or groups different gender identities, etc.); the *amplification* of the classic revolutionary subject, proposing an extended concept of *the working class* that includes all workers and the exploited, regardless of their qualifications and job functions; and, finally, the rejection of the very idea of revolution, associated with a utopian totalitarianism, both millennialist and inaccessible. Regardless of these precise formulations, a sort of intellectual and political hibernation tied to the conditions and the characteristics of neoliberal postmodernity leaves an enormous deserted field, a no man's land, in respect to questions deemed "old-fashioned" by many intellectuals, by analysts from different disciplinary fields and by career politicians.

One of the many merits of this book are the reflections of the author on this issue. Her hypothesis is that «The so-called "revolutionary subject" should then be comprised of those who, although exposed to hardships and troubles, can cultivate opportunities for thought, and are not gripped by fears and not yet too domesticated to the epistemic model in force». Bartoli suggests that this could be the students, carriers of a rage calibrated to hit the target: a society not only unable to guarantee them a future, but also imbued with the distress of their older relatives. One might believe, which I do not, that such discussion goes beyond the confines of *Chile Revolts*. At the moment I can only argue that, given the precarity and heterogeneity of their condition, students have never been a subject able to sustain a revolutionary process until its triumph (not

3. André Gorz, *Adieux au prolétariat: Au-delà du socialisme*, Paris, Éditions Galilée, 1980.

even its partial triumph). They can certainly, however, be the spark that ignites the prairie and the driving belt of great cultural change. They have been just this many times throughout contemporary history, including the Chilean spring of 2019. Nonetheless, their very nature prevents them from being the decisive force capable of altering a society's balance of power in its entirety. But, as already argued, these and other reflections of Professor Bartoli, among them those inspired by Arendt's concept of «public happiness», will be an important contribution to the debates that have been taking place for years in Chile between the different parties that have come together in the popular rebellion. It is hoped that these meditations nourish discussions in other places too, both near and far to the last country in the world or, as the author of this book says more poetically: «well beyond the slender territory between the Andes and the Pacific».

Santiago de Chile, austral winter 2020

Introduction.

Writing about the time in which facts rule the rules

XII

Just a few lines will be enough to introduce the subject that will be dealt with in this book, however it will take several pages to describe the literary genre and the intersection of disciplines to which it is traced back to.

This text is about the explosion of the Chilean protests in mid-October 2019 and what followed. The strip of land protected by the Andean Cordillera and exposed to the mighty waves of the Pacific was considered to be both the most prosperous and the most tranquil region of Latin America. It declared itself “very European”, exalting that adjective with a tenor of pride. Few foresaw what was about to happen. And yet an increase of a trifling sum in the price of a metro ticket was enough to reawaken a deep and widespread malaise from a deceptive hibernation. This was how the rage erupted. But very quickly, the scream of anger transformed into a battle cry for a radical rethinking of the country that echoed from the north to the south.

Despite the fact that, already a month after the outbreak of the revolt, Congress declared itself open to call a plebiscite to verify the will of the people to undertake a

new constituent season, massive and incessant demonstrations went on for six months.

The arrival of the Covid-19 pandemic in Latin America abruptly halted the mobilization in the streets. Civic action evolved into other forms, although it certainly went through a period of lethargy.

Due to the pandemic, the plebiscite was delayed until October 2020. Its outcome established the people's demand to do away with the Charter written during the dictatorship. My account ends in July 2021, with the opening ceremony of the constituent assembly.

If laying out the subject discussed in this book is fairly straightforward, deciding in which section of the library to place it is a more complicated matter. To solve this rebus, sketching out the circumstances under which the idea for writing it grew could help.

The Law department of the University of Palermo, where I work as a professor of philosophy and sociology of law, was among the partners of *Trans-making*, a European project that oversees exchanges between individuals and organizations, engaged both in the academic world, and in that of cultural promotion and artistic production of different countries of the European Union and beyond. The project's focus was on the relationship between space and democracy. The encounter between academics and artists had the ambitious to produce a hybridization of research methodologies to develop narratives capable of stimulating and activating social and economic renewal¹.

When I chose Chile – among the various possible destinations offered by the project to carry out a study – I had no inkling, nor the slightest suspicion of the tumultuous events that would shortly thereafter occur. I was working on a heresy of the nation state, attempting to pave the way for a doctrinal and pragmatic hypothesis of «State Without Territory»². I was also fine-tuning the «Otherwise Method»: a workshop for stimulating the legal-political imagi-

1. *Trans-making* (Horizon 2020, research and innovation program – Marie Skłodowska-Curie, grant agreement n. 734855).

2. Clelia BARTOLI, *State Without Territory: A Legal-political Heresy*, in Klaus MATHIS, Luca LANGENSAND (eds.), *Dignity, Diversity, Anarchy*, Stuttgart, Franz Steiner Verlag, 2021, pp. 279-309.

nation. My intention was to try it out in the South American country with different groups of subjects.

When I landed in Santiago, launched into the throes of the revolt and at the beginning of a new constituent phase, I became aware of having intercepted an opportunity. This opportunity was as rare as it was precious, considering my research objectives: to find myself in the beating heart of a gigantic laboratory of the legal-political imagination. A testing-ground with the dimensions of an entire society, not to mention one that was at boiling point. Surrounding me was a vast population that intended to reinvent its own country, mounting dissensions that were capable of both calling into question a system which had up until now endured, and tipping it over the edge. In sum, I could not have hoped for a more fertile terrain upon which to sow my research.

However, having not planned to arrive at that exceptional juncture, I had never imagined that I might write a book about it. Nor did I have this intention over the course of the first month I spent in Santiago de Chile. I simply scoured the streets observing and recording the signs of the ongoing rebellion, I did interviews, I participated in as many events and demonstrations as possible, drawing on the vast sample that the city offered, I questioned whoever was within my range about what was happening, and obviously I took notes, collecting data upon data.

Back in Italy, I realized that I had collected a significant amount of material, significant not only in quantity. The singularity of the moment allowed me to participate in events of great significance and to listen to experiences and reflections of extraordinary value.

What to do then with those notes? It had been my first visit to Chile and I had never dealt with Latin America in my work. I understand Spanish well, but I communicate in an *itañol*, a kind of Italian-Spanish hybrid that is functional for communication, yet not suitable for academic contexts. In short, I could by no means attribute to myself, not even remotely, the authority of an expert.

Initially, I thought that my travel notes on the Chilean revolt could become a reportage that would almost exclusively hinge on the outsider's point of view, capturing as-

pects that escape the local, uncovering the surprising in what the inhabitants take as a given.

However, the travelogue or journalistic reportage did not seem to me to be the genres that would be able to give reason to what I was writing. It so happened that the events that I witnessed were strongly correlated to the studies and the research that I have been undertaking for many years. The situation that had unfolded while I was in Chile had unexpectedly materialized for me as an immersion into the real world of sophisticated matters of philosophy of law. I had before me a bona fide incarnation, with field verification, of the theoretical debate on the dialectic between constituted and constituent power; on the state of exception; on the legitimacy of a constitutional system; on the slight distinctions among turmoil, revolt and revolution; on the contrast between alternative socio-legal models, such as statehood brought by the European colonizers, and those employed in the indigenous communities before the conquest. My recount of the events could not help but be both filtered through the lens of philosophy of law and infused with political sociology.

Thus, was born the idea – while yielding to the demands of the project that had financed my sojourn in Chile with timely and thorough compliance – of combining various methods and registers, attempting to write what I would define as a “narrative essay”: an account of events and encounters that both intermingles with and is nourished by a theoretical analysis and vice versa³.

It therefore seemed to me that the moment called for taking the plunge and venturing into a terrain that was stylistically “*mestizo*” and, in its own way, experimental, even in the subject matter that I was dealing with – namely, the interval between one constitutional order and another.

In times of ordinary administration, norms tend to get the better of facts, they evaluate behaviors and assign to them certain legal consequences. It seems to be taken for

3. See Catherine K. RIESSMAN, *Narrative Analysis*, London, Sage Publications, 1993; Marielle MACÉ, *Essai littéraire devant les temps*, «Cahiers de Narratologie», (27-2-2008), <http://journals.openedition.org/narratologie/49>; Valentina DE ANGELIS, *La forma dell'improbabile: Teoria del romanzo-saggio*, Roma, Bulzoni, 1990. On the narrative dimension of juridical discourse, see Jerome BRUNER, *Making Stories: Law, Literature, Life*, Cambridge (Massachusetts), Harvard University Press, 2003.

granted that facts belong to the realm of *what is* and norms to the realm of *what ought to be*. But in times of serious political crisis, this relation may subvert or partially alter itself, unmasking the possibility of slippages between the ontic realm and the deontic realm (§ 36)⁴.

If the usual direction of fit is “facts to norms”, a revolution reverses it to “norms to facts”. The people that occupied the plazas of Chile from October 2019 steadfastly and, at times, vehemently expressed their dissent against all branches of the system – legal, political, economic and social – in which they lived, arguing that the existing constitutional order was illegitimate and must be replaced. The initiation of a constituent process is therefore the sign that facts have taken precedence over norms hitherto considered valid (as we will see, in the case discussed, this has not yet happened fully §§ 36-38).

To give an account of a transitional phase of one legal-political order to another, as a philosophy of law scholar during a time in which facts claim a normative power over norms themselves, it therefore seemed to me scientifically licit and suitable to give space to the narration of those events and circumstances capable of producing landslides within the ruling social and institutional order.

I will add that the facts to which I refer are not just those that are external, those that the cameras of the televised news can record – the marches, assemblies, riots, crack-downs, negotiations, accords, ballots, etc. I have tried to alternate between a report of the skirmishes in the streets of Santiago and an investigation of the inner turmoil that rocks the very depths of every individual when the status quo wavers. Most of the people with whom I had the opportunity to develop a deeper discussion – independent of social status or their opinion of the crisis – told me of their own personal changes: an inner revolution in the face of a political revolt. The overthrow of an established order cannot occur unless a different narrative of the facts is spread, one which produces a shift in the way events are perceived. In turn, a renewed scenario easily challenges the narrative and perception of oneself.

4. See Bruno CELANO, *Dialettica della giustificazione pratica: saggio sulla legge di Hume*, Torino, Giappichelli, 1994.

The social facts, then, that underlie the establishment of a new order include both the street riots and the shifting mental attitudes of a population⁵. The legitimacy of an authority, of an institution, of a rule or system of norms, is obtained only when the belief that that general, that court, that law or that constitution must be obeyed, is rooted in the psyche of a sufficiently large number of people. In the absence of this widespread and shared belief, the claim of legitimacy will not find support and will have no effect. At most, it can elicit the condemnation or compassion extended to the lunatic who, wearing a large hat, declares himself to be Napoleon. Investigating this unseen plane, made no less real for its invisibility, also seemed necessary to me in order to interpret such a radical phenomenon.

A further argument in favor of the literary genre proposed here, is the fact that it renders visible the behind-the-scenes work of research. The essay *tout court* generally uses third person prose, in which findings are given precedence over the process that led to a certain result. This text uses the first-person, however it does not veer into autobiography: the focus remains on Chile and its upheavals. The first-person narrative tone has the effect of pulling back the curtains on investigative work. It does so, for example, by describing where and how the researcher procured information, the setting of the encounters, the difficulties and uncertainties which were faced. I believe that this choice of transparency offers the reader the opportunity to judge the inevitable subjectivity and variability inherent in this research, as it is in any other, allowing the reader, in conclusion, to make up their own mind.

A further characteristic of the “narrative essay” form, is that of giving citizenship to the emotional realm in the cognitive field par excellence. Those who have the patience to read the following pages will find that the author is not impassive and detached, but rather, is involved in the events, and at times emotionally moved by them. The epistemological question that lies beneath is whether scientificity should require the sterilization of emotions and passions, or if it can instead find a way to incorpo-

5. See Herbert L.A. HART, *The Concept of Law*, Oxford, Oxford University Press, 1961, in particular chapters VI e VII.

rate them⁶. I believe that expelling emotional engagement from the work of research is not possible and, perhaps, not even desirable. But if the emotional realm is admitted and not concealed, how can we avoid slipping into an inconsistent sentimentalism or a blind partisanship devoid of any scientific rigor?

In the anthropological field, this issue has been systematically addressed with a wealth of evidence and various qualitative research strategies have been proposed, including participant observation and narrative analysis⁷. In the field of philosophy and even in sociology of law, this approach is very rare, although critical studies tend to invoke the need for it.

As far as this research is concerned, the approach that I endeavored to carry out – drawing inspiration from ethnography, anthropological research and the certain critical positions in philosophy of law – was to study the situation through spurious and contradictory sources; gathering many voices, demonstrating without pretense the bias of the various perspectives, including my own; verifying all information collected in the field; selecting the anecdotes and protagonists best suited to becoming tiles of a complex mosaic; requiring myself to listen in a respectful and accepting manner to those I imagined having opinions very distant from mine and to try to interrogate the conclusions with which I felt most comfortable.

In this respect, with the intention of establishing a true dialogue with my interlocutors, rather than limiting myself to just recording their statements as an advocate of something, I used a specific strategy. In some interviews – especially with the more institutional figures – I used the *Memory-catcher cards*⁸: a deck of cards, each of which represents a word capable of evoking memory, such

6. Sherryl KLEINMAN, Martha A. COPP, *Emotions and Fieldwork*, London, Sage Publications, 1993.

7. See John VAN MAANEN, *Tales of the Field: On Writing Ethnography*, Chicago, University of Chicago Press, 1988; Alessandro DURANTI, *Etnopragmatica: la forza del parlare*, Milano, Carocci, 2007; Mario CARDANO, *La ricerca qualitativa*, Bologna, Il Mulino, 2011.

8. The *Memory-catcher cards* were created and produced by Giocherenda, a collective of young migrants that aim to promote the “*giocherenda*” (a Pulaar-language word that means: «solidarity, awareness of interdependence, strength through sharing, the joy of doing things together») through cooperative games: <https://giocherenda.it/en/>

as “sea”, “journey”, “misfortune”, “laugh”, “dance”, etc. I would ask them to draw from the deck and tell me a personal memory associated with the word illustrated on the card they were holding in their hands. This game, towards which everyone proved themselves well-disposed, served to disarm and reach the person behind the role. I am not in a position to establish whether this playful hook actually facilitated the conversation, or if I was simply lucky enough to meet people who had the courage to put themselves out there. The fact remains that I was pleasantly surprised with the frankness and authenticity of the testimonies collected.

In conclusion, I can say that this text belongs to the essay genre, not in that it adopts a dispassionate and impartial interpretation corroborated by a copious mass of statistical data, but rather, as György Lukács suggests, because it narrates the events by disrupting their order, and in this way, hopes to unearth some meaning that would have otherwise remained hidden in the usual framework through which reality presents itself⁹. In addition, it is an essay, remaining faithful to the etymological meaning of the verb “to essay”, or its equivalents in other languages “essayer”, “saggiare”, “ensayar”, which refers to the act of “experimenting hesitantly by feeling one’s way along”¹⁰.

9. «[T]he essay always speaks of something that has already been given form, or at least something that has already been there at some time in the past; hence it is part of the nature of the essay that it does not create new things from an empty nothingness but only orders those which were once alive. And because it orders them anew and does not form something new out of formlessness, it is bound to them and must always speak “the truth” about them, must find expression for their essential nature», György LUKÁCS, *Soul and Form*, New York, Columbia University Press, 2010, p. 26.

10. See Sharham KHOSRAVI, *Io sono il confine*, Milano, Elèuthera, 2019, p. 28. Khosravi’s book was a source of inspiration, both with respect to the idea of the essay as «an attempt» or «experimentation», and as an example of a successful blending of essayistic and literary registers.

XX

There are three parts to this text¹: each one corresponds to a distinct period of the Chilean political evolution and consequently is the result of a different research approach.

Part one covers the last months of 2019, the outbreak of the pandemic, and the tumultuous events that marked the beginning of the revolt. I was a direct eyewitness and participant to these events during my first stay in Chile. Laid out here is what in sociological terms is referred to as “the field”². In order to describe the most significant aspects of this unique people’s movement, namely its protagonists,

1. In the Italian version [BARTOLI, *Aquí se funda un país*, cit.] there were only two parts plus an epilogue. In the English version I rewrote some chapters of the first edition and added an updated third part.

2. «In analytical terms, a field can be defined as a network, or a configuration of objective relations between positions. These positions are defined objectively in their existence and in the determinations that they impose on their occupants, agents or institutions, by their current and potential situation (*situs*) in the wider structure of the distribution of different currencies of power (or of capital), possession of which provides access to specific profits that are up for grabs in the field, at the same time, by their objective relations to other positions (domination, subordination, equivalents etc.) [...] To think in terms of field is to *think relationally*», Pierre BOURDIEU, Loïc WACQUANT, *An Invitation to Reflexive Sociology*, Oxford, Polity, 1992, pp. 94-96.

its social demands, its political substance, the contingent factors, but also those more remote and structural, which provoked it, as well as the geographical and cultural habitats which together formed the scene and its backstage; I wanted to reconstruct the Chilean case like a story, one of anecdotes, glimpses of the world in which it took place, and psychological and sociological contexts. The story's plot is woven from a whole web of relationships and exchanges between individuals and groups, which the same dynamics of the revolt have helped to intertwine and consolidate. I have done this in the hope that – by focusing on, observing and retracing the individual episodes, details, and characters linked to this popular upheaval, meticulously collecting and comparing them – I might arrange them like tiles of a larger and more comprehensive mosaic.

Part two recounts the first months of 2020. This was a period in which the mobilization matured, garnering significant reactions from institutions. In particular, this part analyses the debate surrounding the launch of the new constituent process, called-for and long-awaited by many, feared and obstructed and repressed by others. It was a stretch of time that coincided with my reentry into Italy and subsequent return to Chile for a second sojourn.

XXI

This section is mostly made up of interviews with key interlocutors, holders of different points of view (often more critical, less benevolent, certainly more skeptical) in regards to the crisis, the revolt, to the process of constitutional renewal. It is a dutiful attempt to broaden and enrich the social, political and cultural cross-section in focus.

The concluding chapters of this second part of the book attempt to draw some more general insights from the Chilean insurgence. In particular, I observe what Hart calls the «internal point of view»³, trying to understand how a widespread system of beliefs and desires changes when an uprising against the government and current state of affairs erupts. The question then arises as to what happens to people's epistemic constructs when a legal and political order falters and the dominant institutional and administrative apparatus is questioned, but not yet defeated,

3. HART, *The Concept of Law*, cit.

nor – on the other hand – fully restored; when the public sphere steals the show from the private one, and “the citizen” has the better of “the man”.

Part three covers a season of campaigning and voting. This period is longer, beginning from the sudden change of setting brought on by the Coronavirus outbreak in Latin America, and ending with the inauguration of the constituent assembly in July 2021. The severe containment measures taken in Chile since April 2020 consequently emptied out the plazas and stopped demonstrations and riots, as well as discussion and study groups. Activists were forced to find other ways to pressure the ruling class and keep grassroots commitment alive. Participation certainly went through a cooling off period.

However, public participation was reawakened by the election campaign and the major polls that took place during this phase. Indeed, in October 2020, the plebiscite outcome established a widespread wish to rewrite the fundamental rules of the country.

At that point, elections to select the constituent assembly members were held. And, in the same weekend, a vote was called to replace the mayors and councils of all municipalities, as well as the governors of the regions. While, in this period, representative democracy seemed to prevail over participatory democracy, the active role of citizenry and the insurrectional element didn't wane, and Chile proved itself to be a compelling testing ground for legal-political imagination.

Unfortunately, the closure of borders due to the pandemic prevented me from returning to conduct further field investigations. I have tried to compensate this regrettable circumstance by following the developments, even remotely, and maintaining a network of contacts with people living in Chile or working on these issues.

Narrative and essayistic tones intermingle throughout this text. In part one, the narrative tone prevails, while part two is based more on analysis and investigation. Part three is a kind of reasoned report on the events that took place. Unable to return to the field, I had to rely mostly, but not exclusively, on second-hand material; in any case not abandoning the first-person and subjective gaze, which is my stylistic and methodological choice.

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Despite the difficulties of travelling due to the pandemic situation, I have had the good fortune to make some new acquaintances who offered me enlightening perspectives on Chile today and in the past. I have never met in person many of them, yet they have become crucial sources of knowledge, inspiring discussers or accomplices for ambitious plans. Among them I love to remind the fine scholars Valentina Ripa (Università di Salerno, Italy), Maria Rosaria Stabili (Università Roma Tre, Italy), Alberto Scerbo and Paola Chiarella (Università della Magna Grecia di Catanzaro, Italy), the sensitive and adventurous reporter Gabriella Saba; the eclectic artist Kasia Wojcik; Ricardo Valenzuela and Rodrigo Cordero Vega, sociologists of law and active members of the Laboratory for Social Transformations (Diego Portales University, Chile).

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Cristina Siddiolo is my soul sister, travel companion and accomplice in many adventures; without her energetic encouragement, I would have remained blind to that which is worth looking at.

This book is dedicated to my mother Mirella who, when I was a child, sang Chilean songs to me on the guitar, and who, along with Beppe, made me breathe the air

of revolt. Our house was, in fact, the headquarters for legions of young activists who spent several hours engaged in discussions that, at the time, I considered very boring, but which evidently left a happy imprint. And it is dedicated to my father Costantino who taught me that the best luggage to travel with is made up of little money and a «mongoose courage». This formula would seem, in fact, to guarantee that on the journey, various adventures present themselves.

Finally, I want to remember my luminous friend Antonia Massimini, who sang *Todo cambia* in the awareness that revolutions happen also and above all silently, covertly and slowly.

Part One

1. For 30 pesos

There was a month, exactly one month, left until my departure for Santiago de Chile on November 13, 2019, when the first news of the street riots and violent crackdowns began to arrive through the European media.

I was going there to carry out research affiliated with an international project whose partners include the Law Department at the University of Palermo, where I work (*supra*, introd.), but the context in which I would be acting appeared somewhat changed from what had been anticipated.

Let's try to sum up the facts. On October 6, the Chilean Ministry of Transport announces an increase in the metro ticket during peak times: from 800 pesos to 830. The students respond, valiant and loud, jumping the turnstiles of the metro en masse (despite the fact that the increase does not affect them directly because, as students, they enjoy a discounted rate).

The authorities respond to the insubordination of the youth in a manner as misguided as it is rough. Some government ministers' comment on the events by asserting that those who are protesting about the increase in the price of urban transport need only set their alarm clock one or two hours earlier.

It is a short step from the establishment's ironic mocking of the people's demands to the instrumental criminalization of dissent. The head of State, Piñera, declares: «We are at war against a powerful enemy, unrelenting, who respects nothing and no one, who is willing to use limitless violence and thuggery». But the president of the nation does not seem to realize that the "enemy" he alludes to is a large portion of his own people.

Derision and accusations by the ruling class do nothing but fuel the revolt, and from October 14, the demonstrations multiply. There are some supermarket lootings and acts of vandalism, mostly in metro stations.

On October 18 – the day identified as the incipit of the Chilean revolt – Piñera declares a state of emergency: curfew and special powers were given to the armed forces. This hasn't happened since the days of the dictatorship.

The Chilean Constitution, written in the times of Pinochet, allows him to do so.

The command of operations to restore public order is entrusted to General Javier Iturriaga Del Campo, responsible at the time of appointment for the Department of Army Doctrine and Education. The soldier was born into the trade. Both his father, Dante, and uncle, Pablo Iturriaga, served in the army during the regime. On their shoulders is the accusation of having been jointly responsible for torture and disappearances.

The army indoctrinator lives up to expectations. The repression is merciless even towards the most peaceful of demonstrators. Independent human rights agencies, a United Nations mission¹, and the local judiciary collect thousands of reports about the excessive use of force by the military and police. Erika Guevara-Rosas, the Americas director of Amnesty International, declares: «The intention of the Chilean security forces is clear: to injure demonstrators in order to discourage protest, even to the extent of using torture and sexual violence against protesters»². However, the tactic of brutality fails. The unrest is spreading and intensifying throughout the country.

I scroll through my Facebook page. It is a succession of distressing news on the Chilean situation: there is talk of riots and raids by the people; of abuse, torture, unlawful detention and extrajudicial killings by the police. I seek news from reliable sources and what I find is not encouraging.

I confess that before thinking about going to Chile, I hadn't taken much notice of this country. I only held some faded and remote images of an Inti Illimani concert in Palermo – I would have been about three years old – and the memory of my mother singing the songs of the Chilean ensemble on the guitar. But, despite the geographical

1. The report of the United Nations High Commissioner for Human Rights was published on December 13 2019 and focuses on the period from October 30 to November 22. The conclusion points to very serious institutional culpability: «there are reasonable grounds to believe that, from 18 October onwards, a high number of serious human rights violations have been committed. These violations include excessive or unnecessary use of force that led to arbitrary deprivation of life and injuries, torture and ill-treatment, sexual violence, and arbitrary detentions». See Unhr, *Report of the Mission to Chile. 30 October-22 November 2019*, (13-12-2019), bit.ly/3HhgvrRH.

2. Amnesty International, *Chile: Deliberate policy to injure protesters points to responsibility of those in command*, (21-11-2019), bit.ly/3mYLXtA.

distance, there is a very strong historical connection between Italy and Chile. So much so that what takes place in that Latin American country still manages to occupy the front pages of Italian newspapers and space on social media feeds, despite the fact that the attention of my compatriots towards foreign affairs is usually extremely limited.

Following the news, I learn that the use of public force against the mobilization continues to be excessive and brutal, however the government tries to extinguish the dissent that is mounting by making some concessions. The ticket price increase is canceled, some government ministers are replaced, the introduction of welfare measures is promised. But neither the proffered stick nor carrot succeed in quelling the insurrection.

I am undecided as to whether or not to depart. My friend Cristina, with whom I had planned on sharing the first part of the trip, is raring to go. Assuming the tone of a big sister, I manage to temper her *pasionaria* enthusiasm, and warn her to think it over.

Although the news arrives in abundance, from a distance it is difficult to get a realistic idea of what is happening. I write to Charlotte and Andrés, the founders of Taller Tres (the Chilean association that is a partner in the project), to find out how they are doing and to get their point of view on the situation. Their reply is laconic: «We are observing the unfolding of events». I understand then that those on the ground are also rather confused.

It occurs to me that in July, when I had bought my ticket and Chile seemed like the most docile country in South America, I had taken out travel insurance. I reread the terms and conditions, discovering with discomfort a clause that excludes damage due to riots and street demonstrations. As if the insurance company itself is telling me: «If you go and something happens to you, you have only yourself to blame and we will wash our hands of it».

On the flip side, I remember when tourists wouldn't come to Palermo for fear of the mafia. To those of us who lived there, it seemed ridiculous that foreign travelers would exclude "*la bella Sicilia*" from their possible travel destinations.

As the Chilean mobilization continues, the reasons behind it are taking shape and becoming more precise. How

is it possible that a few cents began all this? How can it be explained that an increase in the price of a metro ticket has called into question the Constitution, and therefore the very structure of the country?

The demonstrators clarify: «It's not 30 pesos, its 30 years». They refer to the three decades of democracy that followed the dictatorship: a period fraught with hopes and delusions.

In 1988 Pinochet had called a plebiscite, certain that the Chilean people's support for the military regime would be confirmed. Despite widespread fear of expressing dissent, the vote proved to be a *débâcle* for the general and his entourage.

The lucky campaign slogan that brought a diverse coalition of anti-regime political forces to power was «La alegría ya viene» [joy is coming]. Thus, the same year that the Berlin Wall fell, the South American country expected a free, prosperous and even happy future from the fledgling democracy.

Thirty years later, it cannot be denied that there have been considerable improvements: free elections have taken place and the country has grown in terms of GDP and education. However, things did not go exactly as many hoped. Marked inequalities are still present and even growing, which are made more acute by extremely low social welfare³: health and education are a luxury that is sometimes inaccessible not only to the poor, but also to the non-rich. Chile, in fact, was one of the countries in the world where the principles of neoliberalism were applied in their purest form, affixed during the regime, and never, until now, seriously questioned (§§ 5, 6, 33, 34).

Coming to terms seriously with the regime was never made. Pinochet, once defeated at the polls, remained head of the armed forces for a decade. After that he was appointed life senator. The trials against him remained pending, with no convictions against him. And not only the old general escaped justice; many of the perpetrators of torture, murders, and disappearances, as well as most of the key men

3. Oecd, *Society at a Glance 2019: OECD Social Indicators*, Paris, Oecd Publishing, 2019, pp. 97-107; J. Atria et al., *Top incomes in Chile: a historical perspective of income inequality (1964-2015)*, «World Inequalities Database – Working Paper», 11 (2018).

of the cruel dictatorship never suffered any sanctions, nor they even were removed from their offices. Paradoxically, democracy protected them and a profound rethinking of the country post-dictatorship never really took place⁴. According to those who protest, therefore, the most burdensome legacy is the socio-economic system built at that time and endorsed by the current Constitution, passed in 1980 during the regime.

The research I had planned to carry out in Chile concerned the legal-political imagination and there is probably no better situation to experience this than a country about to embark on a new constitutional process. So, I decide to pack my bags and depart.

2. Welcomed and enlisted

When Cristina and I land at Santiago's airport, Emilio, a young Chilean friend of friends of friends, picks us up. He has come to pick us up even though he has never met us and even though it is his birthday. During our stay, he will be crucial in helping us to understand what is happening around us.

We have brought him, on behalf of the person who had put us in touch, a Fabrizio De Andrè CD, because Emilio had learned Italian through the songs of the Ligurian singer-songwriter, and because, when he had travelled Italy with empty pockets, buying it would have been an excessive luxury. From us, we have brought what we knew was a food long-desired: a big ball of buffalo mozzarella dripping with milk. Tears of joy for both gifts.

He presents us with two green *pañoletas*, explaining: «Feminists wear these. So, when they cross paths, they can recognize and greet one another». We thank him and put on the kerchiefs given us. We have barely arrived and already we've found ourselves enlisted in the revolt.

3. A pervading protest

Setting foot in Santiago, the first thing that appears clear to us is the ubiquity of the protest. There is no wall that

4. Hugo FAZIO RIGAZZI, *Transición democrática y política exterior en Chile*, Santafé de Bogotá, Centro de Estudios Internacionales de la Universidad de los Andes, 1995.

has not lent itself to slogans, banners and posters connected to the *lucha*. The uprooted pavement, small gardens reduced to stripped soil, and a dust cloud that hovers in the city streets are tell-tale signs of the daily clashes.

The predictable routine of business and schedules has been turned upside down. Whether it is the opening hours of the shops or the university class timetable, the programs of artistic or sporting events, everything has undergone a change following what is known as the *crisis social*.

The protest finds its way into every conversation: in the political arena, in homes, in the markets, in the plazas and in the parks, even in the brief exchanges between strangers on a crowded bus. And despite the abuses of law enforcement, there is no fear nor reticence in criticizing Piñera, the government and *los carabineros*.

But it is in the evening, every evening, that the protest becomes a total sensory experience. At sunset, the rhythmic beat of slogans, drums and pots struck by the demonstrators spreads, followed by the wailing of police sirens. One sees the glow of street fires, lit so as to drive the motor traffic mad. It is not uncommon for the pervasive smell of tear gas to penetrate the nostrils, so that by now it is customary to go around with a handkerchief covering one's face.

All this happens when the sun goes down because, after a day of work or study, instead of going home, many Santiago inhabitants arrange to go to the streets to express their rage, mixed with a yearning for justice.

4. ¡Renuncia Piñera!

Among the cries of the demonstrators, one slogan rings out more frequently than the others: «*¡Renuncia Piñera!*» (Piñera, Resign!). A few days after October 18, 2019, the President of the Republic's approval rating slips from 29% to 14%⁵, and will trend even lower. However, Sebastián Piñera does not seem to heed the unrelenting warning that rises up from the streets. In an interview with the BBC, on November 5, he declares: «I will certainly serve until the end of my term. I was democratically elected by a

large majority. I therefore have a duty and a commitment to those who voted for me and to all Chileans».

Indeed, in Chile, getting rid of the man at the top of the country is not a simple and easy affair, even in the event of serious impeachment, which is promoted by opponents of the government. As Jaime Bassa (§ 38), professor of Constitutional Law at the University of Valparaiso explains, the Chilean Constitution, born during the dictatorship, is centered on the figure of the head of State. It is thus representative of an extreme presidential system. Therefore, «there is no possibility of a vote of no confidence, or of bringing forward elections, as happens in European parliamentary regime»⁶.

I gather information in an effort to understand who Miguel Juan Sebastián Piñera Echenique is. The president is a gray-haired and energetic seventy-year-old who has had a distinguished education, including a PhD in Economics from Harvard, and a successful career in business behind him. At forty, he embarked on the path of politics, supporting the presidential candidacy of Hernán Büchi, Minister of Finance back in the days of the military regime. This connection with Pinochet's entourage is not a lone instance: even Jose Piñera (§§ 6, 33), Sebastián's older brother, was minister twice during Chile's darkest years.

After a long time as a senator and unsuccessful candidate in the presidential elections in 2005, Sebastián Piñera succeeded in his goal on his second attempt, holding the office of President of the Republic from 2010 to 2014. Even during that term there was no shortage of unrest. In 2011, there were large and vehement student demonstrations (§ 17), while in 2012 there were protests by workers. The presidential seat passed over to Michelle Bachelet from 2014 to 2018. In the following elections, Piñera obtained 54% of the preferences, which allowed him to return to govern the nation. He has held the main Chilean institutional office since March 11, 2018, and his term will expire on March 11, 2022.

Expanding my research to the president's family, I come to discover how the Piñera, one generation after another,

6. Abogado constitucionalista Jaime Bassa: «La autoridad militar está actuando como si estuviéramos en Estado de Sitio», «El Desconcierto», (24-10-2019), bit.ly/3p2P0m5.

for more than two centuries, have occupied key, prestigious posts in both economy and politics. The US business magazine, *Forbes*, which annually lists the richest and most powerful people on the planet, estimates the assets of Sebastian Piñera and his household at approximately \$ 2.8 billion⁷.

The current president is therefore a manifestation of the Chilean landowning elite who, impervious to changing events and political regimes, managed to stay in the saddle, never really letting go of the reins of the country.

5. At the supermarket: «Pay in installments?»

At the supermarket checkout, when paying the bill for a modest expense of around 15 USD, the cashier asks me a question that to my ears sounds bizarre, but which among the locals does not seem to arouse any surprise: «Do you want to pay in installments?».

Every Chilean has a price on their head. It happened to me several times during those days, that someone, while chatting, would report to me without embarrassment the exact amount that weighed on their existence. It was as if, in addition to name, age and place of origin, the extent of one's debt, that burdensome figure by which one's daily life is measured against, is a basic fact to offer when introducing oneself.

In Santiago, an average salary is the equivalent of around 600 USD, pensions are meagre, and the cost of living is not at all dissimilar to what I am used to in Sicily. To feed the debt of each Chilean there are, therefore, consistent economic commitments that are justifiably paid in installments – such as cars and houses – but education and health and myriad of small daily purchases have a great impact too, because everything can be paid in installments.

The question at the supermarket, «*¿con o sin cuotas?*» (payment in installments or not?), is therefore one of the

7. Updated January 2022: bit.ly/2U0OEhS. The president has not confirmed the figure, but admitted that his fortune exceeds the six hundred million dollars of which he had initially spoken. Moreover, there is a suspicion that part of the wealth of the president's family has been withheld from national taxation. A commission of inquiry, approved by the Chilean parliament on 17 January 2020, will investigate the transfers of several million dollars from the Bancard company, which is traced back to Sebastián Piñera's children, to tax havens.

various clues that reveal how Chile was an artificial experimentation ground of US neoliberalism, inoculated through the cocky Chicago Boys.

In 1956, a handful of brilliant Chilean students were transplanted to the Chicago School of Economics and nurtured by Milton Friedman, the most extreme proponent of the free market.

According to Friedman, inequality – far from being a negative – is, rather, the spice of life: the inevitable outcome of the perennial human competition that produces winners and losers. Those who take advantage of the state of need, by raising the prices of what is most necessary and lacking or by slashing wages and rights when labor is in abundance, can sleep peacefully, reminding themselves that «life is not fair»⁸.

The Chicago Boys were a group of twenty young Chilean men, united in strong bonds of brotherhood and camaraderie, proud of having been accepted into the academic and socio-cultural empire of the United States, exalted by the mission to propagate the new economic gospel in their own country, realizing in this way the *Miracle de Chile*: the miracle of converting an archaic and community-minded country into the most avant-garde and cynical neoliberal experiment⁹.

They returned to their homeland before Allende's election, to work at the Catholic University of Chile. But it was only after Pinochet's coup that their ideas became a system. They obtained key positions during the dictatorship and shaped the economic structure of the country. This system persists and the *chicas chilenas*¹⁰ are now mov-

8. «Life is not fair. It is tempting to believe that government can rectify what nature has spawned. But it is important to recognize how much we benefit from the very unfairness we deplore», Milton FRIEDMAN, ROSE FRIEDMAN, *Free to Choose: A Personal Statement*, New York – London, Hartcourt Brace Jovanovich, 1980, p. 137.

9. Manuel DELANO, Hugo TRASLAVIÑA (eds.), *La Herencia de los Chicago Boys*, Santiago de Chile, Ornitorrinco, 1989; J.G. Valdés, *Pinochet's Economists: the Chicago School of Economics in Chile; A Study in the Transfer of Ideas*, Cambridge, Cambridge University Press, 1995.

10. The Chilean popular rebellion is extremely broad and multifaceted, intergenerational and interclass. The male gender is, of course, well-represented among its ranks. However, the importance and space gained by feminist groups is truly surprising (§§ 22, 23, 24). It is no coincidence that in January 2020, Chile registered a new party composed only of women: the PAF – Party for the Feminist Alternative. In addition, on March 8,

ing with a particular zeal to challenging the effects of the Chicago Boys' policies.

6. No + AFP

Several metro stations are out of service because they were devastated during the first protests against the metro price-hike. In order to overcome the shortcomings of public transport, I am advised to use Uber for the affordable prices and, in their opinion, for its greater reliability compared to cabs. Taxi drivers, from what I hear, suffer an unpopularity almost comparable to that of the government in office.

Although it is widely-used, the mobile application for automobile transport offered by private individuals operates under a rather informal regime in Chile. This “informality” is seen as an employment opportunity by those who are excluded from the official labor market. A significant percentage of drivers are migrants waiting for their status to become official: the bureaucratic procedures are long, Uber doesn't ask for residence permits and so foreign women and men get behind the wheel. Another well-represented demographic among Uber drivers are pensioners. Given the interesting sample, every ride turns into an interview.

Three minutes after sending the request for a ride via the app, an older model Seat Ibiza pulls over, which is so clean and well-maintained that it looks fresh from the factory. At the wheel is Horacio, an ex cameraman of a major Chilean channel. He retired some years ago, but with the equivalent of a 300 USD monthly pension, in order to cover living costs and debt repayment, he can't afford to stop working. While driving through the streets of the city, Horacio is more than willing to offer me, along with passage, a critical overview of AFP: the Chilean pension system which is one of the main targets of the protest.

The acronym of AFP stands for “pension fund managers”. It is the pension system that was introduced in Chile in 1980 and is still operating today. Its principal architect

is José Piñera, brother of Sebastián, the current president of the nation. During the military dictatorship, José first served as Minister of Labor and Social Security, then of Mining. An enthusiastic supporter of libertarian economic theory, he set himself to placing the Chicago Boys in key positions, so as to shape the economic structure of the country in accordance with the principles of their doctrine (§ 5).

The AFP is based on individual capitalization, fully self-financed by Chilean workers, who set aside about 12% of their salary during their working life. No assistance in increasing that nest egg, which is to be hoarded in anticipation of old age, is provided neither by employers nor by the State. The contributions, deducted from salaries, are managed by private firms as investment funds which, as one can imagine, turn a good profit. At the end of their working life, the person will receive what has been accumulated plus the interest accrued in the meantime¹¹.

But how to calculate the monthly pension amount? The capitalized figure is divided by the number of months from the age of retirement to a hypothetical date of death. The Department of Statistics of the Chilean Ministry of Health calculates an average life expectancy of eighty years (men: seventy-seven; women: eighty-three). But pension fund managers are more optimistic and imagine Chileans to be much more long-lived. What could be read as an auspicious wish for long life, however, translates into a drastic reduction in monthly income for the former worker.

In Chile, men can work until the age of sixty-five. The nest egg that they have put aside, going by the government data predicting a further twelve years of life, or a hundred and forty-four months, should be divided by 144. But from the moment that the AFP predict an expectancy of eighty-five years, the capital set aside is divided by 240 monthly payments (which is equivalent to twenty years) and therefore the monthly income is considerably reduced.

Much more discouraging is the post-work prospective for women. They suffer more precarity and unemploy-

11. Under both the impulse of the revolt and the economic urgency produced by the Coronavirus pandemic, a partial AFP reform was enacted in 2020, allowing for the early 10% withdrawal of the accumulated capital (§ 52).

ment and have on average lower wages than men, so they set aside much less during their working life. But, as if this weren't enough, being obligated to go into retirement at no later than age sixty and having, according to the AFP's "rose-colored" estimates, a life expectancy of no less than ninety years, in order to determine how much monthly income the pensioner will receive, the already meagre loot is divided by 360 (the equivalent of thirty years)! Ultimately, the average pension for men amounts to 250,000 pesos (equal to 395 USD per month), while that of women is only 160,000 pesos (200 USD per month)¹².

