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Workers' Factory Takeovers and the Programme for Self-Managed Work: Towards an 'Institutionalisation' of Radical Forms of Non-Governmental Public Action in Argentina

Ana C Dinerstein

LSE

www.lse.ac.uk/ngpa
tel +44 (0)20 7955 7205
fax +44 (0)20 7955 6039
email ngpa@lse.ac.uk

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Non-Governmental Public Action Programme
c/o The Centre for Civil Society
Department of Social Policy
London School of Economics and Political Science
Houghton Street
London WC2A 2AE

Tel: +44 (0)20 7955 7205/6527 Fax: +44 (0)20 7955 6038 Email: ngpa@lse.ac.uk

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Contents

Introduction.....	6
1) Why the <i>Tomas</i> ? Background	13
2) Mapping Out the <i>Tomas</i>	18
3) From Confrontation to Integration: The ' <i>Programa de Trabajo Autogestionado</i> ' (Programme for Self-Managed Work)	28
4) Towards the institutionalisation of radical forms of NGPA?	34
Conclusion.....	37
References	40
Notes	44

Abstract

In the last decade many Argentine enterprises became bankrupt, inspiring thousands of workers to take them over and resume production by forming co-operatives. In 2004, the Programme for Self-Managed Work became the instrument by which the government 'institutionalised' the takeovers, de-politicising the radical aspects of workers' actions in exchange for financial and technical assistance in pursuit of workers' objectives of job preservation and self-managed work. The paper was given at the *Policy & Politics* International Conference 'Reconnecting Policy and Politics', 6-7 July 2006 - Bristol. The paper presents (i) preliminary findings from ongoing ESRC research project on 'The Movement of the Unemployed in Argentina' (RES-155 -25-0007) NGPA, LSE and (ii) findings from a previous research on social mobilisation and policy change in Argentina (2002-03).

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About the Author

Ana C Dinerstein [BA (Hons) Buenos Aires, MA and PhD (Warwick)] is a Lecturer in Political Sociology, Department of Social and Policy Sciences, University of Bath, UK. Her research focuses on the relationship between social and labour movements and state institutions and policy making in Latin America, with a particular focus on the transformation of labour Argentina. (<http://www.bath.ac.uk/soc-pol/staff/profiles/ana-dinerstein.html>) Contact: A.C.Dinerstein@bath.ac.uk.

Introduction

Community responses to the social, political and economic effects of neo-liberal reforms in Latin America during the 1990s have had a dissimilar impact on state institutions and policy making. In many cases, non-governmental public action (NGPA)¹ led to institutional changes such as the creation of new departments, and the implementation of new social programmes aimed at both controlling mobilisation and responding to the needs of the disadvantage sectors of society. As a result, a tendency towards the institutionalisation of what initially was the spontaneous action of social movements began to show. In Argentina, the factory takeovers (*tomas*) and recovery by their workers that took place in the late 1990s and the early part of the first decade of 2000s have been noteworthy among a variety of survival and political strategies by a range of social actors and groupings, which contributed to a renewal in policy making. During the late 1990s, on the verge of a deep economic crisis, many enterprises became bankrupt, or were abandoned by their owners who opted for financial speculation or investing abroad. The financial collapse of December 2001 accelerated the process, as even more factories/enterprises (F/Es) were closed, in many cases overnight, leaving behind unpaid wages and pension contributions, debts and obsolete machinery. This inspired around 8,000 workers from around 170 F/Es to take them over and resume production by forming co-operatives or other forms of self-management mainly in an effort to avoid unemployment, but also as a realisation of the principle of autonomy. Like no other form of collective action, the *tomas* received, from the outset, direct and explicit support from other social movements, but not from the government. Immediately following the crisis in 2002, the authorities sought to dismantle the *tomas* in a clear attempt to re-establish order, control the high degree of social mobilisation unleashed by the crisis and depoliticise them. As a result, workers were simultaneously involved in resisting ejection by the police and in legal procedures about the status of the takeovers and workers' jobs. Later on, under President Weston Kirchner new programmes were launched with the intention to support workers' co-operatives.

