South American Childhoods

Neoliberalisation and Children's Rights since the 1990s

Edited by
Ana Vergara del Solar
Valeria Llobet
Maria Letícia Nascimento

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Foreword

The 1990s were a turning point in the history of children and young people in Latin America. The decade saw the end of the social integration models that were tried out heterogeneously in various countries of the region between the 1950s and 1970s but eroded in the 1980s by the increase in external debt. At the same time, studies on childhood and youth began to flourish in the academic sphere during this period. The reasons for these developments converge. Neoliberal- inspired reforms of the state in different countries of the region, together with the adoption of the Convention on the Rights of the Child in 1990 and its ratification by various governments, shaped discourses, public policies, and social programmes. The scenario of expanded financial capitalism and social inequalities, by giving greater visibility to the issue of childhood, favoured research from historical, cultural, and social perspectives. The generational question, from whatever reading angle it was approached, became increasingly relevant in the humanities and social science disciplines, largely due to perceptions of the imminent close of what Eric Hosbawm called "the short twentieth century". Questions about the political performativity of the knowledge about childhood produced in the field of academic research remain open (Carli, 2017).

A historical perspective is essential to analyse the relationship between neoliberalism and childhood. Studies on neoliberalism allow recognition of two historical presents. The first of these is the decade under analysis, whose imprint came early or was delayed according to the country,

depending on whether the cycle of military dictatorships that swept through the region in the 1970s—and to which the origins of neoliberal economic programmes can be traced—came to a complete or partial end, or continued under new forms in the framework of democratic governments, with country-specific differences. With the global protagonism of international and financial organisations, the rise of managerial literature invaded the language of state governance (Bolstanski & Chiapello, 2002).

The second moment corresponds to the close of a cycle of progressive governments, and the rise to power (or return in some cases, such as Chile) of governments that express themselves as standard-bearers of neoliberal programmes, inscribed in the global rise of the new Right. Neoliberalism begins to be analysed as a "new world reason", one that penetrates subjectivities (Laval & Dardot, 2013).

However, history is never linear and time crises occur (Hartog, 2003) that trigger discontinuities in historical processes. They reveal moments in the ascendancy of neoliberal programmes but also setbacks when they are faced by the emergence of resistance movements. Rather, it is interesting to think about the surreptitious forms of neoliberal logic, about its capillarity, in particular, in the field of childhood, and also about the limits faced by post-neoliberal or anti-neoliberal policies in a region like Latin America with its enormous egalitarian promises.

The publication of this book is an invitation to re-examine the historical relationship between childhood and neoliberalism. It takes us on an analytic journey through different stages of Latin America marked by the globalisation of children's rights in neoliberal agendas during the 1990s, their democratisation in the progressive agendas of the late twentieth and early twenty-first centuries and their reversal in new neoliberal agendas in recent years. If a perspective based on the state policies adopted by various governments allows us to recognise that the expansion of the Convention on the Rights of the Child was recently embodied in legislation consistent with progressive governments—in which social groups and university sectors contributed to the approach and content of policies in the framework of debates and struggles around the redistribution of wealth and the rights of broad sectors—it is no less true that the lasting influence of certain state conceptions and logics, and new expertise in the study and management of poverty (Cortez & Kessler, 2013) sometimes contribute to the persistence of a discourse with a technical imprint but bereft of politicity.

The situation of the rights of the child has been the subject of research that introduces historical and critical perspectives in analysing how a supposedly universal and highly affirmative discourse has been installed and appropriated in different regions and areas, and by different agents. A paradigmatic case has been the study of child labour in Latin America. Controversies between abolitionist positions and those seeking regulation are present in the academic field, with the emphasis on advances in prevention (Macri, 2017). In these pages, Zuker and Rausky analyse the tensions between the positions on the prohibition of child labour adopted by the ILO and shared by UNICEF, and interpretations of the phenomenon in studies on childhood from a decolonial perspective, which reveal that child labour sometimes obeys community and family logics that, combined with school experiences, make prohibition problematic and unsuccessful. Undoubtedly, this research raises concerns over the tension between a discourse with claims of universality and the social and cultural particularities of Latin America. Nevertheless, they also invite us to focus on state capacities and strategies for regulating child labour in a region in which processes of child exploitation are deepening that go back to pre-modern times and different forms of de-schooling.