Later, I will be able to verify the information received from Horacio by consulting various publications on the subject, which will confirm how well informed he was. Most likely, in addition to personal interest, all the news, reports and talk shows that he has filmed during his career as a cameraman have contributed to his acquisition of data and knowledge. For a long time, the Chilean pension system has been contested on several fronts, especially by those who identify themselves in the "No + AFP" movement, which rose back to the fore during the current mobilization¹³.

Among the materials that I examine, the gulf in opinion between the many who declare AFP «a factory of poverty»¹⁴ (and, I would add, of women's poverty) and that of José Piñera, stokes my amazement. The architect of the Chilean pension system is extraordinarily proud of his creation and has industriously worked hard to promote it throughout the world by asserting that, thanks to the system, workers are transformed into capitalists, escaping from the parasitism and waste of the nationalized model. In a recent editorial of the economic studies journal that he himself directs, Piñera states that «The system of individual capitalization [AFP] has represented the greatest

12. Data for 2018 from the Superintendencia de Pensiones.

13. As of January 2020, as many as 93% of citizens would like a reform of the Chilean pension system. Plaza Pública Cadem – Encuesta no. 314, 20/1/2020. bit.ly/38iXboo.

14. Carlos RIVADENEIRA MARTÍNEZ, *Aquí se fabrican pobres: El sistema privado de pensiones chileno*, Santiago de Chile, Lom, 2018.

creation of wealth to the direct benefit of the workers in all of the history of Chile»¹⁵.

7. Apiaries with a pool

Chile has thus held on to a semblance of well-being based on excessive debt (§ 5). The quality of life of most is like gaudy make-up applied to a blighted face. The dwellings reveal this contrast.

When, still in Italy, I was looking for a lodging for my stay in Santiago, I browsed through hundreds of photos of apartments on my computer. The search for a place to sleep became a sociological investigation.

Almost all the accommodations in my budget that came up were situated in huge, imposing apartment buildings equipped with swimming pools, gyms and a lavish concierge. But at odds with those features that gave the feeling of being offered access to a luxury residence, the apartments themselves were very small, each one the same, furnished with cheap accessories and shoddy furniture.

In the end, I opted for a lodging on the 27th floor, not far from the center, on the shore of the Mapocho, more a rivulet than a river. From the balcony, I could enjoy a beautiful view that reached as far as the Cordillera. Between the mountains and the tower from which I observed the horizon, there was a boundless array of skyscrapers, all quite like the one in which I found myself: at the top turquoise tubs glimmered, below were stacked a myriad of modular rooms, where a vast middle class, increasingly precarious and impoverished, finds habitation at a high price.

15

8. Marching with Pikachu

On the murals that appear during the mobilization – among raised fists and scenes of people marching – I often notice a seemingly out-of-place character: Pikachu, the famous Pokémon character.

15. JOSÉ PIÑERA, *Capitalización: la revolución chilena que recorre el mundo*, «Economía y Sociedad», (January-March 2019), bit.ly/3mYDNRJ; see also ID., *Pensionari: una riforma per sopravvivere: Prospettive europee per il modello a capitalizzazione*, Soveria Mannelli (CZ), Rubettino, 2004.

Why does the protagonist of a Japanese cartoon live in the Chilean political imagination? Finally, Hamed, an inventor of Palestinian origin who collaborates with the partner association of the project for which I went to Chile¹⁶, reveals the story to me.

In Millán Grandón's house, despair and apprehension pervaded the air. The youngest of five children, he had discovered a captivating online commerce portal while playing around with his father's cell phone. He had entered into a digital Land of Toys and had begun to explore what for a cartoon and video game enthusiast appeared to be the most desirable of objects. The innocent seven-year-old had no idea that with every click, the already considerable family debt grew.

His parents only became aware of the disaster when they saw toys of every sort, worth a total of 600,000 pesos, delivered to their home. They tried to return the minor's reckless purchases, in order to be reimbursed for the unforeseen expense, but customer service was not moved upon learning that the large family was in dire financial straits and reiterated firmly that their policy did not allow for returns.

Mrs. Giovanna Grandón, distraught, meditated on what to do, and thought about the fact that they were no longer able to pay their daughter's university tuition or medical care for their middle children. In the background, the television played the nightly news report. Her attention was caught by the arrests of students and she felt profoundly indignant. Her thoughts went to the children who she, a school bus driver, ferried every day from home to school and back. She felt that the anger that moved the protestors was similar to hers, and it seemed obvious to her to participate in the demonstration scheduled for October 25.

She remembered that, among her son's purchases, there was also an inflatable Pikachu costume. She put it on and hit the streets.

She found herself in the middle of the *Marcha Más Grande de Chile*. Alongside her more than a million peo-

16. Chile is home to the largest Palestinian community outside the Middle East in the world, made up of around five hundred thousand people.

ple marched peacefully through the streets of Santiago, requesting dignity. The yellow alien rodent with a tail of lightning hopped and waddled among the participants of the gigantic demonstration, encouraged by a chorus: «*i Baila Pikachu, baila Pikachu!*».

Mrs. Giovanna's Dadaist reaction to her distress is picked up by several cell phones and rebounds on myriad social media pages. It even reaches across oceans, becoming so familiar that other Pikachu activists will parade in the demonstrations that, during those very days, are being held in France and Hong Kong.

9. *¿El pueblo unido jamás será vencido?*

I listen to the throng of demonstrators singing «*El pueblo unido, jamás será vencido*». The people united will never be defeated. While I find myself moved by their singing, I wonder whether there is truth in the lyrics or if it is mere rhetoric.

History possesses a vast and cruel succession of situations in which apparently united peoples have been subjugated and annihilated. It is not at all difficult for those in a dominant position to instill suspicions, envy and fears that crumble the commonality of purpose of a group of insurgents.

Chilean history itself offers a strikingly telling example. When, following the democratic elections of 1970, Salvador Allende assumed the office of President of Chile, it at first seemed to confirm the theorem that the union of the people leads to victory. Finally, the poor would have free food, children milk, the minimum wage and pensions would increase, health and education would become more accessible, the haciendas would be confiscated and the lands redistributed. But the conservatives did not give in to defeat. After all, they still had control over most of the press, along with the economy's nerve center, and they also had support from the United States. They made sure that the shelves in the stores remained empty, they financed the truckers' strike to block the country, they did not protest the USA's embargo because it discredited the new government. Isabel Allende writes of the time that:

«For the first time in their lives, people had enough money to cover their basic needs and to buy a few things they had always wanted, but now they were unable to do so because the stores were nearly empty. Shortages of goods, which was soon to be a collective nightmare, had begun. [...] Meanwhile, the people, who were accustomed to poverty and most of whom had never eaten chicken except at Christmas and on Independence Day, did not give up the euphoria of the first days of victory. They organized themselves as if for war, determined not to let the economic sabotage spoil what they had won. They continued celebrating in a festive spirit and singing that the people united would never be defeated – even though each time they sang, it sounded more out of tune because divisiveness and hatred were inexorably growing»¹⁷.

If we don't want to content ourselves with rhetoric, then the coup of September 11, 1973, that inaugurated Pinochet's atrocious dictatorship requires us to make a correction to the theorem: *el pueblo unido, jamás será vencido*, yes, but unity is a fragile condition that can be easily damaged, and therefore victory is an unstable and precarious condition.

And yet, translated into terms of social epistemology, the motto could regain its plausibility. The following section provides an example.

10. *Plaza de la Dignidad*, or naming things

The meeting point of the crowded demonstrations, as well as the place where activists gather daily and where riots are rekindled every evening, is an extremely vast space. This great arena of encounters and clashes brings to mind Tahrir Square during the Egyptian uprising in 2011. The Arab Spring is, in fact, a source of inspiration for Chilean activists.

Official toponymy indicates that it is named Plaza Baquedano, but no one in Santiago calls it this (§ 58).

17. Isabel ALLENDE, *The House of the Spirits*, London, Vintage, 2011, pp. 396-398. It is no accident that to illustrate this period I chose to quote not an essay by a historian, but a novel. Experimenting with the genre of the narrative essay, I am interested in those instances where the literary register mixes with analysis.

Rather, everybody knows it as Plaza Italia. Or rather, this is what it was called until the demonstrators decided to rechristen it «Plaza de la Dignidad». The new name deemed this agora to be the place where the Chilean people held their heads high and promised themselves that they would not stop until «*hasta que la dignidad se haga costumbre*» (until dignity becomes custom).

For one day, internet activists managed to replace the official name of the plaza in Google Maps, with the one conferred by popular vote. Now, if one enters the address «Plaza de la Dignidad, Santiago, Chile», into the app, the cursor obediently positions itself in the epicenter of the mobilization. Names are conventions and, when a sufficiently large number of people accept a new name on a permanent basis, it is adopted.

Whichever type of power – whether it be economic, religious, political or military – in order to modify reality, even in its material form, needs to colonize the imaginary. This fact, however, makes it anything but ephemeral and easy to undermine. On the contrary, a belief placed in the minds of many men and women is terribly difficult to change, much more difficult than knocking down a solid wall.

For a simultaneous and collective change – one that can transform the name and meaning of things, and with it the fate of people – to occur in the «thinking environment»¹⁸ of a human community, particular circumstances need to exist.

It can therefore be asserted that *a people* (in the sense of a group that represents itself as such), *united* (to the extent that individual imaginations converge), *wins* because it establishes new conventions that structure reality according to an unprecedented paradigm.

18. That thought constitutes an “environment” is a discernment of Serge Moscovici: «individuals and groups, far from being passive receptors, think for themselves, produce and ceaselessly communicate their own specific representations and solutions to the questions they set themselves. In the streets, in cafés, offices, hospitals, laboratories, etc., people analyze, comment, concoct spontaneous unofficial “philosophies” which have a decisive impact on their social relations, their choices, the way they bring up their children, plan ahead and so forth. Events, sciences and ideologies simply provide them with “food for thought”», Serge MOSCOVICI, *The Phenomenon of Social Representations*, in Gerard DUVEEN, Serge MOSCOVICI (eds.), *Social Representations: Explorations in Social Psychology*, New York, New York University Press, 2001, p. 30.

11. A matter of taste

Several Santiago locals who I speak to seem to be apologizing to me for the conditions in which I, as a visitor, have found the city in, like a host who is surprised by an unexpected visit when their apartment is a mess.

They are sorry that I have found the flowerbeds of Plaza Italia trampled on, the picket fencing torn up, the pavement ruined, and the equestrian statue of General Baquedano covered with flags and banners. They explain to me that this central quarter, where adolescents now meet with their chests bared and their faces covered, was once an elegant stage for the local bourgeoisie. Now that its decorous appearance and placid climate had disappeared, Santiago can no longer be vaunted as the most European of South American cities¹⁹.

But a difference of ethical or political opinion inevitably ends up involving the aesthetic dimension as well. In his text *Distinction*, Pierre Bourdieu refutes the motto *de gustibus non est disputandum*, and discusses exactly how belonging to a social group (identified by social class, political orientation, age, etc.) influences difference in taste²⁰.

Almost as if to corroborate the thesis of the French sociologist, a young activist tells me her diverging opinion on the metamorphosis of the Plaza de la Dignidad: «I like the plaza how it is now, even if it is dusty and destroyed. Because it is the impact of the people that transformed it. Now it is like this because the people left their mark».

12. Eyes

Wherever one goes, they are scrutinized by images of injured eyes. Hundreds of murals have a marred pupil as their subject. One of the most recurrent icons of the revolt is an eye that cries a blood drop in the shape of Chile. From the trees of a park hang festoons that ring around weeping eyes. Resin eyeballs, like Stolpersteine,

19. Interestingly, to consider it a boast to appear European, rather than Latin American, is a sign of an enduring colonization of taste. In addition, this notion chooses a reductive and stereotypical representation of Europe as the homeland of order, stability and well-being.

20. Pierre BOURDIEU, *La Distinction: Critique sociale du jugement*, Paris, Les édition de Minuit, 1979.

make the paths of avenues bumpy. The cheeks of some austere bronze statues are streaked with a teardrop of red paint. I find a poem affixed to a gate: «How much is an eye worth?». During a demonstration, a girl dances holding an umbrella from which eyeballs dangle, while a small group of children draws huge chalk eyes on the asphalt.

Why this disturbing obsession? In the few days following the beginning of the protests, Chile attained the sad world record for the number of eye trauma victims. In a couple of months, official estimates have counted around three hundred and fifty people who have suffered from severe corneal injury to the irreversible blindness of one and, in some cases, both eyes. The main causes of these injuries are the rubber bullets fired by the police at face height, abusive use of tear gas, and water jets with irritant substances shot into the crowd at extremely high pressure.

If one wanted to give a symbolic, and bold, reading of this fury towards the eyes, one would say that it is a punishment for having opened them and a warning for people to close them again and stop wanting to see.

I therefore decide to meet a delegation of the Coordination of Eye Trauma Victims: there is Marta, the coordinator, mother of an injured seventeen-year-old son; there is Marcelo, a tall youth with an eye patch that confers a pirate-like air onto him, and finally there is Albano, who spent twenty hours on the bus to come to Santiago, because in the region from which he comes, there are no public health ophthalmologists.

At the table of a small bar next to La Moneda Palace, they share their stories with me and the reasons for their commitment. Albano says he is a professional nurse who has always dedicated much of his free time to volunteer work, intervening in emergency situations such as accidents, fires or earthquakes. On November 21, he was at home, when he heard a roar coming from ground zero, the area where the protests are taking place and where the repression is more severe. He immediately prepared himself: he donned his rescue worker uniform, put on his glasses for nearsightedness, and went out. His task, along with the other volunteers, was to transport the injured to a safe, albeit makeshift, area about five blocks away from the fighting and provide necessary care. He worked tirelessly

for many hours, because there were many who needed to be rescued. At three in the morning, when the fighting had subsided, he still held a teenage boy in his arms. Just at that moment, like an ambush, a convoy of *carabineros* arrived. One of the agents, at short distance, fired a gun loaded with rubber bullets directly into his face. His glasses flew off, he instinctively brought his hand to his face, which was now gushing red. Albano has permanently lost sight in his left eye. He concludes by saying: «I didn't have a stone in my hand, I had a thermometer; I wasn't fighting, I was just helping».

It's Marta's turn. She begins by telling me how she was the first in her family to decide to participate in the protests. It felt right to protest against the pitiful pensions, for better education and public health. And so her five children followed her example, taking part in the recurring marches. In particular, Edgardo, the youngest, had told her that he would be going to the demonstration near La Moneda Palace with some schoolmates. She had given the usual warnings, but had not discouraged him. The youths were standing in the narrow street in front of the cordoned-off square where the government is based, when agents began firing tear gas into the crowd. To escape the onslaught, the protesters started running. It was hot, the air was made unbreathable by the gas, Marta's son was tired, he couldn't take it anymore. He rested under the shadow of a statue to catch his breath, but at that very moment he was hit by a tear gas grenade. The irritant substances that are released make the pain of an injured eye even more excruciating. The volunteers of the *primeros auxilios* helped him and took him to a public hospital. In the hospital, the corridors were crowded with all sorts of sick people waiting in the hope of being assisted. Hygiene was poor, and there weren't enough specialists to cover all pathologies. As if that wasn't enough, special forces were roaming around the health facility. The boy was in shock, his trauma was not only physical, and the sight of the police put him in a state of extreme upset.

Marta confides in me that, at first, she felt guilty, reproaching herself for having encouraged her children to participate in the protests. Then she began to repeat to herself that it wasn't her fault, but that of a State that exercises violence and that guarantees immunity to its agents

and functionaries that violate human rights. She therefore decided to challenge that system. She contacted as many people as possible who had suffered a similar fate to that of her child, to lend each other mutual support and to report abuse. This is how the Coordination of Eye Trauma Victims was born.

Marcelo explains to me how important the group is. It serves primarily to deliver truth. For example, the real cause and circumstance of his injury, like many others, was not recorded in the emergency room. Moreover, he adds, psychological support is just as necessary as physical care: it certainly helps to find companions with whom to share pain and anger, exchanging advice and giving each other mutual support. Marta clarifies that with this they do not intend to replace public functions. Rather, they are launching a series of legal proceedings and communication campaigns to draw attention to state abuses and deficiencies in the health system.

I inform Marta that I intend to donate this book's royalties to their organization, stressing that they should not expect a large sum. She hugs me gratefully and tells me that what is important isn't so much the financial contribution as it is to talk about what has happened, that their experience will reach far and that attention will be sustained for a long time.

23

13. The *paco* caste²¹

The writings «*pacos asesinos*» (*pacos* are murderers), «*odio los pacos*» (I hate *pacos*), «*la paca no es compañera*» (the cop woman is not a comrade), «*carabineros terroristas*» (*carabineros* are terrorists), «A.C.A.B.» occupy walls, superimposed over one another like overlapping voices. During the demonstrations, people shout at the top of their lungs with unbridled fervor, against the men and the (numerous) women who are supposed to be responsible for ensuring and maintaining public safety.

But this visceral hatred of law enforcement has roots more ancient and reasons more complex than the re-

21. In Chilean slang, «*paco*» is roughly equivalent to «cop», a derogatory way of referring to the police.

cent indignation for the serious abuses committed over the days of the protest. A military dictatorship depends on the unquestioning loyalty of the armed forces to the commander in chief. Such loyalty must be cultivated, otherwise the leader risks losing their grip on the country. Pinochet, astutely, made men belonging to the army and the police a privileged caste, and this arrangement has not been questioned until now²².

Just like in many parts of the world, it is young people from the lower-middle class and minorities who become law enforcement officers. They are enticed by the desire to leave behind the hardship and precarity with which they have grown up.

There is, also, a distinguished career for the executive law enforcement roles, to which only those who already belong to a political and economic elite have access. Among the ranks of this oligarchy there is a running thread, often through kinship, with those responsible for abuses and torture during the regime.

Isabel, a young historian that accompanies me on a visit to the Museum of Memory and Human Rights, tells me that: «Like in the times of the dictatorship, the police still today lives in a reality different from that of the rest of the population. They have the right to live in separate neighborhoods, they have exclusive and subsidized education, health and pension systems. They are even usually judged by a special tribunal that tends to preserve their immunity. They live in a world apart, distinguished by many privileges».

This separate gilded status ascribed to the “*paco* caste” could account for the widespread hatred towards them among the common people and could also explain the polarization between citizens and law enforcement officials. The men in uniform, having little occasion to cross paths with the rest of the population and feeling themselves to be the targets of a generalized anger, lose any ability to understand the difficulty and the pain of their own fellow cit-

22. John R. BAWDEN, *The Pinochet Generation: The Chilean Military in the Twentieth Century*, Tuscaloosa, University of Alabama Press, 2016.

izens: in this way, the mass of protestors becomes, in their eyes, a foreign and enemy army²³.

Many videos circulate on social-media that depict the guerilla warfare between the Chilean population and the forces of law and order. Among these, there is one in particular that speaks to me. It shows a protestor, surrounded by violent brawls, drawing near to the police. Stopping a daring few meters away from a menacing phalanx of armed men, he begins to shout at them repeatedly: «We are doing this for you, too», challenging – in the midst of the conflict – the gulf between them.

14. Stoplight-men

The traffic light is a very useful tool for coordinating collective action in urban areas. It imposes clear and color-coded orders that have nothing moralistic about them. It does not dictate what is good or what is bad, it simply establishes who should move, stop or slow down, and for how long.

This impersonal mobility regulator that watches over the crossroads from its elevated and neutral position has been the object of systematic attacks during brawls. To provoke disorder is not only a way of putting pressure on the establishment to pay attention to the demands of those who protest, it also signifies the breaking of a structure in order to imagine a different one, without any guarantee that the new, as such, is better than the old.

The fact remains that a large part of the traffic lights in the city center were tampered with and haven't worked for months. A large team of human traffic lights took their place. At every crossing, one meets at least one man or one woman who directs urban circulation. They are not traffic wardens sent by the local government to buffer the unrest, they are mainly homeless people who have attained, on their own initiative, a social function.

23. The process of democratization of the police, and of their reconciliation with the citizenry is, therefore, a necessary step in preventing state violence and the risk of authoritarian drifts. In March 2020, exactly five months after the outbreak of the rebellion, Piñera announced his intention to initiate a reform to rehabilitate the police force in the eyes of public opinion. The reform is inspired by the recommendations contained in a report produced by a special interdisciplinary commission, and consists of a hundred measures that revolve around three axes: «Public order and human rights, modernization and proximity».

They wear a reflective vest, and with great efficiency they wave cars through in one lane, while in the other they make sure that the last member of the pedestrian convoy has reached the sidewalk. Several motorists, thankful for the service, are happy to offer them whatever change they have around, while others feel forced to give it to them for the obtrusive ways in which they are urged to offer payment.

The life of the homeless who have become stoplight-men has, however, changed. Geraldine, an Italian friend of mine who is an Aymara language scholar, lives in Barrio Italia and, from the vantage point of her home, is able to capture the effects of the metamorphosis: «There is a small group of homeless people that shelters in an abandoned newsstand just here below. Since they began to do the traffic lights, they've had more cash at their disposal and obviously the first thing they spend it on is food. I've noticed that they have taken to cooking more elaborate and tasty dishes and even, sometimes, can afford to eat out». The change, however, is not limited to satisfying basic needs with greater ease: «They don't just direct traffic, but they often mediate between the protestors and the *carabineros*». They talk with both sides, no longer as beggars peering up from the sidewalk hoping for alms, but in their phosphorescent uniform they feel they have taken on a recognizable and recognized role as regulators of both road and relational crossings.

When the order of things falls to the wayside, a new, often unpredictable one is quickly established. The cards are reshuffled. People who are low on the social scale may find themselves higher, and those who were once close may find themselves now rivals. The new setup may take root or be a transient phase before the restoration is completed. But even if it is uncertain and precarious, a different balance opens a gap in the mind that leads one to imagine how that which exists could be replaced by an otherwise (§§ 44, 46, 47).

15. Under the shadow of which flags?

Looking up from the crowd at the colored cloths waving above the heads of the protesters, one quickly realizes that the symbols of parties and unions, that is to say, of traditional political entities, are missing.

Among the flags most frequently spotted, is the *bandera chilena negra*. The layout is identical to the original: there are three field separated by perpendicular lines and at the top left there is, as usual, the star. The red, the blue and the white are now, however, black, as a sign of mourning for the many activists who have been injured or killed.

But above all one sees the banners of the Mapuche: the only indigenous population that managed to hold its own against the *conquistadores*, albeit at a great cost, and which still suffers today from numerous discriminations (§ 16, 54, 66)²⁴. The Mapuche flag (*wenüfoye*) epitomizes a cosmogony. The three horizontal bands represent the different realms of existence: the blue refers to the celestial, the green to the terrestrial, while the red recalls the chthonic and inner realm. At the center, there is a yellow *kultrun*: the sacred drum, whose decorations symbolize both the cardinal points and the cycle of the seasons.

It is also not uncommon to find yet another reinterpretation of the Chilean flag. In this iteration, the classic five-pointed star, which in the iconographic language of flags represents the State, is replaced by an eight-pointed star, borrowed from Amerinda symbology.

These re-imaginings of the national flag show how new bases of social and political aggregation are emerging and how a profound rethinking of the people's identity is underway.

16. We are all Mapuche²⁵

Why is it primarily Mapuche flags that wave at the protests? Is it simply a matter of expressing solidarity to the

24. Diego A. ITURRALDE, *Tierras y territorios indígenas: discriminación, inequidad y exclusión. Racism and policy paper*, Durban (South Africa), United Nations Research Institute for Social Development, 2001.

25. It is estimated that people of indigenous origin in Chile exceed 1.5 million, representing about 9% of the total national population. They are divided into different ethnic groups, the largest being the Mapuche, which alone accounts for 84%, followed by the Aymara, the Diaguita, the Lickantay, the Quechua and other scattered groups, such as the Rapa Nui of Easter Island, which altogether make up 15% of the total Indigenous population. The Metropolitan region (30.1%), Araucanía (19.6%) and Los Lagos (13.1%) have the highest concentration of members of the original peoples. 24.7% reside in rural areas, iwgia.org/en/chile.html.

indigenous cause or are there deeper and more complex reasons?

I discuss it with Daniela Núñez Rosas, an anthropologist employed at the office of *Equidad e Inclusión* at the Universidad de Chile. The scholar explains to me that, if in the recent mobilization the invocation of the identity, the history and culture of the Mapuche people has ended up assuming such an important role, it is owed to the fact that this people has become a symbol of resistance to all unjust rule. Over the course of their history, the Mapuche have, in fact, come up first against the Inca, and then the Spanish, preventing the latter from spreading to the lands south of the BíoBío River²⁶.

I ask her how this nomadic population's extraordinary capacity to resist can be explained, especially considering that it was apparently less powerful than other indigenous kingdoms that were overthrown by the conquerors. The anthropologist explains how an element of the Mapuche's strength lies precisely in their lack of a centralized political structure. Traditionally, this population gathered in small, scattered and mobile units which had a fluid leadership that was ambiguously situated between the political and spiritual spheres. This would have probably rendered them more elusive to the conqueror's grasp, in both a psychological and military sense, and not to mention less corruptible.

I ask her about the current state of events, and she responds: «At the beginning of the nineteenth century, the various indigenous communities played a crucial role in attaining Chilean independence from Spanish rule. But once the new nation was established, they were betrayed. The lands from which the Mapuche and the other native peoples came and practiced communal agriculture and farming of livestock, were either “legally” sold or even donated bit by bit to the ruling Chilean class of local and foreign magnates and multinationals in exchange for support and favors».

Over that same period, reports appeared in Italian newspapers that the Benetton family estate located in Argentinian Patagonia had been *occupied* or, according to the activists' perspective, *recovered* by a Mapuche community.

26. JOSÉ BENGÓA, *Historia del pueblo Mapuche: (Siglo XIX y XX)*, Santiago de Chile, Ediciones sur colección estudios históricos, 1985.

The nine-hundred-thousand-hectare hacienda owned by the head of the colorful sweater brand happens to be situated on the same land where the Amerindian people have lived for centuries. They were displaced from this land in 1896, when the Argentinian President Urriburu decided to gift it to a small group of Englishmen – in violation of the law, that allowed neither such extensive donations nor private estates over four hundred thousand hectares. In 1991, after a complicated series of steps and successive purchases and sales, the land came into the hands of Benetton²⁷. Daniela Núñez explains how, in many Latin American countries, the notion of private property, enforced by a positivist European-style law, has undermined the ancestral right of the native peoples to live in and on those territories²⁸.

The clash between the State and indigenous movements is, therefore, not relegated to the colonial past, but it is something that continues to occupy the headlines. In this regard, one of the cases that aroused the greatest indignation in Chilean public opinion was the killing of Camilo Catrillanca at the hands of the Jungla, a special commando of *carabineros*. The young Mapuche farmer was gunned down while he was working his land, exactly one year before the outbreak of the protests. Camilo lived in the Araucanía region, where the indigenous population is most present and active. He was an activist in the group Alianza Territorial Mapuche (ATM).

Listening to the anthropologist and further investigating myself, I discover how «juridical colonialism» also manifests itself in the Constitution's great omission. The

27. Centro di Documentazione Conflitti ambientali, *Conflitto Benetton/Mapuche*, cdca.it/archives/10045; Massimo VENTURI FERRIOLO, *Un assordante silenzio: la questione Mapuche vs Benetton*, «Volere la Luna», (22-3-2019), <https://bit.ly/355jhZH>.

28. Helena OLEA RODRÍGUEZ (ed.), *Derecho y pueblo mapuche: Aportes para la discusión*, Santiago de Chile, Centro de Derechos Humanos de la Universidad Diego Portales, 2013; Rodrigo MÍGUEZ NÚÑEZ, *Indigenismo, ciencia jurídica e propiedad andina*, «Revista crítica del derecho privado», anno XXX/2012, pp. 305-269; Ramón M. MINIERI, *Ese ajeno sur: Un dominio británico de un millón de hectáreas en la Patagonia*, Viedma, Fondo Editorial Riograndino, 2006; Matías G. MEZA-LOPEHANDÍA, *Territorio indígena en el derecho chileno. Una mirada desde el ordenamiento jurídico chileno y la urgencia del Reconocimiento*, dissertation for the University of Chile Law School, Santiago de Chile, 2009, <https://bit.ly/32M9Obq>; José BENGÓA, Eduardo VALENZUELA, *Economía mapuche: pobreza y subsistencia en la sociedad mapuche contemporánea*, Santiago de Chile, Ed. Pas, 1984, p. 211.

Chilean Constitution is in fact the only one in Latin America to make no mention of indigenous peoples, neither in regards to protecting their languages and cultures, nor so much as partially recognizing the institutions, norms and customs that have characterized the lives of the inhabitants of the American subcontinent since pre-Columbian times²⁹. On the other hand, it's not surprising that the Constitution drafted during the military regime avoided mention of the Amerindian groups. Allende had been bringing to fruition a land reform which had been undertaken more tentatively by previous governments. It provided for the expropriation of haciendas for their nationalization or redistribution to the farmers and native peoples. The dictatorship, supported by the big landowners, not only interrupted this process, but launched an agrarian counter-reform through which the confiscated lands were returned to the old holders. Meanwhile the Mapuche, in large part farmers and strenuous political opponents of the regime, were among the first targets of the repression that followed the coup³⁰. This is why one of the demands most widely shared by the recent protestors is that the new constitution defines the Chilean State as «plurinational».

I ask my interlocutor what the criteria for determining membership of the Mapuche community (as well as Aimara, Diaguita, Lickanantas, Quechuas, etc.) is. How can the identities of the different “nations” of a plural State be defined,

29. Although the constitution is not concerned with the issue of indigenous peoples, the Chilean legislature has addressed the issue in a framework policy. The «Ley de Protección y Fomento de los Pueblos Indígenas» No. 19.253, enacted in 1993. Art. 1 offers a definition of indigenous peoples: «Human groups that have existed in the national territory since pre-Columbian times, preserving their ethnic and cultural manifestations»; lists Chile's main ethnic groups: «The Mapuche, the Aimara, the Rapa Nui or Pascuenses, the Atacameñas, Quechuas and Collas communities in the north of the country, the Kawashkar or Alacalufe and Yámana or Yagán communities of the southern channels» and establishes a cardinal principle: «It is the duty of society in general and of the State in particular, through its institutions, to respect, protect and promote the development of indigenous people, their cultures, families and communities, adopting appropriate measures for these purposes and protecting indigenous lands, ensuring adequate use, for their ecological balance and development». Despite this proclamation, however, Chilean law does not recognize the different types of possession of indigenous traditions, maintaining as an exclusive model that of Romanist civil law. See MEZA-LOPEHANDÍA, *Territorio indígena en el derecho chileno*, cit.; Rodrigo MÍGUEZ NÚÑEZ, *Terra di scontri: alterazioni e rivendicazioni del diritto alla terra nelle Ande centrali*, Milano, Giuffrè, 2013.

30. ROBERTO MORALES URRRA, *Cultura Mapuche y Represión en Dictadura*, «Austral de Ciencias Sociales», 3 (1999), pp. 81-108.

if the human texture of that geographically slim country is so varied? The anthropologist agrees that it is very difficult to draw a clear line between who is and who is not Mapuche. The Chilean population is *mestizo*, almost every inhabitant has at least one Amerindian ancestor. In this regard, it is interesting that the national census has modified the question to establish the ethnic composition of the population. Before, the question was: «To which ethnic group do you belong?». Now, instead, the question is «Which group do you feel you belong to?». The result is that the percentage of people that feels themselves to be Mapuche is higher than those who declared themselves Mapuche in the old census, and the figure is trending upward.

Something that Emilio and others tell me helps me to understand this sense of belonging that is more emotional than ethnic (although the definition of an ethnicity is never based on purely objective parameters). They say: «It's not simply about supporting the cause of the native peoples. Now that the protest has broken out, we have all recognized our own struggles in the harassment and injustice suffered by the Mapuche. We realized that the deception that they suffered first is the same that all the Chilean people live today».

Finally, a proud Mapuche lawyer explains how the indigenous movement promotes a model of social organization called «territory without State», that is, without a central government where too many powers converge. It is characterized by a deep reciprocity with nature, opposition to private land ownership and a strong emphasis on community³¹. She concludes that: «Ultimately the Mapuche offer an alternative socio-economic paradigm to the neo-liberalist one being protested in the plazas».

17. No leaders, thousands of fires

Camila is young and pretty. She has a sharp mind and is an excellent speaker. With her hazel eyes, long dark hair and charming nose piercing, she became the photogenic

31. J. Esteban Vezub, *El estado sin estado entre los Araucanos/Mapuches*, «Chungará (Arica)», vol. 48, n. 4 (dic. 2016), bit.ly/32mnkPv; J. Ancán, M. Calfio, *El retorno al País Mapuche: reflexiones preliminares para una utopía por construir*, «Liwén», n. 5 (1999), pp. 43-77.

face of the 2011 Chilean student revolt almost immediately³².

It was manna for the press, a problem for the movement. Not because Camila Vallejo is not brilliant, but because media sensationalism is extremely insidious. Even the most enlightened of leaders is always too flimsy a symbol for a vast, complex, sometimes convoluted, dynamic popular movement. Their individual flaws and shortcomings, which also inevitably end up emerging from those who are thrust onto the slippery pedestal of overexposure, reflect negatively on the entire movement of which that incidental and not necessarily “premeditated” leadership is an embodiment.

The power that a spokesperson acquires, even in spite of themselves by virtue of media influence, becomes the object of jealousy, distrust, resentment and internal antagonism. Not to mention that centralization and participation are inversely proportional mechanisms: the stronger the leader, the greater the delegation.

A peculiar feature of the mobilization that started in 2019 is its absence of leaders and central direction. «There is no leading body governing the revolt – says Sergio Grez, historian of social movements – there are a thousand fires of a great blaze spreading throughout the country. It is a spontaneous expression of fatigue and anger by large swathes of the population that see no institutional alternative to deliver their outcry»³³.

It is a multi-class movement, with a lot of different demands, grievances and motives. It is made up of student

32. In 2011, a large student mobilization took place in Chile. The initial demand was to make education a social right rather than a luxury good, but the motives and the foundation of the movement quickly expanded. The protesters, in fact, accused the entire institutional apparatus inherited from the dictatorship and the neoliberal economic model, of being the root cause of discrimination and serious inequality. The protest achieved some success in terms of expanding access to education, although the cost of study remains extremely high even in public universities. However, the greatest accomplishment of the 2011 student movement seems to have been a breeding ground for popular movements. Subsequent protests, including the one recounted in this book, draw arguments, employ strategies (such as flash-mobs), and include political subjectivities (e.g., the revitalization of feminist groups) from that era, see M. Arrué, *El movimiento estudiantil en Chile (2011-2012): Una lucha contra la discriminación*, «Les Cahiers ALHIM», (24/2012), journals.openedition.org/alhim/4388.

33. Interview by Javier LARRAÍN with Sergio Grez: *Hemos visto en estos 30 años que las protestas pacíficas, ordenadas y respetuosas no son escuchada*, «Correo del Alba», (29-10-2019), bit.ly/32jzIj4.

associations, feminist and LGBT collectives, environmental groups, indigenous communities, workers and pensioners' organizations, consumer unions, not to mention an unexpected mixture of these diverse spirits. But the great majority of those who take to the streets is made up of ordinary people who do not belong to any organization.

In every corner of Chile there is a blossoming of initiatives that are announced through social media and word of mouth: neighborhood assemblies, *cacerolazos*, constitution study groups, groups that light fires in the street to create disorder in the evenings, theater performances for active citizenship, women who gather in parks wearing ironic and colorful balaclavas to dance the *revolución* to the rhythm of reggaeton.

Just as the Mapuche resisted the colonizing cruelty of the *conquistadores* for centuries – thanks in part to their decentralized social structure, made up of a constellation of small groups scattered over large territories – so today this spontaneous and widespread, unpredictable and pervasive protest leaves the rough, repressive apparatus of the Piñera government disoriented. Put another way: a headless movement cannot be decapitated.

One could argue that, despite the advantages, the lack of leadership and party representation is a weakness for the movement, since protesters lack representation in decision-making bodies to make their demands. However, this also means that they don't need to worry about accumulating enough seats in parliament, or in some other forum. Instead, the different components of the mobilization come together in an appeal that underlies and presupposes all the others: that of starting a new constituent process that rewrites the fundamental rules of the country.

It would therefore seem that, in order not to be defeated, a scattered *pueblo* performs better than a compacted one.

18. Heirs of rage

During *cacerolazos* (a term that describes a form of protest in which pots and pans are banged) children, adults and the elderly gather together, rhythmically beating pots, casseroles dishes and pans, in an effort to summon and awaken dormant consciousness's. These are festive and peace-

ful neighborhood assemblies, where music is played and in which discussion and sharing takes place. Paula Zuñiga, an actress and activist, tells me: «Before in this *barrio*, no one talked to each other, everyone was sealed-off in their solitude. Now we meet every night, people want to talk, to understand, to be together, to give strength to comrades who are victims of institutional violence. We have become a community».

In fact, the participants in Paula's *cacerolazo* have just recorded a chorus of birthday greetings to send to a boy who lost both eyes after being shot in the face by police during a march.

But a protest is also about guts and violence. It is an interruption of the everyday which, like Carnival, can wreak both festivity and havoc. And so it becomes wrath that breaks open the floodgates, in order to sack, raid, and defy the *paco* (§ 13, 27).

Over a month of unrest, there are thousands of people who have lost their jobs due to damage and raids on businesses.

Among the various emblems of the protest, there is a raven-furred dog with a red bandanna around its neck, inspired by a stray that was known for attacking police officers during raids a few years ago. The rebellious *perro* has a name that is not very pacifist: Negro Matapaco, literally "Black Cop-killer". His image, available as an adhesive, pin or even plush toy, has become part of the movement's merchandise.

It is, above all, the very young who are drawn to guerilla warfare. Hamed explains to me:

«It's not just about their rage. Young people feel as though they have been deceived and flung aside, but are also laden with feelings of anxiety and powerlessness about their parents' debts too, along with the humiliation of their grandparents who, after a lifetime of work, struggle to survive with ridiculously meagre pensions... They are pots that boil over because they are full of the rage of generations».

19. Prior to the *Primera línea*

Near the epicenter of the protest, I note the leaflets scattered on the sidewalk with the inscription: «*Gracias Primera*

línea». Emilio tells me that the «front line» is the group of activists that stands between the mass of demonstrators and the police. During the conflicts, some citizens who are grateful for their sacrifice have distributed leaflets of encouragement and support.

I decide to go to Plaza Dignidad to see what the mood is like and try to interview the boys and girls of the *Primera línea*. I spot a group of youths with their faces covered. They are showing one another the scars they have earned on the battlefield: both marks left by the rubber bullets with which the riot guns are loaded, and burns caused by the liquid fired from the *guanacos*. The *guanaco* is an animal from the llama family that, as is well-known, has the habit of spitting. However, in Chile, it is also the name of the armored tanks that the police use to disperse crowds. This type of vehicle does so by “spitting” streams of water mixed with caustic chemicals at an extremely high pressure.

Seeing me approach, they propose I buy one of the cans of beer they keep in a tub filled with ice, specifying: «To refresh the throat from the taste of tear gas and finance the resistance».

I take the opportunity to ask why they’re here. Without hesitation, they respond that they want to defend the citizens’ right to protest. But, after a few exchanges, they signal for me to leave quickly because the *paco*’s attacks are about to start. At that moment, there aren’t many protesters at the garrison, and the situation seems calm, but I heed their warning and move back by a few meters, positioning myself in a spot that is secure enough, but from where I can still see what is happening.

Shortly thereafter, the *guanacos* arrive at high speed. They aim straight at the protestors, their powerful jets of water arching into the shape of a rainbow. On the other front, the youths of the *Primera línea* run towards their opposition. The air is flooded with the white fog of the fire extinguishers, the youths dodge the vehicles, pummeling them with balls catapulted from slingshots. Obviously, that play-ammo can’t do anything against an armored truck, but it probably helps the protesters to immerse themselves in their roles. I feel the adrenaline of guerrilla warfare, I understand its seductive charge, but I am perplexed.

In the place in which I find myself, at a short distance from the site of the battle, the food vendors and their customers wander around placidly, as if nothing is happening, as if what is happening a few steps away from them is nothing more than a role-playing game that doesn't concern them. I meet the gaze of a woman that is taking off her gas mask. She has a camera around her neck. She is obviously a journalist that has just escaped from the fray. Without even introducing ourselves, we start chatting like old friends. Among the many things she tells me about her life and the events in her country, she informs me that a lot of the kids who fight in the *Primera línea* were raised inside the structures of the Se.Na.Me.

I don't know what this institution to which she refers is, but I do remember noticing in the center of Plaza de la Dignidad, at the feet of the General Baquedano's statue, a sort of altar set up by activists: a concrete platform covered with plush toys, children's shoes and baby clothes. The installation bore the inscription: «*No más Se.Na.Me*».