The period that followed the crisis of December 2001 inspired the analysis of new social movements and the 'politics from below'. Commentators who studied factory takeovers looked at workers' experience of management, control of the labour process, and new forms of industrial relations within the factories (Deledicque and Moser 2006, Fajn 2006, Fernandez Álvarez 2006, Parra M 2006, Buffa, Pensa and Roitman, 2006; Aiziczon, 2006); politics, resistance and mobilisation strategies (Fajn ed. 2003, Almagro 2006; Martinez, J 2003, Davolos and Perelman 2006), workers' subjectivity (Fajn ed. 2003), and legal and political problems surrounding factory takeovers (Echaide 2004; Gigliani 2003, Martinez and Vocos 2002, Carpintero and Hernández 2002, Antón and Rebón 2006). On the whole, these studies have followed two distinct (sometimes opposing) lines of argument, conceiving of the *tomas* as *either* a survival strategy *or* as a tool for political change.

However, a more careful evaluation of the evidence suggests that the *tomas* have had both a fragmented defensive character (i.e. inspired by the need to preserve jobs) and an expansive political edge. Thus, on the one hand, it is true that the current *tomas* have little in common with the massive factory takeovers that took place in the late 1960s and early 1970s in Argentina and other Latin American countries, such as Chile in 1972 and Peru in 1967. While these had an offensive character, were led by a powerful central labour confederations and were part of a wider plan of resistance or political change,² the current *tomas* have been organised by small groups of workers, who have been either non-unionised or represented and organised by a group of shop-floor representatives at the enterprise level (*comisión interna*), usually in opposition to or despite the union bureaucracy. The rationale behind the *tomas* in the usually small enterprises with obsolete machinery and technology has been the preservation of jobs. They have been patchily organised on the basis of practical needs rather than ideological or political strategies. On the other hand, factory takeovers have also been treated as part of a wider revolutionary strategy, particularly by those close to the political left, as part of what ought to be a wider workers' struggle for the development of co-operative production, political solidarity and autonomy from the state in social policy. The stated

objectives of some leaders within what rapidly emerged as a movement of recovered factories has been to revolutionise the system of employment relations within the factory, industrial relations within the political system, and the relationship between the factory and society.

While these existing studies of factory takeovers are highly relevant, their tendency to project the *tomas* in as either defensive or offensive has prevented a discussion about the ways in which workers' actions and policy making have been shaping one another from the outset. A close investigation of the policies that emerged in the context of crisis enables us to grasp both the ways in which collective action shapes state policies and the new ways through which the state 'filters' social mobilisation and action. The election of President Nestor Kirchner in May 2003 brought about a re-evaluation, by both the government and the social movements (including, above all, by the factory occupants), of their mutual non-engagement. The new administration had managed to revitalise trustworthiness in democratic institutions and the system of political representation. They have done so by what some have viewed as Kirchner's typically Peronist 'top down' strategy of recomposing political control – demobilising social movements by incorporating some of the demands put forward by the participative democratic organisations that followed the crisis of December 2001. Yet, the dismissive view of President Kirchner's policies fails to grasp the considerable policy challenge the proposals of the new administration have given the workers involved in factory takeovers: whether they could be successful in shifting from negative struggles (protests, roadblocks, etc.) to more constructive activity aimed at being recognised as social partners in both the improvement of the economy through better management at the workplace (or neighbourhoods) and the productive engagement with policy makers.

The paper looks at the institutional response to factory takeovers, specifically the programme for Self-Managed Work (*Programa de Trabajo Autogestionado*, PTA) launched by the Employment Department in March 2004. The argument made in the paper is that the PTA has allowed a step forward to be taken towards the institutionalisation of the *tomas*, by which we mean the de-

politicisation of workers' actions *in exchange for* the recognition of their practical aspirations in the form of institutional help for workers to secure financial and technical support in order to pursue their stated objectives of attaining solidarity, autonomy and self-management through factory takeovers and recovery.