In the judicial sphere also, where legislations now recognise children and young people as subjects of law and their right to be heard, after strong criticism of juvenile justice the advance of a language of rights is in evidence, hand-in-hand with new stereotypes whose impact is to deny the very rights pronounced. The action of judges in the administration of juvenile justice has revealed the pre-existence of value judgements (Guemureman, 2010). In this book, Villalta, who has long experience in this field of legal anthropology, identifies in Argentina the figures present in judicial spaces: the child as victim and the child as contaminated by his parents, which trace the dilemmas at stake in listening to the children's voice. The much-discussed asymmetry of the relationship between adults and children is constitutive, as Silvia Bleichmar argued, although in judicial spaces it is cut across by the always arbitrary, political, and subjective interpretation of the rights of the child by judges and other judicial operators.

However, perhaps it is in early childhood policies, due to their later emergence on the neoliberal programme's agenda, which traces of discourses from different historical moments are recognisable. In the case of Colombia, Amador situates the combination of the rights of the child, child development, and investment in early childhood in a common

discursive horizon, as part of a governmental rationality, with a strong input by international organisations, old state social provision institutions, and third sector organisations. Yet, this rationality deepens inequality and exclusion in that children's rights are no longer guaranteed by comprehensive policies aimed at greater social equality, but instead legitimise segmented and outsourced interventions.

In the education sphere, neoliberal policy inroads have been profound. On the one hand, the educational reforms of the 1990s have displaced the idea of equality that inspired the expansion of modern educational systems in pursuit of equity; have accentuated the differences and inequalities between the state sector and the private sector; expanded the transfer of resources from the first to the second; and deepened segmentation and fragmentation. Nevertheless, they have also installed an economic management perspective that makes evaluation of performance and the incorporation of technologies the panacea of the future and, above all, seeks to displace educators (Puiggrós, 2017). The response of social groups and pedagogical movements has been to deepen emphasis on the right to education, which, in tandem with the rights of the child, has led to a critical review of the democratic nature of existing educational practices. In secondary schools, these neoliberal reforms have exacerbated the deterioration of state institutions and triggered the emergence of youth resistance movements that express their demands and defend their rights in the public sphere.

If neoliberal policies gave rise to true social laboratories in the 1990s (Carli, 2006), their critical manifestations have not been immediate, but they unfailingly emerge. A paradigmatic case has been Chile. In this book, Guerrero Morales analyses the educational policies implemented from the 1980s to the present, which led to a reform characterised by municipalisation, a voucher system, and investment in schools as a business. It analyses the part played by these policies in the weakening of the educational bond between teachers and students as the former were converted into service providers and the latter into clients, a development that would not only impede child agency but also identification with educators.

The extension of compulsory secondary school attendance in different legislations has not eliminated the problems of dropout, over-age, and lack of completion of studies, leading in many cases to the design of specific programmes to deal with these problems. Using a biographical approach, Cavagnoud studies in Peru experiences of secondary school teenage dropout, caused by breakdowns or prolonged deterioration of

the relationship with the educational institution. She proposes thinking of dropout as a multicausal phenomenon and suggests that to understand it the stories of young people should be listened to and attention paid to the deterioration in the quality of educational institutions and experiences. Rabello de Castro, who has previously studied child and youth consumption in Brazil, and Tavares analyse here how the deterioration of state educational services for the poorest populations has led to student discontent, the emergence of a youth discourse and the politicisation of intergenerational relationships on the public stage. The mobilisation of poor secondary school youth seems to indicate new antagonisms. If the politicisation of university students from urban elites emerged in the 1970s at the height of military dictatorship, in the twenty-first century the politicisation of secondary school students occurs in the poorest sectors but in the context of democratic governments with progressive agendas and the expansion of rights.