I discover that Se.Na.Me is the acronym of the *Servicio Nacional de Menores*, the National Service for Minors. It is a department in the Ministry of Justice and Human Rights (*sic*). On paper, this body is responsible for assisting and protecting children, in particular orphans in the process of adoption, children removed from troubled family situations and, in general, minors at their most vulnerable. The Se.Na.Me. has, however, for years been the subject of many judicial inquiries that have revealed an abnormal amount of serious abuse.

Investigations were conducted into the death of 1313 minors under the charge of the National Service for Minors, which occurred between 2005 and 2016. In addition, an investigative police (PDI) report that had been kept secret for several months was published in 2018. The report recorded, in 2017 alone, as many as 2071 cases of violence and abuse against children in the facilities, including three hundred and ten assaults that were sexual in nature. The report concludes that in 100% of the centers managed directly by Se.Na.Me. and in 88% of those that are affiliated, «actions detrimental to the rights of children and adoles-

cents have been carried out in a permanent and systematic way»³⁴.

The testimony of a member of the *Primera línea*, obtained by the Red Cross, seems to complete the circle: «My mother was taken by the secret police during the regime when I was five years old. In the facility where my grandmother took me and where I grew up I was beaten and tortured. I am here because of the lack that I have endured throughout my life. I am here because this is my family. My family are these comrades with whom I am now on the road».

20. The fearless generation

«It is the adolescents, the kids who started everything. They are the first generation to grow up outside of the cradle of the dictatorship. Only they could start it because they have no fear, or perhaps because it would be better to say that they're more headlong. The preceding generations interiorized the terror. Even the old dissidents were nevertheless raised inside the regime and ended up marked by this in some way. The adults and the elderly would never have had the strength to challenge this feeling that left them stuck in a state of subjugation and powerlessness for decades».

37

This is the explanation that I have heard repeated over and over from many of my interlocutors.

There is, therefore, a rift between generations that the protest has partly healed and widened. A married couple, who came into the world around the time that Pinochet took power of the country, take the floor during a public debate: «We wouldn't have had the courage to start the protest, but now that our daughter, together with other young people, has stood up, we can't shy away. We cannot, precisely because we know better than they do the risks of political degeneracy. We must denounce the abuses and act as a shield for our children».

34. Policía de Investigaciones de Chile, *Análisis del funcionamiento residencial en centros dependientes del Servicio Nacional de Menores*, Santiago, 2018, bit.ly/3l6RWf5. An effect of the protests was the enactment of the Law 21,302, published in January 2021. This norm replaces the Se.Na.Me with the Servicio Nacional de Protección Especializada a la Niñez y Adolescencia.

An older woman adds: «I am here, pot in hand, making a racket every evening because we have to finally leave the regime and its legacy behind. I thank all the young people my grandchildren's age that have proved to us that it is possible. And we, who know what it means to live under a dictatorship, have to stand behind them».

On the other hand, there are many families in which generational distance and conflict has either arisen or been exacerbated. The adults, precisely because they lived through the horrors of a military dictatorship and see that the repressive force of the State has not abandoned some of its old habits, are understandably afraid for their children and grandchildren who are involved with the mobilization.

They know that those in office have too many interests to let democracy take its course undisturbed. They understand and agree with the reasons of those who demonstrate, but are aware that the consequences could be severe. The number of victims is already substantial, and if there were to be a backlash, the consequences could be dire. Others still, raised to obey and believe that those in power are also in the right, maintain that young people are only wreaking havoc, jeopardizing that little bit of well-being they have struggled to achieve. They do not speak of mobilization, but of: «*crisis social*».

There are those who agree with a few of the tenets of the revolt, but who absolutely do not support its aggressive efforts. They also find some aspects of the movement undignified, saying that: «It's fine to criticize the pension system, but why do they have to question the traditional family structure? Why, then, this flaunting of homosexuality in the demonstrations?».

Others are alarmed by the prospective future that awaits their sons and daughters. They have overburdened themselves with debts to allow them to study, but for the last two months the students have been deserting the classrooms to participate in marches, rallies and assemblies. All lessons have been suspended and exams cancelled, but their loan repayments have been neither cancelled, nor suspended. Those show up punctually, regardless of the winds of change.

21. Superheroes

I receive an alarming phone call from Cristina. I had stayed at home to work, while she had gone out to attend Emilio's concert. She was getting there on foot, through Barrio Italia. She tells me that a ruckus had suddenly broken out: smoke, fire, stones, chaos. She was disoriented and felt even more exposed and vulnerable in her elegant Indian silk dress, the least suitable of guerrilla outfits. I tell her to be careful and update me with news as soon as possible.

Luckily, she soon calls me back to reassure me. She has met a guy and a girl from the *Brigada de emergencia*, one of the many volunteer groups that operate in the areas of Santiago where the clashes take place.

The two aid workers wear white jumpsuits, and are equipped with large shields made of rigid plastic, a mask to protect their eyes and a sort of armor made of recycled material. The whole thing lends them a funny kind of appearance, kind of like a Marvel superhero. Just like Spiderman, Hulk, Black Widow and company, this couple of brave and generous activists has a second life, actually a primary life, made of ordinary and harmless routine day-to-day. But as soon as they finish their nursing shifts in the hospital, they put on their battle armor and go to the most heated areas of the revolt to help the wounded and protect all those who voluntarily or accidentally find themselves involved.

Observing the plot in which the hero saves the day, the masked superheroes escort the damsel in distress away from the strife, showing her the route to reach her destination safely.

22. Culture in the field

As I have already mentioned, in the streets most marked by the protest, one often sees small groups of volunteers working to protect the demonstrators and help the injured. They are mainly medical and nursing students who put what they have learned in the service of the movement. I discover that the headquarters of this self-organized first aid service is the GAM (Gabriela Mistral Cultural Center). Since the beginning of the protest, it has opened its doors

to the movement, by upending its usual calendar of institutional initiatives, so as to become a place to reflect on the difficult political situation, as well as a presence aimed at the management of practical and logistical matters, offering space even for the care and rescue of any injured.

The GAM isn't the only cultural center that has put itself at the disposal of the citizens in revolt. Many of the museums, the theaters, obviously the university buildings, as well as other cultural and educational establishments, that, faced with the uprisings in the plazas and streets, have decided to offer themselves as "free ports" for the ongoing debate, exchange and development of the movement.

23. *Y la culpa no era mía*

A band of blindfolded women marches to the rhythm of a beating drum. They perform a dance that copies the movements of someone being subjected to a body search. They crouch down and then get up, pointing their fingers, singing a song of denunciation against the *violador*. Through song they explain, with effective simplicity, that the reasons for a rape are not to be found in circumstance, such as the place where it happened, or the victim's clothing: «*Y la culpa no era mía. Ni dónde estaba, ni cómo vestía*». Nor do women share responsibility for the violence committed against them because of their own supposed seductiveness or naivety.

Liberating oneself from an erroneous sense of guilt is a tremendously significant act of emancipation. This is because every abusive relationship is built and maintained around a nefarious stratagem, a pernicious poison injected into the victim's mind. This poison is the idea that those who undergo abuse and violence, deep down, were asking for it, or even deserved it.

In the Chilean women's song, however, the culprit of the abuse is, without a doubt, the man who commits them. But not only this. Seated next to him, on the bench of the accused, is the patriarchy. With its hypocrisy and its odious claim to be the judge of women, the patriarchy is the perfect environment for the raising of violent males. The figure of the violator, therefore, lurks in the domi-

nant culture and within the institutions. He is the magistrate who finds mitigating circumstances to acquit the rapist; he is the police officer that covers for the abuser and who is himself an abuser; he is the State that tolerates and legitimizes violence against women; he is the political leader who administers power more like a bully than a statesman. It is therefore not enough to condemn the individual culprit, because the system – until it is radically rethought – will churn out many more.

Despite the fact that the flash-mob, organized by the feminist collective Lastesis di Valparaiso, espouses a complex theory, it is potent enough to become a hymn of global feminism.

Among the many messages that emerge over the days of the Chilean mobilization, this message, or denunciation, is the one that has spread the most throughout the world. It has been translated into many languages and adapted into the local contexts of women on every continent. On the internet, I find performances in Spain, India, United States, Kenya, France, Mexico, Italy, Mozambique, Australia, Tunisia, Palestine and many other places. When I returned to Palermo, I even assisted on an adaptation in Sicilian dialect: «*U patriarcatu ni struppia. Scinni, fimmina, e abbania!*» (The patriarchy tears us to pieces. So, woman, get out into the street and shout!).

The message spread by the song is not taken as a given either in Chile or elsewhere. In Italy, for example, a recent survey by the National Institute of Statistics found that as many as 40% of Italians believe that a woman, if she truly does not want intercourse, will be able to escape a sexual assault, and one in four interviewees believe that clothing can be counted as a triggering cause for abuse.

In Turkey, where in 2019 alone there were four hundred cases of femicide, some female Turkish activists were arrested while singing the hymn against the patriarchy, under accusation of defamation against the nation's president. In a sign of solidarity and outrage, the female Turkish deputies sang «*Un violador en tu camino*» during a session of parliament.

Evidently, Chilean feminist discourse – like the Chilean critique of neo-liberalism, the defense of indigenous peoples and the matter of the environment – reaches across

borders. In these instances, the movement becomes transnational, or better still, denationalized.

24. Abuelita Elena and the minority influence

Speaking with Emilio's grandmother, I find indications that the renewed criticism of the patriarchy by Chilean feminism has not only reached groups of already politicized women around the world, but that it is also reaching those who do not take part in rallies and collectives.

Abuelita Elena, a simple person who grew up in a traditional family, has spent her life taking care of her home, her husband, and an abundant array of children and grandchildren. She tells us, however, that one of the happiest periods of her life was when she began her hobby of working with clay. She was amazed to be able to pull the beautiful shapes of flowers and animals out of that soft dough. It was time dedicated to herself, not to mention something which she found herself to be good at.

She adds that it was probably the fact of living in «a machista system» (she uses exactly this expression), that inoculated her with so many doubts about her own capabilities, and that only in rare moments was she able to think of herself. She therefore regards the reawakening of women with approval and hope.

There are battles carried out by groups that will never achieve a majority, and yet, they are nevertheless able to exert a significant influence on the social body. Moscovici calls it the «minority influence». It does not have a lesser impact than the «majority influence» but, rather, a different kind³⁵.

Several studies of social psychology show that a large and dominant group gives rise to a superficial conformity, while a smaller group can produce a profound conversion. People tend to adapt to majority thinking and behavior not because they have developed a deep conviction with respect to the majority's rightness, but because such thinking triggers an automatic mental switch that, to avoid the wasting of energy when making a decision or expressing an opinion, pushes one to opt for what most people

do. However, it is an ephemeral compliance that, when the wind changes, is abandoned with extreme ease. This explains why the electorate can often move from right to left, and vice versa, very quickly.

The influence exercised by a minority is of a different nature: it doesn't assimilate, but encourages divergent thinking. While a lone voice outside of the chorus will not be echoed, it will draw more attention and, in addition, inspire others to come out with their own lone note. If, therefore, the majority acts by dulling critical thinking faculties, an active minority inspires independent thinking and a change in behaviors and lifestyles³⁶.

Therefore, not everyone who is exposed to environmentalist speeches will necessarily or automatically become a Greenpeace activist or register with the Green Party, however many will change their personal habits by choosing to use less plastic or travel to their destination by train rather than plane. Similarly, although few people would beat a migrant with their own hands or openly declare that they hope for the return of a dictatorship, many may be influenced by loud neo-fascist groups, increasing their intolerance towards Roams, Muslims, Blacks and the LGBT.

Regardless of their ethical or political position, minority groups have an impact on a community's "thinking environment". In this way, feminist movements, even if they have never become official political parties, have contributed greatly to the transformation of societal rules, customs and morals. And Abuelita Elena, though not participating in demonstrations and flash-mobs, spontaneously adopts feminist thought when summing up her own life.

25. Decolonizing gender

The walls of the city are a text from which the narratives of the protest can be read. I go around reading and writing down the words that crowd the public walls to understand

36. S. Moscovici, *Toward a Theory of Conversion Behavior*, «Advances in Experimental Social Psychology», n. 13 (1980), pp. 209-239; S. Moscovici, E. Lage, M. Naffrechoux, *Influence of a Consistent Minority on the Responses of a Majority in a Color Perception Task*, «Sociometry», 32 (1969), pp. 365-380.

the many motivations, allegiances and demands of the mobilization.

A large banner, affixed to the facade of a museum, reads: «Less violence, more orgasms», a hedonistic update of the nineteen sixty-eight slogan: «Make love, not war». «Piñera hetero» is another catchphrase which I have often come across. I guess that the author's intent is to ironically subvert the hierarchy between straight and queer identity, by positing fluidity of sexual orientation as a standard canon of normality and commendable declaration of principle. In this global rethinking of the status quo, a major theme is, therefore, that which concerns love, sexuality and interpersonal relationships.

Francesca Ceccotti (§ 28) explains to me that some scholars and activists would like to decolonize gender. According to their analyses, the current division between identity and binary “male/female” gender roles has nothing to do with nature, but rather derives from the Christian model forcibly imposed by the colonizers. The current way of classifying the genders, sexual orientation, the meaning and value given to sexuality, would therefore have had quite different and less rigid characteristics among the populations of the pre-Columbian age.

Unfortunately, it is extremely difficult to know what that world was like before the Europeans made their devastating assault on it. The violence of the Spanish Conquest had the irreversible effect of erasing a past which we could and should have been able to engage with. What remains is a sense of unprecedented loss and horror, remembering how the *conquistadores* cut off the tongues of the natives so that they could not speak, the sex organs of the men so that they could not reproduce and the breasts of the women so that they could not nourish their own offspring³⁷.

I also believe, however, that it is neither useful nor appropriate to the native peoples to romanticize and simplify their history and identity. Consequently, I do not believe that the ethical and social paradigms of the

37. Tzvetan TODOROV, *La conquête de l'Amérique: La question de l'autre*, Paris, Le Seuil, 1982.

pre-Columbian world can be known, reproduced and applied uncritically in the societies of the third millennium.

Nevertheless, that which remains of the indigenous cultures constitutes the embryo of a “possible other” beyond that which exists, an alternative paradigm, an opportunity to know that things, even those that we tend to think of as natural, like the distinction between man and woman, could be different. It is an occasion to question a pervasive system that colonizes each and every spirit, regardless of gender.

Fragile survivals of a vilified and violated past become, in this way, the key to opening new mental spaces, to build, or at least hypothesize, the possibility of creating an “otherwise” totally different to that which currently exists³⁸.

26. Even shamans do politics

In Valparaíso there is a prison or, rather, there was a prison – one of the many detention and torture centers for political prisoners during the time of the dictatorship.

This building, which was a theatre for unimaginable suffering and abuse, is now not only a memorial, but also a space for art, culture, and even play. Inside, exhibitions, concerts, theatrical performances and workshops of all kinds are held. The courtyard where the inmates consumed their one miserly hour of daily air has been transformed into a lush garden of aromatic plants and edible flowers. In the area in front of the building, there is a park where children frolic, young and old sunbathe overlooking the sea, and an organ player plays catchy music and sells pinwheels. In other words, it is a space where a triumph of joy over pain is celebrated.

While I am wandering around the premises of the former prison, a woman stops me, asking if I would like to participate in an indigenous shamanic ritual. She shows me four altars, each of which is dedicated to an element: fire and earth, air and water. They are oriented in the di-

38. Here I blow my own horn, alluding to the “Otherwise Method”, the juridical-political imagination workshop that I would have been testing in Chile had I not come across this very special circumstance, see BARTOLI, *State Without Territory*, cit.

rection of the different cardinal points. In the center is the fifth altar that represents the interior life and the cosmos.

Curiosity gets the better of wariness. I accept, therefore, to be subjected to a preliminary purification ritual. Water is sprinkled on me with the sprigs of fragrant plants. The other women who have also been gathered to participate in the ceremony, receive the same treatment.

After the aromatic spritzing has relieved us from the influence of negative energies, the shaman invites us to sit in a circle around the central altar. With solemnity, she takes the floor.

Misled by some prejudices, I had been preparing to witness the invocation of guiding spirits, the execution of spells, or more or less folkloristic divination practices. Instead, the *bruja* (witch) – this is how the women defines herself – opens up the floor for a debate on the national situation, on the need for a new constitution, on the failures of the current ruling class and on the mobilization, blending the psychological, spiritual and political realms together.

She asks us to consider what could have triggered the great popular uprising, characterizing it as the transit from a state of calm, very similar to inertia, to a condition of exuberant emotional and social motility. The energy that has thus been released would have otherwise remained coiled around each individual's dormant spiritual core, had it not been for the awakening intervention of a few incidental events, along with the mass contagion of this awakening.

The women report what effects the unfurling of their dormant energy has had on them, how their outlook has changed as a result of the mobilization, and how they now consider possible what previously seemed impossible to them. They examine the rage and hope that is in the air and try to interpret Pachamama's (Mother Earth) signs of discontent at being exploited by a capitalist and masculinist system.

The shaman explains that magic, contrary to what is commonly thought, doesn't have the power to transform reality straight away. A transformation takes place because the magical ritual guides the person in becoming aware of

their own potential, enabling them to grasp and attribute new meanings to reality.

I distance myself from the circle of witches, amazed to see them doing politics by evoking both the spirits of which Pascal spoke: the *esprit de finesse* and the *esprit de géométrie*.

27. From sloth to wrath

Melany, a girl with fuchsia curls, is busy making a feminist zine. She looks up from her collage and says: «Our pain has become rage. And social rage is a political feeling that motivates the people».

According to the young activist, the mobilization has arisen from a feeling that had been trapped for a long time in inner space. At a certain point, this emotion spilled out. Many had been swallowing the same bitter pill, but they only discovered that they weren't alone in choking on that unpleasant mouthful when others began to spit theirs out. Recognizing one's own pain in that of others, the suspicion spread that the suffering that each person was forced to tolerate depended not only on their own unlucky stars, but that a specific system was mocking the majority of people. And so it was that a feeling as modest as sadness gave way to a more demonstrative and combative one such as rage.

It is said that Chileans are different from other Latinos: oblique in manners of speaking, reticent to showing displeasure, extremely reluctant to show their fragility and need. It seems that the regime had trained them to grin and bear it. But the protest turned sloth into wrath and their voices roared thunderously.

In a theater, after a show by Paula Zúñiga, which has been performed by the students of the acting academy, there follows a debate on this very subject. The play had been written the year before, but it already touched on many of the social issues that the mobilization brought to the fore. However, the performance has a tragic epilogue: Alvaro, the protagonist, burdened by countless problems, corrupted by the system and totally alone, sees no other option than suicide. A twenty-year-old journalist offers up an observation: «Before, our malaise was generalized, but we experienced it alone. Now, unlike Alvaro, we experi-

ence it together, and this gives us the strength to try and find a way out». «Yes, it's true» a girl of Caribbean origin, who had played the part of an exploited migrant in the show, echoes. She continues, «before the revolt, buses and plazas were crowded with loneliness. Now it's enough to meet a stranger's gaze to start a discussion about what is going on. We are becoming aware of the fact that a crowd on the metro acquires power when it starts to see itself as a group, or better, a *pueblo*».

From the audience, a voice arises: «A great veil covered reality». One of the actresses adds: «Everything seemed to be going pretty well, but none of us were okay. It seemed like peace and instead it was just silence».

However, it is not enough to share and express rage, for that rage to be transformed from emotion into awareness and thus into political reaction. A collective ire can burst into a cry that has no reason or motive other than to release pain that the spirit no longer knows how to contain. It can explode as a raptus to find a precarious fulfillment just destroying like the raids of a gang that exacerbates and amplifies violence, and feels itself absolved due to its being a player in a generalized phenomenon.

Fury becomes political only when it is the precursor to a more complex process: when it acts as energy which disrupts the established social and mental structures, forcing what is repressed to break out of its shell. But this will only happen if the emotional drive knows how to transform itself into action, and the initial cry change into an articulate voice capable of arguing its case.

Felipe, the assistant director, explains: «The revolt was born from a burst of rage, from a sense of humiliation derived from being derided by a ruling class that addresses the people with contempt, without having the slightest idea of how the common person lives. But as the days passed, little by little, the revolt transformed into an educational process. Just think that in the last month the constitution has become one of the most-sold books and everywhere there are packed lectures on the constituent process».

A young actress adds one more piece to the puzzle: «Many of the young people that currently go to university are the first in their families to be able to complete their education. Our parents indebted themselves to allow us to

study. But unlike them, we had the privilege of having the time and means to become aware of how skewed things were».

One would think that when injustice reaches a certain level, it becomes intolerable and then a revolt can't help but break out. But things don't seem to play out this way. The most brutal and effective domination is the one that tames spirits, making them complacent to abuse and erasing all imagination of a "possible otherwise". Therefore, it is not those who are totally overwhelmed that can rise up, but those who occasionally manage to catch their breath and look beyond. It is only those who have «the freedom to be free» that can think about making revolution, asserts Hannah Arendt.³⁹

And in fact, Chile is not the most miserable of countries. It is affected by acute inequalities, but less so than elsewhere⁴⁰. On the contrary, thanks to its employment opportunities, it is the Latin American State that attracts the most migrants.

It would therefore seem that a revolution, in order to take hold and have some effect, must make use of the impact force of those who are not afraid and have nothing to lose, as well as the reflection of those who have time to think. And that these different spirits communicate with one another and come together.

49

28. The inner revolution

From what has been written above, we can reasonably hypothesize that a revolt springs from a discontent that, deposited and ossified in the inner depths of consciousness, will, at a certain point, surface like a storm, transforming into a kind of collective social rage that mobilizes the masses and spreads throughout the streets. But once the revolution takes form, the reverse also happens: the disruption of the public sphere engulfs the private realm. Many have,

39. Hannah ARENDT, *The Freedom to Be Free: The Conditions and Meaning of Revolution*, in EAD., *Thinking Without a Banister: Essays in Understanding*. 1953-1975, New York, Schocken Books, 2018, pp. 368-386.

40. Programa de las Naciones Unidas Para el Desarrollo, *Desiguales: Orígenes, cambios y desafíos de la brecha social en Chile*, Santiago de Chile, Uqbar Editores, 2017.

in fact, confided in me of the inner tumult that followed the public riots

I explore this subject during discussions with Francesca Ceccotti, a Tuscan theatrical producer who has lived in Chile for about fifteen years. Apart from having participated in some rallies in high school, she has no experience in activism. But, after the great march on October 25, she found herself drawn to the mobilization, and dove head-first into it.

She tells me without hesitation: «The revolution has already happened», and then explains: «In fifty days the country has been transformed. Externally things are largely continuing as they were before, but people are changing from the inside. Already from the beginning of the protest, I felt myself transforming in a profound way».

Sensing that I want to better understand, Francesca becomes more precise: «We are experimenting with a bipolar condition: every emotion is heightened, whether it be joy, anger, emotion or fear».

In regards to fear, she tells me that previously she had never felt in danger in Santiago, but now she is afraid to return home late in the evening and is very worried about her most politically-exposed friends: «A few of them have been stopped by the police, held in custody without authorization, and beaten before being released. I sleep badly and the *carabineros* populate my nightmares».

On the other hand, there are many occasions to establish new social connections: «I found neighbors at the protests whom I had never spoken to before and with whom I thought I had nothing in common».

It seems that one of the main forms that the mobilization takes is precisely that of creating situations to develop horizontal relationships with others, situations in which to overcome the sense of loneliness and helplessness: «Every week we organize the *olla común* (a communal lunch) with the kids from the *Prima línea* and other comrades: everyone brings something and we *compartimos*. It was something that was done during the times of the dictatorship, a community solution for poverty, but we have gone back to doing it».

Activism also undermines old proclivities and habits: «This economic system pushes you to buy a lot of things

you don't need at all. Since the protests began, I've hardly entered a supermarket, I prefer to walk among the stalls of small vendors to buy the bare essentials. But besides shopping for myself, I always buy something for my mates in the *Primera línea*. In other words, I don't think only of myself anymore».

Finally, Francesca tells me about another effect that the revolutionary climate and the constituent process produce in most of the people she encounters. The rebellion calls into question every aspect of the established order, demanding a rethinking of society and the country. But after attacking the public sphere, doubt does not spare the personal realm: «It's all so visceral and intense that you end up questioning anything and everything you took for granted before. I try to stay in control, but every morning when I open my planner, I wonder if there is a valid reason to do any of the things I find written in it». And in addition to the contents of each day, the general structure of my life also falters: «I ask myself whether I should continue living here or go elsewhere, whether to live alone or with others, I question couple relationships, children, relations, work, how to spend time and energy. All this disorients and yet produces the desire in me to make a revolution in my life as well».

And in fact, our friend Emilio, in addition to hoping for it to come about, actually underwent a personal revolution during the social revolt. A Sports Science graduate, he had a casual job in a suburban gym, where he did not earn enough to support himself, let alone to lend a hand to his family. The climate of renewal had therefore prompted him to be more vigilant towards the opportunities that could potentially arise. So, one day, he tells me and Cristina that he found an interesting job advertisement, refusing to give us details on grounds of superstition. The next day he informs us that he applied for that position. The following week we learn that he had the interview. A few days later we toasted to his new job. He would be leaving in a couple of weeks to go and be a physical trainer in a luxurious fitness center in Dubai. According to his plans, it was just the first step of an adventure to be unfurled, his horizon now much broader than what he had up until then imagined.

29. Chile s'è scetato

In Mapudungun, the language of the Mapuche⁴¹, there exist at least fourteen verbs to describe the many different ways and degrees of awakening⁴². Such meticulous attention to the transition from sleep to wakefulness is linked to the cosmology of this people. Their origin myth begins with a sudden disturbance of the celestial order. The man who dwelt in the sky lost his balance and fell, crashing into the hard, arid ground and losing consciousness. Life on Earth therefore started with a stumble. The cosmic woman descended to rescue her unconscious son and reawakened his body parts, one at a time. But she forgot to reawaken his heart. From that moment onwards, the mission of every human being is to ensure that their own soul returns to its formerly full state of consciousness.

When I learned this story from a text devoted to the Mapuche language and philosophy⁴³, I felt a deep sense of satisfaction. The metaphor of awakening always came to mind whenever I wanted to characterize the historical moment in Chile that I was lucky enough to witness. The Italian verb for waking, *svegliarsi*, however, did not seem to me

41. Mapudungun, like many indigenous languages, is in danger of disappearing due to lack of institutional protection and the tendency of minorities to suppress their cultural identities in order to avoid discrimination. The assimilationist approach of the dominant Chilean culture has pushed, in the past, both members of indigenous peoples and migrants from socially undervalued countries to take on Hispanic names and not to speak their mother tongues, not even to their children (Elisa LONCÓN, *Derechos educativos y lingüísticos de los pueblos indígenas de Chile*, «Revista isees: inclusión social y equidad en la educación superior», n. 7 (July 2010), pp. 79-94). A 2013 study by Cesen, the Institute for Statistical Socioeconomic Surveys, found out of a population where more than one million three hundred thousand people claim to be ethnic Mapuche, only 11% speak and understand Mapudungun, and another 11% understand it without being able to speak it. Almost 80% do not know the language at all (Carla GARCÍA, *El mapuzungun, una lengua en situación de resistencia*, «Noticias ONU», (29-4-2019), bit.ly/365p54I). Fortunately, in recent years there has been a revival of the language and traditions of the indigenous peoples, thanks to Mapuche activism and a civil society more interested in indigenous issues (Claudio ESPINOZA ARAYA, ROSARIO CARMONA YOST, *Reactivación cultural mapuche y procesos etnopolíticos en la ciudad. Las oficinas de asuntos indígenas en la Región Metropolitana, Chile*, «Papeles de trabajo – Centro de Estudios Interdisciplinarios en Etnolingüística y Antropología Socio-Cultural», hdl.handle.net/2133/12964; Gabriel E. ALVARADO PAVEZ, *Gltopolítica de la Desigualdad: Ideologías del Mapudungun y del Español en Chile (2009–2019)*, dissertation, University of New York, 2020).

42. Ziley MORA PENROZ, *Filosofía mapuche: Palabras arcaicas para despertar el ser*, Concepción, Editorial Kushe, 2009, pp. 14-15.

43. *Ibid.*

to be adequate in communicating the intensity of what was happening. The slogan: «*Chile despertó*», already seemed to me more precise, more dynamic. But the phrase that sounded most suitable to me, to render the significance of what was happening before me, an amazed and foreign witness, had to be fished from the Neapolitan lexicon. It was: «*S'è scetato*». An expression that, in the flavorful dialect, alludes to a state of full and regained clarity, one which anticipates and drives action.

It could be said that, unexpectedly, the verb *scetarsi*, a term that bloomed at the foot of Vesuvius, is closer to the Mapudungun word *trepén*, which refers to the experience of focusing on and understanding something in the fullness of its reality, after a period of hazy confusion, while savoring the pleasure, almost excitement, of the revelation⁴⁴.

30. Neighborhood councils vs. national government

I arrive at the seat of a Santiago neighborhood council (*junta de vecinos*) right on time to attend a conference dedicated to the history of Chilean Constitutions and the current dispute over the constituent process, the start of which seems imminent. However, I happen to have the wrong day. The error works in my favor, because it turns into an opportunity to discover further valuable elements of the social fabric and the ongoing political debate.

At the location, I find a small group of people about to leave after discussing the final details of the event for which I had shown up, but which would be taking place the following Monday. The organizing committee is the board of the *junta de vecinos* “Villa Santa Carolina” of Macul.

Macul is one of many municipalities that make up Santiago. The Chilean megalopolis is a puzzle of a city, so much so that it does not have a single mayor, but a cool thirty-six, one for each of the municipalities into which it is administratively divided. Each municipality has its own leadership structure and a population of between eighty thousand and six hundred thousand inhabitants. Then there is the *junta de vecinos*, which is another level of the

44. *Ivi*, pp. 19-21.

decentralization. It is a sort of neighborhood council. Each municipality has several of them.

Even though he was about to leave, Len López, a sociologist who is working on a documentary about neighborhood councils, stays to tell me about his project. I learn that the *juntas de vecinos* were created in 1968 with the aim of promoting citizen participation in public decision-making and community development. But after only five years since their creation, the establishment of the regime undermined their function. It turned them an organ of indoctrination and widespread control of the population, appointing their governing apparatus from above. When, in the nineteen-nineties, the appointments of these bodies became elective again, the neighborhood assemblies played a role in Chile's democratization process⁴⁵.

After a period of heavy politicization, the *juntas de vecinos* ended up dealing almost exclusively with recreational events and some cultural activities. But my interlocutor does not diminish this function. In a climate of strong distrust of the political class, the institution that garners the most trust is precisely the *junta de vecinos*. «As a matter of fact, right behind the firefighters», the sociologist says. He continues: «At the end of the day, even this type of initiative already represents, albeit in an embryonic way, a way of exercising political participation and exchange among the inhabitants of a specific and limited urban area».

So much so that, since the outbreak of protests, these neighborhood assemblies have in many cases become driving forces for the mobilization and places of political education (§ 31): «It was an organism that existed before, that held credibility and that can now perform a role of weaving the social fabric in such a way as to rethink the structure of the country from below».

At the end of his interesting discussion, Len introduces me to Fresia Triviño Puelpan, the president of the *junta* of the “Villa Carolina” district of Macul, strongly advising that I speak with her.

45. María Teresa CORVERA VERGARA, Gonzalo DELAMAZA ESCOBAR (eds.), *Juntas de Vecinos en Chile: 50 años, historia y desafíos de participación*, Santiago del Chile, Ediciones Biblioteca del Congreso Nacional de Chile, 2018.

She invites me to tea: «*en mi casa loca*». I readily accept and, after a short walk, we arrive at her cottage. It is an extravagant place indeed: the house is surrounded by a small forest of succulents, populated by many semidomesticated cats and dogs and, scattered all around, are works by her artist son.

During our long conversation, Fresia mixes anecdotes of her life with a severely realistic, yet passionate, interpretation of the present. She is a charismatic woman, proud of her Mapuche origins and a world-traveler, having passed a few years of her life in Paris and Brussels. Before retiring, she was a social worker and educator. From her stories, it emerges that she knows how to get by in any situation, that she is as comfortable in the company of austere soldiers as she is in that of anarchist bohemians. Her calling is to rattle assumptions and establish connections between those who otherwise distrust one another.

From Fresia, I discover that a coalition of municipalities and *juntas* has been formed, a manifestation of the utmost political decentralization, in a sort of opposition to central power.

55

The *presidenta* strongly supports the initiative but is also concerned: «Those who govern us have enormous economic and political interests and are under the control of strong powers. It will not be easy for them to be ousted. I am very frightened that those who are in charge of this country may unleash a reaction against those who threaten its hegemony». The dynamism of the municipalities, the support received, the ability to mobilize and their alliances frighten the members of the National Congress and the government.

Fresia continues, adding disappointment to fear: «While the establishment has sensed the threat of municipalities and *juntas*, many of those working within these decentralized bodies have not understood their potential to mobilize». From this comes her personal goal: «As far as I am concerned, I am trying to form a squad of young people who are aware of this potential and know how to make the most of it».

We say our goodbyes, planning to meet at the conference the following Monday. Before I leave, Fresia gifts me

a delicious jam «of *damasco*» that she has made with apricots from her garden, following her mother's recipe.

31. A massive open-air school of civic education

On Monday afternoon, I head out to Fresia's *junta de vecinos* headquarters, where the aforementioned meeting on the Constitution will be held. It's actually not the only one in the city. I have heard of at least two other events dedicated to the same theme scheduled for that same day. Currently in Chile, constitutionalists have a full calendar, on par with rock stars: radio and television programs and city meetings compete for them. These conferences of political discussion and debate are consistently packed.

I walk towards the metro at a clip and take a shortcut through a public garden. As I zigzag through the trees in Forestal Park, my attention is drawn to about thirty people sitting in a circle on the lawn. From a distance, it looks like a jam-packed picnic. But just a few meters away from the gathering, I see no provisions nor victuals, but books and notebooks. I approach them, asking what they are up to. They tell me that, they too, are a citizens' constitution study group. They show me their Facebook page, which has a full calendar of sessions with jurists and political experts to talk about the fundamental Charter under the shade of the trees. The Constitution has taken on a truly irresistible appeal, having become an inexhaustible food for cultural and political thought.

This flood of civically-minded activity began in mid-November 2019, when, following pressure from the plazas, a national plebiscite was called (scheduled for April 26, 2020, but later postponed). It will decide whether to repeal the existing constitution and inaugurate a new constituent process.

Before this season of novel ferment, people complained of a widespread political apathy. Several commentators deemed the cause to be a lack of civic education in school syllabuses⁴⁶. In light of the events, it seems more plausible

46. Roberto I. MARDONES, *Educación cívica y construcción de ciudadanía en el Chile de la posdictadura, ¿en qué estamos y para dónde vamos?*, «Revista Austral de Ciencias Sociales», n. 35 (12/2018), pp. 63-82.

that the disinterest in public affairs was due to a sense of helplessness⁴⁷. As soon as the people caught wind that the mobilization might bear fruit and that, through a new constituent process, the situation might be ripe for citizens, all together, or at least in many, to become co-authors to rewrite and right, with a collective bottom-up approach, their country's fundamental rules for living; the willingness to participate and civically engage spread like wildfire. So much so that Chile seems to have transformed itself into «a massive open-air school of civic education»⁴⁸.

32. An illegitimate constitution

I am happy to see Fresia again and to listen to the speaker of whom she had spoken to me with great admiration. Sergio Grez is professor of History at the Universidad de Chile, with a focus on social movements. He is a member of the *Foro por la Asamblea Constituyente*, a collective of scholars founded in 2013 with the goal of advancing the path towards a new constitution, by generating thought and materials that foster this end.

57

The patio at the Villa Carolina *junta de vecinos* is full of people. Young and old accompany their chatter with a cup of tea and some cookies, waiting for the speaker to take the floor.

Shortly thereafter, the academic sits down at a table in front of the audience, takes a sip of water and begins his presentation. He talks about the three most important constitutions in the history of the Chilean Republic, and how none of them was born from a truly democratic process.

The first was in 1833, following Chile's independence from Spain. For the most part, it was drafted by Diego Portales, during the first presidency of José Joaquín Prieto. This Constitution was aristocratic, authoritarian and centralist in character. Some refer to this period as an “oligarchical democracy”, since only the men of the richest

47. Among the first to correlate political apathy with a perception of powerlessness was Bourdieu (*La Distinction*, cit., cap. VIII).

48. This phrase is borrowed from Sergio Grez (§§ 31, 32, 41).

and most influential families could participate in public decisions.

The second Constitution the speaker mentions is that of 1925. Sure, its text was approved by a vote, but, since only educated males had the right to vote, a scant handful of citizens could go to the polls: about 5% of the population.

The third Constitution the historian discusses is the current one: written, voted on, and enacted during the time of Pinochet. The plebiscite to approve the document took place on September 11, 1980, the seventh anniversary of the coup d'état. As is easy to guess, the result of a farcical vote was a foregone conclusion. At the time, there was a climate of terror, the media were heavily biased, most of the regime's opponents had been killed, imprisoned or forced into exile. The lack of a registry office also facilitated the fraud. The procedure to prove that a vote had been executed was to tear off a corner of the voting card. Those who expressed opinions consistent with the regime were allowed to vote several times, so that in several places the number of votes exceeded that of the voters.

Sergio Grez, recalling the climate of fear during the dictatorship, references the torture and disappearances of political prisoners. At that point, a woman sitting in the audience has an outburst. She rails against Grez, calling him a liar and, loudly pronouncing her loyalty to the regime, leaves. The professor comments on the incident, suggesting that the lady does not enjoy hearing about history. The audience murmurs, not too upset, as if they are accustomed to this kind of outburst.

The presentation resumes. The speaker reminds the audience that since 1980, Chile has not had a new constituent phase. «Due to how it was brought about, the constitution is *i-le-gí-ti-ma* [every syllable is stressed]. It should never have come into force. It remained in force because of the transition pact from dictatorship to democracy, signed by the conciliation government. Of course, several amendments were permitted, which made significant improvements, but the general framework remained the same».

While listening to the eloquent speaker, I can't help thinking about Italian history and its glorious constituent phase. Then too, political spirits from the most divergent

sides of the spectrum came together to ferry the country from a dictatorship to a democracy. However, in that case Fascism had been defeated by force, and had been declared illegitimate. It was not a political power with which it was necessary to make a deal. It is true that many laws passed during the twenty years of Fascism remained in force for a long time and some of which still endure. And it is also true that Fascist ideology has not vanished. On the contrary, it has gained renewed support and even some institutional representatives seem eager to rehabilitate it. However, the promulgation of the Italian Constitution was clearly a turning over of a new leaf, a break with the past that, in the absence of a rewriting of the “law of laws”, does not seem to have fully taken place in Chile.

The proposal to rewrite the fundamental charter is not, therefore, an innovation of the 2019 protest. For example, the start of a new constituent phase had been one of the main points of Michelle Bachelet’s electoral program in 2013, when she obtained, with broad consensus, the office of President of the Chilean Republic for a second non-consecutive term. But the numerous disputes at the National Congress over how to appoint and operate a constituent assembly sunk the mission.

The speaker moves on from talking about history to the events of the present. He states that today’s mobilization must have the objective of making the new constitution spring from a process that is authentically and decisively democratic. However, he argues that those who, at the moment, hold the levers of power are devising countless tactics to both control this process from above and squash the mobilization. They are giving the impression of accepting the mobilization’s demands, but then putting up barriers and obstacles to a real change born of the people.

«This is why – Sergio Grez concludes – it is necessary to educate oneself, to keep one’s eyes open, not to be fooled, not to abdicate one’s role as a sovereign citizen. Even after the time of rebellion has passed, even if the best of constitutions is obtained, one cannot afford to let one’s guard down».

33. Liberalism and illiberty

Sergio Grez and Sergio Verdugo, besides having the same first name and living in the same city, also share a profession: they are both university professors. The former, as already mentioned, is a historian, the latter is professor of Constitutional Law at the Universidad del Desarrollo in Santiago. What they do not share is an opinion on the current Constitution. The first argues that, despite various and welcome reforms, the Charter's basic structure has not really changed since the regime. The second argues instead:

«Although the present text of the Constitution is a revised version of the document enacted during the dictatorship, the current constitutional system is not representative of the authoritarian regime, as it was changed both in *formal* and *material* ways. From a *formal* point of view, the text is different, the authoritarian tracts have been removed, and new provisions have been incorporated. From a *material* perspective, the political community is organized in a different way than in the past»⁴⁹.

60

Reading up on the subject, it seems to me that Sergio Verdugo is right to believe that the various constitutional reforms and case law have succeeded in expunging the autocratic elements present in the 1980 Charter. However, I agree with Sergio Grez in seeing continuity, not so much in the despotic form of the exercise of power, but rather in the socio-economic structure that the dictatorship introduced and established. This continuity is also thanks to the Constitution.

It is certainly striking that in Chile, a regime noted for its programmatic, concrete and widespread abuses of fundamental rights and freedoms also paved the way for the economic liberalism that, beginning from its name, purports itself to be the most reliable bearer of liberty (§ 5, 6, 34, 37). Perhaps this fact is paradoxical, or perhaps it is not.