The paper falls into four sections. Section I offers a socio-economic background of the process of factory/enterprise takeovers – mass unemployment and the deterioration of labour conditions and social security during the 1990s, lack of adequate policies to support the unemployed and disadvantaged sectors, a deep transformation of hitherto powerful trade unions and their relationship with the state, and the crisis of December 2001, encapsulating both the financial collapse and the ensuing social mobilisation and political changes. Section II maps out the *tomas*, outlining their main features and providing examples and debates around them. Section III examines the political context and policy framework surrounding the emergence of new social and employment programmes, and discusses specifically the *Programa de Trabajo Autogestionado* (Programme for Self-Managed Work), launched by the Ministry of Labour in 2004 to support the *tomas*. The section presents an assessment of the programme by the Ministerio de Trabajo, Empleo y Seguridad Social (MTEySS) and discusses the process of institutionalisation of the *tomas* by means of encouraging the 'culture of work' and solidarity within a context of unemployment, informality and crisis of union representation at the workplace, as well as by incorporating the collective and solidarity principles put forward by workers and supporters into policies rationale, and by penalising speculative activities by businesses in favour of production by workers. The conclusion discusses the ways in which the contested relationship between politics and policy asserts itself in post-neo-liberal Argentina, brought into light by this particular case of NGPA. The rest of the introduction will present the methodology of the research carried out by the author.

The data presented comes from two main sources: the author's ongoing ESRC project 'The Movement of the Unemployed in Argentina' ESRC NGPA, LSE

and previous research carried out by the author in 2002-2003, dealing with popular mobilisation and political change in Argentina following the crisis of December 2001. The data in both research projects is based on qualitative methods, involving in-depth, semi-structured interviews with participants such as leaders and workers from a number of organisations of the unemployed and factory takeovers in Argentina and senior government functionaries involved in the policy making in the areas of labour and social policies. The reliability of information in all cases was assured by avoiding conflicts of interest and concerns over the anonymity of the subjects. Additional information was obtained from official statistics and surveys, as well as published and unpublished sources from the Ministry of Labour, Ministry of Social Development, pamphlets and other publications from social movements. The main objective of the research carried out during 2002 and 2003 was to explore the ways in which new mobilisation strategies and forms of collective action impacted on the state institutions and policy making in Argentina. The research focused on three forms of non-governmental public action (NGPA): the organisations of the unemployed, factory takeovers and neighbourhood assemblies. In addition to a literature review, in-depth interviews and data from material produced by social movements and local and national governments on new social policies and employment programmes, non-academic material produced by these three movements was also used. The research highlighted that during the period following the crisis the relationship between social movements and the state was highly contested: whereas social movements embraced, albeit to different degrees, autonomy, and held a confrontational attitude towards the state, the government relied on repressive methods to control mobilisation. At the time of carrying out the research no specific social programmes had been launched to integrate the demands of the social movements into the policy (or political) agenda (the exception was the plan 'Male and Female Unemployed Heads of Household')

The author's ongoing NGPA ESRC project, which began in 2005, provides an opportunity to explore the impact of factory takeovers on the politics and policy making. Focusing on generating information and deeper understanding of the

organisations of the unemployed in Argentina, it provides unique access to new data on institutional change and allows us to integrate it with previous data on the process of factory takeovers obtained in 2002-2003. Vital to this project are questions relating to the strategic orientation of the organisations of the unemployed aimed at influencing/impacting on and participating in the design and management of social and employment programmes. The questions from this research are naturally extended to factory takeovers, partly because these represent one of the many forms of organisation of the unemployed, but also because the Kirchner administration is challenging the dichotomy between autonomy and engagement with the state, which resulted from the crisis of December 2001, by providing incentives for all unemployed workers' organisations to engage in autonomous, participative productive processes. The new data on policy making in support of factory takeovers allows to explore in detail the tendency towards the institutionalisation of this phenomenon by means of articulating workers' aspirations for autonomy and a constructive engagement with the state.

There are some limitations of the data. Interviews with workers involved in factory takeovers (IMPA and Bruckman) were carried out in May and June 2002, with the intention of mapping out different forms of mobilisation and collective action in the period following the crisis. Interviews with senior civil servants at the Ministry of Labour and Social Development, also carried out during this period, showed that there were no new programmes launched to integrate demands into the political agenda. It was only in March and August 2005 that the interviews with senior civil servants carried out within the framework of the NGPA ESRC project supplied new information about new employment and social programmes, among them the Programme for Self-Managed Work (*Programa de Trabajo Autogestionado*, PTA). Following this, the discussion and data presented here allows an examination of the process of institutionalisation of the *tomas*, and an evaluation of this programme provided by the MTEySS. Yet, further research will be required to investigate the effects of the implementation PTA on the performance and general

development of new co-operatives from the perspective of the workers and their organisations.