Perhaps the phenomenon of migration expresses most dramatically the deterioration of the forms of subsistence and minimal well-being of families. Phenomena such as armed violence, agribusiness, or drug trafficking, and more broadly poverty, cause the forced displacement of men and women, but also of children and young people. Studies on borders have developed significantly with the experience of globalisation, accentuating the question of their porosity and cultural crossings, but also power struggles, stigmas, and new nationalisms (Grimson, 2012). Today, global migrations call for complex scrutiny that takes account of the forms of the multiplication of work and the deterioration of shared citizenship, and for more work on cultural translation (Mezzadra & Neilson, 2016). In this book, Uriarte looks at a new phenomenon, the settlement in Uruguay of female migrants from non-adjacent countries and female work. She analyses the difficulties these migrants face in bringing up and educating their children, leading to the children being returned to their countries of origin to be cared for by relatives. She pioneers a thesis about transnational childhoods as a new historical variant of children's cross-border experience, which requires attending to the dimensions of class, gender, and race, but also to territorial anchoring and/or displacement. In Herrera Mosquera's and Pérez Martínez's chapter, the migration experience of Venezuelan children is analysed paying attention to the issue of the voice and child agency. In that sense, their chapter "make visible a migration experience crossed by structural inequalities and poverty, as well as the lack of public networks of social protection".

Recurring economic crises in different countries of the region within the framework of global financial capitalism have spurred migrations in recent decades motivated by neoliberal adjustment policies—during the cycle of progressive governments, attempts were made to reverse these with economic policies but also with protective legislation. In this book, Unda Lara and Llanos Erazo analyse the migration of families from Ecuador to Spain towards the end of the 1990s, which, unlike migrations in earlier periods, were marked by an expulsion policy and the loss of basic rights for broad sectors. The authors focus on the experience of boys, girls, and adolescents, based on their testimonies, to problematise the interactions of the micro-social and subjective frameworks. The infringement of their rights emerges in family dilemmas between staying in the country of origin despite more precarious conditions or aspiring to a new life.

In summary, this book offers a series of valuable studies exploring the complex, unstable, and conflictive relationship between childhood and neoliberalism in the southern continent of Latin America. Although some features can be recognised that are specific to nations, common elements are identified that, with some temporal variations in relation to the different governments, indicate the regressive and expulsive features shared by neoliberal agendas in the sphere of social rights in general, and those of children and adolescents in particular. If progressive governments have advanced in the content and design of public policies aimed at correcting the flagrant social inequalities that affect the lives of the most vulnerable sectors, attention should be paid to the persistence, sometimes invisible or naturalised, of neoliberal conceptions and logics. There is urgent need, also, to explore global trends in child and youth experiences and in the actions of institutions and agents, in order to recognise both the fulfilment of children's rights and their denial under the rhetoric of universalistic discourses. The aim is to strengthen public intervention and debate on the present and future of children and adolescents in Latin America.

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xii   FOREWORD

university student experience during the 60s and the outbreak of the Argentine´s 69. Juvenile emergence and feminine biographies" in History of Education & Children's Literature (2019, vol. XIV pp. 97–97) and the chapter "The question of childhood in democracy (1983–2015). Between the restitution of rights and the struggles against social inequalities" (Editorial Galerna, 2019, in press). She directs the UBACYT project "The borders of the public university. Institutions, identities, and knowledge".

PRAISE FOR *SOUTH AMERICAN CHILDHOODS*

"Children do not belong to another species, nor do they live in another world. On the contrary, they share risks and advantages with other human beings at the same historical moment. This book looks at South American childhoods starting from analysis of the social, political, and economic structures of the last thirty years, providing a great contribution for the study of children's lives traversed by structural conditions, be it on some or on other continents."

—Lourdes Gaitán, *Founding Member of Sociology of Childhood and Adolescence Group (GSIA) and Co-Director of* Sociedad e Infancias, Spain

"This book represents a landmark publication in childhood studies. The social study of childhood, based on the recognition of children as social actors with agency, is a field of study that has hitherto been dominated by Western European research and thinking, which sought to challenge the false dichotomy between childhood and adulthood. This volume makes a valuable contribution to this important field of study by applying these perspectives to South American childhoods."

—Adrian L. James, *Emeritus Professor, Applied Social Sciences, University of Sheffield, UK*

"An exciting and significant intervention into childhood studies. The volume at once offers rich, textured, and vivid accounts of processes of neoliberalisation as they shape South American children and childhoods—and their unequal, violent, and punitive effect—at the same time as extending and complicating childhood studies, animated by the rich history of South American socio-cultural approaches to childhood. In the process, contributors offer novel ways of understanding human rights, nation, social reproduction, and generation in neoliberal contexts."