49. Sergio VERDUGO, *The Chilean Political Crisis and Constitutions as Magic Bullets: How to Replace the Chilean Constitution?*, «Verfassungsblog: On matters constitutional», (4-11-2019), bit.ly/32m59JT; see also Tomás Mosciatti's interview with Sergio Verdugo for CNN Chile (19-11-2019): youtube.com/watch?v=NYq7QSRk-Z0.

Fernando Atria, on whom I will later elaborate (§ 38), argues that the 1980 Constitution was written with the aim of guaranteeing the maintenance of hegemony of the entrepreneurial elite and landowners. This class had administered the country before the regime, maintained a position of privilege even during the dictatorship, and kept it regardless of change in political order. On this note, he tells me an interesting anecdote. Margaret Thatcher, the British prime minister who in the nineteen eighties dismantled fundamental parts of the welfare system in the United Kingdom, privatized state-owned companies and deregulated the market economy, used to regularly speak to von Hayek, an incisive theoretician of economic liberalism and her mentor. The Austrian professor had told her how the Chilean dictator was accomplishing their ideals in full and urged her to do the same. In response, the “Iron Lady” protested: «Pinochet may be very quickly freeing his country from the shackles of socialism, but you have to understand that in Great Britain we cannot do the same; because of our democratic institutions we cannot move as quickly».

61

But what sort of promiscuous relationship can there exist between the free market and an illiberal regime like the one established in Chile with the coup of September 11, 1973?

I find myself reading the writings of Jose Piñera and Naomi Klein. It is difficult to find characters more divergent in terms of world and economic views. However, in the answer to our question, in a somewhat oblique way, it seems to me that they ultimately agree.

The older brother of the President of the Republic, as has already been mentioned, was, at the time of Pinochet, Minister of Labor and Social Security (1978-1980) and then of Mining (1980-1981). He also served as a Trojan Horse for the installation of the Chicago Boys and for the establishment of the neoliberal model (§§ 5, 6, 34, 37). Among his writings, there are two complementary articles: *Chile: How Democracy Was Destroyed* and *How Liberty and Democracy were Restored in Chile*⁵⁰. The author first expands his thesis

50. The two articles appear on José Piñera's personal website, under the section «Articles»: josepinera.org.

about the underlying factors that led to the establishment of the regime, and, then, the way out of it. According to the author, the destroyer of democracy here would be Salvador Allende, because of his support for Marxist ideology and its socialist policies. The military regime, by perhaps excessive means, then «saved the country from the communist dictatorship»⁵¹, agreeing to experiment with the new economic doctrine developed by the Chicago School of Economics. Once the objective was achieved, it was the same market that had been “liberated” from the socialist threat that was able to dispose of the regime, that is, the very system by which it had been established: «The most potent force behind Chile’s return to democracy was the free-market economic model»⁵². Jose Piñera himself says that he resigned from his post as Minister of Mining at the end of 1981, and only sided with those who were calling for a return to democracy after having approved a substantial series of privatizations (*Ley Orgánica Constitucional sobre Concesiones Mineras*)⁵³.

Naomi Klein too, in her book *The Shock Doctrine*⁵⁴, retraces these events. She begins with the story of the Chicago Boys, presenting it as a paradigmatic case of her theory, according to which capitalism cynically loves crises – be they coups, wars, terrorism, hurricanes, earthquakes or pandemics. This is because capitalism takes advantage of destabilization in order to insert itself permanently. She writes that

«For more than three decades, Friedman and his powerful followers had been perfecting this very strategy: waiting for a major crisis, then selling off pieces of the State to private players while citizens were still reeling from the shock, then quickly making the “reforms” permanent. In one of his most influential essays, Friedman articulated contemporary capitalism’s core tactical nostrum, what I have come to understand as the shock doctrine. He observed that “only a crisis – actual or perceived – produces

51. JOSÉ PIÑERA, *How Liberty and Democracy were Restored in Chile*, «josepinera.org», <https://bit.ly/3GcvBqk>.

52. *Ibid.*

53. josepinera.org/josepinera/jp_jp.htm.

54. NAOMI KLEIN, *The Shock Doctrine: The Rise of Disaster Capitalism*, New York, Metropolitan Books, 2007.

real change. When that crisis occurs, the actions that are taken depend on the ideas that are lying around. That, I believe, is our basic function: to develop alternatives to existing policies, to keep them alive and available until the politically impossible becomes politically inevitable”»⁵⁵.

The military regime, for the proponents of the free market, was therefore not the end, but only the means. Once this end was reached, the dictatorship was no longer convenient. On the contrary, it was more useful to get rid of it: this is the point of convergence between the Chilean ultra-liberalist economist and the American journalist, author of successful volumes of criticism of the neoliberalism.

34. Few rights for the many, many rights for the few

My time in Chile has run out: a very intense month at an exceptional time. I had gone to carry out research on the legal-political imagination, which I assumed would take place mainly in libraries and seminar rooms. Instead, the events in progress upset my plans or, rather, enriched them extraordinarily. A country about to begin a new constituent phase is probably the largest laboratory of legal-political imagination one could hope for.

But while I am packing my bags to return to Italy, I realize, rather ashamed of myself, that I still haven't read the Chilean Constitution. And so, I download a copy from the internet that notes the various modifications made over time in the margins.

I decide that as I fly over the South American continent, the Atlantic, the Sahara and the Mediterranean, I will immerse myself in the study of the Charter.

Giving the text an initial once-over, I note that it consists of 129 articles, plus transitory provisions. It mainly describes the functioning of the State and the criteria for citizenship. It has neither preamble, nor solemn statements on fundamental rights.

Chapter III, which is composed of just four, albeit long, articles (Articles 19-23), consists of constitutional rights and duties. If we read between the lines of this chapter, we can see how it embodies the neoliberalist principle of sub-

55. *Ivi*, p. 7.

sidiary.⁵⁶ The State should only have a role or take action when private bodies are unable to perform, either directly or through intermediary bodies. Thus, not only is the State's role minimized, but private actors are also given priority in fundamental sectors of society such as healthcare, education, management of natural resources, the pension system, etc. Consistent with this approach, the list of social rights is short, and, what's worse, the State doesn't guarantee them. Meanwhile, there is extensive coverage of the right to free enterprise and private property. For example, Article 19(16) establishes the freedom to work, but there is no hint of a right to have a job, nor of workers' rights, to the point that striking is almost completely banned.

Continuing my reading, I find no mention of indigenous peoples. Thus, there is no protection of their rights, which are so often infringed; nor is there any constitutional willingness to recognize their cultural heritage, territories and traditional forms of social organization.

Among the peculiarities that strike me is Article 19(1), which includes protection of the right to life of the unborn child. Consequently, abortion is forbidden. Just in 2017, Law 21,030 introduced a few strict exceptions. The termination of pregnancy has been made admissible only under three circumstances: if it puts the mother's life at risk; if it is the result of rape; if, due to serious and proven pathologies, it is established that the embryo or fetus will not survive once born.

It is also worth mentioning Article 23 which, somewhat surprisingly, introduces the concept of «commons» as a

56. There are various ways of understanding the “subsidiarity principle”, and the articles I am discussing here would be open to different interpretations. However, as long as the 1980 Constitution was in force, both the Constitutional Court and official policy read and used this principle from a neoliberal perspective. See Rodrigo HIDALGO DATTWYLER *et al.*, *El neoliberalismo subsidiario y la búsqueda de justicia e igualdad en el acceso a la vivienda social: el caso de Santiago de Chile (1970-2015)*, «Andamios», vol. 13, n. 32, (septiembre-diciembre, 2016), pp. 57-81; Rodrigo VALLEJO GARRETÓN, *La constitución económica chilena: Un ensayo en (de) construcción*, «Estudios Constitucionales», Año 14, n. 1 (2016), pp. 247-290; Pablo ORTÚZAR (ed.), *Subsidiariedad. Más allá del estado y del mercado*, Santiago de Chile, Instituto de Estudios de la Sociedad, 2015; Magdalena ORTEGA, *Reinterpretando la subsidiariedad: por qué la Constitución puede ser compatible con los derechos sociales*, «Ciper Académico», (28-2-2020), <https://bit.ly/3fWc96l>; Roberto PIZARRO HOFER, *Chile: rebelión contra el Estado subsidiario*, «El trimestre económico», vol. LXXXVII (2), n. 346, (abril-junio/2020), pp. 333-365.

limit to private property. These are defined as the class of resources «which nature has made common to all men or which should belong to the whole nation». It follows from that the State cannot sell such resources, such as the mines of which Chile is rich. However, the next article allows mining deposits to be entrusted to private corporations for their «exploration or exploitation».

Other noteworthy Articles are 39 through 45, which address states of exception. Many constitutions do not provide for this, since the proclamation of a state of exception has often proved to be the prelude to a dictatorship⁵⁷. In circumstances of exceptional gravity – according to the government’s assessment – it may grant itself extraordinary powers and restrict the civil rights of the population in order to restore public order. Right the beginning of the 2019 protest, Piñera resorted to these measures – with the forced curfew and authorization of extreme state force to suppress demonstrations and riots.

Landed in Fiumicino airport, I have finished my high altitude reading of the current Chilean Constitution and I feel that I agree with those who believe it is time to change it.

57. The legal-political reflection on the state of exception in the constitution is broad. Among the most classic texts that open the debate on the subject we have the antithetical works of Hans Kelsen, *Das Problem der Souveränität und die Theorie des Völkerrechts. Beitrag zu einer reinen Rechtslehre*, Tübingen, Mohr Siebeck Verlag, 1920 and Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, Cambridge, MIT Press, 1985. See also: Giorgio Agamben, *Stato di eccezione*, in Id., *Homo sacer*, II, 1, Torino, Bollati Boringhieri, 2003.

Part Two

35. Something is missing

I return to Palermo just in time to spend Christmas with my family. Apart from a suitcase laden with gifts, I realize I have accumulated enough material not just for a simple article, but something more substantial and demanding, like a book.

Scrolling through notes and interviews, I realize that I have mainly collected the voices of activists or ordinary people who, in whole or in part, embrace the protest and its principles.

During my stay in Chile, I struck up conversation with whoever I found around me, surveying thoughts and feelings on the situation at hand. My interlocutors were my friends, acquaintances, passers-by, shopkeepers, drivers, fellow bus passengers and even those with whom I shared ascents and descents in the elevator (staying on the 27th floor, I had time for conversation). I must point out that, in the course of my obsessive efforts to survey the Chilean doxa, I met only one person who declared themselves a supporter of the government and totally opposed to the reasons for the popular uprising: it was a cab driver who gave me my change in fake money. I mention this without making any general conclusions¹.

It was, therefore, evident that my spontaneous survey had to be amended by incursions aimed at finding divergent opinions. It was also necessary to speak with institutional figures from different camps and with those who might have an interest in defending the current system. It became clear to me that I would have to return to Chile.

Cutting out a two-week window to return to South America was by no means easy. I will admit that the necessary zeal to reorganize work, consolidate commitments, carry out the necessary bureaucracy, while still meeting deadlines, in order to leave, was driven not only by a scientific need to fill in the gaps. Since returning to Italy, I

1. Cadem, a reputable polling institute, confirms the broad consensus of the mobilization. It is reported that 72% of Chileans believe, in fact, that the protests were caused by a generalized social discontent; 12% believe, instead, that it is a problem of public order fueled by organized violent groups; 14% believe both answers are valid; the remaining 2% do not know; see: Cadem, *Encuesta n. 302*, «Plaza Pública», (27-10-2019), bit.ly/36dUxO2.

had been experiencing a sort of withdrawal from that pervading political ferment.

The shortest month of the year turns out to be the only time I can get away, but it is not the best time to do the job I have set out to do. In the southern hemisphere, February is the height of summer and many are on vacation. To overcome the inconvenience, with the help of Hamed, my baseman in Santiago, I begin a strategy of stalking the Chilean ruling class. We send hundreds of emails to deputies, government officials, banking and business associations, elite schools and military hierarchies. In the end, my schedule is full of meetings. Not that I can boast of a large enough sample of interviews to produce any statistics, however, it portends a sufficiently diverse and representative range of interviewees for a satisfactory qualitative survey. My only qualm is that I have not been able to get in touch with any law enforcement representatives. I have written to the Ministry of the Interior, the undersecretaries, several police stations, police training institutes, even the association of former students of the *carabineros* school, but I have received no response.

In the time leading up to my departure for Santiago, I educate myself on the history and current affairs of Chile. Every day, I read scientific articles and online periodicals about that long and slender strip of land on the other side of the world, I stream political talk-shows, my contacts update me by sending me videos of demonstrations and materials pertinent to my research; Professor Sergio Grez (§§ 32, 33, 44, 64), in particular, sends me a daily press summary on the constituent process debate. All told, I live ubiquitously.

On February 6, 2020 I land again in Santiago, after around twenty hours of travel. A marathon of interviews awaits me that will add, as a side effect, a considerable caloric intake to my diet, comparable to a tour of relatives in Sicily. The meetings, in fact, will almost always take place in cafes and patisseries, and it would have been offensive not to agree to accompany the discussions with drinks and sweets.

36. A revolt, not a revolution

I followed the debate surrounding the start of a new constituent process before my return to Chile and I wanted to discuss it with my interviewees.

For someone like me, who has read philosophy of law and politics books for years; the opportunity to actually bear witness to a country in revolt, one getting ready for a reassessment of its constitutional order, so that it may birth a new one, sparks the same excitement that a scientist must feel when they observe in real life a phenomenon previously only “studied in the lab”. It is a feeling comparable to that which an astrophysicist feels when they find themselves observing the «event horizon» of a black hole. My reference to physics is deliberate. The launch of a new constitution has something inexplicable to legal theorists as the quantum leap of a proton that goes from one point to another without occupying the intermediate space.

Hoping to be able to share this scientific thrill with the reader and explain Chile’s peculiarity, I must allow the essayistic tone to have the upper hand over the narrative one, at least for a few pages. So, let’s start outlining the distinction between constituted and constituent power, as well as the issue of their legitimacy².

Constituted power resides within the execution of state functions which are governed by valid norms. Therefore, it is legitimate because, and as long as it is legal. It be-

2. The theory of constituent power and its relationship to constituted power is one of the most debated topics among legal theorists. Among the requisite texts, see: *Qu'est-ce que le Tiers-État* that Emmanuel-Joseph Sieyès published at the beginning of the French Revolution (*What Is the Third Estate?*, in Olivier LEMBCKE, Florian WEBER (eds.), *Emmanuel Joseph Sieyès: The Essential Political Writings*, Brill, Leiden 2014, pp. 43-117) and the treaty on constitutional theory by Carl SCHMITT (*Constitutional Theory*, Duke University Press, Durham 2008). Among relevant European contributions, see: Costantino MORTATI, *La costituente. La teoria. La storia. Il problema italiano*, Darsena, Rome, 1945; John ELSTER, *Deliberative Democracy*, Cambridge, Cambridge University Press, 1998; Ernst-Wolfgang BÖCKENFÖRDE, *Constitutional and Political Theory: Selected Writings*, Oxford, Oxford University Press, 2016; Dieter GRIMM, *Constitutionalism: Past, Present, and Future*, Oxford, Oxford University Press, 2016. In the last decades, a broad discussion has developed in Latin America driven by a rich constituent season that has affected several countries. For a reflective overview of the different positions, see Antonio BARRETO ROZO, *et al.*, *Poder constituyente a debate. Perspectivas desde América Latina*, Bogotá, Ediciones Uniandes, 2020; Conrado HÜBNER MENDES, ROBERTO GARGARELLA, *The Oxford Handbook of Constitutional Law in Latin America*, Oxford, Oxford University Press, 2022.

has like a train that has the freedom to go in different directions, but which mustn't deviate from the tracks established by existing law.

Constituent power, on the other hand, is the capacity (a more or less homogenous set of attitudes, powers and opportunities) to initiate a new legal and political order. It usually, but not exclusively, emerges following a revolution, erupting and disrupting the status quo. It manifests as an undisciplined and extra-legal force, which upends and strips out the old norms, remaining in a «grey zone» of legality until the new Constitution comes into force³. It claims to be legitimate without necessarily being legal.

But it would be wrong to only define constituent power as a destructive and chaotic force. It is primarily driven by the desire to prepare the next legal order. It is a normative power, in the sense that it is “able to norm” rather than “forced to norm”⁴. Constituent power is therefore *authorial* because it reinvents the rules and fundamental principles of a political community, but it is also *authoritative* because it is capable of being legitimized.

The philosophical dilemma concerns the legitimacy of both constituent and constituted power which, as we shall see, are actually the same problem. In fact, in constitutional states, the constituted powers are instituted and regulated by higher norms of the current legal system, but these norms, in turn, borrow their validity from norms of much higher rank, and so on, until we get to the Constitution. Going up the hierarchy, we always reach the founding normative act, and therefore the power that produced and imposed it. Ultimately, questioning the legitimacy of

3. On the «grey zone» between politics and law during the constitutional phase, see Fulco V. LANCHESTER, *Pensare lo Stato. I giuspubblicisti nello Stato unitario*, Roma-Bari, Laterza, 2004, p. 152.

4. Interestingly, according to Costantino Mortati's thesis, constituent power is never properly extra-legal. For Mortati, even though it disobeys the current normative order and denies its validity, constituent power cannot be reduced to a totally political lawless fact, insofar as it operates with the intention of founding a stable legal system: «if it [the constituent power] must also be valid in the future and indeed stand as the fundamental factor of a given society's unification, if, therefore, its decision is not only formed but also imposed as absolutely mandatory, necessity is producing the content of a norm», Costantino MORTATI, *La costituzione in senso materiale*, Milano, Giuffrè, 1998, p. 81.

the constituted power and the norms in force is equivalent to questioning the legitimacy of the constituent power⁵.

The problem is that, if one seeks the roots of what is legal, one arrives at something that is not and cannot be legal, that does not belong to the sphere of law, but rather to politics, understood as the prevailing, if not exclusive, exercise of power and, indeed, of force. A revolution that aims to overthrow the existing institutions is certainly illegal in the eyes of the current normative system, but if it is successful, it will lead to a new legal system that, once in force, will consider its foundational act legitimate, despite *ex post*.

The period of transition from one order to another is the real stumbling block for philosophers of law, as it involves a disorienting subversion of the relationship between facts and norms (see *Introduction*). In times of ordinary administration, norms judge facts and decree whether they are legitimate or not. In times of profound political crisis, such as during a putsch or a revolution, the relationship between rules and reality is reversed. It is the facts (the seizure of the Bastille, the Bolshevik storming of the Winter Palace, the hanging of Mussolini in Piazzale Loreto, the bombing of the Moneda) that imperiously lay down the law to the law and which determine the repeal and replacement of the powers in force up until that point.

It must be said, however, that since the French Revolution, the concept of “popular will” has been established as a source of political and juridical legitimacy. In other words, a constitutional system that is the result of a democratic process or which is validated by popular consensus, is considered legitimate. The people’s will can be conformed to through various political devices, such as a plebiscite, in which the people are asked if they wish to initiate a new constituent phase; an election by universal suffrage of the assembly called to draft the constitutional charter; a ref-

5. Herein lies the problem of the «fundamental norm» addressed by Kelsen with a proposal that many scholars consider to be the most fragile part of the eminent philosopher of law’s theoretical work. See BRUNO CELANO, *La teoria del diritto di Hans Kelsen: Un’introduzione critica*, Bologna, Il Mulino, 1999, pp. 341-386.

erendum to approve the constitutional text resulting from the work of the constituent assembly⁶.

Returning to Chile, I would like to point out that the dialectic between constituted powers and constituent power has taken a different road from the fully revolutionary one.

The plazas of the country have been packed with people who have strongly and tenaciously expressed their opposition towards the current legal-political order. The young militants of the *Primera línea* have torn up sidewalks to make ammunition which they then throw at the armored vehicles. Barricades have been erected and symbols of capitalism attacked; ATM machines have been set on fire and supermarkets looted. After four weeks of uninterrupted demonstrations in spite of the harsh repression, on November 15, 2019, at the end of frantic days in the headquarters of the National Congress, the different political forces decide to sign the *Agreement for social peace and the new Constitution*, positioning themselves to give at least a partial response to the demands of the insurgent population.

The document announces the plebiscite, set for April 2020. The launch of a new constituent season depends on the success of its outcome (§§ 37-39, 49, 54, 61-67). Furthermore, the *Agreement* appoints a technical commission, which is composed of parliamentarians from the various parties. The commission has the task of drawing up the procedures necessary to organize the various phases of the constituent process. The diligent commission quickly completes its assignment and, on Christmas Eve 2019, Parliament ratifies Constitutional Reform Act No. 21,200, adding a new section entitled: «Procedure for fostering a New Political Constitution of the Republic».

This Reform allows for the replacement of the 1980 Constitution, but imposes substantive and procedural limits on the future assembly in charge of rewriting the Chart. Specifically, in article 135, it lists what the constituent convention is not authorized to modify: «The text of the New

6. In the current case of Chile, all of the aforementioned devices for ascertaining the popular will are in place, but in the phenomenology of constituent processes they are not always all present.

Constitution to be submitted to plebiscite shall respect the Republican character of the Chilean State, its democratic regime, the firm and enforceable judicial sentences and the international treaties ratified by Chile and which are in force».

And on Article 133, a demanding and therefore highly contested procedural constraint is imposed: «The Convention shall pass the norms and the regulations with a two-thirds vote by a quorum. The Convention may not alter the quorum or the procedures for its functioning and adoption of resolutions».

So, the holders of the constituted powers have, on the one hand, yielded to the possibility that a new constituent phase will start and, on the other hand, they have found a way to maintain control of the situation. It is rather obvious that in the challenge between guardians of the *status quo* and insurgents, the former try not to let themselves be ousted, while the latter try to fly into a new dawn without the burdens that those who have governed until then would like to impose on them. Nevertheless, the Reform that introduces into the text of the Constitution a kind of self-destruct button, i.e. a way to extinguish itself, is quite paradoxical. It is understandable that a constitution contains procedures to be modified and updated over time. But those who have taken to the streets asking to replace the Charter issued in 1980 in its entirety, have done so because they consider it illegitimate, born from a biased process (§§ 32; 37, 38). The amendment provided by the Law n. 21.200 is a sort of constitution's confession of its own illegitimacy, but at the same time, it can claim to be the source of the next constitution's legitimacy.

The peculiarity of the Chilean case therefore lies in the fact that the constituted powers were able to norm into the constituent power, taming and limiting it; thereby avoiding the extralegal realm that usually opens up between the old and the new deal. The protests, though intense, did not become a siege of government buildings or a general and irreparable breakdown of the established order. The insurgency hasn't progressed into disrupting the usual course of institutional works. This is why we define what happened as a revolt and not a revolution.

37. Constituted and constituent power: rupture and continuity

As one might guess, a lively intellectual and political debate has arisen around the legitimacy and suitability of a constituent power regulated by the constitution it would like to replace. The dialectic between constituted and constituent power can become rhetorical and trivial when it uses antitheses such as “old/new” or “continuity/rupture” in a vague and empty way, without being specific about their contents and the ethical-political foundation to which they are anchored. In an attempt to avoid this risk, I will try to summarize the various elements of the debate, attempting to delve into the matter and letting the reader to guess which view I hold. Some arguments of those who approve the Constitutional Reform n. 21.200 and sustain a «post-sovereign model of constitution-making»⁷ assert that:

i. Constituent power is not necessarily absolute. Limiting constituent power is legitimate and perhaps even preferable for the purpose of reducing the risk of authoritarian populism: «Such invocations of the people’s absolute constitution-making power are not unproblematic, for Latin America has a track record of political actors who have been successful in claiming this power to justify constitution-making processes that exceeded their limits»⁸. And in support of this thesis, Emmanuel Joseph Sieyès, ideologist of the French Revolution, is cited as one of the first and main theorizers of the notion of constituent power. He argued that this power is not limitless, but it should be bound both by the will of the People and by the collective interest, which means individual rights and freedoms protection.

7. I refer specifically to the following contributions to the debate: Samuel TSCHORNE, *Las claves conceptuales del debate constitucional chileno: poder constituyente, legitimidad de la Constitución y cambio constitucional*, «Estudios Públicos», 160 (2020), pp. 81-117; Fernando ATRIA, *Constituent Moment, Constituted Powers in Chile*, «Law Critique», 31 (2020), pp. 51-58; Sergio VERDUGO, Marcela Prieto, *The Dual Aversion of Chile’s Constitution-Making Process*, «International Journal of Constitutional Law», Vol. 19, issue 1 (2021); Javier COUSO, *Chile’s “Procedurally Regulated” Constitution-Making Process*, «Hague Journal on the Rule of Law», 13 (2021), pp. 235-251; Raffael N. FASEL, *Constraining Constituent Conventions: Emmanuel-Joseph Sieyès and the Limits of Pouvoir Constituant*, «International Journal of Constitutional Law», forthcoming.

8. FASEL, *Constraining Constituent Conventions*, cit.

ii. Constituent power can be exercised without interruption of legality. Constitutions, even the most revolutionary ones, often have elements of continuity with the previous order. Meanwhile, some constitutional reforms can enact even deep breaks with the past. This would be the case of Chile, since what is improperly called the «Constitution of 1980» is no longer the Charter written by a dictator, but a document profoundly reworked by democratically elected parliamentarians through several reforms. Therefore, while it may be desirable to start a new constituent process that symbolically enshrines the rejection of Pinochet's legacy and implements Chilean democracy, today's constitutional text can legitimately oversee the production of the next constitution.

iii. The limits, both substantive and procedural, imposed on the body that will write the future constitution are reasonable because they promote the collective interest. For example, the two-thirds quorum ensures that the constituent convention can deliver a text that enjoys a very broad and widespread consensus (§ 38).

Those who, on the other side, disagree with the *Agreement* and the Constitutional Reform no. 21.200, believe that it is certainly a peaceful and less traumatic way than a revolution to transform the legal-political order, but fear that it is a trap set up by the constituted powers so as to ensure that the new order will not differ too much from the one that it is going to replace.

I imagine that those in social movements who bitterly contest the establishment's constraints on the Constituent Convention could easily agree with Sieyès' idea that constituent power must respond to popular will and collective interest. But the notion of "collective interest", unlike what an Illuminist might have believed, is neither self-evident nor determinable by a balanced procedure. It takes different forms and guises in relation to different ethical-political views. Thus, opposition to the current constitution isn't just about the fact that it was born under the Pinochet regime and validated by a rigged vote. The revolt that began in 2019 doesn't aim to bring down the dictatorial regime that, fortunately, Chile has already left behind. The issues raised during the protests are diverse and not always shared by all militants, but they certainly have a critical view of the hyper-neoliberalist economic

model as their cornerstone, which was established by the dictatorship and yet never challenged by the democratic governments that followed it (§ 33).

Therefore, those who blame the last Constitutional Reform do so because they think that it may hinder the abandonment of a socio-economic system that produces staggering inequalities, that plunders and defaces the environment as well as the ancestral peoples and cultures linked to it, that sells off the country's natural resources to powerful multinationals, that keeps the majority of the population in debt and does not guarantee social rights for all.

In particular, they criticize the “content constraints” (§ 36) – not because they hope that the Constituent Assembly will transform Chile from a republic into a monarchy, or because they want the democratic system to be abrogated, but they fear the prohibition of amendments to international treaties above all. They complain not because they would like to nullify those treaties that protect fundamental rights, but because this prevents them from reassessing transnational trade agreements⁹.

The “procedural constraints” laid out by Law n. 21.200 may seem less problematic, but critics of these provisions affirm that in politics nothing is ever completely “technical”, so the criteria for drafting the new Chilean Magna Carta can strongly affect the outcome of the constituent body's work. For example, the constitutionalist Héctor Testa Ferreira – in his extensive writings on the subject¹⁰ – considers the two-thirds quorum a conservative

9. See A. Jean Pierre MATUS, *Nueva Constitución: una hoja en blanco con tinta invisible*, «Ciper Académico», (9-1-2020), <https://bit.ly/3u9jPKT>; Bárbara HAAS, *¿Límites a la constituyente? El rol de los tratados internacionales en la nueva constitución*, «Bióbio Chile», (23-2-2021), <https://bit.ly/3ApQsoS>; the recording of a seminar organized by the *Foro constitucional* on the relationship between the new constitution and international treaties is available online: <https://bit.ly/3r9cfhA>.

10. Héctor TESTA FERREIRA published in «Revista De Frente»: *La realidad no es una “hoja en blanco” ni la disputa constituyente se parte en condiciones de igualdad*, (18-11-2019), <https://bit.ly/3AH19oC>; *¿Y los quórum legislativos? Contra la falacia del argumento de la “hoja en blanco” y el “veto cruzado”*, (19-11-2019), <https://bit.ly/3rbUWfG>; *El por qué la “Convención Constitucional” NO es lo mismo que una Asamblea Constituyente soberana*, (17-12-2019), <https://bit.ly/32K6jST>; *¿Y la “hoja en blanco”? Las limitaciones de contenido a la Nueva Constitución del artículo 135 de la Reforma Constitucional*, (24-12-2019), <https://bit.ly/3GibcQG>; *Plataforma “Chile mejor sin Tlc” llama a la alerta por trampa del Congreso al proceso constituyente*, (14-1-2020), <https://bit.ly/32OLWnC>.

device of the socio-economic system. In his analysis, forces which are hostile to a thorough renewal of the existing order will benefit from it, having the opportunity to easily exercise vetoes. In fact, since the reform doesn't mention a procedure for reaching a decision when such a qualified majority isn't obtained, what was established in the previous constitution would remain in force, or its transformation would be delegated to ordinary politics (§ 38). To avoid this risk, but in recognition of the importance that the new constitution be based on a broad consensus, the *Foro por la Asamblea Constituyente* suggests that all the issues which are suspended because they did not reach the quorum should be decided by intermediate referendums¹¹.

I believe that, even in the total absence of constraints, the assembly that will draft Chile's New Magna Carta is unlikely to have the strength, and perhaps also the will, to enact a drastic shift in the economic paradigm. The induction of a constitution is just the premise for a process of change, one which is often extremely long and never complete. This, however, does not mean that passionately and vigorously analyzing the most intricate details of a constitutional provision doesn't hold use or value. Indeed, even seemingly marginal and insignificant clauses can make a significant difference in the lives of many.

79

38. Leopards

The *Agreement for Social Peace and a New Constitution*, in spite the qualms of activists and intellectuals involved in the mobilization, obtains a broad consensus from the academic community. Over a hundred and sixty scholars, mostly jurists and political experts, have signed a document in support of the *Agreement*.

11. In September 2021, the Constituent Convention approved the *Reglamento de mecanismos, orgánica y metodologías de participación y educación popular constituyente* (Regulation of Mechanisms, Organization and Methodologies for Constituent Participation and Popular Education). This act confirmed the two thirds quorum, which a portion of the constituents were against. It also introduced a kind of intermediate diriment plebiscites (Articles 37-41). Specifically, the Regulation provides that the proposals that do not reach the two thirds but at least the three fifths of consensus, will be decided by the people through the intermediate diriment plebiscites. Voting at these plebiscites is mandatory for adults and voluntary for youth between 16 and 18 years-old.

The letter signed by academics expresses, in no uncertain terms, the need to discard the 1980 Charter, conceived in times of dictatorship. The historical opportunity to finally start a democratic constituent process is welcomed: «In Chile, no constitution has ever been the product of the will of the people. The citizenry has always been excluded from the decision of how to conduct its own destiny. The possibility of giving rise to a constitution through a democratic process is an unprecedented achievement in the history of our Republic».

But it is in the fourth paragraph of the academicians' manifesto in support of the *Agreement* where the two most controversial points lie: a. the assumption that the recent reform of the constitution can indeed offer "carte blanche" to the future constituent body; b. the endorsement of the procedure whereby each provision of the new constitution must be approved by two-thirds of the members of the assembly responsible for drafting the constitutional text.

Those who contest the *Agreement* and, consequently, the stance taken by the scholars who signed the letter, often use the adjective «gatopardista» (leopard-like, a reference to Giuseppe Tomasi di Lampedusa's novel *The Leopard*), meaning that the promise of change conceals a reactionary trap that will hinder a genuine re-thinking of the country. Fernando Atria and Jaime Bassa¹² are certainly leading figures of those who support the two-thirds quorum and among the first signatories of the scholars' letter.

Professor Atria agrees to be interviewed. He is an esteemed legal theorist and has a background of political commitment both at the grassroots and in the representative institutions. In fact, Atria was one of the spokesmen of the student movement of 2011 and, then, he was elected at the Congress with the Socialist Party, which he later left, remaining independent for some time.

In honor of our common Italian origins, he proposes me to meet in a cafeteria in the *barrio* of Providencia,

12. Fernando Atria, Universidad de Chile, and Jaime Bassa Mercado, Universidad de Valparaíso, are two legal theorists, experts in constitutional law, first signatories of the declaration in support of the *Agreement*, both particularly active in the public debate on the Chilean constitution-making process. In May 2021, they were both elected as members of the constituent convention, and Bassa was appointed as vice president (§§ 62, 64).

where they serve a good espresso. After brief pleasantries, we enter into the heart of the matter; the *Agreement for Social Peace and a New Constitution*. I tell him that I have heard of his direct involvement in the drafting of the document. He clarifies to me that – although he was not the author of the *Agreement*, nor facilitator of the negotiations – he was indirectly involved in the events:

«The day before the signing of the pact, in the early afternoon, I was with Chantal Mouffe¹³, who was visiting Chile. At one point my phone began to ring insistently. It was a congressman who wanted to ask me what I thought about a proposal for the new constitution: he told me that they intended to give *carte blanche* to a constitutional convention and establish a two-thirds quorum for the approval of any motions. I answered that if it was really given *carte blanche*, it would be an agreement worth signing. After this first telephone conversation, one deputy after another began calling me, asking me the same questions. Finally, we agreed that it would be better for me to go to Congress to speak in person with the many seeking my counsel. So, I did just that and, while the parliamentary debate went on, I was in an adjoining room where discussions could take place. Obviously, many journalists who saw me there attributed the role of the main broker of the agreement to me, which, however, is totally false. However, although I am not the author of the *Agreement*, I support it. Of course, I do not think it is the best of possible pacts, but I think it finally opens up the possibility to change the constitution».

81

I therefore question Fernando Atria on the burning issue of the two-thirds quorum. He believes that proposals that are not approved by a qualified majority should simply be removed from the constitutional text and left to ordinary legislation.

I observe that in this way there is a risk of removing important matters from constitutional status, such as fundamental rights and their guarantees, which, in my opinion, should be protected from the game of power relations between majority and opposition.

13. Lecturer at the British University of Westminster, she is considered among the main ideologues of Podemos, a Spanish left-wing political party.

The professor replies that my observation falls within the category of neoconstitutionalist theory and adds that this theory: «represents the orthodoxy espoused by law textbooks. This philosophical position, which has been popular for a long time, stems from a lack of trust in politics, from the desire to neutralize politics, entrusting the most significant decisions to the courts. But judges are not necessarily a progressive bulwark. As in the case of the U.S. Supreme Court, they can play a conservative role». He adds: «For my part, I would like a concise constitution that removes only a few arguments from the decisions that ordinary legislative bodies will then have to make. That is why I am in favor of a two-thirds quorum».

Atria's statements, which, while I find them striking and extremely interesting, leave me perplexed. It is probably true that many law schools teach neoconstitutionalism as a dogma and I admit that I don't have much confidence in the ability of the current party system to produce good public choices and I still think that removing certain matters from ordinary legislation or, said otherwise, subjecting popular sovereignty to constitutional limits, is an appropriate measure. However, it does not seem to me that distrusting legislative power necessarily implies having blind faith in judicial power, or thinking that the courts are always a salvific and enlightened body. Rather, I agree with Weber when he posits the most responsible of political attitudes to be that of presupposing a largely fragile and mediocre humanity, whatever position they hold and whatever power they have.

I ask the constitutionalist his opinion about the anomalous relationship that has been created in Chile between constituted and constituent power, pointing out that it reminds me of the "soft" passage from dictatorship to democracy, with all the aftermath that this entailed, such as the persistence of the 1980 Charter. Atria agrees both with the strangeness of the Chilean case and with the analogy with the past, and adds:

«It is not unusual that constituted powers want to limit the innovative impetus of constituent powers. But they normally fail and, in that case, a space of profound reinvention of the country opens up. In our case, the constituted powers have not failed completely. The pressure

of events caused them to grant the *Agreement*. – Then, in a confidential tone, he continues: – Look, many politicians were not happy at all. Afraid of losing everything, in a bid to scrounge up something to save, they agreed to make this compromise. But the morning after the signing of the *Agreement*, when they woke up and realized that perhaps it was not true that everything was collapsing, that things could probably have continued as usual, they regretted having made this concession. – Summing up, the professor concludes: – Now, I believe, the problem is not so much finding a legal explanation for what is happening. What is important is to intercept and engage this enormous force that has been unleashed. In this regard, I think this movement needs to take a leap. Until now, it has had neither leaders nor a political direction. And as long as they simply protested by saying “no” to the current pension system, “no” to patriarchy or to neoliberalism, it was fine. But we are moving on to a second phase, the one in which proposals must be made. At this point you must select a leadership that can represent you in the decision-making bodies».

My last curiosity concerns whether my interlocutor is contemplating a new political undertaking. He replies that he is happy with his university job, but that he does not rule out the possibility of becoming actively involved in politics again.

A few days after our interview, the press announces the birth of *Fuerza Común*: a new party led by Fernando Atria himself. The main objective of this nascent political force is to support the «*apruebo*» plebiscite option to start a new constituent period and gain representation in the possible body in charge of rewriting the fundamental charter.

39. Democracy of quality

The second query posed by the plebiscite proposes a choice between two possible compositions of the constituent body:

- a. a *homogenous constitutional convention*, composed exclusively of members elected for the occasion by the citizens;
- b. a *mixed constitutional convention*, half of which is made up of representatives voted with the specific task of drafting the new Chilean Magna Carta, and half of which is made up of parliamentarians from the current legislature.

I asked myself more than once why various protesters accused the potential mixed composition of the constitutional convention of being undemocratic (§§ 36, 37, 59, 61-66). The sitting deputies had been elected about two years earlier, probably without any fraud. Of course, it could be argued that, whether on the right or left, they were almost all representatives of the old guard, reluctant to dismantle the system that had allowed them to win their coveted seat. But why claim that their presence in the constituent body would render it undemocratic? In arguing this, was the intention to sustain the election for members of the constitutional convention would deliver a higher level of democracy than that arising from ordinary voting processes?

It must be acknowledged that there is a certain tendency to grant or deny the license of “democracyness” as out of hand, to qualify only that which in one’s judgment, appears politically desirable¹⁴. But, taking for granted the risk of a partisan use of the term, I think the people involved in the mobilization felt that only the result of widespread participation from below can fully deserve the designation “democratic”. What was being experienced, however, was something far removed from the typical procedural democracy: the fulcrum of their political venture was certainly not to vote for their own delegate inside a ballot box. It has been a democratic experience in a qualitative rather than quantitative sense: there was no need to count ballots or raised hands, to meter speaking time and make compromising alliances to guarantee a majority in Congress. The substance of their unique political and psychological adventure came from the debates on the grass, the flash-mobs in the streets, the activist conviviality of the social lunches. The essence that unites these different activities lies in the fact that they allow the weaving of “horizontal” social ties, threads of a community in becoming and a becoming in community.

And yet, shirking the obligations and conventions of electoral bookkeeping, how is it possible to dispel the suspicion that the demonstrators, who had been mobilizing

throughout the country for months, were nothing more than a noisy minority that was claiming the undue title of spokesman for the entire citizenry? By what right could they claim to represent the people without submitting to the test of suffrage?

On the other hand, it could have been argued that the will of the people had manifested itself through that vast and tenacious movement much more than what could have been attested by a count of ballots, votes possibly conditioned by the media, induced by fear, often the result of ignorance and pettiness. Consequently, if the bearers of the by now worn-out constituted powers had not stepped aside politely, in order to defend the original constituent power, it would have been necessary to raise the bar of conflict, making the revolt evolve into a real revolution.

Of course, most of the activists had no plans to eschew the elections. They were eagerly awaiting the plebiscite and were heavily disappointed when, due to the pandemic, it was postponed. Then, in discussing this topic with several of them, I picked up on a conviction they had developed. Namely, that a new constitutional order devised by delegates of the people elected by informed *demos* in ferment, rather than abulic crowds, customary and accustomed to the dominant power structures, would be of greater value and would ultimately have a more marked legitimacy.

Costantino Mortati, author of a seminal treatise on constituent power, would agree with this conclusion. He defines the «“constituent conscience” of the people» in terms of a unique collective emotional realm. This realm consists of «a “frenzy of popular vitality”, within the particular state of mind of “brave confidence in oneself and in the future”, of which Mazzini spoke»¹⁵. This sort of passionate involvement by the citizenry in the *res publica*'s destiny wouldn't be, for the author, a mere accident, since constitutions are usually born in turbulent periods. Rather, it is a condition of legitimacy, which cannot be supplanted by the shrewdness of law technicians.