1) Why the *Tomas*? Background

Before exploring in detail the *tomas*, it is necessary to examine some of the structural transformations and the political atmosphere that underpinned workers' decision to defend their jobs in this particular way.³ Four of them (inextricably interlocked) are relevant.

The first issue to consider is *mass unemployment and the deterioration of labour conditions and social security during the 1990s*. With the lack of adequate policies (see next point) unemployment was (is) highly risky and puts the unemployed in a very vulnerable position without state protection paving the way to what Castel (1997) has called 'social disaffiliation.' Workers involved in factory takeovers bear in mind the adverse 'external' situation. The core of the neo-liberal reforms was undertaken under the umbrella provided by the dollar-peso parity (convertibility) plan. Tight monetary policies stifled inflation but the reforms fostered destructive labour market conditions. By the second half of the 1990s, unemployment acquired a structural form, increasing from 6 to 18 percent in only four years (1991-1995). These double-digit rates were combined with the flexibilisation and casualisation of labour and the emergence of poverty as a 'new social issue' (Rosanvallon 1995).

The main problem was an explosive combination of unemployment with underemployment and informality. In 1996, 50.8 per cent of the economically active population was underemployed. Workers in the informal sector had come to constitute a large portion of the Argentina labour force. Participation in the informal sector increased from 47.5 per cent in 1990 to 52.5 per cent in 1994 (Feldman, 1999: 106). Following the devaluation of the peso in January 2002, the rise of 10.4 per cent in the consumer prices index and 19.4 per cent for wholesale prices in April 2002 (MECON, 2002: 2) perpetuated the decline in workers' incomes and increased poverty. In addition, the rate of unemployment was at 21.8 per cent in February 2002. Seven million people fell under the poverty line between October 2001 and 2002, bringing the total to 21 million (out of a population of 37 million), ten million of these being destitute. Fifty seven per cent of Argentines did not have sufficient income to

cover their basic needs.⁴ The situation was particularly severe in the North-west (Jujuy, Salta, La Rioja, Santiago del Estero and Tucumán) where these figures ascend to 69% and in the region of Cuyo (Mendoza, San Juan and San Luis) where they reach 61.3% (INDEC in *La Nación* 1.2.2003).

The lack of adequate policies to support the unemployed and disadvantaged sectors is the second factor contributing to the *tomas*. Historically, most social policies in Argentina had the worker as a subject of policies, particularly since 1945. Labour was constitutive of the notion of citizenship, with the latter being historically subsumed under the former. As a result, the development of social and employment policies relied on the notion of social justice that was linked with workers' rights, rather than with more universal values, like in most of European democracies. The possibility that the interests and needs of those considered excluded or poor were extended to a vast majority of the population was achieved by a network of job security and full employment (Lo Vuolo et al 1999: 227) wherein the role of trade unions was of fundamental importance. The lack of a universal unemployment benefit and the implementation of 'assistance' policies for those not included in the labour market are examples of this (Barbeito and Lo Vuolo 1995).

The neo-liberal reforms contributed to the end of the link between labour and welfare as they weakened the institutional capacity to deliver social policy, following the well established Latin American pattern (Abel and Lewis, 2002; Tokman and O'Donnell, 2001). The shift from national expansionist policies, which relied on the homogeneity of the highly qualified and employed working class, to IMF-imposed focused policies intensified the negative features of social policies (fragmentation, dependence on negotiations with corporations and reliance on the mobilisation capacity of disadvantaged sectors (Barbeito and Lo Vuolo, 1995)). Rather than based on universal criteria, they 'naturalised' inequality (Grassi *et al* 1994) and reinforced clientelistic relations (Rock, 2002; Auyero, 2000; López, 1997).

Unemployment, underemployment and increasing vulnerability of those at the margins of the labour market, the rationalisation of labour, the reduction of labour costs, mostly without any significant investment in new equipment

(Bustos, 1995), the expansion of the informal economy, the casualisation of work, contributed to this. The link between economic growth and distribution of income towards full employment and workers' welfare was broken. During the 1990s, there was a constant trend towards the concentration of wealth: whilst in 1991 10 percent of the poorest part of the population received 2.3 percent of national incomes, in 1997 the rate decreased to 1.6 percent. On the other hand, whilst the 10 percent richest people received 34.2 percent in 1991 the rate increased to 35.3 percent in 1997 (INDEC 24.3.97 on line). Real wages decreased 10 percent between 1994 and 1996. Wage reductions were made by means of ignoring national agreements with central unions and establishing precarious labour contracts. Between 1994 and 1996, labour costs were reduced by 16 percent on average in 17 branches of industry (Centre for the Study of Production, *Página/12*, 28.8.97: 14).