—Rachel Rosen, *Associate Professor of Childhood, UCL Social Research Institute, UK*

"This book seizes new spaces to critique neo-liberalism from the vantage point of Latin American children. This continent experienced devastating swings between authoritarian regimes and the authors describe superbly the impacts on children on such crucial issues as child labour, migration, and children out of school. Children are often omitted from the Latin American political analyses. This book, with great skill and insight, gets them back into the picture."

—Irene Rizzini, *Professor, Catholic University of Rio de Janeiro and President of the International Center for Research and Policy on Childhood (CIESPI), Brazil*

Contents

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South American Childhoods Since the 1990s: Between Neoliberalisation and the Expansion of Rights—An Introduction

*Ana Vergara del Solar, Valeria Llobet,
and Maria Letícia Nascimento*

The book we present is concerned with the situation of childhood after the 1990s in South America, a period and territory of special sociological complexity. First, because it was a decade that saw the start, or the intensification, of processes of economic and political neoliberalisation, depending on the country in question. Second, it was the decade in which

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all the countries of the region ratified the International Convention on the Rights of the Child (henceforth, the CRC). Third, post-dictatorial processes of political and social democratisation were underway. The interlocking of these three processes gave rise to a paradoxical situation, one that is especially characteristic of South America. As states in the region, characterised by predominantly authoritarian practices, increasingly discarded responsibility for social welfare and embarked on processes of political and social democratisation, they found themselves required to become guarantors of the social rights of children, as well as of their rights to protection and participation. This juxtaposition has generated tensions between logics and processes that have dissimilar orientations. It is these tensions that we are interested in exploring in this book.

Thus, we found it necessary to examine in depth the local processes of institutionalisation and vernacularisation of rights (Engle Merry, 2003) that unfolded from the 1990s onwards, as a phenomenon contemporaneous with the state reforms promoted by the Washington Consensus. The latter was formulated in 1989 by the British economist John Williamson as "What Washington means by policy reforms"; it codified the economic liberalisation policies promoted by international financial institutions (the IMF, the World Bank and others) and North American state bodies, in relation to the governments of Latin America and other developing countries (Ocampo, 2005).

In addition, since the 1990s legal and institutional reforms have been introduced that have modified some of the most enshrined state practices regarding childhood and the family, despite the reforms' hybrid and incomplete nature. Amendments of the Civil Codes, and laws that alter parental authority and redefine family or marriage, are examples. Activists and professionals in the field of childhood have also questioned the de-contextualisation and typically overbearing nature of the unrestricted plans promoted by international organisations to eradicate child labour and universalise schooling (Liebel, 2016).

One consequence of economic neoliberalisation of the economy was the generation of fluctuations between large increases of inequalities and moments of their decline that at best returned to the rates of the 1970s. In fact, although in some countries of the region absolute poverty has decreased, in most the socioeconomic gaps between adults and children and among children themselves have deepened, accounting for setbacks in the exercise of rights and in what has been called the "generational welfare imbalance" (CEPAL, 2013). At the same time, education and

health care have been segmented into public and private systems, while families have been assigned responsibility as the main, and practically exclusive, guarantors of their children's welfare. This was a result of state reforms that were a condition for the granting of loans by Northern countries and financing agencies to Southern countries under the Washington Consensus programme referred to above, and in the context of the external debt crisis experienced cyclically since the 1970s (Bidaurratzga, 2019).

In this way, implementation of the CRC has been hampered by a confrontation between a universalistic approach to rights and states with diminished capacity to provide such rights. At the same time, their very universality has been pointed out as another source of injustice when promoted in contexts of racial, cultural, gender and class inequalities. For this reason, the emergence of a "universal child" or a "child subject of rights" creates a disputed territory about politics and moral governance (Fonseca & Cardarello, 2005; LLobet, 2009).

One of the singularities that characterises South America is the complex combination between egalitarian aspirations for social transformation and social processes that deepen inequalities. Given the above, childhood studies will have to answer specific questions; one of the most significant of which will be whether this context supports the notion of the special nature of childhood in South America. The ideas of cultural, social and institutional modernisation—that dominated the twentieth century and underlie neoliberal reforms in particular ways—have had in childhood a platform for legitimation and political mobilisation (Carli, 2002; Milanich, 2012; Schuch, 2012). Thus, the "modernising" and "civilising" judicial reforms focused on, or started from, the problematised treatment of children from poor families in South American countries; the forms of treatment and regulation of boys and girls were considered harmful legacies of an authoritarian and conservative past (Schuch, 2012; Villalta, 2005).