But could this mean that, should the desired launch of a new constitution be achieved, with the consequent

15. Costantino MORTATI, *La costituente. La teoria. La storia. Il problema italiano*, Roma, Darsena, 1945, p. VI.

return to ordinary administration, (albeit on the basis of a renewed founding agreement), we have to deal with a watered-down democracy with a low level of popular involvement and participation?

And even if, to follow Robespierre's lead, one was to try to prolong that state of mobilization indefinitely, how long could it hold out without growing weary, needy, and disillusioned, and how long would it take the lethal mixture of rivalries, envy, quarrels, and vanity that mark the human condition to pollute that "happy horizontality"?

It must be noted that very few revolutionary uprisings and rebellions in history have been successful and, even when this has happened, the aftermath or institutionalized utopia has never lived up to the hopes and intentions of the revolutionaries.

40. The solution lies in the problem

The Honorable Issa Kort, who is a member of the Unión Demócrata Independiente party, is recognized as an authoritative and accredited voice of the ultra-right, opposed to a new constitution, but in favor of further reforms. He grants me an interview, despite being in a clinic for treatment. During our meeting, he is polite and informal.

To start, I ask him to describe himself as he sees fit. He was born almost forty years ago and had a happy childhood in a rural area. He explains that he studied history out of a desire to understand the present in light of the past, partly because he loves seeing how different points of view intersect, but also out of a desire to better understand his own personal narrative. During his studies, his research concerned the effects of land reform in the area where he grew up. He also devoted himself to the study of the Arabic language to recover an important part of his roots. His paternal grandparents were Palestinians who left Jerusalem for Chile.

Regarding his current work, he says:

«I wanted to go into politics because it seems to me the most effective way to bring about change. I decided to join the Udi because I believe it is the party closest to the country's poor population, the population that others often overlook. And I chose the right because I believe

that freedom is a necessary factor for the development of every member of society. This is my mission – Then, laughing, he adds – At least I think so, maybe I have yet to understand what my mission is».

I ask him what he thinks about what is happening in Chile right now, and he responds more with the caution of a historian, than with the flair of a politician:

«At the moment I do not have sufficient tools to analyze the present; we are in the middle of the process and there is not yet the necessary detachment to make an evaluation. In addition to this, I am directly involved, which is therefore all the more reason that my judgment cannot be objective – Without stopping, Issa Kort continues to surprise me with some harsh self-criticism – The limitation of my judgment hinges on the fact that I am part of the problem. The crisis the country is going through is real and I fully recognize my responsibility. All of us are responsible and, when I say us, I mean politicians of every sort: deputies, candidates, the leaders of social networks. Although I am not sure that the entire political class has acquired this awareness, I believe it is necessary to acknowledge our responsibility for the current situation of crisis».

87

From the admission of guilt, however, the deputy draws conclusions with a zen-like tenor:

«However, admitting that you are part of the problem involves taking responsibility for becoming part of the solution. The solution always lies in the problem. It would be easier to say, “I’ll drop everything and walk away”, but we, who caused the crisis, must do the work to get out of it».

41. Recoleta: an anomaly

To better understand the dialectic between centralized power and local institutions (§ 30), as well as the role of municipalities in the constituent process, I was keen to interview Daniel Jadue, mayor of Recoleta (one of the thirty-six municipalities that make up the Santiago area, with an extremely diverse population in terms of social class and income). Jadue is, in fact, a proponent of very inno-

vative policies and an alliance between municipalities in dissent from the government line.

The meeting takes place in a large panoramic office in the municipality's town hall. This time, at least, no sweets. The mayor describes himself as an urban planner and sociologist, proud of his Palestinian roots. A hammer and sickle ornament and a half-bust of Simón Bolívar make it easy to guess his political orientation. In a country where the Communist Party accounts for no more than 7% of the vote, in the last elections in Recoleta – the ones that delivered Jadue a second term – it climbed to 56%. The figure is even more surprising when one considers that the northern part of Santiago does not have a “red” tradition. On the contrary, before the current mayor, there had been twelve years of extreme right-wing administrations in Recoleta.

My interlocutor has an opinionated tone and a cumbersome ego. He tends to mistake the friendliest of observations for attacks. He is one of those people who, finding himself at ease in conflict, misses no opportunity to provoke it. I do not like him very much, but I must acknowledge the value of his public choices.

He explains to me how, in that locality, they have developed strategies to circumvent the ruling neoliberal system by increasing access to social rights for the inhabitants. Given that healthcare in Chile, rather than a right, is a luxury that many are unable to afford, the first initiative of the administration led by Jadue was to create community pharmacies where medicines are sold at up to 90% below market prices. A public entity has the means to purchase various products in bulk from suppliers at very competitive prices; however, according to Chilean law, the public is prohibited from competing with private companies by marketing goods at lower costs. The mayor's legal team, however, proposed a solution: if the municipality resells at the same price at which it bought, since it is not making a profit, its activity cannot be classified as «commerce» and therefore does not violate the law. A similar system was then used to facilitate access to cultural goods, such as books and music.

Housing rights have also been improved through a number of measures, including rental subsidies. In addi-

tion, in response to the high cost of education, a completely free people's university was established in Recoleta, with many courses of study. It boasts six thousand students. Many professors from prestigious universities have, in fact, agreed to volunteer repeats of their lectures. Those who attend these courses do so solely out of a thirst for knowledge, as no official degrees can be awarded. However, it has been argued that this initiative cannot claim the title of "university". The people's academy of Recoleta has therefore proclaimed itself a: «Municipal Pluriversity», taking the opportunity to advocate an open, pluralistic and non-hierarchical idea of knowledge.

In ticking off the initiatives of which he is proud, the mayor also mentions the fact that Recoleta was one of Latin America's first "sanctuary cities". Sanctuary cities are municipalities welcoming to migrants; by disobeying certain national norms or by interpreting them liberally in light of higher moral and juridical principles. They offer themselves up as welcoming harbors for humanity on the move¹⁶. To make this clear, the mayor tells me: «I don't care where you come from, as long as you live here you have the same rights as everyone else».

He adds that the municipality he administers declares itself to be a «plurinational territory», so much so that at the top of the beautiful building in which we find ourselves, fly the Chilean flag, the Mapuche flag and the banner of the various Amerindian peoples, which he takes care to define as «first nations». I ask him to elaborate on the concept, confessing to him that the word «nation» doesn't sit well with me. He explains to me that he prefers to refer to indigenous populations as «nations» rather than «peoples» because he believes that this ensures the same level of political dignity for the different components of the country.

The administration led by Jadue, in addition to being notable for its creativity in inventing forms of welfare in one of the most neoliberalist States in the world, plays an important role in the movement to reform the constitution. Recoleta is one of the municipalities that launched a network of fifty Chilean cities that held an online ref-

16. Jennifer J. BAGELMAN, *Sanctuary City: A Suspended State*, London, Palgrave Macmillan, 2016; Doug SAUNDERS, *Arrival City*, London, Windmill Books, 2011.

erendum anticipating the national plebiscite. This consultation, without legal impact, has the scope, according to its proponents, of informing, raising awareness and inviting the population to participate. Here too, the municipality located in Santiago's north wanted to distinguish itself. Most of the municipalities in the network are presenting their residents with the same two questions that will be on their paper ballots. But Recoleta residents are being asked a wider range of questions. In addition to the official questions, they are asked if they are in favor of quotas for women for half of the members of the constituent assembly; if they would like to reserve seats for representatives of the indigenous peoples; if they would like to lower the age limit for the exercise of the right to vote by making it coincide with the same age from which one can be criminally charged; if they want Chile to declare itself a «plurinational State».

In the evening, after the interview, I come across some friends who live in Recoleta. They confirm the popularity of Daniel Jadue, adding that there is a possibility that he could become the left's candidate for the Chilean leadership.

42. Classes and classes

During my search for representative interlocutors of the Chilean elite¹⁷, I found myself reading several biographies of politicians, entrepreneurs, and academics online. I found it curious that, among the different pieces of information, not only was the type of degree one had obtained reported, but the name of the university and even the secondary school where the person in question had studied. I noticed that the same educational institutions always came up. Among those listed, I decided to contact the Colegio del Verbo Divino, where, among others, President Piñera was educated. I wanted to collect information to understand the Chilean educational system, one of the principal targets of the protest, and, more specifically, to explore the

17. On the history of the elite in Chile, see Maria Rosaria STABILI, *El sentimiento aristocrático: Elites chilenas frente al espejo (1860-1960)*, Santiago de Chile, Editorial Andrés Bello, 2003.

role of this particular school in the formation of the ruling class.

The school staff prove to be kind and attentive; even though it is the middle of summer vacation, they let me know that Vice Principal Sergio Garrido is available for a meeting. The appointment takes place in a renowned patisserie, and the professor orders several chocolate delicacies and an Italian cappuccino. Once he has ordered, he immediately gets right to the matter at hand:

«This protest took us by surprise. I will admit that my perspective is that of a person who does not live with hardship; my view is not objective, but conditioned by my social position. In Chile, the gap between social classes is very significant. Those in leadership have always declared that they want to improve the situation of the poorest, helping them to achieve a dignified life, but evidently this popular revolt has made us realize that these efforts have not been enough. Although it seems to have erupted suddenly, it was not born overnight: it comes from a discontent that has deeply-rooted origins».

An alarm bell of social malaise, for example, was the great student movement of 2011 (§ 17):

«It was driven by those who attended public schools and universities, certainly not by students at private colleges. The quality of education in private facilities is much higher, scores better on the national education assessment system¹⁸ and this greatly affects students' career prospects. The results you achieve throughout your education affect your entry into higher or lower ranked universities. And the university where you study determines the kind of profession and salary you can hope to earn».

I ask him to characterize the educational institution of which he is vice principal. The Colegio del Verbo Divino has its origins in the German religious order of the same name. At the beginning of the twentieth century, a populous colony originating from Germany had settled in the south of Chile and introduced its own efficient and austere educational system. The institute at which Sergio Garrido

18. SIMCE – Sistema de Evaluación de la Calidad de la Educación, <https://www.agencia-educacion.cl/evaluar/>.

works is in Las Condes¹⁹, among the richest areas of Santiago, but there are other schools of the same denomination in poor and rural areas. The Las Condes facility occupies an area of six hectares. Among the gardens and several sports fields are the buildings that house classrooms, offices, laboratories, lounges and gyms. There are about sixteen hundred students, all male, spread from the first grades of elementary school up to high school.

I ask him about the general demographics of the student body and how the selection process is run. The professor is again very precise and sincere. He explains to me that the government imposes a general requirement of non-discrimination on private schools, in the sense that anyone can apply for admission to any school, but the institutions are free to determine the criteria according to which they draw up their list of candidates for admission. Given that applications always exceed available spots, a selection process becomes necessary.

The Colegio del Verbo Divino defines itself as a «family school», which means that the siblings of already enrolled children and the children of ex alumni are given priority. Aspiring students, who do not have family connections that would facilitate their access, undergo an evaluation: a team of teachers observes them interacting, gives each child a rating based on a rubric and draws up a ranking list. To render the system clearer, the vice principal gives me an example: «If a child has Down Syndrome and is the brother of a child who is already enrolled, there will be no problem giving him a space. But if he doesn't have relatives that frequent or have frequented the school, it will evidently be difficult for him to achieve a high enough score to be admitted».

I learn that, in addition to those already mentioned, there is another indirect selection criteria, probably the most rigid: the socioeconomic prerequisite. The school's tuition is around 700 USD per pupil per month, comparable to that of a good university. In Chile, 70% of families have a monthly income that is less than the tuition at the Colegio del Verbo Divino²⁰. This means that only a very

19. See cvd.cl.

20. Emol, *Infografía: Cómo se clasifican los nuevos grupos socioeconómicos en Chile*, (2-4-2016),

small minority of the population can afford to send their offspring to such a prestigious school.

Sergio Garrido continues: «We also have students that come from poor families, but if you ask me how many, I must frankly respond that there are very few. This type of education is very expensive. In order to have a faculty of the highest quality, we must guarantee excellent salaries, otherwise valuable candidates will opt for more lucrative careers in other fields».

For years, I have ingested and mulled over the words of Don Milani, Bourdieu, Canevaro, Gardner, Freire, Dolci, and the Maestri di Strada, and these words have transformed into a mixture of notions, practices, and deeply-held beliefs. It is as if this mass of discourse on the value of inclusive education binds together, taking the form of an inner golem that, as it comes alive, begins to spew out quotations. In particular, the golem insistently repeats a passage from *Lettera a una Professoressa*: «A school that selects destroys culture. It deprives the means of expression from the poor. From the rich it deprives knowledge of things»²¹.

I try to pacify the golem and pay attention to the vice-principal's revealing remarks about the educational and social system: «If you meet someone at a party, one of the first questions you will be asked is: “Where did you study?”. When you start working at a company, you often find out that there are two or three others who have attended the same college as you and then an immediate camaraderie is created. You feel like you belong to the same group, and you help each other out».

In other words, in Chile, more than elsewhere, economic capital buys cultural capital: money gets you a quality education, or rather, one that is more in keeping with the demands of a certain socio-economic model. But attending the “right” school also means increasing one's social capital, developing the network of relationships that paves the way for success.

Professor Garrido reiterates several times that one of the main objectives of the college is to promote an inte-

bit.ly/3l04KE9.

21. Scuola di Barbiana, *Lettera a una professoressa*, Firenze, Libreria Editrice Fiorentina, 1996, p. 105.

gral education, allowing students to immerse themselves in reality and analyze it critically. He says he is committed to ensuring this. For example, defying the views of more conservative parents, he has invited gay and transgender people to talk about their experience and, during the protest, had kids gather in self-guided sessions to discuss current events.

The golem again intrudes, doubting that “integral” education can be afforded when living in gilded segregation. This time, goaded by the opinionated monster, I ask my interlocutor if he doesn’t think the college’s educational policy is actually contributing to inequality. He replies that, indeed, the system is unfair and that his school is part of that system. I ask what he would do if he were Minister of Education, and he promptly answers that he would try to bridge the gap between public and private education, giving more resources and better administration to state schools and universities.

He stresses, almost as if confiding a secret, that he is not a scion of the Chilean oligarchy. His father was an ordinary policeman and his mother a housewife, and they made considerable sacrifices to allow him to study. He also tells me about his debut as a teacher of history and geography in a school on the outskirts of Santiago, frequented by children from severely impoverished families. At that time, which was the nineteen eighties, the State was funding private individuals who were putting up educational facilities. The result was that unscrupulous characters turned old hovels into schools for the poor: «The classrooms had broken windows, battered desks, there wasn’t even a geographical map. I just barely managed to get some chalk with which I drew one on the blackboard». In addition, the principal demanded that absences not be recorded in order not to have their funding cut. The young teacher objected to the deception and, after being reprimanded several times, was fired.

Just before saying goodbye, I discover that Garrido’s daughter has actively participated in the mobilization and that, albeit with some hesitation and concern, her father seems inclined to stand by her side.

43. The astonishment of the elite

«I've been married for nineteen years and I have three children. I enjoy riding my bicycle. I am a civil engineer, but I have dedicated a large part of my professional career to finance. I have been directing ABIF, an association to which all Chilean or foreign private banks with branches in Chile belong, since last year. I was educated at Colegio San Ignacio, a Jesuit college where my father and almost all my friends studied. They're not necessarily all Catholic, but we've all received a markedly socially-oriented education».

This is how Matías Bernier introduces himself to me, in the conference room of his impressive office in the Las Condes quarter. Hamed is also here, accompanying me as a photographer. On the oval table, an attentive secretary has placed cups of tea and dried fruit.

The role of ABIF – Asociación de Bancos e Instituciones Financieras – is principally to carry out research to support and inform the decisions of credit and financial institutions, as well as government policy. «The association has a good reputation – the director says with satisfaction – therefore our studies are taken very seriously», alluding to the influence that his organization has on public decisions of significant impact.

Due to the heavy and widespread indebtedness of the Chilean population, banks – like and even more than elsewhere – are considered cruel vampires that feed on the blood of struggling people, so much so that, since the protests began, hundreds of ATM machines have been vandalized. Bernier is obviously aware of the unpopularity of lending institutions and is keen to defend their role:

«Many people believe that the banks are the source of all their problems. I can't say that they are philanthropic institutions, but it would be wrong to negate their important social function. It is true that a large proportion of their money belongs to a few extremely wealthy families or companies, but the banks' existence depends, above all, on a myriad of small and medium-sized savers and businesses. The bank, therefore, has an interest in furthering their well-being. For example, before the riots broke out, we were working on a series of measures that would lead to general social progress: we were thinking of solutions

to facilitate the migrants who, while waiting for documents to regularize their position, have to wait too long to open a bank account, send or receive money; we wanted to support the development of ecologically-friendly businesses and offer our most innovative services even in the most remote and underdeveloped areas of the country».

Moreover, Matías Bernier explains how the issue of indebtedness cannot be reduced to the greed of the banks, but that technical reasons must be considered:

«A big problem we have in Chile is the lack of a single registry that indicates the debt load of each individual. Credit providers face an uneven spread of information. We may know of outstanding commitments to the banks, but that only accounts for 57% of the credit supply. Several other agencies, including some informal entities, lend money with no record of it. The bank is shortsighted about the creditworthiness of its account holders, and so the individual is not protected. Add to this the fact that the less collateral a borrower can offer, the higher the interest rates, the more likely they are to default».

96

The director also laments a lack of financial education and the danger of breeding bad behavior in becoming too permissive: «If you get credit despite the fact that you've already exceeded the ceiling that is sustainable for you, this fuels an irresponsible attitude and a constant indebtedness».

Hamed, who is there to document the meeting, ignited by the topic, puts down his camera and intervenes. On the one hand, he agrees with what Matías Bernier says: the need for more caution and information from those offering credit, and more awareness and responsibility from those taking on debt. In addition, the issue of financial education is so close to his heart that he keeps a book in his backpack that he is studying diligently: a Latin American bestseller that explains how even those born into a poor family can achieve prosperity²². However, the photographer points out to the director that the problem of indebtedness cannot be blamed solely on the population's

22. ROBERT KIYOSAKI, SHAFON L. LECHTER, *Padre rico, padre pobre: Qué les enseñan los ricos a sus hijos acerca del dinero, ique los pobres y la clase media no!*, Mexico City, Aguilar, 2004.

ignorance of economic matters, but that it stems primarily from the fact that wages are low, the cost of living high and welfare minimal.

Bernier does not abandon his argumentative tone and responds to the objection by pointing out the strong influence of the way in which reality is represented:

«What is missing in Chile is a new narrative. There used to be one, but we lost it. Thirty years ago, there were injustices and inequalities. But people were willing to stick it out, wait for better times. Now people think society can change with a wave of a magic wand. It is not understood that there are no immediate solutions; that all change is preceded by a process. The process must be thought out and prepared. Adopting a new narrative allows you to transform perception, triggering the process necessary for an authentic metamorphosis».

In his opinion, the responsibility for this lack of narrative must be traced to a misapprehension and weakness on behalf of the Chilean ruling class. «The elite were supposed to convey an ideal and provide for the education of the people. The government needs to assume the authority of a father, with all that that entails». I retort that I do not find a “government-father” desirable. He concedes that metaphors have their limitations, but adds that we must take note and come to terms with the fact that there will always be a governing elite: «You kick one out and another enters in its place. The point is for this one to take responsibility, which sometimes means making unpopular choices». And, moving on to current events, he continues:

«At this moment the political class has a very low approval rating. And because they are terrified of losing even the handful of votes that they have left, those in Congress – instead of making the choices that should be made – are merely acting as an echo chamber for the demonstrators. For example, I believe that there is no urgency in changing the constitution – this can create a dangerous instability for everyone. Although I admit that the solution they have found regarding the constitutional convention seems good to me because it will not cause serious shake-ups» (§§ 36-39).

Bernier also alludes to the self-centeredness of the Chilean elite. I ask him to elaborate and he does not hold back, indeed, shedding his director's clothes, his speech takes on the tone of a confession:

«We didn't realize that we were a small circle of people who shared a certain narrative, outside of which people saw things in a completely different way. We went around the world saying that Chile is a land of progress and prosperity, but we didn't see the suffering of many of our fellow citizens. It was only when the violence hit the streets of Santiago that we noticed. This violence, in fact, was not born with the protest, it was already here. The people who live on the outskirts and in precarious conditions had been living with it daily for years, frequently under the control of the narcos. But we didn't want to see it and, in fact, we tolerated it».

When I ask him what his experience of the protest was like and what he has learned at this juncture, Bernier continues his confidences:

«On October 30, in the most heightened moment of the protests, my mother died. She had very advanced pancreatic cancer. My family tragedy merged with the social crisis. Banks and supermarkets were being attacked, the streets were blocked by fires and picketing. The nurse who was supposed to take care of that elderly and ailing woman had difficulty getting there. The funeral took place in a surreal atmosphere, we were not even allowed to remain at the cemetery to pay our last respects».

From the story emerges an anger towards the violence of the demonstrators, a frustration at that overbearing interruption to daily life that ends up affecting those who are not at fault. His tone of voice betrays indignation at the devastation and assaults, concern over the detrimental impact on businesses and jobs. Yet he reveals to me that, in an experience that for him was so full of pain, he discovered an element that he defines as «illuminating»:

«I put myself in the shoes of others, those who, as may be the case in Syria, cannot bury their loved ones. It also became clear to me that my mother lived at least a year longer because we could afford the treatments, including pain management which is very expensive. A person with

the same illness, but less economic means, would have lived less and suffered more».

Wanting to explore the topic of inequality with respect to health, once home I unearth a recent study with staggering conclusions. The authoritative research compares the life expectancy of the urban population of some large cities in Latin America (Panama City, Mexico City, Buenos Aires, Belo Horizonte, San José and Santiago de Chile) in relation to different income classes. Of all the cities surveyed, the most pronounced gap is found within the female population of Santiago de Chile, where a rich woman lives an average of seventeen and a half years longer than her impoverished fellow citizen²³.

Returning to the impact the mobilization has had on those in the country's richest class, Bernier admits: «We were taken by surprise. I thought that Chileans preferred not to risk putting what they had in jeopardy. And instead, not just the poor, but even the middle class thought that they had nothing to lose. And so the revolt erupted».

The director goes on to admit a further error of judgment about himself:

99

«I had a concept of the middle class that was completely misleading. I felt middle class. I was dead wrong. I should have placed myself in that wealthiest 1% in Chile. But I liked feeling middle class because that way I felt less guilty. This, however, is not just my problem. Deputies, bankers, and the entire elite like to say: “we middle class”, without even having a clue as to how this class lives».

My interlocutor then comes to the conclusion that we need to listen to people more. He then clarifies that talking is not the same as bickering on social media. From this line of thought, a final insight arises:

«Among my ex schoolmates, there is one that I particularly care about. We played together as kids. Over the course of our lives, we have taken different paths and developed antithetical political positions. Yet I have never stopped counting him among my small circle of true

23. AA. Vv., *Inequalities in life expectancy in six large Latin American cities from the SALUR-BAL study: an ecological analysis*, «The Lancet: Planetary health», vol. 3, issue 12 (2019), pp. 503-510.

friends. Lately, however, it seems that something between us has broken. Social media feeds polarization. And we too became entrenched in our positions. We brandished slogans instead of dialogue and so we drifted apart. I suffered much over this».

I close the interview by asking him what he would do were he the Minister of Economy. He tells me that he values the approach of the current minister Ignacio Briones Rojas and, from the way he talks about it, it is obvious that they have a personal friendship. He therefore tells me that he would surround himself with excellent professionals from different fields, not only experts in economy, but sociologists, historians, philosophers, in order to dismantle the paradigm in which the economy is the engine of everything and the limit of what is possible.

As soon as we get back in the car, Hamed and I embark on a long debrief of the meeting. In particular, if we think back to the evocative proposal of a multidisciplinary think tank, it seems to us, however, that one not-insignificant detail is still missing, which Matías Bernier himself had in his own way pointed out: the perspective of those who know the violence and the struggle of survival in that severely unequal country because they live it out first-hand.

44. Broadening the possible

On Friday at dusk, I have an appointment with Sergio Grez at Plaza de la Dignidad (§§ 10, 58), that is, at the time and place where the protesters gather. I carry sunglasses, which at that hour are not for protection from ultraviolet rays, but from other known dangers (§§ 12, 13), and an anti-gas mask, a present from Cristina in December, before her return to Italy. The present from my friend contained an underlying message that was easy to decipher: «Now that I'm leaving, don't think you're going to be holed up at home all day tapping away at your computer keys. Get out and into the fray to breathe in the ferment of the revolt, albeit through this precautionary device».

My destination is the metro station the closest to the plaza among those that still work. Emerging from underground, I realize that I am right on the front of the *Primera línea*. Young people with picks and hammers crouch on

the ground, intent on breaking up pieces of pavement with which to make ammunition. The concrete dust, raised by the guerrilla stonemasonry teams, hovers in the air and, like a photographic filter, softens my surroundings. The dominant noise is the patter of the clubs on the asphalt, overtaken from time to time by the whistle of the sirens. The air is saturated with gray dust and the harsh smoke of tear gas. My friend's gift comes in very handy.

With a few strides I pass the trench and the scenery changes dramatically. On one side, destruction and conflict; on the other, an atmosphere of polychrome and polyphonic celebration. A band of brass drums marches in my direction, followed by a troop of dancers in colorful costumes that alternates between Latin dance and indigenous choreography. In another corner of the vast plaza, perched on an awning, are two guys, one dressed as Captain America and the other in a Guy Fawkes mask. They play music from powerful amplifiers and incite the crowd below to take part in that politicized rave. Many children, given the month, run around in carnival costumes, throwing handfuls of confetti at each other. The football fans, putting aside old and established rivalries, come together in a single complicit waving of their respective banners to signify that, when the need to defend against a common threat to dignity arises, all are part of the same team. At yet another point, an enormous blood-red banner, strung between two trees, reads «State Terrorism». Right in front of that banner of denunciation, a street vendor pestles fresh mint for mojitos, releasing the lure of the fragrant herb into the air.

Despite the fact that my path is hampered by several obstacles and dotted with tantalizing distractions, I reach the historian. I had met him at the conference organized by Fresia's *junta* (§§ 30, 31) shortly before departing and, during my return to Italy, he had kept me updated, sending me valuable material daily.

After the necessary pleasantries, not at all formal, I tell him about the trip I just took and how struck I was by the difference between the front and the second line. He comments that, as much as they may appear to be two worlds apart, they are more connected than we can imagine.

«The media, a few politicians, and certain analysts love to separate the nonviolent protestors from those that are violent, but I think they're wrong to do so. This is a movement that is essentially peaceful, which is not to say totally peaceful. There is violence, but it is of low intensity. It is aimed at some symbolic targets such as ATM machines, statues of people who committed genocides, and emblems of institutions linked to repression. For the rest, it is a defensive violence. The *Primera línea* creates a cordon that protects those on this side who want to demonstrate peacefully. This is a dialectic of complementarity, not of opposition».

I ask him how, from his perspective as an expert on social movements, this large and prolonged participation that continues undaunted, even now that it's summer and vacation time, can be explained. Once again, Sergio begins his response by blaming the mass media hype.

«The press speaks of an “*estallido* (outbreak) *social*”. This is an ambiguous and erroneous expression because it does not account for the magnitude, particularities and substance of this movement. The word “*estallido*” is associated with an explosion of inorganic material, a raptus of passion, or an ephemeral mob frenzy devoid of political significance. Effectively what happened on October 18, 2019 was a spontaneous *estallido*. No one had planned it or called for it. But the mobilization quickly took on a different scale and form».

I ask to what this rapid transformation is due. He recounts the way in which a malaise, that belonged not just to the poorest and most marginalized, simmered: «Even a middle-class person, if they contract a serious illness or when they retire, can be afflicted by instability and destitution. In other words, the vast steppe was dry and all it took was a spark to start fire».

But while this explains the magnitude, it does not yet account for the political maturation. He goes on to argue that in Chile, as in many other parts of the world, the political left has lost credibility and consistency. «Yet the social left has never disappeared, even in the darkest years of the dictatorship it was there and secretly operating in the social fabric. It handed down a memory, a culture, a tradition. What is happening now merges with the past

and redefines it». Just as my interlocutor is making these observations, my eye falls on two men in their seventies, proudly carrying a poster with the words: «The *Primera línea* of 1973 salutes the heroic *Primera línea* of 2019». They are the survivors of the GAP, the group that sought to protect President Salvador Allende.

I understand that discontent is the gasoline that feeds the explosion, but it is only when and if a living, responsive and organized civil society already exists that the energy detonated by the deflagration of the *estallido* can be channeled into a movement of political significance. The historian confirms that there existed a social ferment driven by different groups that, however, operated separately. A diverse mosaic of workers, students, feminists, ecologists, Mapuche groups and human rights activists. The mobilization has therefore drawn on the lifeblood of these different spirits, making them converge around a solid and articulated core of common principles:

«the rejection of the neo-liberal system, namely the subsidization of social rights to private individuals; the criticism of the abuses of the political and commercial caste; the desire for real participation in public decisions; the demand for a more equitable society where human rights are universally recognized and guaranteed by the State».

103

Consequently, he explains, the strategic objective has become to start a constituent process that is finally democratic and capable of re-founding the country on new foundations. And he concludes his rationale:

«Thus, this movement is a popular rebellion because of the radicality of its goals and the extent and diversity of participation. It is the expression of the overwhelming majority of the Chilean people. – But he corrects himself – It would be better to say of the “peoples”, since one of the main demands is that the new constitution defines Chile as a plurinational State».

That same morning, I had checked the polls which measured a 70% vote in favor of a new constitution²⁴.

24. Cadem, *Encuesta n. 316*, «Plaza Pública», (3-2-2020), bit.ly/2TZ08Ar.

I quiz him on his predictions about the outcome of the rebellion. His tone becomes serious. He tells me that the repression, although unusually violent, has failed to quell the mobilization. However, the most insidious trap is what could be called a «bureaucratic repression», fine-tuned through the *Agreement for Social Peace and a New Constitution* signed on November 15, 2019 by party leaders from across the constitutional spectrum (§§ 36-39).

«What is this “social peace” that they speak of?». The professorial tone is overtaken by the more heated one of the activist: «It is a euphemism for “the neoliberalist capitalist order”. This *Agreement* is a ploy made by the parties of the order, ranging from the extreme right to the so-called progressive left, to make sure that the constituent process is controlled by the same political forces currently in office».

Now that the pact has been signed and the reform of the constitution has been approved, paving the way for writing the new charter, I ask him what margin of action there remains for those who would like a constituent assembly capable of overturning and eliminating the barriers created by the constituted powers and rethinking Chile from top to bottom, changing the course of its political and social destiny. He responds to me that, if at the end of the summer break, there is an even stronger, larger and more persistent mobilization, he can imagine having enough power to renegotiate the terms.

I look at the angry and, at the same time, festive people who have been meeting in the streets for months. «And if it doesn't happen?». The question escapes from my mouth with an apprehensive tone that betrays my emotional stake in the movement.

Sergio Grez concludes:

«There are battles that are worth waging even if it is highly unlikely to come out victorious. They are necessary to expand the scope of what is possible. For example, in 2011, when the student protests began, the boldest demand was for lower loan rates to finance studies. As the mobilization went on, the boys and girls raised the stakes. And finally they began to talk about public education, secular and egalitarian. I'm not very optimistic on the short term, but I believe that all this effort will not go to waste.

It serves to raise the bar of what is desired and broaden the horizon of what can become real, so that it can be within the reach of those who will come after».

45. The “disordinary”

When I was preparing to return to Chile at the beginning of February, news arrived of a miniscule and formidable organism: SARS-CoV-2. It was a spherical virus covered with antennae, whose shape resembled the royal ornament *par excellence*, so much so that it was renamed «Coronavirus». It was said that this RNA strand covered by a protein membrane, itself crowned by curious protuberances, had made an unexpected and dangerous leap of species, passing from bats to humans. It had made its appearance in China, spreading to the bodies of many inhabitants of the most populous of countries. It was also discovered that, once it has sneaked into human tissue cells, it often stays there without giving signs of its presence; sometimes it causes some symptoms not dissimilar to a seasonal flu; in a smaller, but still dramatically high number of cases, it causes serious respiratory complications and even death. The Chinese authorities, in order to block the advance of the microscopic entity, had ordered the population to lock themselves in their homes, which had the consequence of paralyzing the industrious national production machine.

Although I was critical of the self-congratulatory rhetoric of the European continent, I too was drawn into it, since I assumed the European space as an area by now free of wars and plagues. As had happened with Ebola and SARS, I imagined that this new pathogen would not allow itself, unless discreetly and with slight impact, to present itself in Europe. But at the end of February, as soon as I returned to Sicily, my university was already prohibiting in-person lectures and conferences. I was still inclined to believe that the measure was a precaution disproportionate to the real threat, when very shortly thereafter, Italy became the country most plagued by the epidemic.

And as the contagion spread, liberty contracted. Ordering the population to close themselves inside their homes, limiting outings to the strict necessities, seemed the wisest move to contain the spread, while waiting to find a cure or a vaccine, or at least to defer the transmission of the

virus by spreading it out over a longer period of time. The healthcare system – weakened by decades of public spending cuts – could not, in fact, dispense intensive care to too high a number of patients at the same time.

On closer inspection, I found myself catapulted from one exceptional circumstance to another that was no less extraordinary, but for opposing reasons. In the case of the revolt, there is a populace, or at least a large section of it, that expresses the political will to change the present reality and, to do so, leaves their homes and crowds the streets and squares, often disobeying the constituted authority. On the other hand, unless one espouses improbable conspiracy theories, an epidemic is a natural catastrophe that nobody wanted. The fear of contagion drives people to obediently follow the instructions dictated by health and political authorities, withdrawing into private space and taking great care to avoid gatherings in outdoor places.

However, it seemed to me that, apart from the obvious and profound differences, there was also something that united the two events. Moreover, since in Italy in those days there was a shortage of sanitary supplies, a rather fatuous thought occurred to me: to use the anti-gas mask, which Cristina had given me as a present to protect me from the Chilean police tear gas, as an anti-virus mask. The quirky backup, however, gave me the opportunity to take the notion a little further. I reflected, in fact, that, in addition to that tangible, albeit unorthodox, device, there were others, immaterial, with which one could equip oneself to interpret the evolving reality and take appropriate measures, both with respect to the popular Chilean revolt and to the global pandemic.

First of all, when the general quarantine was imposed, I was surprised to find myself, in a certain sense, trained to subvert the usual course of things. In Chile, I had already experienced the upheaval of every plan, the interruption of every certainty and routine, the estrangement resulting from the alteration of habits, the immersion in a surreal atmosphere. To this was added the observation that a single issue had imposed itself, invading not only the public debate, but also interpersonal relations, making everyone feel part of the same adventure or, in this case, the same misadventure. It felt like *déjà vu* to see how

easily and quickly that upheaval triggered new habits. In the South American country, one was no longer surprised by the fires in the streets, the air saturated with tear gas, the torn sidewalks or the battles at sunset between demonstrators and police. In Italy, on the other hand, we had immediately learned how to move through space, as in a theatrical proxemics exercise, staying a meter away from other bodies; we learned to repress the urge to embrace loved ones; to adopt the prophylactics of a surgeon in the operating room to go shopping; to work and participate in aperitifs via screen. In short, a “disordinary” had imposed itself in both countries: chaos in the guise of routine.

In addition to this, further and more important connections between the two circumstances can be drawn. Amartya Sen demonstrates how natural catastrophes are not disconnected from the political context and, to establish his thesis, he starts from a singular datum: in democratic countries, whether rich or poor, famines do not occur²⁵. If we exclude the possibility that it may be an extraordinary coincidence or that some deity blesses the government of the people, we must resort to a secular explanation, which is not averse to reckoning with the facts and the reasons that connect them.

The Indian economist points out that, generally, famine and other catastrophes barely graze the elite. Those who fall into the circle of the rich and powerful will not lack the necessary food, nor access to adequate care. They can even indulge in luxuries and leisure to ease the situation. Therefore, if the fate of the ruling class is disconnected from the needs of the many, it can easily decide to wash its hands of them. The autocrat and his establishment, who do not fear electoral rejection of their actions, will tend to hoard resources for their own well-being, turning away from the starving people, and even perhaps taking advantage of the circumstance to consolidate their privilege. Things are different for those who represent citizens as a result of democratic elections. Their offices depend on consensus and they are therefore more inclined to meas-

25. A. Sen, *Lo sviluppo è libertà: Perché non c'è crescita senza democrazia*, Milano, Mondadori, 2000, pp. 163-191.

ures to support the population. This explains why democracies prevent or react better to prospective famines.

Following this line of reasoning, we can reach a more general conclusion: the impact of crises, including those due to natural causes, differs somewhat depending on the institutions and organizations that preside over the territory on which they strike. All this, Sen asserts, is weakly connected to the wealth of the country. A poor nation, capable of reacting promptly and redistributing resources and services efficiently, can contain the adverse effects experienced by its citizens even better than a very rich country where the state welfare is deficient.

In other words, plagues, earthquakes, hurricanes and famines do not affect all countries, all social groups and all individuals equally. As the Coronavirus exhausts and eventually overwhelms the most fragile of organisms, so it pounces on what we might call “immunocompromised social systems”. Socio-political systems lacking defenses capable of protecting the people who are part of them are those with a modest welfare, where health is a good available only to those who can pay for it; in which there is a lack of political will to undertake extraordinary public spending to limit the collateral damage of the catastrophe, such as sudden impoverishment, which sometimes plunges a large segment of the population into the abyss of starvation with all the long-term consequences that this triggers. Also lacking in antibodies are those systems which, on paper, seem to have state welfare, but whose effectiveness, when tested, is compromised, or at least limited by an inadequate, if not actually negligent, administrative apparatus; or where, as a result of tax evasion, corruption or criminal intrigue, the resources intended for the collective good are diverted to feed the private interests of profiteers. Finally, we have seen how even countries rich in resources and assets can be plagued by a crisis of natural causes if their leaders, rather than admitting the deficiencies of the system and then remedying them, deny or downplay the seriousness of the situation and at the same time blame the “plague sower”, offering popular anger a scapegoat to distract from the faults of the establishment and the real problems at hand.

The epidemic has therefore brought to the fore, and further intensified, many of the issues at the heart of the

Chilean revolt, highlighting even more the risk inherent in the cult of the strong man in charge and in an ultraliberal system, as well as the strategic importance of public intervention not only to balance the injustices produced by an unregulated market, but also to allow the markets to continue to function.

It must also be considered that, among catastrophes, an infectious disease shows with greater clarity the web of our interdependencies. The virus has traveled from one body to another, jumping over all the degrees of separation that divide the homeless man who lives on a filthy sidewalk in Mumbai from the royal dynasty that occupies the sumptuous halls of Buckingham Palace; and, in the opposite direction, from the Hollywood sets it has bounced, one step after another, to the fields where laborers toil or among the Amerindian population that inhabits remote areas of the Amazon. It has mercilessly attacked peoples who were already suffering war and misery and has put opulent Lombardy or the powerful United States in check, awakening them from the illusory dream of an improbable invulnerability. Just as heat makes invisible ink visible, the trajectories of contagion make it possible to interpret the network that binds the destinies of all the inhabitants of the planet and, therefore, reveals the synergy of their rights. The prison lifer, the VIP, the insufferable neighbor across the street or a stranger living on another continent – individuals with whom one would believe or prefer to have nothing to do with – can become vectors of contagion if one does not take care of them. Preserving everyone's right to health – which carries over from a broader cluster of rights – thus does not exclusively benefit the single individual, but all passengers on Earth.

While I was carrying out these holistic considerations, news reports around the world announced that Italy had surpassed China in the number of Coronavirus infections. So, many Chilean friends began to send me apprehensive and affectionate messages, not failing to attach some photos of the demonstrations that in that hemisphere continued and, indeed, intensified, gathering success. When the Congress returned from vacation at the end of February, its agenda had clearly been conditioned by the movement's motions. On March 3, the so-called *Ley Gabriela* against

gender-based violence was enacted. The following day, the Senate approved equal representation of the sexes among the members of the constituent body. On March 8 there was a massive demonstration in Santiago and many others throughout the country. But the *mujeres* barely had time to march in the streets before what was by now widely foreseeable occurred. That virus, capable of freezing human mobility, had traveled extensively, reaching even the filiform Chilean territory.

And so, the havoc of the pandemic was added to the turmoil of the revolt.

The halting of public demonstrations did not only affect Chile. The year of 2019 had been one of popular ferment on a global scale. From Hong Kong to France, from Lebanon to Argentina, from Iraq to Algeria, from Guinea to India, for different reasons, though with interesting similarities, the protesters who had occupied the squares, resisting violent intimidation, were now being sent home by the virus.

110

A communiqué of the *Primera línea* in mid-March announced, in summary: «Since our struggle is aimed at protecting the people and since we are aware of the aggressiveness of the virus, we decree a suspension of our activities in the streets». The protesters then abandoned their garrisons, vowing to continue the battle by other means. In this spirit, a collective of artists, calling themselves the «imaginative fringe», produced a manual of creative ideas to continue the fight in lockdown. It is interesting that they called it the “*Depresión Intermedia*”, after a geographical area of Chile, obviously alluding to the period of idle due to the epidemic, between the great mobilization and a longed-for resumption of action²⁶.