The government presented unemployment as a 'new and significant state affair' (MTEySS 1995), but it treated it as a temporary phenomenon without considering its social costs (Di Leo 2005). The rationale behind institutional changes and employment policies was to solve a seeming 'paradox' of successful economic policies and increased unemployment (Dinerstein 1999). These policies did not tackle the historical problem and created a vicious circle between unemployment and poverty: the competitive disadvantages of those already socially excluded to be reinserted into the labour market (see Feletti and Lozano, 1997). Patchy programmes only reinforced fragmentation and individualisation of the unemployed and the poor by age, sex and geographical area. As work became more scarce, the absence of universal employment policy resulted in greater corruption, paternalism and clientelistic relations. Considering the lack of a universal unemployment benefit, the allocation of employment and social programmes were used by the central government as a form of political compensation or punishment to those governors who were or were not accomplishing the economic adjustment required by the IMF; and by governors to favour political allies before elections or to co-opt unions. The third issue that constitutes the background for the *tomas* was the transformation of hitherto powerful trade unions and their relationship with the

state. In the latter half of the 1990s neo-liberal policies were successful in breaking the strong and well developed social insurance institutions and corporate power of trade unions. The fact that most of the takeovers occurred spontaneously after a decision made in an assembly by non-unionised workers showed the weakening of the long tradition of working class organisations and their role as key actors in the institutionalisation of industrial conflict and political mobilisation.

After the deconstruction of the institutional role of trade unions, policy depended more than ever on the capacity of marginal sectors to mobilise and demand assistance policies (see Barbeito and Lo Vuolo 1995). Rather than achieving the depoliticisation of policy-making surrounding work and employment by emasculating the trade unions, the effect of reforms was to unleash new social actors who have sought to make the issues political. Since the second half of the 1990s, as entire localities were affected by neo-liberal state reforms and company closures, the unemployed and the wider communities in which they lived came to form new organisations voicing opposition or actively resisting these developments. The result has been that between the late 1990s and early 2000s there was a remarkable rise in the non-institutionalised mobilisation and organisation of unemployed workers and other disadvantaged sectors of society at the local and national level.

The *crisis of December 2001* constitutes the fourth element which contributed to the *tomas* in two ways. First, the *takeovers* were driven by the bankruptcy, 'emptying' or abandonment of the factories by their owners. In December 2001 the country's economy collapsed producing the biggest default in world economic history. Although the financial collapse was triggered by the IMF's refusal to give Argentina an informally agreed loan of \$1.26 billion, it had its root in long term processes which cannot be addressed here. Suffice it to say that structural adjustment facilitated the concentration of capital, the destruction of national industry and a climate of impunity whereby many entrepreneurs during the 1990s partook in including financial speculation, corruption, bribery, disrespect for labour legislation and the law in general. Secondly, although the factory takeovers did not start in December 2001, most

of them were embedded in the political atmosphere of mobilisation and social rebellion which culminated in December 2001, when popular mobilisation forced the resignation of the national authorities. Protestors demanded '*¡que se vayan todos!*' (Out with them all!), took direct and radical forms of action and rejected representative democracy and politics. The crisis made apparent the deterioration of the system of democratic representation weakened by the corruption of the political elite and the lack of democratic controls over capital. Factory takeovers were among a variety of groups and movements which aimed to recover autonomy and solidarity such as neighbourhood assemblies, unemployed workers' self-help alternatives among others.

2) Mapping Out the *Tomas*

Research carried out by the Department of Employment identified and mapped out 161 F/Es at the end of 2004 and 175 in 2005. The MTEySS classified them according to localisation, type of activity and branch of industry, legal form adopted, their assets and labour conditions (MTEySS, 2004). From the available data we can summarise the following:

2.1 Geographical location

Most of the F/Es are located in areas where industry traditionally has been concentrated, the two key areas of which are the province of Buenos Aires (56 per cent) and the city of Buenos Aires (16 per cent).