Yet an excessive emphasis on the particularity of South American childhood can lead us to ignore the influence of global processes. Both aspects should therefore be combined by exploring the "duality of similarities and differences" that exists between South American realities and global processes (Hall, 1992).

Coincidentally, one of the main challenges currently facing European and North American childhood studies involves the need to know about

realities that are beyond their initial geographical horizons. In particular, various authors have emphasised the importance of understanding contemporary realities of childhood in the "majority world" (Punch, 2003) or in the "global South", including South American countries—in other words, in those countries and regions whose knowledge production is typically hidden from sight by the geopolitics of knowledge and the "coloniality of knowing" (Mohanty, 1988; Rabello de Castro, 2019). While recognising the knowledge related to South America produced by European or American authors, in this book we think it is important to increase the visibility of knowledge generated by researchers born or resident in the region.

For all these reasons, we believe that research produced in South America about the period following the 1990s deserves wider circulation, especially those analyses that link processes of neoliberalisation to the exercise of rights and the reforms needed to guarantee them. Although there are local studies on the topic in countries such as Argentina (Barna, 2013; Grinberg, 2013; LLobet, 2009; Magistris, 2013; Villalta, 2011) and Brazil (Fonseca, 1999; Scheinvar, 2010; Schuch, 2009), putting these debates into a regional perspective is an outstanding debt that we seek to settle in part with this volume.

Neoliberalisation Processes in the Region: Their Heterogeneous and Instrumental Character

As we mentioned already, beginning in the 1990s neoliberalism sank ever deeper roots in South America. The term neoliberalism is normally used in at least two senses. The first refers to neoliberal doctrine as a body of theory.[1] The second refers to processes of neoliberalisation, or the specific historical processes aimed at implementing a neoliberal model in particular contexts. This is the sense in which the term is used in this book.

It must be noted that a complex and non-linear relationship exists between neoliberal theory and neoliberalisation processes. The latter should be considered "impure", dynamic and contingent; interpretations that view them as static and homogeneous should be avoided for several reasons. First, because the neoliberal proposals in our region have allowed the development of economic monopolies and processes of financial concentration; in addition, different types of state subsidy to large private companies have been sustained over time, and in moments of

crisis, state support has been provided for financial institutions. These are all phenomena that contradict the theoretical postulates of neoliberalism formulated in the abstract. Moreover, the cycles of neoliberal governments in the region have been accompanied by restriction of freedoms (such as freedom of expression, for example), which also contradicts neoliberal theory (Harvey, 2005).

Indeed, to varying degrees and in different forms, democratically elected South American governments have maintained the disciplinary role of the police and armed forces in the control of social protest and social movements (Borón, 2003), practices inherited from the dictatorships and from long before. In general, most countries have seen that social movements related to care of the environment and land tenure of indigenous peoples have been systematically repressed, while other movements and protests have been subject to more contingent dynamics (Delamata, 2019; Svampa, 2019). Likewise, the processes of economic concentration have implied that the media have increasingly become part of the economic groups, as they have turned into dominant communications holding companies (Becerra & Wagner, 2018).

Thus, the pragmatic nature of neoliberalisation processes must be emphasised (Grugel & Riggirozzi, 2009; Harvey, 2005), in that practices and consequences that flout neoliberal theory are admissible to the extent that they serve the interest of a much broader class project aimed at renewing the foundations of capitalism.

Second, the complexity of neoliberalisation processes is also shown by its negative consequences, particularly in a South America characterised by a dependent position in the global economy. Thus, environmental destruction; de-industrialisation; high inequality combined with wealth concentration phenomena; foreign exchange flight; the impoverishment of broad sectors of the population in addition to the deterioration and increased cost of basic services, among other problems, are complex consequences of the concrete processes of neoliberalisation in our countries. These consequences show the limits and the real effects of the so-called "neoliberal utopia" (Vergara, 2005).