Fear of catastrophe often has the effect of weakening the critical spirit and increasing favor around the figure of the leader. Thus, Piñera’s approval rating, which had not stopped plummeting since the debut of the protests (§ 4), began to rise quickly upward. The President of the Republic of Chile had a photo shoot set up at the foot of the equestrian statue of General Blaquedano, in

26. [Twitter.com/depreintermedia](https://twitter.com/depreintermedia).

a cleared-out Plaza de la Dignidad. In the shots, he exhibits the triumphant smile of the liberator, provocatively ignoring the fact that the plaza, packed for months, had emptied only because of the disease and the sense of responsibility of the demonstrators.

The plebiscite: the most important outcome of the mobilization, scheduled for April 26, 2020, was postponed to a presumably more tepid political period.

The path that was being taken, at the very moment when it needed to grow in vigor and intensity to enact the desired results, was thus crippled.

It is clear that a pandemic, like a revolution, in having the power to disrupt established order, carries within it the possibility of rethinking things and rethinking oneself. An opportunity that can be seized both by the would-be tyrant who exploits it to gain unprecedented powers and by those who, on the contrary, want greater democratization of decision-making processes. And it is also possible that the pandemic effect, like the revolution effect, will be played in favor of the isolationists who cannot wait to add gendarmes and padlocks to the borders, as well as by the globalists who would like to retire nation states, turning towards a cooperative governance without borders. A tempting opportunity both for those who aspire to deliver a decisive blow to market dominance and for financial sharks with proven expertise in extracting profits from misfortune. A tug-of-war that can embroil both those who are obsessed with the fear of contagion and are relieved by distancing, and those who proclaim a communitarianism based on proximity and contact. It could be the opportunity that not only those who have been pulling the strings of the game up to now have been waiting for, in order to consolidate their supremacy threatened with collapse, but also those who have been powerless and on the sidelines for a long time and find themselves facing an unexpected opportunity.

It is difficult at present to tell who will prevail in determining the passage from the *disordinary* to the new order in Chile, as in the rest of the world.

46. Discontent is not enough to revolt

I am writing in a suspended time, during my solitary quarantine. In this present – tragic, surreal and unforgettable – does not provide us with sufficient signs to foretell the outcome of the Chilean popular revolt, nor the result of the plebiscite and, indeed, whether it will ever take place. And it is impossible to guess whether it will be the constituted powers that will win the day, shirking the destabilizing effects of the street riots, or whether, vice versa, the protest movement will break free of the boundaries and produce a profound metamorphosis of the status quo. Or, further, if the result will be, rather than the overwhelming victory of one side over the other, a variable mediation of the conflicting tensions. Nor is it possible to predict whether unexpected factors will intervene to further shuffle the cards. It was certainly difficult to imagine that a pandemic would intervene and disrupt the scenario of such a critical political phase.

Yet the theoretical fulcrum of this narrative essay (*supra*, introd.), of which the Chilean laboratory is case study, is precisely the outbreak of a revolt and the vacillation of a legal-political order. In other words, it is the confused and unresolved intermediate phase between an existing order of law and a new one that is on its way. I am referring to that moment in which the apparatus and authority have been called into question, but have not yet been either dismantled or fully restored. This is the stage during which the norms and legal institutions, while losing their value and grip among citizens, in the absence of anything better, still exert some sort of hold on the population. Before, law was obeyed on the basis of different grounds: enthusiastic adherence, convenience, habit, or grudging compliance, but with deference to something that, good or bad, was still considered authoritative. And even when they were transgressed, the perpetrator agreed that his action was unlawful. But in the course of a revolt, an idea slips in the mind of many: that the reign over compliance to the existing norms must wane, that it is not the acts of insubordination that are unlawful, but the rules that presume to sanction them, and that, therefore, the exceptional events taking place must claim the power to “dictate law to the

law” (*supra*, introd.), pending the establishment of a new and more just constitutional order.

In this regard, there are two interrelated questions to be investigated. First of all, one wonders how we reach the point where the will and determination to change the existing situation is unleashed, thereby calling the rules and conditions of the existing social contract at issue. The question that follows asks what are «the exogenous events that would help awaken the public citizen who slumbers within the private consumer»²⁷.

The first question is generally answered by listing a series of objective circumstances that ignite discontent in different segments of the population. In our case, these could be the rising cost of living, inequality, widespread debt, deficiencies in welfare, discrimination suffered by indigenous peoples or the unjust condition of women. Accordingly, a revolution would be nothing more than the inevitable outcome of an unsustainable situation²⁸. However, there seems to be no reason to suppose that tolerance is a cup with a predetermined capacity of forbearance for which, when the fateful last drop lands, its contents automatically spill over. Moreover, if afflictive circumstances are perhaps necessary, they are not in themselves sufficient to provoke sedition. I say this because there is an abundant repertoire of cases in which, except for a few impulsive insubordinations without political consequences, human groups have tolerated the most horrendous abuses for a very long time.

My hypothesis is that hardships and tribulations maybe increase the probability of a popular uprising, but in order to make the rebellion possible, inner and, more precisely, epistemic events must occur, in the knowledge that external events and psychological factors influence each other²⁹.

27. Albert O. HIRSCHMAN, *Shifting Involvements: Private Interest and Public Action*, Princeton, Princeton University Press, 1982, p. 67.

28. This is Luis Sepúlveda’s thesis, argued in one of his very last writings before his death from Covid-19: *Chile: el oasis seco*, «Le Monde diplomatique en español», n. 290 (December/2019), p. 36, mondiplo.com/chile-el-oasis-seco.

29. On the topic of socio-cognitive oppression, among the many studies, I will limit myself to recalling Pierre Bourdieu’s concept of «symbolic violence», taken up by Gayatri Chakravorty Spivak and renamed «epistemic violence». See Pierre BOURDIEU, *Méditations pascaliennes*, Paris, Seuil, 1977; Gayatri CHAKRAVORTY SPIVAK, *Can the Subaltern Speak?*, in C. Nelson, L. Grossberg (eds.), *Marxism and the Interpretation of Culture*, Urbana, University of Illinois Press, 1988. I will also mention a text of mine on the subject that draws

Note that those who are the first to rise up and who work hardest for the cause are rarely those who are suffering through the most miserable conditions. Rather, it is those who have opportunities for respite from their worries and, therefore, some occasion for critical reflection. What we might define as a “space for thought”.

The space for thought is probably the essential requisite for any action aimed at undertaking a departure from the ordinary course of things. Unstable and exhausting, hectic or even too empty living conditions, as well as an anxiety-ridden and paranoid public communication, clog the soul with pressing concerns and boundless anguish. Or they anesthetize. By paying the price of a barrenness of feeling, an unjust, inauthentic and painful situation is made bearable. Such a mix of circumstances depletes the mental energy needed to devise escape strategies and an elsewhere to look toward. In other words, they sabotage any possibility that a “heretical imagination” might take root: the ability to discern a potential “otherwise” in the unfolding of reality. And even if a transformative impulse did manage to appear, it would be branded as unrealistic and reckless and, would ultimately, be suffocated. And when reformers or would-be revolutionaries stubbornly continue to pursue their dream of change, in spite of the strenuous resistance they face from reality, it may even happen that the product of their transformative efforts ends up, with sad irony, resembling what they intended to overthrow and replace. A defective result, not to say a failure, attributable to the fact that the “innovators” have designed and forged the “new” future without having previously disposed of the conceptual, linguistic and strategic armory given to them “in dowry” by the culture in which they were weaned and intellectually raised. For all these reasons, it often occurs that systems – obviously outdated, inadequate and unfair – live a long life.

The so-called “revolutionary subject” should then be comprised of those who, although exposed to hardships and troubles, can cultivate opportunities for thought, and are not gripped by fears and not yet too domesticated to

the epistemic model in force. Indeed, the students who initiated the riot in our case study, seem to fit the profile just described. First of all, they are the owners of an anger calibrated on the target, namely a society unable to guarantee them a future, but also steeped, so to speak, in the hardship of their older family members (§ 18). Second, being the first generation born after a dictatorship, they were spared the internalization of terror (§ 20). Finally, because they are engaged in their education, they have the time and conceptual tools to conceive of a tomorrow different from today (§ 27).

It is also significant that the act that triggered the popular uprising was the jumping of a metro turnstile. While that act, when performed by an isolated individual, would have been stigmatized as a petty misconduct at the expense of the community, it assumed a civic value once it became a political expression of mass disobedience. Those who, at that particular juncture, evaded the urban transport fares did not do so in order to save a few pennies and profit from a service paid for with public money; rather, they intended to protest against a further economic burden to the detriment of a population already in difficulty. In saying this, I do not want to overly romanticize the incident. Certainly, among the students who participated, there will have been several who enjoyed the act as one of light-hearted bravado, with no political awareness. But the multitude of boys and girls with backpacks on their shoulders who, resting their hands on the columns that mark the access gates to the metro trains, gave themselves a boost to leap over the obstacle, became the icon of how it was possible to break an unconscious habit of obedience. That turnstile jump ended up becoming proof that the inertial and mechanical motion in the routes set up by the system could be disrupted. This act of contagious disobedience, rapidly and widely emulated, fortuitously opened a mental space within which to imagine that other and more important obstacles could be surmounted.

Moreover, a further salient passage in the story is the fact that the government leaders reacted in a disproportionate and clumsy way, showing that they were shaken by the unrest that was spreading. This instilled in the citizenry the sense that they had acquired the critical mass nec-

essary to return to exercising a collective power that had long been missing. The conviction, in fact, of being isolated and powerless is, together with the absence of space for thought, another factor that favors the helpless acceptance of injustice and oppression.

Political apathy is a direct consequence of the feeling that one's own actions for the collective good are irrelevant (§§ 30, 31, 57, 63). Conventional formulations of resignation and surrender such as «it's not worth it to strive to improve things, nothing ever changes», «they will always get the better of us, because they are more powerful» take on the connotations of self-fulfilling prophecies, because they inhibit any drive to oppose and change things and reinforce the usual articulation of power. But when someone breaks the rule of submissiveness and actively reacts, moreover eliciting some response, it breaks the pattern of yielding fatalism and restores political credibility to dissent and antagonism.

I have always found Asch's three-line conformity experiment, a classic of social psychology, extraordinarily interesting in this regard³⁰. A group of eight people was presented with a straight line and then eighteen triplets of lines of substantially different lengths. The task, apparently very simple, was to identify which of the three segments, shown one at a time, was equal to the sample. The trap set by the scientists was that in the group of examinees seven were infiltrators and only one was the guinea pig. The infiltrators gave the same incorrect answer one after the other. The guinea pig always answered second to last. The result was that 33% of the guinea-pigs examined always complied with the answers given by the majority, and 75% gave, at least once, incorrect answers analogous to those given by the other members of the group. The outcome is especially relevant in comparison with the control group (i.e. without infiltrators), where the error rate proved to be less than 5%.

30. See S.E. Asch, *Effects of Group Pressure on the Modification and Distortion of Judgements*, in H. Guetzkow (ed.), *Group, Leadership and Men*, Pittsburgh, Carnegie, 1951; Id., *Studies of Independence and Conformity: A Minority of One against a Unanimous Majority*, «Psychological Monographs», 70, 416 (1956); Id., *Issues in the Study of Social Influence on Judgement*, in I.A. Berg, B.M. Bass (ed.), *Conformity and Deviation*, New York, Harper & Brothers, 1961, pp. 143-158.

Asch then devised a variant of the experiment. He introduced an infiltrator who gave a different answer to the majority: in one set of trials the new infiltrator gave the right answer and in another a wrong one, but still different from the majority. The conclusion was that the presence of a single nonconforming voice significantly reduces the influence of the majority and that, to produce this effect, it was almost irrelevant whether the deviant infiltrator gave the correct or incorrect answer. Thus, the mere breaking of unanimity is sufficient to legitimize the expression of a divergent opinion.

Therefore, the insubordination of the students and the disorganized reaction of the authorities probably broadened the sphere of the “possible” (§§ 14, 44) in the minds of many, in the dual meaning of the word. On the one hand, more *possibility* opened-up, in the sense of *alternative options* to the established order, which until then had not even been contemplated; on the other hand, it seemed that popular mobilization had the *possibility*, that is, the *capacity*, to bring about some kind of result. A striking consequence of this breach in the epistemic framework of the population was the enormous participation in the march of October 25, 2019 (§ 8). And the success of that demonstration, perhaps, rather than intimidating the establishment, served to hearten the protesters. The aerial photographs that immortalized the crowd of people carrying banners and flags had a subtext of strong emotional appeal: «Look, you are no longer alone and powerless».

117

47. The joys of synchronicity and public happiness

At this point, the second previously announced dilemma comes to the fore: how does it come about that a multitude of individuals, confined until that moment within the enclosure of their private affairs and worries, decide to devote part of their time and energy to participating in a social movement? Isn't the possibility of righting a crooked world too far away and too uncertain to run the risk, quite literally, of losing an eye? Wouldn't it be much more convenient and reasonable to remain on the sidelines, continuing to focus on one's own survival, leaving others to reach out and take risks? Indeed, should the reckless saviors of

the people succeed in setting things right, even those who have never gone to a march or spoken at any assembly will reap the rewards³¹. And since every human choice is the result of a complicated interweaving of contradictory appetites and passions, of base and unspeakable impulses, of the noblest ideals, of masochisms and vainglories, of guilt, of internalized obligations and unforgivable failings, of gratuitous generosity and sincere friendship, of miscalculations and insufficient or misleading information, it is very unwise to seek a single, certifiable motive³². But to illuminate the enigma of why, now and again, a desire to participate in the public arena arises, I find the thesis supported by Hannah Arendt and then by Albert Hirschman valid. They maintain that, in the jungle of impulses, instincts and rational motives, a peculiar sense of taste emerges under certain circumstances, a taste which can be experienced only through the *vita activa*³³.

Before the revolutions at the end of the eighteenth century, it was believed that a good government was one capable of “liberating” the people from need and worry, shouldering the heavy load of managing the affairs of general interest. Freed from burden, subjects could devote themselves entirely to looking after their own interests. However, what was not properly understood and valued was that taking an active part in decisions concerning the community could be considered a benefit rather than a cost. Arendt, speaking of those who took part in the founding of the United States of America, following independence from England, notes: «the people went to the town assemblies [...] neither exclusively because of duty nor, and even less, to serve their own interests but most of all because

31. The question is formulated and addressed thusly in the already mentioned text by HIRSCHMAN, *Shifting Involvements*, cit.

32. Many economists and scholars from various disciplines, including Hirschman (*Shifting Involvements*, cit.), whom we will discuss or SEN, *On Ethics and Economics*, cit.), have criticized the reduction of human complexity to the simplified and simplistic figure of *homo oeconomicus*, but among the most thorough and accurate critiques is undoubtedly that of Fëdor Dostoevskij in *Notes from Underground*, once again highlighting the successful dialogue between literature and non-fiction.

33. Arendt addresses this issue in several writings, but the text in which we find the most extensive examination is *On Revolution*, Viking Compass, New York, 1965, analyzing the American and French revolutions of the eighteenth century; while Hirschman, in the already cited *Shifting Involvements*, focuses on the movements around 1968.

they enjoyed the discussions, the deliberations, and the making of decisions»³⁴. The sudden proliferation of mobilization, resistance and debate activities in Chile would therefore not be explainable through a cost/benefit calculation of the sort such as: «do I cultivate my profit more by staying at home or going to the *cacerolazo*?», but by the fact that people have tasted the unexpected pleasure of the agora.

Arendt, citing the American revolutionaries, calls this enjoyment «public happiness». She adds that, unlike private happiness, which is enjoyed only when an object of desire has been conquered, public happiness has a procedural nature³⁵. So the effort to transform the world into a better place would already be rewarding while still in progress, during the struggle to accomplish it. On the contrary, the eventuality in which the world finally decides to resemble the utopia of the insurgents typically contains harsh disappointments. In this respect, Hirschman states:

«public action is often the result of a radical cognitive change, akin to a revelation. Large numbers of people grow up with the feeling that the existing social and political order is not subject to change or that, in any event, they are powerless to bring such change about. The sudden realization (or illusion) that I can act to change society for the better and, moreover, that I can join other like-minded people to this end is in such conditions pleasurable, in fact intoxicating, in itself. To taste that pleasure,

34. ARENDT, *On Revolution*, cit. p. 115.

35. During a conversation on these last chapters that took place a few days before the delivery of the manuscript, Antonino Musso challenged my idea, borrowed from Arendt, of a clear division between private happiness and public happiness, arguing that the separation of public/private is too dichotomous and comes from a culturally liberal milieu. He then pointed out to me how the pursuit of personal happiness can also have a procedural and relational nature. For example, learning to play a musical instrument brings pleasure and not only, or not so much, on the day of the concert performance; the official certification of a union through marriage dispenses in many the happy sensation of a goal achieved, but also the slow, hesitant and unpredictable shaping of a love relationship can fill one with intense, though restless, satisfaction; just as the never finished, often painful, attempt to grow and understand oneself brings deep gratification. And, on the other hand, if you think about it, there is a way of understanding politics that considers the accomplished result and the conquered victory intoxicating, rather than the effort of building a collective. These observations that were made to me resonate and seem to me to be more in tune with what I discovered in the course of this journey through the Chilean revolt, that is, that the inner realm is enveloped in the collective, that the personal is political and the political something personal.

society does not have to be actually changed right away: it is quite enough to act in a variety of ways *as though* it were possible to promote change»³⁶.

The slogan «*Chile despertó*» is, at heart, a way to describe this collective insight: the exciting and jubilant discovery that reality is not a script pre-written by authorities and predecessors, but something of which one can become the creator, together with others (§ 29).

But is it only the exercise of active, critical and democratic citizenship that is rewarded by commendable community satisfaction? Don't the hearts of those who indulge in the lavish gatherings of the regime also throb with proud contentment, feeling themselves to be the children of a brave country?

Ruggero Pierantoni also speaks of a positive feeling, enjoyable only collectively, calling it the: «joy of synchronicity». But this would not seem to overlap with «public happiness». I believe distinguishing between these two psychopolitical emotions could be useful to make sense of the meaning, the methods and the limitations of the Chilean revolt.

Pierantoni, in a fine essay³⁷, begins his argument with a question. He asks why dictatorships love elections. It is not so difficult to agree that voting under a one-party system and the systematic suppression of dissent is an onerous farce. Not only are elections economically costly, but they also pose a risk to regimes, which, as a rule, go to great lengths to avoid any opportunity that might offer opponents the chance to rally and mobilize as an antagonistic collectivity. Why, then, did the autocrats and the entourage of their boyars never dissent from this danger³⁸ which would lead to an outcome that was a foregone conclusion?

The psychologist offers the following explanation:

«It must not have escaped the notice of those who wielded that power, whether long or short-term, legally or not, that the consciousness of synchrony acts as a very

36. HIRSCHMAN, *Shifting Involvements*, cit., pp. 89-90.

37. RUGGERO PIERANTONI, *Le gioie della sincronia*, «Sfera», n. 61, (January-February 1995), pp. 70-77.

38. The 1988 Chilean elections that rejected the dictatorship show how the risk run by regimes can be real.

powerful means of persuasion, exaltation and discipline of all participants. One's gaze sees only a few people in line ahead of them or coming away from the polling place, so there is no visual synchronization, but your inner consciousness lets you know that many millions more are doing the same as you. A curious sort of "feeling all right", "feeling good", "feeling conscious of having done your duty" and similar bizarre feelings can result. Positive, reassuring, festive, kind and civilized feelings. Probably the same in the same people who voted under a repressive and dictatorial regime and who, due to the dynamics of history, find themselves repeating the same action in a decidedly democratic atmosphere»³⁹.

A sense of duty, which is usually judged foreign to everything that runs in the direction of pleasure, could paradoxically arise precisely from the enjoyment provided by acting in unison. Here is how Pierantoni argues explains the subject:

«If he, she, him over here and her up there do it, then it is a duty and we must all "do it". Whatever it is: take Communion, vote for Stalin, throw the can in the right bin and the cardboard in the left, read Wittgenstein or cry for Maradona. The important thing is to be among many; number is critical. Without it, there is no religious truth, no citizen's duty, no "spirit of the law", no culture»⁴⁰.

Synchronicity dispenses joy because it instills a reassuring feeling, as if a soothing inner voice were whispering to you, «you belong to the large group that is now doing what you are also doing, and because you are doing the same as the others, you are not in the wrong». It's a reward for alignment that both dictatorships and democracies offer; political parties and churches alike. It is experienced both by those who buy and consume the most heavily advertised product and by those who follow an ethical and sustainable diet that is appreciated in their own circles. It is experienced by those who dress according to the fashion dictated by influencers and by those who undress on a nudist beach. It is felt by football fans when they merge

39. PIERANTONI, *Le gioie della sincronia*, cit. p. 71

40. *Ivi*, p. 73.

their voices into a single outraged wail or a victorious roar, and by those who wholeheartedly adhere to the theses endorsed by the scientific community.

Certainly, even the Chilean revolt does not disdain to recruit followers by promising the lure of identical and simultaneous action. To find oneself, sweaty and wedged «gluteus to gluteus»⁴¹ in the Plaza de la Dignidad, waving a Mapuche flag and railing against the *paco*, with the certainty that the thousands of other men and women who crowd around you also cultivate the same ideals and oppose the same enemies, is a synchronic pleasure, no less validating than what is offered by rival systems.

Yet, since setting foot in Chile, it seemed to me that many people were also experiencing the public happiness I had read so much about. I had the feeling that it was being tasted by the audience members who, at the end of the play, had preferred to stay behind to compare what they had just seen on the stage with what was taking place in the streets of Santiago (§§ 27-29); that it was being experienced by the inhabitants of the Navarrete courtyard, whom I had once joined, who every night, undaunted, beat their pots, sang together and debated (§ 18). Likewise, I intuited that it was being felt by the participants in the symposia organized by Fresia's *junta de vecinos* (§§ 30, 31, 32) or the autodidacts of the study group on the constitution in Parque Forestal (§ 31); the young girls who made feminist collages together while conducting a self-awareness session and the shamans who injected politics into their ancestral rituals (§ 26). And even the members of the Coordination of Eye Trauma Victims, despite the pain of their ordeal, radiated a contagious cheerfulness, the effect of working together to achieve justice and improve the system (§ 12).

And it is here that it is worth highlighting the different nature that distinguishes synchronic joy from public happiness. While the first recurs more or less everywhere, whenever many people find themselves behaving in the same way, the second instead presents as a form of positive liberty that can only be experienced through active and

creative participation in the fate of the community. Arendt advances a definition: «This freedom they called later, when they had come to taste it, “public happiness”, and it consisted in the citizen’s right of access to the public realm, in his share in public power – to be “a participator in the government of affairs” in Jefferson’s telling phrase»⁴².

Collective action is therefore the necessary condition for experiencing both emotions, but they occur in completely different ways: if the breeding ground of the first is the crowd, that of the second is the assembly. Note, however, that the fact that these are two different feelings does not imply that they cannot both be felt by the same person at the same time. One can experience the pleasure of political debate, arguing with a critical and irreverent verve and, at the same time, feel pleasantly reassured by shouting rhetorical slogans within the crowd, wearing clothes and other accessories that aesthetically signal an ideological affiliation.

Synchronic joy is, therefore, the contentment of the automaton and of the replicant, since it springs from the acts of adapting, obeying, and imitating. It does not come from innovation, but rather from repetition. Conformist by definition, it indulges the majority and is deferential to those who exercise command. It does not set any exchange, confrontation or conflict in motion, it simply triggers an accumulation of solitudes that feel they resemble each other without ever, however, interacting.

Public happiness, on the other hand, is revolutionary, since it arises from the discovery that the existing order of things can be modified, challenged and replaced, and it is relational since it is expressed in forging community with community. *Aquí se funda un país*, the Italian title of this book, is borrowed from the name of a citizenship theater experience conceived by a group of young actors. The performance, lasting a remarkable 24 hours, invited the spectators to work together to invent the flag, the anthem, the rules, the principles, the rights and the services of an imaginary State. When I asked those boys and girls how they came up with this idea, they replied, «Re-imagin-

42. ARENDT, *On Revolution*, cit., p. 124.

ing the country we would like to live in together is exactly what we are trying to do now here in Chile».

It is plausible, moreover, to infer that whoever contributes to creating the community, to a good extent “recreates” themselves as well. And this is in the dual meaning of *shaping oneself* and *rejoicing*. When one works to alter the context in which one lives, even one’s very subjectivity, by osmosis with the environment, is inevitably reconfigured politically and existentially. Moreover, in varied and industrious exchange with others, often not at all peaceful, one nevertheless acquires an emotional fulfillment due to the discovery, expansion and refinement of personal qualities. Indeed, I have heard quite a few activists say that participation in the mobilization had the effect of shaking up an established idea of themselves, admittedly not without some inner upheaval and vertigo (§ 28).

As already mentioned, in order to taste public happiness, it is not enough to challenge the past and start something new, but it must be done *together with others* and not just *simultaneously to them*. In this respect, the liberty connected to public happiness has nothing to do with the concept of sovereignty. The latter is presented as self-determination and exclusive power over one’s own territory, but it is nothing more – warns Arendt – than a false freedom because of its unrealistic claim to be able rid oneself of others: «No man can be sovereign because not one man, but men, inhabit the earth»⁴³. Public liberty does not aspire to autonomy and full control of processes, but is an action that is well aware of the inevitable interdependence both between people and between people and the environment. In this it is very similar to the environmental views of indigenous peoples who do not claim sovereignty, in the sense of a title of ownership over the land they inhabit, including the unconditional right to exploit it, but ask for the freedom to return to a relationship of reciprocity with Nature, understood, in turn, not as a “thing” at their dis-

43. Hannah ARENDT, *The Human Condition*, Chicago, University of Chicago Press, 1974, p. 234. «If men wish to be free, it is precisely sovereignty they must renounce», Hannah ARENDT, *Between Past and Future: Six Exercises in Political Thought*, Cleveland, Meridian Books: The World Publishing Company, 1963.

posal, but as a “person”, with a legal identity and therefore a holder of inalienable rights⁴⁴.

The dominance of the community over the individual, where instead to disappear into the mass is the price for savoring the sugary taste of synchronicity, however, does not stem from this primacy of relationship, established by public liberty. According to Hannah Arendt, the exercise of liberty in interdependence also produces happiness because it allows one to emerge from anonymity and even to excel. It would, in fact, offer those who cultivate it the unparalleled gratification of rediscovering a «sense of self», something far deeper and more valuable than mere «esteem». The individual can be liked for the dress they wear or for the title they display, but these are no more than shells in which the person remains hidden. Those who act for the community, on the other hand, are seen and valued, earning, when appropriate, a «recognition» capable of nourishing far more than «reputation».

This last observation might seem to conflict with the fact that the Chilean mobilization lacks leaders or figures of particular prominence (§ 17). But, also in this regard, the philosopher comes to our rescue, specifying how the esteem that is derived from having made a «career» in the managerial, professional or party cadres, because of a narcissistic ambition, resorting perhaps to expedients that are hardly commendable or to cheap ploys, is something quite different from the «glory» earned with merit for things rightly said or done, in the interest of the collective good⁴⁵. In other words, one can excel by collaborating rather than prevail by dominating.

The pleasure derived from the practice of public freedom has to do with a recognition of a power one did not know one had, which, however, is not omnipotence or hubris, the yearning to subdue others and annihilate whatever stands in one’s way.

Such power arises from the realization that, although one can’t do everything, there is still room for action. It

44. The Constitutions of Ecuador (October 20, 2008) and Bolivia (February 7, 2009), adopting the *Weltanschauung* of indigenous peoples, introduced Nature as a legal subject, holder of rights.

45. ARENDT, *On Revolution*, cit., pp. 131-132.

stems from the realization that what is possible is greater than what exists and that the gap between one and the other can be explored. The freedom connected to the joyful political sentiment we are discussing does not therefore result in a narcissistic «will to power», but in an «attention to possibility». This is not for moralistic reasons, but rather begins from a realistic assumption: what stands in the way and interferes cannot be eliminated, taking action always involves an interaction with someone or something that resists and is above our ability to comprehend and control.

Public happiness, then, is the pleasure inherent in the exercise of co-authorship. Enjoyment of a humble power that accepts how the world and others affect us, unmasking the false opposition between the individual and society and even going so far as to break down the sharp divide between public and private, even though the adjective «public» accompanies the noun «happiness» in this instance.

The happy practice of co-authorship frees the ego from self-referentiality, thus expanding it. The ego perceives within itself markers of that which is other than itself. And it simultaneously discovers, with satisfaction, clues on its exterior, which point to its participation in laying down a path towards transformation. It understands that it has contributed by looking around and meeting the gaze of its comrades in that adventure. Further. We can reasonably hypothesize that only in a situation of «public happiness», marked by the cooperative and combative regeneration of the community habitat, the self could be able to experiment new spaces of expansion and new forms in which to articulate itself.

And so, in that country where the ordinary teetered and civic fervor stirred, it seemed to me that philosophical dissertation on public happiness found an embodiment in which I felt invested. That social earthquake into which I had tumbled had challenged the very assumptions and codes with which I had previously tried to read the world, giving me a sense of disorientation, a condition and a promise of personal evolution.

The fact that the established order went through a phase of crisis, revealing its own deterioration, was in fact essential to unleashing the energies from below. Without

a mess to straighten out, a void to fill, cracks and gashes from which to spy the promising vastness of the possible, venturing that freedom would have been inconceivable.

48. Time and revolution

But if happy political co-action turns out to within reach once we realize that destiny is not entirely already written, if it is easy to enact and experience it when the present appears unresolved and reversible as in the course of a revolt, what will happen when the game seems to be over? Will it be possible to keep public happiness alive afterwards, after the process is complete? Once the enactment of a new constitution is achieved, will the great engagement for the collective good and its accompanying taste be destined to fade?

These questions rightly prompt a further question that goes far beyond the context of this particular case: when does a collective movement of profound transformation of the status quo begin and end?

In this book, I have accepted the conventional periodization that identifies October 18, 2019 as the starting day of the Chilean revolt (§ 1). But is that really its beginning? And will the introduction of a new constitution mark its end?

127

Revolts, revolutions, wars and other crises are the *prima donnas* in the limelight of history, occupying the whole stage and claiming to impart a violent rupture in the passage of time, promising or threatening that after they are over nothing will be the same as before. They are presented as fractures and watersheds, the end of the old era and the beginning of the next. Is this their exact temporal scope or is it just a simplistic and pompous way of narrating these events?

Revolutions, in particular, surprise when they break out and, disappoint when they are accomplished. They seem to contradict people's expectations as much at the moment of their debut as at their waning. Their arrival amazes those who assumed the established order was destined to endure. But even their end generally dashes expectations because, when the goal coveted by the rebels is declared (or passed off) as a "done deal", many

seem to realize with dismay that the rebirth has not taken place and that the new is still too entangled with the old. So, one hears it said, «Nothing ever changes». Or, in the Prince of Salina's more sophisticated take in Giuseppe Tomasi di Lampedusa's novel *The Leopard*, it is argued that a flaunted change disguises the intent to preserve stasis.

Personally, I disagree with these views, instead agreeing with Mercedes Sosa when she sings, «*Todo cambia*». Individuals, societies, and the entire universe are constantly transforming, but often in the gradual, unnoticeable way of a tree or with the slowness and inexorability of a weather-beaten rock.

I wonder, then, if the failure of the forecasts, with their accompanying surprises and disappointments, linked respectively to the eruption and extinction of a revolutionary movement, does not depend by chance on a widespread inability to read time. François Jullien warns: «revolutions are much more resonant and make so much noise because we don't know how to hear the slow, global and continuous transformations that make progressive inflections and simultaneous evolutions, of which they are the shattering outlet»⁴⁶.

It would thus be myriad of small events scattered everywhere, deeply interconnected, sometimes tangled in an inextricable jumble, to give the becoming of things a certain "inclination", setting the stage for popular uprisings, the collapse of empires, great discoveries, wars, climate change and other ventures or disasters. These micro- or perhaps nano-events, which are not very dramatic, but which are decisive, are systematically underestimated, not to say ignored, as much in the reconstructions of classical history as in the accounts of chroniclers; as much in the epic narratives as in bar talk.

To train oneself to observe these impersonal, slow and silent transformations⁴⁷, that tend to escape the sieve of

46. François JULLIEN, *From Being to Living: a Euro-Chinese Lexicon of Thought*, London, SAGE, 2020, p. 85.

47. I borrow the expression «silent transformation» from François Jullien: «The more silent the transformation is in its course, the more resonant is its result and the more sound it makes when it erupts; what we didn't perceive as it developed then comes back to us a lot more violently and full in the face. [...] The Chinese (Wang Fuzhi) speak of

attention, comes in handy in order to grasp something deeper not only of the revolt in Chile, but also of other similar phenomena.

An alternative reading of the temporal progression of social upheavals, in the vein described here, once again comes from Hannah Arendt: «Revolutions always appear to succeed with amazing ease in their initial stage, and the reason is that the men who make them only first pick up the power of a regime in plain disintegration; they are the consequences but never the cause of the downfall of political authority»⁴⁸.

Therefore, it would not be the sudden force of shock acquired by the rebels to rout the apparatus, but a slow and creeping process of disintegration, which began well before the onset of the riots, which creates a space of possibility for the revolution. We are speaking about an eventuality and not an inevitable outcome. A system of dominance, no matter how creaky, can endure for an incredibly long time in the absence of «a sufficient number of men who are prepared for its collapse and, at the same time, willing to assume power, eager to organize and to act together for a common purpose»⁴⁹.

129

But does the fact that there is a group of valiant people ready to seize the opportunity to overthrow the system depend on the fortunate coincidence that a group of heroes was born in the right time and under the right circumstances, or do we have to look at a wider range of processes rather than isolated events and individuals?

In deference to the Baconian method, but also to common sense, the *destruens* phase anticipates the *construens* phase. In other words, the story of a radical change is told as follows: there is a philosophical, scientific or political system that holds the authority to describe or regulate reality. Suddenly a challenger appears on the scene. If the antagonist has the intellectual or muscular strength to de-

“submerged displacement(s) – silent transformation(s)” to account for this imperceptible soundless pathway, about which we never think of speaking, but whose result is finally imposed» JULLIEN, *From Being to Living*, cit., pp. 84-86.

48. ARENDT, *On Revolution*, cit. p. 112.

49. *Ibid.*

molish the existing order, he can build the new on the rubble of the old.

This narrative framework, apparently so simple, is however inadequate to explain how the challenger was made, how he acquired the strength and freedom to oppose, how he was able to get the better of a system so long entrenched, how many similarities and continuities exist between the traditional and the alternative model, etc. It is therefore necessary to move away from this chronologically linear layout, in order to attempt a different articulation of the facts. Quoting excerpts from John Adams' correspondence, Arendt notes:

«“The revolution was effected before the war commenced” [in a letter to Niles, January 14, 1818], not because of any specifically revolutionary or rebellious spirit but because the inhabitants of the colonies were “formed by law into corporations, or bodies politic”, and possessed “the right to assemble... in their town halls, there to deliberate upon the public affairs”; it was “in these assemblies of towns or districts that the sentiments of the people were formed in the first place” [in a letter to the Abbé Mably, 1782]»⁵⁰.

To argue that revolution began before it was fought means that its beginnings must be traced to the practice and passion of deliberating together, an attitude cultivated well before the outbreak of a riot. According to this upside-down reinterpretation of the chronological order of causes and effects, therefore, the *construens* phase, in our case the collegial building of the community, precedes the *destruens* phase, the rowdy period of destabilization.

Indeed, prior to the Chilean uprising, the *juntas de vecinos*, the *cabildos ciudadanos*⁵¹, the strong presence of socially-engaged art and of a widespread and varied grassroots activism allowed a substantial number of subjects to become familiar with the exercise of participation and devel-

50. *Ivi*, p. 115.

51. The *cabildos ciudadanos* are a body regulated by the Participation Act of 2015. They are territorial spaces established to encourage analysis and debate of issues of general interest by the citizenry and to collect ideas born from below that inspire public policies. Individual citizens, families, associations, neighborhood councils, trade unions, etc. can join. (bit.ly/36a8LzN).

op a taste for it. Moreover, in recent years there have been numerous protests related to different social demands, such as those against the pension system or for public education, for gender equality or for the recognition of indigenous peoples. These occasions of protest have formed political outlooks and attitudes in different sectors and branches of Chilean society, leading them to merge into the great and multifaceted movement of late 2019. Such symptoms of social unease and hints of antagonism allowed for the possibility of fragmentary and unripe insurrectional impulses to mature into a political movement, one endowed with enough mass and critical awareness to take on the “historic” task of remaking the country, with the bold and enthusiastic conviction that it could succeed (§ 47).

It should be noted, however, that the progressive development of political movements does not only concern the left. Maria Rosaria Stabili, a noted Chilean interpreter, warns, in an interview with Federico Nastasi:

«The right wing that sits in parliament and currently governs the country is the most moderate and, above all, visible part of a multitude of groups and movements that, in the almost absolute disregard of public opinion, have organized, grown and connected with their counterparts in other countries. Almost no one has been interested in understanding, for example, what happened to and what became of the great mass of Chileans who, in 2006, paid homage to the body of Augusto Pinochet, when, in spite of the indictments for human rights violations, fraud and theft perpetrated during his regime, thousands of Chileans showed up to his funeral to pay their last respects to the dictator’s body»⁵².

And again, in addition to the different strands of civil society, there is also a political and economic establishment that has exhibited failings and now seeks to remedy them. The unprecedented rise of Chile’s elites has, in fact, led to an increasingly deep fracture with the rest of the pop-

52. Maria Rosaria Stabili interviewed by Federico Nastasi: *C’è chi dice NO*, «Plaza Dignidad – La newsletter sul referendum costituzionale che può cambiare il Cile», (27-9-2020), <https://lamericalatina.net/2020/09/27/ce-chi-dice-no/>

ulation⁵³. Now the groups at the top are subtly and silently reorganizing, trying to repair those holes that had put them at risk of sinking, and trying to set up a future in accordance with their own convenience.

The outcome in the making of the confrontation between these different forces is unlikely to produce a clear victory of one over the others, just as it is almost impossible that the new constitution can in itself be the beginning of an era cleansed of the sins of the past. Even constitutional charters, while presenting themselves as the dawn of a fully formed and radically new legal and political order, actually evolve over time through successive reforms, jurisprudential interpretations, practices and customs that build up over the years.

This alternative perception of history's temporal order of succession authorizes us to believe that the constituent process is, in a certain sense, permanent; that the rules and facts are constantly trying to get the better of one another and that the subversion of the existing is taking place on a daily basis.

However, this awareness seems to be missing from precisely those most involved in the struggle. Generally, the revolutionary is the one who judges the world to be an inferior version of his ideal and therefore tries to force reality into the mold of his utopia⁵⁴. The more arduous the obstacle the revolutionary encounters, the sweeter victory becomes in their imagination. But is not this cavalier way of dealing with humanity and its condition a reason for many disappointments and defeats?

Those who want to be the catalyst for radical change often refuse to accept the fact that this world and this humanity, even in their wretchedness, are the only materials at their disposal. And perhaps, rather than forcing them to resemble one's own vision, it would be better to listen to their whispers. Not necessarily to indulge them, but to assume them as an inescapable fact from which to proceed.

53. Maria Rosaria STABILI, *Il sentimento aristocratico: Elites cilene allo specchio 1890-1960*, Galatina, Congedo Editore, 1996.

54. An interesting critique of utopia as violent thought was developed by Hans JONAS, *Il principio di responsabilità: Un'etica per la civiltà tecnologica*, Torino, Einaudi, 1990, pp. 225-291.

From the arguments just made, one might therefore infer that an uprising succeeds not so much by virtue of the mighty wrecking power of the rioters, but rather by an often inadvertent, gradual ripening of conditions. Let the merit of the revolutionary reside then, after an arduous wait, in recognizing when to seize the propitious moment to knock down the system, intercepting the collapse already in progress and taking advantage of a process of construction that has been going on for a long time.

As such, I do not intend to dismiss or demonize the period of tempestuous social upheaval. The chaos wrought by a revolutionary movement is often necessary to replace a rotten system that causes immeasurable suffering. It is that disorder that instills, in minds otherwise colonized by conformity and resignation, the “suspicion” that things could be different. It is the sense of incompleteness that can stir one from apathy, which provides a motive for transformative action. However, an operation that seeks success must be aware of the fact that, whether one likes it or not, one can only make do with what is available. In the same way, it appears important that whoever has chosen to embark on the reparative and regenerative undertaking of the existing learns to pay attention to what happens under the surface, connecting it with what on the surface “makes a spectacle” and “makes noise”.

Therefore, both in the wait for the right time, and when the desired result has apparently been achieved – or more simply, before and after a revolt – there is much to be done: cultivate public liberty, forge alliances, sharpen one’s attention to grasp the imperceptible processes that determine change, gauge the room for maneuver to emerge as a force, amongst others, capable of bending the course of that which exists.