Table A2.1: Distribution of F/Es by jurisdiction (2004)

Province	Number of F/Es	% n = 161
Greater Buenos Aires	88	55 %
City of Buenos Aires	25	16 %
Santa Fe	13	8 %
Córdoba	8	5 %
Entre Ríos	8	5 %
Others*	19	11 %
Total	161	100

Note: * Chubut 3, Corrientes 3; Chaco, 2; La Rioja, 2; Neuquén, 2; Río Negro, 2; San Juan, 2; La Pampa 1; Mendoza, 1; Tierra del Fuego, 1. Source: MTEySS, 2004b

2.2 Industry

Approximately half of the F/Es are concentrated in four main sectors: metallurgy (including machine building and electromechanical), food processing, meat packing and printing industries.

Table A2.2: Distribution of F/Es by industry, 2004

Activity/Branch of industry	Number E/Fs	% of the total of F/Es	Workers Employed	% of the total of workers employed
Metallurgic	42	26.00	2,058	28.8
Food	22	13.7	542	7.6
Meat Packing	12	7.5	885	12.4
Graphics	11	6.8	271	3.8
Textile	9	5.6	470	6.5
Health Services	8	5.0	378	5.3
Ceramics	6	3.7	611	8.5
Glass	6	3.7	235	3.2
Others	45	28	1,685	23.9
Total	161	100	7,135	100.00

Source: MTEySS 2004b

2.3 Whether F/Es currently in productive activity.

Only 73 per cent are currently producing goods and services. Of these, most operate at only a fraction of the full capacity (in relation to the volumes produced before the crisis), primarily as a result of a lack of capital investment, poor labour utilisation and/or the weaknesses of management. In addition there are difficulties in the marketing of the products and capacity to compete in national markets (MTEySS, 2004b). Efforts are directed at establishing new minimum conditions for production and decision-making, overhauling of the work-space, machinery and equipment, re-establishing services that have been cut off, as well as settling legal arrangements and negotiating with the government and creditors, clients and suppliers.

Table A2.3. Distribution of F/Es by whether currently in productive activity (2004)

Whether Active	F/Es Number	%
Active	118	73
Non Active	25	16
No Data Available	18	11
Total	161	100

Source: MTEySS, 2004b

2.4 Legal form adopted

Most F/Es adopted the legal form of a co-operative (147 out of 161 identified by the MTEySS).

Table A2.4: Distribution of F/Es by legal form adopted after the *toma* (2004)

Legal forms	Number of F/Es
Workers' co-operatives	139
Workers' co-operatives (in process)	8
Other forms of co-operatives	3
Limited Liability	2
Limited Liability and Co-operative	1
Legal process not initiated yet	1
No data available	7
Total	161

Source: MTEySS 2004b

2.5 Ownership of and access to *tomas* assets

Access to premises, administrative resources and information, and the use of working equipment depended on negotiations between owners, magistrates and workers in each F/E (MTEySS 2004b).

Table A2.5: Distribution of F/Es by assets (2004)

Assets (situation)	Number of E/F	%
Subject to expropriation	52	32
Workers are the owners	10	6
Workers are the tenants	11	7
Takeover <i>de facto</i>	9	6
Not occupied	6	4
Other *	20	12
No data available	53	33
Total	161	100

Note: This includes agreements with previous owners or magistrates which gave workers *comodato* or the right to look after the place and equipments. Source: MTEySS, 2004b

2.6 Wages and working conditions

Many of the F/Es face appalling working conditions including: a variety of risks derived from the bad state of the buildings and equipment due to years of neglect, absence of investment or asset stripping. Workers' incomes have varied according to the profits of and wage distribution within the enterprises. In many cases wages are below those established by the Collective Agreements in the respective branch of industry, although in some cases they parallel the norm. The majority of the occupied F/Es have adopted an egalitarian wage structure but with only a few exceptions, workers do not enjoy social insurance and security.