In this sense, rather than as failures of the neoliberal model, the contradictions and unanticipated effects mentioned must be understood as inherent in its structure. Such a model, then, consists of a theoretical utopia that functions as a system for justifying and legitimating a project that seeks in fact to restore the power of economic elites (both local and global) around the world. It also resets the conditions for capital

accumulation and depoliticises society to avoid social resistance to the transformations underway (Clarke, 2005; Cypher, 2004; Harvey, 2005; Saad-Filho & Johnston, 2005; Taylor, 2006).

Third, the complexity of neoliberalisation processes also manifests itself in the fact that, in South America, we are not dealing with a single, compact package of measures that has been applied on a single occasion and with a definitive impact. The countries of the region have experienced different speeds of change, in addition to partial applications of the measures. They speak to political cultures—of both the elites and popular sectors—that support and resist them in complex ways (Kingstone, 2018).

Broadly speaking, the tension between "internally" and "externally oriented" development models (Salazar et al., 1999) has been present since the 1930s. Indeed, starting in that decade, the countries of South America experienced what was generally called the "end of the liberal era" or the "crisis of oligarchic governments", a period that had been characterised by an extreme concentration of economic and political power in one minority sector, and a development model based on free trade and the export of raw materials (Grugel & Riggirozzi, 2009; Salazar, et al., 1999).

The so-called "national-popular states" or "social states" emerged as a response to this crisis, with developmental, nationalist and relatively democratising perspectives whose materialisation varied from country to country. Their general orientation was to reduce external dependence through the protection of internal markets and achieve import substitution by means of the export of agricultural products or local industrialisation. At the same time, the state was viewed as an engine of development, aimed at promoting industry and sustaining state enterprises in strategic areas, as well as relatively universal public services and social policies.

The social states or national-popular states looked towards Europe and the United States, but they were not merely a "version" of Keynesian developments or the New Deal. As much literature on the history of the state in Latin America came to recognise, these were local arrangements whose origins are linked to the specific conflicts, the preceding institutional fabric and peculiar forms of the "social question" in each country at the beginning of the twentieth century (O'Donnell, 1993, 2004). Indeed, while in the countries of the Southern Cone (Argentina, Chile, Paraguay and Uruguay) the "social question" emerged as a consequence of massive immigration and accelerated and poorly planned

urbanisation due also to migration from rural areas (Bohoslavsky, 2014; Suriano, 2000), in the Andean countries (Bolivia, Colombia, Ecuador and Venezuela) rurality, political citizenship and the social integration of "Indianness" persisted as specific problems throughout the twentieth century. In Brazil, for its part, the progressive visibility and regulation of Afro-descendants and indigenous people dominated the "tutelary power" of the state and configured a eugenic agenda that regulated the exclusion from citizenship of former slaves (De Souza Lima, 2002). At the same time, in cities like Rio de Janeiro and São Paulo, processes of immigration and urban growth took place that were like those that occurred in the Southern Cone (Matos, 2012; Patarra, 2003). This makes it impossible to analyse each national process as if it were simply the "end" of the oligarchic state.

The responses to these local dilemmas, in the interwar context, resulted in the deployment of state bureaucracies in national territories that were still in dispute, as well as the growth of domestic markets and state and private employment. Educational and public health systems expanded both geographically and to new sectors of the population, labour legislation was reinforced and the state's role established as a mediator in the capital-labour relationship. In the Southern Cone countries especially, these state processes allowed the emergence of a substantial and influential middle class, revealing inequality rates that were much lower than the Latin American average. However, the levels of industrialisation in the countries of the area during the post-Second World War period were insufficient, and the preservation of regressive tax structures made an effective redistribution of national income unfeasible, apart from their role in fiscal crises derived from the significant increase in social expenditure.

These factors, added to the increase in political pressure on the states by elites, popular sectors and political actors from the right and left, led to what has been called the "crisis of the social or national-popular states" in the 1960s and 1970s (Silva, 2009). This took place in the context of the intensification of social mobilisations at a global level, of the Cold War and the added pressure of the United States. The latter had tolerated, not without contradictions, the previous development projects, but it considered the new political situation of Latin American countries to be a threat, particularly after the Cuban Revolution of 1959. Despite the existence of democratic alternatives to resolve these crises (Hinkelammert, 2001), civil-military dictatorships were implanted in the region with United States support. This was the case of Argentina (1976–1983),