In Chile, the construction of a new political paradigm began well before October 2019 and will not end with the passage of a new constitution. The issues and tactics of the revolt are influenced by distant events and transnational movements, whose effects reach well beyond the slender territory between the Andes and the Pacific. The web of changes transcends borders and official dates, merging what takes place in the inner realm and what takes place in the light of day.

Part Three

49. From the quarantine to the plebiscite

From October 18, 2019, the day the protest over increasing metro fares broke out, until March 2020, the revolt enjoyed significant successes and grew in size, complexity, and political awareness. Up to this point, its evolution followed a pattern not dissimilar to that of analogous historical events. But where it deviates from other like events is in the tempo change it underwent during its course, due to the eruption of the Covid-19 pandemic. The Chilean people experienced a kind of collective Finnish sauna. A sudden change in temperature: six months of extreme political overheating and six months of sharp cooling of public action. But despite the appearance of collective hibernation, it would be very wrong for anyone to judge the period of seclusion imposed by Covid as a downtime. On the contrary, it was a period of maturation in which social actors, equilibriums, and dynamics continued to evolve. This unexpected mutation of pace deserves a careful scrutiny of the subterranean movements and inner occurrences that a time emptied of pressing commitments and reassuring routines procures. For, as was said, even that which manifests itself without any fanfare sets the stage for great transformations.

137

50. A long and hard lockdown

The Coronavirus epidemic spread to South America later than in other continents, but with no less dramatic effects. Chile, in particular, fell into one of the worst outbreaks in the world in May 2020, considering the number of infected and dead in proportion to its population. In response, the government imposed some of the most stringent and prolonged infection containment measures on the planet¹. From April to September, the borders were effectively closed, allowing those who resided or were staying there to leave their homes a maximum of two times a week and for a very limited range of reasons. As one might imagine, the regulations were

1. As shown by a comparative research study carried out by Oxford University about the measures taken to contain the epidemic in different nations around the world: bit.ly/38gRibx.

accompanied by extensive controls and forceful enforcement measures. The plazas and boulevards packed with protesters immediately emptied and the surreal hush of the pandemic enveloped Chile as well. Forced into the confinement of their household walls, the insurgents had to swallow their rage and fervor which had been given free rein in the revolt.

51. Famine and flames

Once the government had imposed strict quarantine measures, as happened elsewhere, those who were already having trouble staying afloat were plunged into even worse trouble. Official estimates note that, due to the economic crisis produced by the social impact of the health emergency, by May 2020 almost two million jobs had already been lost and more than seven hundred thousand had been suspended².

In some of the poorest areas of the country – where the structural lacunas in welfare joined with the inadequacy and inefficiency of emergency measures to support the population – the people have risen up in protest, citing naked hunger as the reason for their insubordination. For example, in the municipality of El Bosque, a southern suburb of the metropolitan area of Santiago, the quietude imposed by the quarantine was sonorously shattered by hurled stones, arsonist attacks and violent clashes with the forces of law and order, demonstrating, once again, how silence is not at all tantamount to social peace (§ 27).

These insurrections prompted the government to be more diligent, but it was the many informal initiatives of popular self-organization that often compensated for institutional failures.

In this panorama, a crucial role was played by the *ollas comunes*: conceived under the dictatorship and resumed during the protests to nurture horizontal relationships and provide training in solidarity (§ 28). During the pandemic, social lunches spread like wildfire, becoming a cooperative solution to escape hunger.

2. Cepal, *El desafío social en tiempos del Covid-19*, (12-5-2020), bit. ly/2U2qzXI.

The principle that inspires this grassroots welfare practice is: «*El pueblo ayuda a el pueblo*». Its method consists in coordinating and distributing food resources among the inhabitants of different municipalities: «sharing what one has in abundance and receiving what one lacks»³.

52. In a disaster, who profits?

As is easy to predict, inequalities became even more acute, and not only because the poor and middle class suffered a sharp deterioration in their condition. The wealthiest elite appear to have taken advantage of the situation by consolidating and further boosting their dominance. Chema Vera, a leading voice of Oxfam, commenting on the impact of the pandemic on the Latin American economy: «While everyone else is locked down, trying to survive and living in fear of getting sick, Latin American billionaires were doubling down on their fortunes and privileges to the tune of over \$413 million for each and every day of the pandemic so far»⁴. More specifically, Chile's seven richest Scrooge McDucks increased their assets and earnings by 27%, for a total of 26.7 billion dollars⁵.

139

53. Cyberevolt

Cleared plazas do not equate to a concurrent cessation of mobilization. Cyberspace is also a public space for discussion and action. As was the case with many other activities of daily life, the actors of the Chilean revolt, who already largely inhabited the internet, increased their use of it.

Assemblies, conferences, debates and awareness campaigns that before had taken place in person, moved to computer screens and smartphones, interspersed with the *cacerolazos* from balconies, convened to restore the sound of protest to the streets silenced by the virus.

And though a predominantly online revolt has a tem-

3. Cristian GONZÁLES FARFÁN, *Las ollas de la dignidad. La autoorganización popular chilena frente a la crisis*, «Brecha», (19-6-2020), bit.ly/38m8qMX.

4. Oxfam, *Latin American billionaires surge as world's most unequal region buckles under coronavirus strain*, (27-7-2020), bit.ly/3mXZJMT.

5. Oxfam's calculations are based on the ranking of billionaires compiled and constantly updated by «Forbes», bit.ly/3k3NEE9. The time frame factored runs from March 18 to July 12, 2020.

pered effectiveness compared to one delivered through flesh-and-blood rallies, its achievements cannot be underestimated.

One of the biggest successes for online activists was the enactment of Act 21,248 on July 30, 2020. The heated discussion in parliament was, in fact, largely influenced by popular pressure arising from the digital plazas. The legislation introduces a modification to the AFP (§ 6, 53), the privatized management of pension funds, allowing for a one-time withdrawal of 10 percent of a worker's accumulated capital. Obviously, the lack of liquidity due to the economic crisis from Covid has made the approval of such a provision all the more urgent. But while this is a marginal reform that involves no commitment of contributions by the State or employers to pension funds, it has nonetheless been hailed by many as the first breach in the taboo of modifying the AFP.

54. Truckers and Mapuche

140

Another protest took place during the lockdown, this one in-presence and quite impressive. In August 2020, mammoth vehicles blocked several of the major Chilean road junctions.

The truckers' strike immediately calls to mind the disturbing memory of what happened in October 1972, when forty thousand drivers refused to get behind the wheel for nearly a month. At the time it was part of a plan to destabilize the Allende government, promoted by the economic and industrial ruling class, approved by the United States of Richard Nixon and Henry Kissinger, and carried out in cooperation with the military, which did not intervene to stop the protest.

The truck drivers' protest of 2020 undoubtedly stems from quite different motives, but even in this case it is a sponsored strike, since it is being organized by the owners of the trucks rather than by the *camioneros* themselves, and it is, moreover, linked to the longstanding and never resolved issue of the lands of the indigenous peoples.

In the 1980s, logging companies initiated aggressive deforestation of the Eighth and Ninth regions that correspond to part of the Mapuche territories. With the advent

of democracy this process has further grown, producing a serious impact on the ecosystem: migration of animals, strong reduction of biodiversity, water contamination and desertification. The Mapuche who live there saw their holy places used for ceremonies destroyed, the plants of traditional medicine extinguished and their very survival threatened.

In the 90s militant groups of Mapuche were born to claim the recovery of ancestral territories, self-determination, the preservation of environment so mugged by the neoliberal system. Some of those radical indigenous groups have initiated forms of land occupation and sabotage of companies, especially against the lorries transporting felled trees. The first occurred in 1997, when three trucks of the logging enterprises were burned.

The Chilean government then militarized those regions and launched a state of emergency, still continuing, essentially in defense of the companies that exploit environment, so much so that the police forces have injured, imprisoned and killed many Mapuche activists. (§ 16).

But the measures taken by the government are not yet enough for the business organizations. So they have promoted the unrest by calling for greater intervention and investment to increase security on routes to the south of the country, as well as drastic repressive measures against the rioters.

Just a week after the road blockade began, the government reacted by accepting most of the truck drivers' demands. The signed agreement includes substantial funds to strengthen police infrastructure and support the families of drivers who were subjected to attacks. Paralyzing transport in such a critical moment easily leads to results, but also in the strikers' favor was probably the fact that there were, if not common, then consistent interests between the demands made and the objectives of the government parties.

55. Return to the plaza

At the end of September 2020, with the arrival of the austral spring, a gradual return to normalcy seems to began in Chile. Streets and stores start to fill up again. A few scat-

tered and dazed demonstrators dusted off banners and flags and donned masks, gathering in some of the country's plazas.

On October 2, for the second time after the shutdown, protesters were meeting in Plaza de la Dignidad. As was the case before the pandemic, law enforcement officers promptly showed up to disperse the participants. Several video testimonies, taken on that day, show young people running away, followed by a squad of *carabineros* in riot gear. The videos show the youths taking the Pío Nono Bridge over a practically dry Mapocho River. It is there that a police officer grabs a sixteen-year-old boy and hurls him off the bridge. The adolescent will sustain severe fractures. Investigations into the incident have been opened. The police chiefs downplay and justify the incident, while the indignation of the population for the umpteenth violation of human rights by public security officials grows and, with it, the urgency of police reform is reaffirmed (§ 13).

On October 18, 2020, exactly one year after the outbreak of the protest and one week before the plebiscite, an immense crowd has once again gathered around the equestrian statue of General Blaquedano.

56. The people have voted

October 25, 2020 marks the first anniversary of the *Marcha Más Grande de Chile* (§ 8) that occurred at the beginning of the revolt. On this momentous date, the Chilean people are called to vote for the long-awaited plebiscite (§§ 32, 36, 37, 49, 56, 57). The suffrage was supposed to take place as early as April 26, 2020, but was postponed to prevent the fostering of a hotbed of contagion.

Two questions are posed to the Chilean people. The first asks whether they are in favor of initiating the process necessary to produce a new constitution (*apruebo*) or whether they prefer to keep the old one (*rechazo*). The second question concerns the composition of the eventual body in charge of drafting the new charter. Two options are proposed: a *convención mixta* (made up of 172 members, including 86 parliamentarians appointed by Congress and 86 citizens elected for the occasion) or a *convención constitucional* (made up of 155 members of civil society appoint-

ed by the citizenship, with an equal number of men and women).

The polls indicate that the *apruebo* option is the preferred one, but the supporters of the “no” party have invested seven times the funds used by their opponents in the referendum campaign⁶.

Election day takes place in a peaceful atmosphere and in accordance with anti-Covid protocol. Once the ballot boxes are closed, the counting begins. The first results to arrive are those of Chileans abroad who have lined up at polling stations set up in the main cities where they reside. Next, come the ballot count results of residents nationwide.

The victory is crystal clear: 78.25% of voters have said they want a new constitution and 79.25% have called for it to be written by a *convención constitucional*.

On the night of the results, the plazas of many cities fill up with crowds celebrating such a groundbreaking achievement. President Piñera, who certainly had not proved himself to be a friend of the protesters, but who had been careful to take a firm stance on the plebiscite, applauds the result in his official address to the nation.

Elections to appoint constituent fathers and mothers will be held on April 11, 2021. The charter’s gestation will last nine months, which may be extended for an additional three. The text produced will be submitted to a plebiscite for ratification. The birth of the new Chilean Republic is expected by the end of 2022.

57. With feet on the ground

A new constituent period, not only started on a grassroots initiative, but also ratified by almost 80% of voters, is an event of enormous historical significance that certainly deserves the enthusiasm with which it has been received. And yet, after rightly basking in the joys of synchronicity (§ 47) and spouting magniloquent words regarding what happened, one risks undermining the potential of the delicate process being prepared if one does not reckon with the limits, contradictions and risks of this undeniable suc-

6. NASTASI, *C'è chi dice no*, cit.

cess achieved by the popular revolt. I will therefore try to offer a few tips of escape from rhetoric.

Many media outlets have emphatically reported that on October 25, 2020, the highest percentage of voters, since the voting obligation has been removed, went to the polls and this, moreover, in times of Covid. Yet it was some 51% of eligible voters that showed up. Half of the Chilean people therefore abstained.

Another interesting element that emerges from a closer analysis of voting is the geographical distribution of preferences. The *apruebo* and *convención constitucional* options won everywhere except in three municipalities in the Santiago metropolitan area: Vitacura, Las Condes and Lo Barnechea⁷. The three neighboring municipalities occupy the northeastern territory of Chile's capital city and are home to a total population of four hundred thousand inhabitants, who are distinguished as being the wealthiest and most educated in the country. These three urban agglomerations constitute, then, an elitist and conservative enclave living in a bubble of abundance, sheltered from what is happening elsewhere. Certainly, the proponents of the status quo who reside there are not celebrating, yet they are far from being dethroned. As Juan Pablo Luna notes, «they have the lobbies, the media, the networks, and the electoral funding on their side. They win by default, despite lacking legitimacy»⁸. Continuing his deliberations, the academic warns that the interference of economic elites becomes even more prevalent because of the party crises that are «very efficient in creating personal loyalties in an asymmetrical field of forces, but lacking in common projects and broad programmatic visions with an acceptable degree of coherence»⁹. One wonders, then, to what

7. To be exact, the *rechazo* option won in five of Chile's three hundred and forty-six municipalities. However, my observations focus on the three municipalities in the Santiago metropolitan area because the other two (Colchane, in the far north, and Antartica, in the far south) are very small, with such a small number of votes as to be of little statistical significance, see Antía CASTEDO, *Plebiscito en Chile: las 5 comunas (de un total de 346) que rechazaron cambiar la Constitución heredada de Augusto Pinochet*, «BBC News Mundo», (27-10-2020), [bbc.in/2I4pLPY](https://www.bbc.com/news/mundo-57144444).

8. Juan Pablo LUNA, *El problema de las tres comunas: cómo evitar que las elites dominen la constituyente*, «Ciper Académico», (26-10-2020), [bit. ly/3eyHvi](https://bit.ly/3eyHvi).

9. *Ibid.*

extent the country can be renewed if those who are to re-design it are selected and promoted through the worn-out party system and exposed to the influence of economic powers¹⁰.

Further hindering the possibility of a radical turnaround are the rules for the functioning of the constituent body introduced by the *Agreement for Social Peace and a New Constitution* (§§ 36-39). The main constraints are the prohibition to abrogate international treaties (including trade agreements with foreign countries) and the two-thirds quorum imposed on the constituent assembly to pass any resolution or article of the new constitutional charter (§§ 36-38). In light of the current political composition, two out of three members of the constituent body are unlikely to agree on the most important issues. For example, the assembly will be called upon to discuss whether to maintain the current presidential system or to move towards a parliamentary one; whether to make Chile a plurinational State that gives explicit rights and recognition to indigenous peoples; whether to opt for an overhaul of the subsidiary function of the State with respect to private enterprise, offering greater protection and guarantees to social rights; whether to increase environmental protection by limiting the extractivism of corporations, and therefore giving to natural resources such as water the effective legal status of commons; how to reorganize public administration between centralism and delocalization. The two-thirds quorum could therefore act as a bulwark of the old system since, in the absence of a broad consensus on innovative proposals, what was established in the previous charter would remain intact and important matters would not be regulated by the constitution, but entrusted to ordinary legislation (§ 38).

It is true that the *apruebo* option far exceeded two thirds of the votes. But the group that promoted it is very diverse and contradictory within itself, composed of a plurality of social movements, different parties and local realities, ac-

10. An interesting thesis about the necessary role of political parties in mediating the citizen voice, while being aware of an urgent need for renewal, comes from the authoritative voice of political scientist Claudia Heiss, *Si no se le da voz a la ciudadanía para influir en los contenidos de la nueva Constitución, eso puede ser explosivo*, «Ciper Académico», (2-11-2020), bit.ly/38he9DH.

tive citizens or those carried by the tide. And, as Juan Pablo Luna points out, finding a *destituent* consensus is much easier than reaching agreement on a *constituent* program¹¹.

58. The statue of discord

On September 18, 1928, a monument was erected in Santiago's largest plaza, to evoke the supposed glories of war. A cenotaph of green marble, installed to store the remains of soldiers fallen in battle, serves as a base for a bronze statue of General Manuel Jesús Baquedano Gonzales atop his steed, Diamante.

Born in 1823 into a family with a well-rooted military heritage, Manuel Baquedano remained true to his heritage and brought honor to his family name. He was only thirteen-years-old when he fled home to join the troops marching against the Peru-Bolivian Confederation. Later, he fought in Araucanía. Above all, he went down in his country's history as one of the foremost commanders in the Pacific War. He didn't hesitate to answer the call of politics, going so far as to be appointed, in 1891, head of the Chilean government. He died a short time later, before the tumultuous 20th century began.

About thirty years after the general's death, the authorities decided to pay tribute to him, erecting a statue in his honor and renaming the square where it would be housed with his name. The initiative seemed to have little effect on the citizenry, who continued to call that space by its former name of Plaza Italia¹². So, for almost a century, the cumbersome monument has been, in the eyes of most passers-by, nothing more than just another piece of street furniture and, over time, increasingly dated and *passé*.

But, in October 2019, when Plaza Baquedano becomes the epicenter of the mobilization, receiving the name Plaza de la Dignidad (§§ 10, 11) by popular demand, a new battle awaits the general.

In the beginning, horse, rider and pedestal serves as a support to hang banners, signs and flags. Moreover, there

11. *Ibid.*

12. Rafael SAGREDO BAEZA, *Baquedano nunca se ganó la Plaza Italia*, «Ciper Académico», (17-3-2021), bit.ly/3rGsjXg.

is nothing more amusing than climbing atop Diamante's back, in impertinent cohabitation with his austere knight; there is nothing more thrilling than arriving at that lofty perch to enjoy the view, from "up there", of a mass revolt in the square expropriated from that celebrated and controversial leader. And so it was that the equestrian monument – cloaked in drapery, mounted by young men with fists raised and crowded at its base with protesters – fatally ended up in the media's crosshairs, becoming a pop icon of the Chilean rebellion.

Alongside the intellectual development of the insurgency, that statue, increasingly "out of place", becomes an opportunity for a critical reinterpretation of national history conducted with erudite commentary and paint cans. On October 16 2020, the statue of Manuel Baquedano is painted red by some anonymous activists. The iconoclastic act, is intended to express shock and anger for the many victims of police violence during the riots just passed.

President Piñera, outraged by the aesthetic-political provocation, orders the statue of the soldier, whose dignity and gravitas have been wounded, to be repainted black.

After just a few days, the austere general finds himself sporting a *total green outfit*. On October 26 2020, the day after the plebiscite, the paintbrush of the anonymous activists strikes again, this time in green, as a sign of victory for the resounding electoral success that opens the way to the new constituent phase.

The chromatic adventures of the much-discussed "hero" are only the first signs of a duel that will become increasingly embittered: paint cans are switched for petrol and a lighter. On March 5 2021, flames engulf the monument. The undertaking does not pass without consequences: thirty-five activists end up in handcuffs.

Thanks to the bronze material of the general, the incendiary raid does not cause any serious damage. However, a few days later, on March 11, the sculpture is removed for restoration. Its departure takes place with pomp and circumstance, with a squadron of soldiers lined up to pay homage to the vilified hero. The Council for National Monuments assures that, at the end of the restoration and cleaning, the commander on horseback, "pride of Chile", will return to his pedestal. In the meantime, there are

many who doubt the veracity of the promise, as well as the appropriateness of that return.

It should be noted that the statue of Baquedano is not the only monument in the country that has been contested and vandalized. In various regions of Chile, there have been dozens of attacks on busts, commemorative plaques, and various mausoleums.

This serial vilification of the symbols of the past arouses public debate. The *querelle* on memory and national identity in Chile seems to perfectly embody the opposition between the two narratives of the past that Michel Foucault spoke about in his lectures at the Collège de France. The philosopher explained to his audience how the dominant group advance the existence of a single national history and that therefore:

«the history of the strong is also the history of the weak – In contrast, the counter-narrative of oppressed groups argues that – The history of some is not the history of others. [...] What looks like right, law, or obligation from the point of view of power looks like the abuse of power, violence, and exaction when it is seen from the viewpoint of the new discourse, just as it does when we go over to the other side»¹³.

The different opinions – voiced by political and military authorities, academics and journalists, TV pundits and web-influencers, activists and ordinary citizens – tend to polarize into these two factions. The first, those who support the paradigm of the “one sovereign history”, is exemplified by the eloquent statement issued by the military on the day the equestrian statue was daubed in red:

«the memorial was violated by the behavior of some individuals who vented their resentment and frustration on *symbols that represent every single Chilean* [...] Those who deny that the sacrifice of thousands of compatriots allowed the writing of Chile’s history will hardly be able to move the country *towards a future to which we all aspire* [italics my own]»¹⁴.

13. Michel Foucault, *Society Must Be Defended*, Picador, New York 2003, pp. 69-70.

14. Ejército de Chile, *Comunicado Oficial respecto a los actos vandálicos realizados el día de hoy contra el monumento ecuestre del General Manuel Baquedano González*, (16-10-2020), bit.ly/33XFpQL.

The second faction includes those who do not consider it acceptable to pay tribute to figures who, like Baquedano, participated in the so-called “*pacification of Araucanía*”. With this expression, euphemistic to say the least, *main stream* historiography refers to the military campaigns that, between 1861 and 1883, led to the appropriation of Mapuche territories and the massacre of the Amerindian populations that had lived there for centuries. After the military intervention, in order to consolidate the victory, the Chilean State encouraged the settlement of people with European heritage, granting them property titles of the ancestral territories of the Indios. In an 1857 edition of *El Mercurio*, still the conservative voice of Chile, the chronicler of the time offers an example of the spirit with which the conquest of that region was conducted:

«To dream of taming the Indian in order to bring him into peaceful contact with civilized men is nothing more than a beautiful ideal that can only be tolerated under the generous gaze of sentimentalism and poetry [...]. Subjugating the territory of Araucanía and reducing its barbaric inhabitants to obedience would mean making the cause of humanity successful»¹⁵.

149

Those who opt for *the dual-history paradigm*, believing that we need to challenge the victors’ narrative with another one from the perspective of the defeated, question: can General Baquedano truly represent every Chilean and can every Chilean identify with him? Do the Chilean people really possess common and glorious roots or, at least, a harmonious union of its many components? Or instead, does history reveal a dynamic of abuse and oppression by one part of the population – the richest, most privileged and politically protected – versus all the others? And since the harassment of the indigenous peoples has never been resolved, reconciled, or stopped, and since the struggle for the recognition of their communities is still on-going, is it desirable for Chile to sail into the future without facing the legacy and actuality of its many iniquities and internal wounds?

15. As quoted in Fernando AYALA, *Un cuore italiano nell’Araucanía cilena*, in AA. VV., *Atlante Treccani*, Roma, Istituto dell’Enciclopedia Italiana, 2020, bit.ly/3KATc7G.

Monuments and toponymy are the glossary of official history. Those who win political power also claim for themselves the cultural and moral power to decree who is on the side of justice and who is the villain. The victors impose their partial version of history as the national one, passing it off as objective and universal, in order to legitimize the established order, to wipe the memory of their abuses clean and to eschew the arbitrary foundation of their rule.

It is not surprising that, at a time when a people is projecting itself into an unprecedented future, it turns a stubborn attention to the symbols of the past. It is anything but paradoxical that a country on the verge of redesigning its political, social, economic and cultural destiny feels the need to question its own founding myths.

Meanwhile, the pedestal in Plaza de la Dignidad, orphaned of its statue, with its bare marble body, guardian of the bones of a nameless man fallen in who-knows-what battle, stands as a monumental question that sounds like this: «On the grounds of what memory should a new Chile be founded?»¹⁶.

150

59. Aspiring constituent parents

The victory of the *apruebo* in the October 2020 plebiscite opens the electoral campaign to compose the constituent body. The applicants to become mothers and fathers of the new Magna Carta are 1737. A good 81% of these are new-entries, in the sense that they have never competed for roles of political representation. Furthermore, there is a fair presence of young people, since 44% of the candidates are under 40 years of age.

Laws, debated and approved under the pressure of the revolt, have modified the current constitution by adopting the “principle of positive discrimination”, according to which it is legitimate and desirable to assume preferential treatment for classes of subjects who suffer the effects of an unfair system. These measures are aimed at correct-

16. F. Nastasi, *Il cavallo di Santiago*, «Plaza Dignidad – La newsletter sul referendum costituzionale che può cambiare il Cile», (28-3-2021), plazadignidad.substack.com/p/il-cavallo-di-santiago.

ing social competition by granting compensation to those who start out disadvantaged. Law n. 21.216 provides that there must be an equal number of women and men both in the electoral lists and in the composition of the constituent assembly (when the number is odd, one gender may exceed the other by a maximum of one unit). While Law n. 21.298 reserves 17 seats of the total to representatives of indigenous peoples (7 to the Mapuche people; 2 to the Aymara people and one each for the Rapa Nui; Atacameño; Diaguita; Colla; Chango; Quechua; Kawashkar and Yagán peoples)¹⁷ and also stipulates that at least 5% of the candidates must be persons with disabilities.

Such measures certainly have the effect of refreshing the lists of aspiring delegates of the people. But the political groups in competition have chosen to propose “new faces” above all to respond to a strong and widespread demand to turn over a new leaf¹⁸. A further relevant innovation, consequent to the electorate’s demand for renewal, is the 101 independent lists which far exceed the bulk of the parties, including in terms of number of candidates.

I shall try to provide a synthesis of this multitude of old and, above all, new political formations. Several coalitions are competing in the elections to form the constituent: some of these are composed only by lists of independents, while three coalitions bring together both parties and independents’ blocks.

The party-driven coalitions are: i. Chile Vamos, which brings together the main right-wing forces; ii. Lista Apruebo, which represents the so-called ex-concertación, i.e. that centre-left political area which led the transition from dic-

17. Enrico BUONO, «Chile, la alegría ya viene?»: *la Ley de escaños reservados para pueblos originarios and the “plurinational” composition of the Chilean Constituent Convention*, «DPCE online», (2021), pp. 863-886, bit.ly/3fRrbdD. The draft law discussed by the Congress included a reservation of 25 seats for representatives of Amerindian minorities selected from the records of the National Corporation for Indigenous Development to be added to the 155 constituents. Only after a long and heated debate, due to the strong opposition of the center-right coalition, the deal was 17 reserved seats out of 155.

18. The data are taken from SERVEL – Servicio Electoral de Chile (www.servel.cl) and from the elaboration carried out in Jennifer M. PRISCOPO, Peter M. SIAVELIS, *Convención Constituyente: ¿Caras nuevas o las mismas de siempre?*, «Ciper Académico», (6-2-2021), bit.ly/3IxcWY2; Eduardo C. OLIVARES, *El boom de los candidatos no militantes*, «Pauta», (7-2-2021), bit.ly/31Qme1d; and from the Observatory on Chile’s New Constitution: www.observatorionuevaconstitucion.cl/.

tatorship to democracy and has governed, alternating with the right, for the last thirty years; iii. Apruebo Dignidad, which represents more left-wing parties.

The coalitions (regional and national) formed exclusively by independent lists have different orientations and vocations, but certainly many, such as the *Lista del Pueblo*, were born from the popular uprising to carry forward the different issues that drove the mobilization.

The three coalitions (*Chile Vamos*, *Apruebo*, and *Apruebo Dignidad*) present a total of 507 candidates, but half of them do not belong to any party; they are running on lists of independents who have just signed an agreement with the parties. Then, we have other coalitions composed only by independent lists that have not signed any agreement with the parties. These present 474 candidates; 90% of them have never run in any election in the past. In short, the vast majority of the aspiring parents of the new constitution have not attended the headquarters of institutional politics.

In light of this data, one might say that Chile is preparing to not only rewrite the fundamental norms of its own country, but that it is offering itself to the world as an experiment of a profoundly different way of making politics. The crisis of the party system has been observable on an international scale since the end of the 20th century. A sign of this is growing abstention due to the perception of professional politicians as a caste, as greedy for privilege and power as they are detached from the concerns and needs of ordinary citizens.

But caution is required before singing the requiem of the parties because, in spite of their rising loss of credibility, they operate on a playing field where there are rules and institutions created to cater to them. What is more, they boast preferential relationships with the media and draw on lavish subsidies from – not always disinterested – donors. They can therefore count on formal and informal networks of power.

Another crucial factor in predicting Chile's future path and the fate of the parties is understanding who will vote. The analysis of the plebiscite in 2020 showed a reversal of the trend: the participation of the poor and marginal population, previously more prone to abstention, has increased,

and the turnout of the wealthier class, which traditionally recorded higher rates of electoral participation, has decreased. This can be explained by the fact that those who would have preferred to keep the old constitution in place as a guarantee of their privileged position, imagining that victory for *apruebo* was a foregone conclusion, preferred not to go to the polls rather than vote *rechazo* (§ 49). It is likely that the elites and defenders of the status quo will return to vote in greater numbers precisely to rule and curb change, while some activists, radically anti-establishment or disappointed by the compromises that were made to start the new constituent process, may opt for abstention.

It should then be noted that, if on the one hand the overwhelming presence of freshmen in representative politics seems a good stepping stone towards the longed-for change, on the other hand, it entails the risk that a newcomer is more easily outwitted by those who possess the cunning of the experienced.

A deep-rooted institutional structure such as party-based representative democracy often succeeds in taming those who enter it as newcomers with revolutionary intentions, inuring them to the unscrupulousness and detachment of long-established politicians of poor reputation. The influence of form on content is in fact as huge as it is underestimated. As Mary Douglas explains, institutions are much more likely to shape ideas and people than the other way around. New people in old institutions very often end up taking on the features and political manners of those they replaced, unless the architecture of the system is changed¹⁹.

153

60. Vaccination and election campaigns

April 2021. In Italy, a rainy spring feels like winter. In Chile, the onset of autumn brings bright days. At any latitude, the pandemic still looms. The governments of all nations, with varying degrees of skill and effectiveness, have launched vaccination campaigns. I scroll through the rankings of the most efficient countries. Israel leads the way: 61% of its citizens have already received at least one

19. Mary DOUGLAS, *How Institutions Think*, London, Routledge & Kegan Paul, 1987.

dose of the vaccine. Great Britain follows with 46.5%. The bronze medal surprisingly goes to Chile, which is several points ahead of the United States, having already delivered the first dose to at least 36.7% of its citizens. The Latin American country is even second in the world in terms of population that has already received the second booster (21%). Finally, with an average of 1.67 doses per day per 100 inhabitants, compared to 1.20 in Israel, Chile holds the world record for vaccination speed.

But what is the secret of this surprising performance? In search of an answer, I come across an interview that the Chilean Foreign Minister, Andrés Allamand, has given to RAI, the Italian state TV network. He explains that, in order to carry out such a rapid and extensive vaccination campaign, numerous sites have been set up throughout the country, schools and sports centers have been used, various types of professionals have been mobilized, including dentists and midwives, and the population has adhered wholeheartedly²⁰. Above all, the minister proudly states of having started negotiations very early in order to procure a large number of immunization vials.

As astute observers doubt that the current government's diligence is motivated solely by genuine concern for public health. In fact, good management of the pandemic can be an excellent opportunity to regain credibility for a ruling class that has been severely delegitimized by the revolt, all the more so when it is on the threshold of an important electoral challenge.

2021 is a record year for the polls in Chile. Consultations are scheduled to form the constituent assembly, and to assign seats to members of the national parliament, governors, regional deputies, mayors, and city councilors. Not to mention that the new President of the Republic shall be elected at year's end.

Having said that, if it turns out that the people's representatives worked hard for the common good in order to get re-elected, I don't think that should come as much of a surprise or shock. It would mean, ultimately, that the mechanism of representative democracy works. It consists,

20. Rai News Mondo, *Il fenomeno Cile: come ha fatto a diventare primo al mondo nella corsa al vaccino anticovid?*, (10-3-2021), bit.ly/3ozhBBd.

in fact, of linking the destiny of the rulers to that of the ruled²¹.

Will this rapid and expansive vaccination campaign deliver herd immunity in Chile? Can the country finally relax its restrictive measures and enjoy the fruits of its efforts, without caring too much whether success is due to the rulers' sincere concern for public health or to their cynical electoral calculations? Something just doesn't seem right...

The election of the constituent assembly was scheduled for 10 and 11 April 2021, but has been postponed to 15 and 16 May. The reason for postponing this crucial and long-awaited event is the tragic surge in Covid infections, combined with the fact that the available beds in ICU units are practically all occupied (95%). Consequently, the first three months of the year have recorded the highest mortality rate in the last 46 years. A real enigma thus arises: the mysterious combination of a record-high of vaccinations and a record-high of contagions²².

Why is it that, in the face of a vaccination plan that has become a worldwide exemplar, the epidemiological curve seems to be rising so unexpectedly?

Several circumstances must be taken into account in order to find an explanation. First of all, it should be noted that the increase in infections occurred at the end of the austral summer, during which restrictions and controls had subsided and behaviors had become excessively relaxed. It should also be added that the vaccination campaign, albeit rapid and extensive, was only just beginning. The situation was then complicated by the spread of variants, including the Brazilian one. But strictly medical-epidemiological considerations are likely insufficient and it is necessary to advance further hypotheses of a sociological and political nature.

Let us start with a case that caused a stir. On 1 March 2021, Georg Hübner was appointed health officer in the

21. As mentioned above (§ 44), Amartya Sen, Nobel prize in economics, has shown how the effects of natural disasters are generally milder in democratic, rather than authoritarian, regimes, since the fear of losing consensus would spur local leadership to take better measures to protect the population.

22. Rafael I. GONZÁLEZ, Gonzalo BACIGALUPE, *COVID-19 y el desastre regional*, «Ciper Académico», (27-3-2021), bit.ly/3L0YEAE.

Valparaíso region with a government mandate to fight the pandemic. As a doctor, he had already received the vaccine booster. Yet within 10 days of taking up the important task, a swab test revealed him as positive to the virus, albeit asymptomatic.

Dr. Hübner is by no means alone in having contracted the disease despite having received two doses. He, like 93% of Chileans, was vaccinated with Sinovac, produced in Chinese laboratories (Pfizer BioNTech was used for the remaining 7%). The European Union did not authorize Sinovac because it was not very effective. A study conducted by academics at the University of Chile seems to justify the Old Continent's wariness. Professors Juan Díaz, Eduardo Engel, and Alejandro Jofré have estimated that a single jab of this vaccine offers a paltry 3% immunization rate. Two weeks after the second dose, a mediocre immunization rate of 54% is achieved (any way the symptoms of the disease are statistically reduced)²³. There is no surprise, then, about the probability that vaccinated people reinfect themselves and infect others, in addition to the psychological side effect that, feeling officially shielded, they are less careful and cautious when it comes to protecting themselves and in their interactions with other people.

In addition to the strictly health-related impact, it is useful to analyze the political implications of vaccine diplomacy. On the one hand, there is a counterproductive "vaccine nationalism", whereby states, instead of cooperating, compete in the hoarding of antiviral medication and equipment, overlooking the fact that a pandemic can only be stopped by global eradication. On the other hand, the whole arsenal of anti-Covid measures (from masks, to reagents and vaccines) becomes a bargaining chip in the power relations among states²⁴.

With the goal of cultivating strategic alliances that will reinforce its own influence in geographical areas of concern,

23. Maritza TAPIA, *Vacunas contra el SARS-CoV2 muestran 56,5 por ciento de efectividad en la prevención de contagios*, «Noticias – Universidad de Chile», (6-4-2021), bit.ly/3oceI9h. 56.5% is the overall immunization result at two weeks after the second dose, which takes into account both those in Chile who were vaccinated with Sinovac (93%) and Pfizer (7%).

24. Thomas J. BOLLYKY, Chad P. BOWN, *The Tragedy of Vaccine Nationalism. Only Cooperation Can End the Pandemic*, «Foreign Affairs», (September/October 2020), fam.ag/3nPSnhq.

China, among others, has initiated a policy of donating large quantities of vaccines to other nations, among which Chile stands out²⁵. In turn, Chile has donated batches of vaccines, obtained from the People's Republic of China, to Paraguay and Ecuador, in an attempt, according to several observers, to climb the hegemonic ladder in Latin America²⁶.

If, therefore, the competition of the ballot box was a path to better government, one could momentarily abandon in-depth scrutiny of the intellectual honesty and good conscience of administrators and politicians. However, the problem resurfaces when attempts are made to wrest the consensus of the voters by means of superficial ploys, with risky repercussions both at home and abroad. Sociologists Karla Henríquez and Geoffrey Pleyers articulate the widespread suspicion with respect to the management of vaccinations by the Chilean government: «The celebration of national statistics makes another question arise: is the objective of this massive vaccination campaign in Chile to protect the population from the virus or to have the best statistics in terms of number of vaccinations?»²⁷.

157

61. The astonishing results of the mega-elections

On the evening of May 16, I'm in a state of frenzy waiting to know the outcome of the Chilean elections, just as I am when there are elections in Italy. The time difference of 4 hours forces me to be patient. On the morning of the 17th, just past dawn, still drowsy, I grab my phone to take a look at the fluctuations of the exit polls. The results are not yet definitive, but the trend is clear enough for Sebastián Piñera to hazard a comment on the results: «The citizenship has sent us a strong and clear message, both to

25. Director of the Global Health Program at the Council on Foreign Relations Thomas J. BOLLKY, *Democracies Keep Vaccines for Themselves, President Biden's pledge to Mexico is an exception from a stark pattern*, «The Atlantic», (27-3-2021), bit.ly/3tVDwpt; Samantha KIERNAN et al., *The Politics of Vaccine Donation and Diplomacy. Is a friend in need a friend indeed?*, «Think Global Health», (8-4-2021), bit.ly/33WnjWa.

26. Maolis CASTRO, *Diplomacia de las vacunas: el objetivo de Chile de fortalecer su rol en Prosur donando dosis a Ecuador y Paraguay*, «El Líbero», (27-10-2020), bbc.in/214pLPY.

27. Karla Henríquez works at the Departamento de Ciencias Sociales at the Universidad Bernardo O'Higgins of Santiago de Chile and Geoffrey Pleyers is professor of Sociology at the Université Catholique of Louvain in Belgium, see *¿Chile el primer país emergente en lograr inoculación?*, «Bióbio Chile», (23-2-2021), bit.ly/3tVs6C6.

the government and to the traditional political forces: we are not adequately attuned to the citizens' demands and desires. We are being challenged by new [political] realities and new leadership». In addition to fairplay, the President must be credited with a conciseness in his ability to sum up the decisive change of gears witnessed by the surprising result of the so-called mega-elections.

The «mega» prefix affixed by the media to the term «elections» is justified by the fact that on 15 and 16 May nearly 17,000 candidates competed for a very wide range of public offices in Chile. Chileans were voting to elect the 155 members of the fledgling constitutional convention, mayors and councilors of all the municipalities. In addition, for the first time, they were called upon to appoint “governors” of the different regions, who replace the “intendants”, previously co-opted directly by the presidency.

Therefore, I need weeks to get a true grasp of the results, avoiding getting lost among the multitude of positions at stake and the myriad of local and national political formations, most of which are brand new. I will try to summarize in the following paragraphs the fruit of this laborious work of discernment.

As Piñera pointed out, the traditional parties and especially the Chilean right-wing were unequivocally defeated. Yet the right seemed to have played its cards right: unlike the left-wing forces, it presented itself as united in the *Chile Vamos* coalition, raised huge amounts of money to finance the election campaign and had the support of the main media²⁸. But all this was not enough. The minimum desired result was to obtain 33% of the seats in the constituent assembly. Indeed, by virtue of the two-thirds quorum required to pass any motion (§§ 36-38), they could have vetoed undesirable proposals. The threshold number was 52, but the right-wing coalition managed to place only 37 of its candidates. The Conservatives also lost ground in local elections, seeing several historic strongholds slip away.

Equally substandard was the result of the governmental left, that is, the forces of the *ex-concertación*. The *Apruebo* coalition – which includes the Socialist Party, Christian

28. Leonardo BUITRAGO, *9 de las 10 candidaturas a la Convención Constitucional con más financiamiento privado son de Chile Vamos*, «El Ciudadano», (4-8-2021), bit.ly/3HIIn7h.

Democracy, Radical Party, Party for Democracy and Progressive Party – far from being the majoritarian block as hoped, won just 25 seats.

On the other hand, *Apruebo Dignidad* – which includes the Communist Party along with parties and lists of the *Frente Amplio* that emerged from the student movement of 2011 (§§ 17; 38) – has gone beyond all auspicious predictions. This group, accustomed to being a residual component in the political arena, overtook the *Apruebo* coalition, obtaining 28 seats. *Apruebo Dignidad* reaped success in the municipal elections too. The nomination of Irací Hassler, a 30-year-old communist, as mayor of the municipality of Santiago caused a sensation. Daniel Jadue (§ 41), leader of the Chilean Communist Party, was also reconfirmed for the third time at the helm of Recoleta, with huge consensus.

But the most relevant and unprecedented result has undoubtedly been obtained by the so-called “independents”. 48 seats in the constituent assembly were gained by candidates of the lists of independents that had not made any agreement with the parties. The *Lista del Pueblo*, voice of the social movements that had participated in the revolt, received 28 representatives, and has undoubtedly proven itself to be the leader among the coalitions of independents. This new political cluster introduces itself as heterodox and multiform, staunchly anti-party and anti-system. In fact, it has introduced a *modus operandi* quite different from the top-down and centralized institutions, because it created a communication platform for candidates coming from different organizations, such as territorial associations, grassroots unions, feminist collectives, anti-capitalist movements, ecological groups, activists for the indigenous cause, and migrant communities. Its success is even more surprising if we compare the economic resources invested: *Chile Vamos*, thanks to huge private donations, was able to have an average funding of \$ 35,000 per candidate, while the aspiring constituents of the *Lista del Pueblo* could count on an average of no more than \$ 1,000²⁹.

Nueva Constitución, with its 11 seats, is the silver medalist among the coalitions of independents. Its members

29. Nicolás SEPÚLVEDA et al., *Elección constituyente: las campañas millonarias que fueron derrotadas por candidaturas casi sin fondos*, «Ciper Académico», (17-5-2021), bit.ly/3nRk0qf.

are mainly operators and activists linked to the world of NGOs and *ex-concertación* parties. In its manifesto, it proposes to make Chile a rule of law, with a welfare state inspired by the European model, plurinational, unitary though decentralized, governed by forms of democracy not only representative, but also deliberative and participatory. Although they are in favor of the implementation of social rights, they seem to have more conciliatory positions towards the market economy than the *Lista del Pueblo*.

The ideological profile of the remaining 13 independents is not very homogeneous and even more difficult to define according to classical parameters³⁰.

To conclude the account of the composition of the new constituent assembly, significant is the role of the 17 spokespersons of indigenous peoples. Given the history of discrimination and abuse suffered by the Amerindian population at the hands of successive governments and dominant groups, as well as the tendency towards an ecological and anti-capitalist vision of the indigenous movements, one can easily predict the kind of demands that these representatives will bring forward.

To conclude, it seems to me that the mega-election results can be described as astounding, and not because they attest to a distinct change in the swing of the pendulum. We are talking about something far more radical than a new trend toward the left. It is not a temporary defeat of the right-wing that is at stake. It is not even a mere twilight of bipartisanship. A serious challenge to the party system is looming. The triumph of the independents seems in fact to signal a possible intersection between *la politique* (the official and institutional political dimension) and *le politique* (a grassroots activism, having a political attitude in daily life, in the sense of thinking of oneself as constitutionally in relation to others and therefore being an active participant in the community).

30. Analysts, disoriented by the independents, have tried to devise tools to trace them back to known ideological families. For example, the important newspaper *La Tercera* created a survey consisting of 17 questions to place candidates without a clear affiliation in the political chessboard as well (bit.ly/3J8d00H).

62. Women voters and voted

I scroll through the names of the elected: 78 fathers and 77 mothers for the new Magna Carta. Six of them openly identify themselves as members of the LGBTQ community. Never has a constituent assembly even come close to gender equality. But scrutinizing the data carefully, the result seems even more noteworthy than I could have imagined at first glance.

As we might recall (§ 59), Law n. 21.216, which was passed in 2020 – prompted by the strong feminist tone of the protests – requires an equal gender representation in the electoral lists for the constitutional convention and among the elected. It must be mentioned that each Chilean region is an electoral macro-constituency and has a certain number of constituents to be elected proportional to its residents. The aforementioned norm orders that if the number is odd, one gender may exceed the other by a maximum of one unit. If there is an over-representation of one gender among the candidates who had sufficient votes to be elected, a corrective is applied.

What has happened is that, not only are slightly more women offering themselves as candidates, but they are being voted for more than men too. In 12 regions there was a gender imbalance, but it was more often the case that men were under-represented. Therefore, the rule designed to increase female representation, paradoxically ended up preventing the male quota from being a minority.

Another interesting fact is that among the 17 representatives of the indigenous peoples, 13 are women. This underlines how indigenous movements are not aimed solely at defending the rights of specific ethnic groups, but offer a socio-political alternative with respect to gender roles (§§ 16, 29) and many other issues that affect everyone.

63. The silence of the helpless

I read many publications by journalists, politicians and academics who, from different perspectives and with divergent opinions, agree that the election results constitute a resounding criticism of the governmental establishment, accused of having functioned for more than thirty years as a self-referential consortium, which has weakened de-

mocracy, promoting oligarchies. Public office, in fact, was usually the prerogative of those embedded in one or more circles of power: scions of wealthy families, alumni of prestigious colleges, cunning and servile party courtiers, officials of apparatuses that protect each other by exchanging factious favors. The massive debut of the independents, newcomers generally penniless, elected despite not being elites, is therefore a remarkable transgression of the mechanism for the recruitment of the Chilean ruling class that has functioned up until now. Yet, the understandable celebration of this unexpected change seems to me to overshadow the vast number of those who abstain and remain silent.

In 2012, Chile repealed mandatory voting. Since then, regardless of the kind of ballot called, less than half of Chileans has gone to the polls. The only slight exception was the 2020 plebiscite, with a participation rate of 50.9% (§§ 56, 57).

On the occasion of the mega-elections, abstentionists once again became the majority. The turnout was in fact only 43.3%. This data is even more surprising considering that the electoral appointment of 15 and 16 May 2021 can rightly be considered the most decisive of the last thirty years, not only due to the number of public offices to be conferred, but because the people were called upon to appoint the authors of the fundamental rules and principles of the new Chile.

It is likely the pandemic situation, the inefficiency of transport and other contingencies that have discouraged some potential voters. Certainly, there are also those who deserted the ballot not out of disengagement or indolence, but out of distrust for a procedural and delegating democracy; they prefer to engage with the community outside the contested institutions.

But, apart from the above-mentioned cases, the geographical layout of electoral participation provides important clues for assessing the phenomenon of abstentionism. The highest turnout is found in constituencies located in rich or wealthy residential areas, where it often exceeds 60%, while it drops dramatically, even below 40%, in economically disadvantaged areas. Participation was particularly low in rural areas where the population of people of

Amerindian heritage is higher. The fact that the election offered the possibility of voting for indigenous representatives in the reserved seats of the constituent may make this latter data more surprising³¹. But the indigenous population, which has struggled against the Chilean State by being oppressed by it for decades, is very skeptical of the possibility that radical change can come from existing institutions, even if they seem “cleaned up”.

While I was working on an analysis of voting and non-voting, I was asked to present a report on the right to education in the European constitutional charters at an event organized by EUROsociAL, an agency of the European Union for cooperation with Latin American countries. Specifically, it consisted of a series of seminars with Chilean and European experts aimed at providing insights and advancing useful proposals for the work of the Constituent Convention. While studying the educational situation in Chile, I came across a rather disconcerting piece of data on “functional illiteracy”, which I believe can contribute to the understanding of such a high level of defection among marginal and deprived social sectors.

A functional illiterate is someone who, although able to read or write, is unable to understand the meaning of even a fairly simple text, in fact he or she has a rather limited vocabulary, few, superficial and scattered knowledge, little or no mathematical or computer skills.

From such a condition of cultural deprivation many difficulties arise: think, for example, how problematic protection of one’s health could be without understanding the medicine leaflet, or how exposed to the risk of being economically cheated are those who do not know how to calculate well.

Certainly, then, the possibility of effective political participation is compromised for those who have limited cultural resources. If someone does not know how to find or decipher reliable information, if they do not even understand the news, they will not properly enjoy the right to information. Those who struggle to find the words to express themselves or are ashamed for their heavy accent

31. The data can be obtained from the statistics presented by the Servicio Electoral de Chile: www.servelecciones.cl

or for the clumsy syntax of the sentences they manage to utter will hardly speak in an assembly. The functional illiterate therefore suffers a painful existential condition: the country of which they are a citizen is like a foreign territory, strewn with indecipherable signs and insurmountable obstacles to obtaining what they are entitled to.

However extreme, this condition is catastrophically widespread. According to OECD country statistics, more than half of Chileans are functionally illiterate (53%). By the by, the numbers for Europe are a little better, though not by much: for example, in Italy, Spain and Greece functional illiterates are one out of three; in France and Germany about one out of four.

It would seem, therefore, that there is a considerable portion of the people cast into the exile of the outsider: condemned to ignorance, trained to silence, strangers even to the revolt, despite the fact that it has been waged in their name. A multitude who are unconvinced that they can finally exercise power. Poisoned by the suspicion of being lied to, timid yet angry at a world they do not understand and that does not understand them. Distrustful of their own ability to decide, they hand the burden of choosing on their behalf over to others. They remain dormant or perhaps they feign lethargy, sensing better than others that the promised change will not affect them.

64. Pokémon evolutions

I cannot deny that I feel a certain satisfaction with the fact that several figures I met or mentioned in the previous chapters later played a prominent role in the constitution-making process. For example, Fernando Atria is one of the most voted constituents (§ 38); Daniel Jadue was certainly one of the foremost figures during the mega-election campaign, as leader of the Communist Party, spokesperson for the *Lista Apruebo Dignidad*, winner in the competition to become mayor of Recoleta and favored candidate – although ultimately defeated – in the left-wing presidential primaries (§ 41)³². Sergio Grez has be-

32. Gabriel Boric, a 35-year-old engineer from the *Frente Amplio*, won the left-wing presidential primary. And on 21 December 2021, Boric was elected president of Chile.

come an intellectual known to the general public for being a critical, authoritative and sharp voice, present in many debates dedicated to the new constitution issue, both those organized by small neighborhood associations, as well as those reported in the national press or also those carried out in international symposia (§§ 30-32, 44). I admit, however, that I would not have expected Giovanna Grandón, the woman who gained a certain media celebrity by participating in the big demonstration on 25 October 2019 in the famous yellow Pokémon costume (§ 8), to leap to the headlines again. The so-called «Aunt Pikachu», candidate in the List of Pueblo, was elected as constituent with over 21,000 preferences³³. This news, which at first glance could be considered simply a peculiarity, may, however, raise challenging questions.

A well-written reportage by Gabriella Saba covering a decade of Chile (2007-2017)³⁴ provides an insight into the cultural climate prior to the outbreak of the revolt. Reading it, I learn of a youthful fashion that was widespread among adolescents growing up during the first decade of the 21st century. The boys and girls who followed it were dubbed the “Pokémon generation”, as their look was inspired by the video game and cartoon characters that accompanied their childhood. They made extensive use of Netlog (a now defunct social network) to get to know each other, organize get-togethers, and have random erotic encounters that were quite sexually fluid. The members of this youth tribe were not embarrassed to display consumeristic ambitions, disinterest in politics, and distrust of the adult world.

The journalist describes an exchange she had with a group of these young people who happened to cross her doorstep: «I meet Pokémon everywhere and they are the biggest youth phenomenon in the country. Tens of thousands, children of the working class. When I got home last night, there were about ten of them in front of my building entrance: pink and blue or black hair, kept straight by liters of gel, shirts with skull patterns and fishnet boxers

33. Bastián CIFUENTES, *Giovanna Grandón (Tía Pikachu)*: “No somos como la derecha, a la que le llevan todo escrito y redactado”, «El Desconcierto», (30-7-2021), bit.ly/3rKJczQ.

34. Gabriella SABA, *Cronache cilene (2007-2017)*, Torino, Edizioni Centouno, 2019.

sticking out of trousers full of rips»³⁵. She initiates conversation by asking about their dreams: «They all start talking at once: “When I grow up, I want to marry an Italian model”. “I want to go abroad for a few years and live the good life”. “I want to drink a lot and have lots of sex”. “I want a super-fancy sound-system”. “I don’t want them to piss me off”»³⁶.

How is it possible that in just ten or fifteen years we have gone from a youth that professed an uncritical consumeristic hedonism to the young men and women who started the turnstile revolt? How did it happen that Pichachu went from being the icon of a generation marked by a blatant political apathy to the alter ego of a woman member of the constituent assembly?

Are we dealing with a mysterious “genetic mutation” or an acrobatic sociological trans-species jump? Or is there something fundamental and elusive that connects the Pokémon generation’s manifesto of market-driven disengagement with the engagement of those who have devoted themselves, body and soul, to turning their country upside down, confident that they can finally change things?

Gabriella Saba seemed to have guessed that something was amiss even at the time when she concluded the account of her encounter with the fluorescent-haired group by saying: «They say the Pokémon generation is all like that, but I don’t believe it»³⁷.

It comes to mind that the distinctive feature of the successful Japanese video game characters is their ability to evolve. Pokémon are not figures imprisoned once and forever in their original profile. On the contrary, they are capable of metamorphosis and created to go along with it. They are “shapeshifters” who, by way of training, grow and acquire more and more experience in so far as they change their shape and even their personality. It is possible, therefore, that the generation that used to identify themselves with the alien critters born out from Satoshi Tajiri’s imagination borrowed their mutating nature.

35. *Ivi*, p. 12.

36. *Ivi*, pp. 12-13.

37. *Ivi*, p. 13.

We can certainly conjecture that the adolescents who followed this fashion, once they became adults, fell into the broad ranks of abstentionism and social inertia. It is, however, germane to put forward the hypothesis that the ostentation of an individualistic and devil-may-care attitude could represent a form of refusal of what has been refused to them, namely having a voice in public decisions. It is also possible that the practice of regressive camouflage inspired by childhood imagery was a symptom of a profound anxiety, of a sincere repugnance to wearing clothes imposed by an establishment nourished by rigid conventions. I suspect, although without sufficient evidence, that the Pokémon youth, even if unbeknownst to itself, was cultivating the aspiration to modify not only customs and language, but perhaps the rhythm and direction of history too: the “surface” of a desire to evolve that little by little, in the natural and silent succession of generations, has also become proudly and consciously political.

65. Street constituent

167

My plans to return to Chile, in order to follow the exciting evolution of events in situ, were repeatedly dashed due to the long-lasting pandemic border closures. I had to resort to a diligent scrutiny of the media, maintaining contact, albeit at a distance, with some of the people I met during my stay and also trying to expand my network of interlocutors connected to the Latin American country. Among these new contacts, I feel especially fortunate to include Rodrigo Cordero and Ricardo Valenzuela, eclectic sociologists of law and facilitators of the *Laboratory of Social Transformations* at the Diego Portales University³⁸.

In a long conversation with Ricardo Valenzuela, we discussed the hypothesis, on which he and Rodrigo are working, about a non-institutional and widespread constituent process.

Showing me a snapshot, he had taken of a poster in Santiago, the scholar confided to me: «As a sociologist, one of the things I am most interested in is reading the legal expectations of social actors through murals, graffiti, or-

38. See transformacionessociales.udp.cl/

dinary discussions and conversations». The subject of the street art that Ricardo has photographed is a pin-up sitting on a toilet trying to encourage bowel movement by immersing herself in reading the 1980 Constitution. The image is eloquent: the revolt has made the Constitution a pop object, a mass product, with which the citizen is entitled to have a direct relationship, not mediated by the priests of law and without slavish compliance. The booklet containing the highest-ranking norms can therefore be underlined, scrawled on, have post-it notes stuck to it – its reading can even accompany morning excretion.

That the magna carta became a best-seller (§ 31) marks a significant change in the citizens' attitude toward the apex source of the legal system and, as the sociologist points out, has remarkable political implications: «Before the outbreak of the revolt, the ruling class and economic elites rejected claims for social justice, equity and democracy not only by asserting that these were unrealistic or inconvenient, but – on the basis of ingenious legal interpretations – by branding them as “unconstitutional”. The neo-liberal economic model and the moral ideal of the entrepreneur pretended to be rooted in the Constitution and thus achieved legitimacy and sacred inviolability».

Many, therefore, having become aware of the impact of the fundamental norm on their lives, decided to educate themselves on its contents, and to, if necessary, criticize it and lobby for its replacement, as evidenced by the very large victory of the *apruebo* option in the plebiscite (§§ 55; 56).

However, Ricardo Valenzuela and his colleagues of the *Laboratory of Social Transformations* do not limit themselves to noting how Chilean public opinion has become competent and responsive; rather, they postulate a far more substantial role of the population in the normative refounding of the country: «We are investigating how ordinary people take part in the constituent process outside institutional channels, we are trying to make a sort of street constituent emerge».

Intrigued by such a scientific hypothesis, I ask to know more. I learn that one of the main sources of inspiration for this line of research is the “social constitutionalism” of Gunther Teubner, a German sociologist of law. Teubner conjectures that the production of structural and struc-

turing norms occurs not only in statutory bodies, but a permanent constituent process takes place outside the institutional settings and regardless of national territories. According to the Frankfurt University professor, both international organizations and private sectors of global society intervene to shape institutions, powers, rules and basic principles of nation states. In addition to these transnational macro-actors, Teubner believes that social movements can also drive and nourish the production of constitutional norms from below³⁹.

«Adopting this perspective – Ricardo clarifies – formal law is a secondary instrument that serves to consolidate legal expectations born elsewhere. Such an assumption stands in contrast to the idea that jurists invent norms *ex novo*, proceeding in a rational manner. The creation of norms does not begin, nor does it end, in the realm of formal law». Returning to the case of Chile, my interlocutor continues: «Before the revolt, expectations were already there, while the system was not providing proper answers. People experienced unemployment, inequality, the lack of a welfare state and exclusion from the public decision making. In the beginning, this malaise was naively expressed, as when passengers on the bus say: “I’m angry. Nothing works. There’s garbage everywhere. Etc.”. Later, someone began to wonder how to fix what wasn’t working. The so-called Penguin mobilization of 2006, the student protests of 2011, the No+AFP movement of 2016, the Feminist May of 2018, and finally the protests that erupted in 2019, were progressive stages for upgrading normative expectations or what you call “legal-political imagination”. At this point, activists were able to declare: “We are many, we want change and we know how to pursue it. We’re not begging for answers from the establishment, we’ve got answers”».

Then Prof. Valenzuela switches again to a more theoretical discourse: «Social constitutionalism thus consists of two

39. Gunther TEUBNER, *Law as an Autopoietic System*, Oxford/Cambridge, Blackwell Publishers, 1993; ID., *The Project of Constitutional Sociology: Irritating Nation State Constitutionalism*, «Transnational Legal Theory», vol. 4, no. 1, 2012, pp. 44-58; ID., *Constitutionnalisme societal et globalisation: Alternatives la Theorie constitutionnelle centree sur l’etat*, «Revue Juridique Themis», vol. 39, no. 3, 2005, pp. 435-458; ID., *Societal Constitutionalism without Politics: A Rejoinder*, «Social & Legal Studies», vol. 20, no. 2 (June 2011), pp. 248-252.

phases. A first one in which a given social context reflects on itself and develops this thought into normative claims, and a second phase in which these social demands achieve legal form. Law produces the constitutionalization of normative expectations that have arisen outside of it».

Then, shifting topics a bit, he adds: «The revolt has given rise to a strange and, in my opinion, inseparable amalgamation of reflexivity and violence». This last statement echoes with what I believe I have understood during my investigation, namely that the disorder generated by the riots opens fissures and creates landslides in the mental order serviceable to the maintenance of the status quo. For example, among the most obvious repercussions of the unrest was the alteration of the usual flows of urban mobility. Let us recall the traffic lights put out of order, the fires lit in the middle of the roads, the subway stations attacked and damaged, the inaccessibility of downtown streets occupied by clashes and rallies (§§ 3, 11, 14, 21, 44). These attacks on routine circulation are certainly not the result of a concerted plan by the insurgents; rather, they represent spurious forms of protest with varying degrees of use of force, enacted by groups that do not communicate with each other and probably do not even share the very same political horizon. Yet they have the overall effect of deconstructing habits, challenging automatisms, and reorienting mental maps along with those of the road system, instilling the suspicion that another order for things and people is possible.

We therefore agree that it is crucial to understand the role of violence, apart from moral considerations, examining what forms it takes, what reasons it stems from, what consequences it brings, who exercises it and to what targets it is directed or, perhaps in a more Foucauldian sense, how it circulates, permeates and produces subjects and social relations.

The sociologist goes on:

«Our democratic system lacks genuine opportunities for participation in collective decision-making and expression of dissent. When discontent and anger build up, if there are no legitimate channels to articulate them, violence seems to be a necessary outcome. I don't like the destruction of Santiago, but I think it is very hard to sepa-

rate this kind of process from violence. Besides, Chile was a violent country even before the street riots».

To my appeal for clarification, the interviewee replies: «There are many forms of violence: for example, there is that of the oppressors and that of the oppressed. The oppressed sometimes turn it against their oppressors, often against members of their own group, and even against themselves. But, well before 2019, the country was permeated by epistemic violence».

Epistemic violence is a topic dear to me, and to which I dedicated my doctoral research. For those unfamiliar with this concept, I will try to outline its meaning. Armed force is not enough to maintain a system of power. An epistemic work is also needed, that which allows dominant to give their own narrative and classifications of reality the status of truth. Thus, those who live in a condition of oppression often have no other categories for thinking about the world and themselves but those molded by the ruling class⁴⁰. Those who, in conditions of cultural asymmetry and social disadvantage, are the recipients of such narratives, end up convincing themselves that they are indeed inferior, guilty and even repulsive. An example is the woman who, psychologically submissive to patriarchal morality, believes that her duty is to serve her husband devotedly, obey his will and meekly accept the beatings when she isn't able or doesn't wish to please him. Or another example is the slave who, despite suffering the abuse of his master, does not conceive of the possibility of rebellion because he accepts the way he is treated as natural, necessary and even fair. It should be noted that epistemic violence possesses a paradoxical trait: it is exercised with the consent of those who suffer it. If violence is commonly understood as an action against the subject's will, epistemic violence attacks the will itself: the epistemically violated subject wills against its own interest⁴¹.

40. Paulo Freire dealt with these issues with passionate precision in *Pedagogy of the Oppressed* (New York, Herder & Herder, 1970), written during his exile in Chile at the end of the 1960s.

41. Clelia BARTOLI, *La teoria della subaltermità e il caso dei dalit in India*, Soveria Mannelli (CZ), Rubbettino, 2008.

I then prick up my ears to listen to Ricardo, who advances in his reasoning by telling about himself:

«I think I have felt epistemic domination since I was a child. I remember that when I was 16 or 17 years old, what the teachers, the media and society in general considered normal, I experienced as harassment. However, I was incapable of sharing this discomfort and suffered it in solitude. So, I ended up becoming violent myself. I was violent, for example, in the way I stated my point of view in conversations, I imposed myself on my interlocutors, as if I wanted to attack them. As time went by, I could share this discomfort in a more communal sphere. But it wasn't until 2019 that, for the first time, I didn't stand alone with this feeling of violence. During the uprising, I finally felt I was a part of something».

As I hear this confession in a sense, I am reminded of the many activists who have told me they have had a similar political epiphany: discovering they are not alone in their distress and action.

However, I also think that the joyful revelation of being «many and powerful» or «powerful by being many» does not in itself provide any guarantee of the rightness of the end and means of struggle. The image of a mass rising up against authoritarian burdens easily generates sympathy and can lead one to think that an uprising, insofar as it comes from below, is naturally on the side of the just. But the fact that something happens “by the will of the people” doesn't seem to me to be enough to deserve approval. I think, for example, of how much social anger has been poured out and, I dare say, wasted, on scapegoats who, not only were not at all guilty of the evils attributed to them, but who ended up diverting attention from the real causes and the real culprits of the common discontent.

I then ask what can be considered a trait of maturity of the Chilean uprising. With a mix of scholarly and militant attitudes, Ricardo replies:

«A crucial point, in my opinion, is not to personalize the conflict: we must look at public figures as symbolic actors of something that goes beyond them. For example, it's a mistake to think Piñera as the sole problem. I was afraid that, if that happened, we would lose. Instead, it seems to me that a great success of this movement has

been that it has not succumbed to a total personification of the conflict, understanding that the real problem is in the structures. It's unusual; people don't always fight against structures».

I ask my interlocutor if, on the other hand, he sees some gap in the street constituent process that is the subject of his participant observation. The reply comes quickly and without hesitation: «I think we need to overcome methodological nationalism. What is happening here is not just about this country. Recently, important protest movements have emerged in Colombia, Cuba, in several other Latin American states and around the world. Macro-phenomena, such as the decline of monarchies, are never confined to a single nation. Since they are the result of complex and widespread dynamics, they expand across very large geographical areas». I fully agree with what I just heard, the main claims of the Chilean uprising, such as overcoming the neoliberal model, the environmental issue, the fight against patriarchy or the recognition of indigenous peoples, are not peculiar to Chile indeed.

Concluding his thoughts, Ricardo takes on the tone of a prophet: «The constitutional process we are witnessing transcends not only institutions and official politics, but also national territory. I have an inkling that we have reached an impasse which we can only surpass by broadening our vision. While I'm not able to prove it, I'm fairly certain that the whole world is in the midst of a constitutional phase. But perhaps I'm exaggerating».

173

66. Political equinox

Just before sunrise on 4 July 2021, Mapuche, Aymara, and Quechua delegates, wearing traditional clothing and ornaments, are preparing different spaces in downtown Santiago in order to perform ancestral ceremonies. They believe that the coming day calls for a propitiatory ritual. Just as the equinox is celebrated every year for heralding a new cycle of nature, the inauguration of the constituent assembly needs to be celebrated as the launch of a new political cycle. The Mapuche ritual is officiated by Francisca Linconao, who has been elected to one of the constituent's reserved seats.

Linconao deserves a follow-up. She was born 63 years ago in Araucanía, one of the southern regions most affected by the conflicts between the indigenous peoples and the corporations that extract profit from the lands sacred to the Mapuche (§§ 16, 54). When she was still a child, her community recognized in her the signs of a *machi*: the gender fluid ancestral authority, capable, according to tradition, of healing bodily and spiritual suffering through the use of natural remedies and mediumistic faculties.

On a Monday in September 2008, the *machi* Francisca had an inauspicious awakening, brought about by the growl of chainsaws mowing down the centuries-old forest on Rahue Hill. Both the holy places for the celebration of community rites and the ingredients necessary for the preparation of herbal medications are found there. The loggers were under the employment of Palermo Ltd. In short, this company replaced the biodiverse native forest with monocultures of allogenic trees; polluted water sources; and catalyzed the extinction of a microflora unique to that area, which is used in the healers' phytotherapeutic formulations, thus destroying certain traditional medicine practices.

Francisca Linconao, supported by a large indigenous ecological movement, took the case to court. The Temuco tribunal decided in her favor, applying, for the first time, the Law for the respect of indigenous territories and cultures⁴². After this resounding legal victory, Linconao was twice brought to trial, and even imprisoned on charges of incitement and illegal possession of weapons. Both processes established the *machi's* innocence. During the hearings, a suspicion arose: the accusations may have been fabricated by corporations fearing that the judicial precedent set by the "Linconao vs. Soc. Palermo Ltd" case could threaten their uncontrolled domination over ancestral territories⁴³.

But let's return to the early hours of the first Sunday in July 2021. Along with shamanic rites, other ceremo-

42. Juan J. FAUNDES, *Primera sentencia que aplica el Convenio n° 169 de la Oit [Organización Internacional del Trabajo sobre Pueblos Indígenas y Tribales] en Chile. Derecho a vivir en un medio ambiente libre de contaminación comprende el concepto de territorio, hábitat y protección de la cultura de los pueblos indígenas*, «Revista chilena de derecho y ciencia política», año 1, número 1, 2010, pp. 97-113, www.corteidh.or.cr/tablas/r38466.pdf.

43. Frontline Defenders, *Criminalisation of Machi Francisca Linconao*, (2018), bit.ly/3KZUdWQ.

nies are taking place. In Plaza Baquedano, aka Plaza de la Dignidad, the constituents of the *Lista del Pueblo* pronounce a solemn oath of loyalty to the people before a crowd of their supporters. In the same square, members of the Communist Party and other parties of the *Lista Apruebo Dignidad* gather. In front of the Moneda building, activists and constituents of the Socialist Party pay homage to the Allende statue. After the various ceremonies, the Convention members make their way to the former congress building, where the inauguration of the assembly and its chair will take place.

It is set to start at 10 a.m. Coordinating the historic day is Carmen Gloria Valladares, a senior official of the Superior Electoral Court. She is a mature, slender woman of understated elegance, clearly of European descent. She attended the British College, among the most exclusive schools in her hometown of Antofagasta, then she obtained a law degree at the Pontifical University of Chile, later specializing in constitutional law. In short, she is a true *cuica*. In Chilean slang, “*cuicos*” are people of high rank, who can boast of descending from the “right” kind of ancestors (meaning not indigenous) and of having undertaken first-rate studies in private institutions that will guarantee them excellent professions and high salaries.

The youth orchestra plays the national anthem as Valladares is about to kick off the protocol established for the solemn civil liturgy. But there is a disturbance among the constituents.

The reason for the disturbance lies beyond the barriers that protect the red zone. There, the social movements connected to the People’s List, along with eye trauma victims’ associations and relatives of detained militants, have organized a march to the constituent headquarters, in order to denounce State violence perpetrated during the riots in recent months. The demonstrators arrive at the barriers and stop in front of the police cordons protecting the area. Scuffles break out. The *Primera línea*, armed with sticks and stones, attacks the *carabineros* in anti-riot gear. At the beginning, the police officers retreat, but soon armored vehicles firing tear gas and powerful jets of caustic soda arrive, making the demonstrators fall back.

News of the clash quickly reaches the constituents.

Some of them, those more politically aligned with the demonstrators, declare that they will not proceed with the ceremony until the police oppression ceases. Others complain about the recklessness of the protesters and the indiscipline of their colleagues.

Elsa Labraña, an eco-feminist elected in the Pueblo List, rushes to Valladares, brandishing a photo of José Miguel Uribe, a young man killed during one of the protests. Labraña comes threateningly close to her, and in a rather rough manner she addresses Valladares by her first name, demanding that the ceremony be cut off. Other representatives raise their voices and besiege the coordination table. For three long hours, the master of ceremonies listens, reasons and negotiates politely, maintaining her calm and institutional decorum. Finally, the situation is sorted out both outside and inside the building, when Valladares can finally announce: «An agreement has been reached, in the sense that there has been no repression, no arrests and no injuries».

176

Finally, the assembly is ready to elect the presidency. Valladares explains that an absolute majority is required, so the vote will be repeated until a candidate reaches half plus one of the preferences. On the first ballot there are four favorites: three women and one man. On the second ballot, with almost two thirds of the votes, Elisa Loncón is elected. She is a Mapuche linguistics scholar as well as an activist for human rights and environmental, with a particular focus toward indigenous people, women and all who are oppressed⁴⁴.

Loncón asks the *machi* Francisca Linconao to stand beside her during her speech. Linconao approaches her holding a bundle of leaves for blessings. Elisa Loncón begins her speech with regards and thanks in mapundungun. It is significant that the constituent assembly opens with an indigenous language that is near-extinct due to the assimilationist, discriminatory and oppressive policies that have traversed the history of Chile (§§ 16, 54). Loncón then continues in Spanish:

44. Constitutionalist Jaime Bassa was elected vice-president. He, with Fernando Atria, was one of the main scholar supporters of the «Agreement for social peace and the new constitution» (§§ 36-38).

«A big greeting to the People of Chile, from the North to Patagonia, from the Sea to the Cordillera, to the Islands, to the entire People of Chile who are listening to us. We are here thanks to the different groups who put their trust and dreams in the call made by the Mapuche People to vote for a Mapuche person, a woman, to change the history of this country. We are very happy for this power that has been given to us. This power is for the whole People of Chile, for all sectors, all regions, all peoples of the native nations that are with us and for their organizations, for sexual diversity, for the women who walked against all systems of domination.

Thanking *todos y todas* [I want to emphasize that] this time we are establishing a new way of being plural, democratic, participatory. This convention that I am presiding over today will transform Chile into a plurinational, intercultural Chile that does not attack the rights of women, of caregivers, into a Chile that takes care of mother earth, that keeps its waters clean against all domination. [...]. It is possible, sisters and brothers, *compañeros y compañeras*, to refound Chile [...].»

I watch the video of the *presidenta's* discourse many times in order to jot down every word, then I watch it again several times without audio to better perceive body language. Elisa Loncón and Carmen Gloria Valladares are next to each other. I am taken by the unusual duo. The former wears a silver headdress and *azul* clots, the auspicious color. She is understandably moved by the magnitude of the event; she speaks with a voice that is at times strident, pledging not to forget anyone or anything she holds dear. The latter wears a dark suit and a pearl choker; she doesn't miss one word uttered by the new president, she scrutinizes her from above, tilting her head, since she is about half a head taller. Elisa and Carmen have extraordinarily different personal and family histories, yet they are both women, Chilean, holding important roles, and together they are celebrating a moment that is historic, to say the least.

I wonder what Valladares is feeling. It is not easy to say, not only because of her skill in hiding emotion, which she has amply demonstrated during the stormy day, but because her face is covered by a medical mask. I assume disbelief, disappointment, tenderness. Occasionally I detect a smile.

67. An ending-in-progress

With this account of the bumpy inauguration of the Chilean constituent assembly, I think I can end this essay in which I have attempted to describe the emergence and formation of a collective goal to refound an entire country and its socio-economic system. Yes, this is an ending-in-progress. But I am keen on this epilogue *in fieri* for a couple of reasons: one of method, the other of substance.

First, the investigative technique I have employed is best defined by the phrase «in-progress», rather than in the apparently more concrete expressions of «starting from a plan» or «after the fact». Actually, in the writing of this book, I didn't begin from an already achieved outcome, reconstructing the sequence of events and reasons that led to that known end in reverse. I didn't work as a historian, but rather as an ethnographer who tries to penetrate a shifting social context, investigating the events as they happen before her eyes. This is borne out by the fact that, when I arrived in Chile, I struggled to understand what was happening and I didn't even know what I was going to do with my notes. I tried to follow the ever-diverging roads that the events took me down, each time deciding which aspect to investigate and explore more thoroughly. I collected stories and reflections wandering through the streets, stumbling upon sources, and experiencing both intentional and chance encounters. And while I was following the different paths proposed by those I met and what I discovered, I was trying to give shape to the material collected so instinctually, without having a guiding theory and indeed always having to reformulate whenever one began to emerge. The only fixed points were these: keeping the investigative tension alive, cross-examining perspectives, and formulating hypotheses, while always exposing them to the risk of being contradicted⁴⁵.

The second reason why I think an ending-in-progress is appropriate is related to the content. A constituent assembly with gender equality, composed most of whom are new faces and from grassroots movements, with the presence

45. On the importance of constitutional ethnography see Kim SCHEPPELE, *The Social Lives of Constitutions*, in Paul BLOKKER, Chris THORNHILL (eds.), *Sociological Constitutionalism*, Cambridge, Cambridge University Press, 2017, pp. 35-66.

of representatives of the indigenous peoples, and even the first presidency given to a Mapuche woman, could lead one to conclude that the fruit for which the insurgents yearned has been picked. But indulging in this reassuring conclusion would be the wrong thing to do. The opening day's turmoil signals a social situation that is anything but peaceful. A United Nations study finds that at least 63% of the candidates for the Constituent Convention in Chile have been the target of sexist online hate speech⁴⁶. Also, just days after Elisa Loncón's glorious nomination, Pablo Marchant, a young Mapuche peasant, died under the blows of a task force of *carabineros*. José Antonio Kast, a presidential candidate, with declared sympathies towards the Pinochet regime, was close to being elected.

The surprising composition of the constituent assembly can therefore be understood as an excellent foundation for pursuing the change hoped-for by the proponents of the revolt. Surely, however, it is not a sign that such a transformation has been achieved, nor that it is imminent or guaranteed.

Chile is in progress.

46. ONU Mujeres, *Proyecto mujeres y política en twitter: análisis de discursos violentos candidatas a la Convención Constitucional en Chile*, (Junio 2021), bit.ly/3tZnoDg.

Afterword

Article 1 of a Constitution that will never come into force

Chile is a social and democratic State governed by the rule of law. It is a plurinational, intercultural, regional and ecological State.

It is constituted as a Republic of solidarity. Its democracy is inclusive and based on gender equality. It recognizes dignity, freedom, substantive equality of all human beings, as well as their indissoluble relationship with nature, as intrinsic and inalienable values.

Protection and guarantee of human rights, both in individual and collective terms, are the underpinnings of the State and guide all its activities. It is the duty of the State to generate the indispensable conditions that will provide necessary goods and services in order to ensure people's equal enjoyment of rights and their inclusion in political, economic, social and cultural life for their full development.

181

A few days after finishing editing the final draft of this volume, before delivering it to the publisher I thought it would be wise to wait for the outcome of the plebiscite that would decide whether the text produced by the constitutional assembly would be approved or not. While writing the book, I had imagined that this vote would serve as a democratic ritual honouring the work of the convention. I was so sure of the result that I was planning to use the phrase *From the Uprisings toward a New Constitution* as subtitle for the book. As the campaign unfolded, however, it became more and more evident that this result was not a given. Yet it was difficult to imagine the extent of the rejection. On the 4th September 2022, 62% of voters opted for *rechazo* (rejection). This is truly astounding when one thinks that only two years earlier 80% of voters had expressed the desire for a new constitution (§§ 55, 56). And the result of the plebiscite is even more significant considering that 85% of eligible voters participated, since

on this occasion abstention was to be punished with a considerable fine (§ 63).

When I learned about the plebiscite result, I was in south-eastern Turkey working on a new research project. Both my body and mind were distant from all that. Nevertheless, the news tore me away from what I was doing and plunged me back into the destiny of Chile, to which I felt inevitably bound. I tried to understand what was happening, consulting the various explanations that were emerging from different sides. Some argued that the constituents had gone too far, not taking into account the cautious spirit of Chileans, especially those who had previously abstained from participation and who, compelled to vote, expressed fear and aversion to the kind of country being proposed. It would seem that what frightened the electorate the most was the proposal to make Chile a plurinational State, with greater autonomy and recognition of indigenous peoples. Others believed that an aggressive and tendentious propaganda campaign, backed up by massive funding, had succeeded in generating an irrational fear in large sectors of the population. Others still read the rejection of the text proposed by the constitutional convention as a critique of the Boric government which not only displeased right-wing voters but had greatly disappointed part of the left. Manfred Svensson accused the constituents of adopting a trend very much in vogue in current politics by focusing on the recognition of different identities – ethnic, national, gender – thus turning them into lobbies incapable of giving rise to a united struggle against the matrices of numerous injustices, saying that «no exhaustive pantheon of identities can compensate for the absence of shared symbols».¹

I still feel very far from being able to develop even a barely satisfactory analysis of the reasons for this result, nor am I able to assess the aftermath of the Chilean popular rebellion. But what is certain is that after having experienced these extraordinary times of awakening and turmoil – costing the lives of dozens and provoking trauma and injuries in thousands of people – it is indeed sad

1. Manfred SVENSSON, *Cómo la política identitaria corrompió el proceso constituyente*, «Ciper Académico», (6-9-2022), <https://bit.ly/3S20Omu>.

to think that the movement was not sufficiently tenacious and resilient to be able to enact a new Constitution which, however imperfect in many respects, would certainly have offered a more solid basis to expand existing rights and sanction new ones. However, I believe that it is wrong to argue that September 4, 2022 decrees the failure of the revolt, for at least two reasons.

The first one is that the insurgent movement had begun to weaken well before this date. The pandemic was an exceptional circumstance as well as a useful pretext to tame the «frenzy of popular vitality» (§ 39) that had disrupted the established order and advanced the demand that it should be replaced. As Sergio Grez (§ 36) reiterates, one could even trace the fading of the forces of revolt back to as early as the month after the uprisings began. *The Agreement for Social Peace and the New Constitution* of November 15, 2019 had the immediate effect of damping down the conflict, placing the constituent power claimed by the insurgents under the aegis of the constituted powers in move that prevented the uprising from evolving into a full-blown revolution (§§ 36-38).

I believe that the constitution-making process, paradoxically, had an effect of restoration. During the six months when the revolt was at its height, from people jumping ticket barriers to the first lockdown, social disorder had opened up unprecedented forms of grassroots organization. Countless initiatives became platforms for experimenting with horizontal relations and direct democracy, without leaders or headquarters. The process of popular self-education that was spontaneously occurring was giving rise to ideas that were as boldly path-breaking as they were anchored in and accountable to that reality. Against this backdrop, the election of the constitutional convention members, although most of the candidates did not belong to any party (§§ 59, 61), brought about the return of the old political game, the relations and modalities of which belonged to the previous order. Institutionalization, though in some respects necessary, had the effect of extinguishing and betraying the energies born from the *estallido social*, adapting them to the old horizon. I don't deny here that approval of the Constitution would have brought about what in my view would be a desirable shift

in various norms, but it would in no way have renewed the modality of producing rules and principles.

Therefore, while on one hand I would agree that the insurgency's defeat occurred not on September 4, 2022 but much earlier, on the other hand I still believe that the revolt nonetheless succeeded in generating long-lasting effects. No restoration is ever fully a return to the previous state of things. An experience that was collectively so widespread and individually so intense has had the effect of irrevocably troubling the system, such that attempts to restore it will now have to be made on a different basis. It is certainly true that the uproar unleashed by the insurgency has attenuated and been muted. But its energy has not been exhausted. Rather, it has become an underground flow that causes, along with other forces, a silent and lasting transformation.

The very fact that Chile rebelled has broadened the spectrum of the possible (§ 44), and when another uprising erupts, whether in Latin America or elsewhere, it will have a broad legacy of visions, practices and relationships to draw upon.

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