2.7 The historical distinctiveness of the *tomas* and debates

As argued in the introduction, the present *tomas* differ in some important respects from earlier examples of workers' factory takeovers. They have been

organised spontaneously by the workers employed at the factories or other enterprises, have usually involved non-unionised or un-represented workers, who had been organised by a group of shop-floor representatives set-up directly at the enterprise level (*comisión interna*), usually in opposition to or despite the official union structures. The rationale behind the *tomas* has been mainly about the preservation of jobs, with workers entrenching themselves in factories and physically occupying them, resisting ejection by the police, often in the face of imminent or actual closure. Thus, workers have had to develop co-operative relations, engender solidarity and seek autonomy as a result of practical needs, rather than a predefined ideological or political strategy. Two examples illustrate the above points. The first one is provided by the takeover of the Metallurgical and Plastic Industry of Argentina (IMPA) in 1997. Located in the neighbourhood of Almagro, city of Buenos Aires, IMPA was created in 1918 by German capital, nationalised in 1946 by the Peronist government and transformed into a workers' co-operative in 1961. Initially a copper and aluminium smelter, it expanded after its nationalisation to manufacture a number of products, from airplane fuselages to bicycles, in three plants with a total of 3,000 workers. In 1961, attempts to privatise the company ended in the closing of two plants and the transformation of the Almagro plant into a co-operative. In 1997, the managers of the co-operative, without consulting workers, who were in this case partners, declared bankruptcy and closed its doors. Despite the fact that workers were neither unionised nor involved in the decision-making process of the factory, they began, on May 5 1998, a four-month struggle to maintain their jobs. During the struggle workers established close links with neighbours and social organisations who helped them in many ways to survive both the period of the factory takeover and the beginning of the reopening of the production system. The 136 workers of the new company eliminated wage differences and introduced industrial democracy within the factory. They were not unionised (insofar as they were in opposition to the leadership of the Metallurgic Workers' Union (*Union Obrera Metalurgica, UOM*), but had a good relationship with

other unions. IMPA became part of a National Movement of Recovered Factories (*Movimiento Nacional de Empresas Recuperadas*, MER).⁵

Another example is provided by the garment factory *Brukman Confecciones*, occupied and recovered by its 54 workers, mostly women, on December 18, 2001. The factory was abandoned by its *patron*, leaving workers with overdue wages and pensions and appalling working conditions. This plant, located on Jujuy Avenue neighbourhood of Once, city of Buenos Aires, was the only one left after the Brukman brothers went bankrupt and closed the other two factories (electric home supplies and construction), leaving workers in the streets. In September 2000 the company was declared bankrupt too. It was literally abandoned. The *patron* did not attend any of the legal hearings demanded by the Ministry of Labour. The government designated an administrator. The factory was finally indebted by its owners by means of taking excessive credit, in this case, more than five million pesos. The debt amounted to more than 3.8 million pesos (1.8 million of it was fiscal debt to the Tax Office (*Dirección General Impositiva*, DGI), 243,000 dollars to *Banco Nación* and more than one million debt to the city council). Workers were paid *in negro*, that is with no pension contribution or any kind of social security (Brukman Workers 2003). Although workers were not unionised, decision to occupy the factory and stay over at the factory in order to defend their jobs was made in an spontaneous workers' assembly.

The takeover was a challenge not only in terms of the reorganisation of production, creating a labour collective and resisting ejection. Initially, workers eliminated administrative posts and started rotating tasks among them. Brukman's workers demanded that the Buenos Aires City Council expropriate the factory from its owners and allow workers to resume production under their control and self-management. This included the annulment of all previous debt (or its absorption by the state): 'workers should not endure the burden produced by the ineptitude or inefficiency of the *patronal*' (see project 0282D-2002, MP Altamira, April 2002).

Workers sought for the factory to become the main provider of garments for the public sector, expanding the making of suits to a variety of textile products

such as bedding for hospitals, children's school uniforms, etc.). They also aimed to create jobs for the unemployed and those working under precarious conditions (Krakowiak 2002). They rejected the co-operative form, as it did not allow for expropriation exclusive of debt (Brukman Workers 2003). After a hard legal and physical struggle in October 2003, the City Council of Buenos Aires passed new legislation to expropriate the factory owners and enable workers occupying it to assume control. This was a collective political accomplishment which required Parliamentary intervention.⁶

These examples show distinct political approaches and legal solutions that could empower workers. At least two approaches towards formal takeover and recovery are prominent: those which embrace the new co-operative movement and those which utilise the *tomas* as a tool for the development of workers autonomy within a broader political strategy of liberation. These discrepancies are reflected in several organisations that make up the F/Es.⁷ With the exception of a small number, most of the occupied factories have resumed their production under the form of workers' co-operatives, under the umbrella provided by the National Movement of Recovered Enterprises (*Movimiento Nacional de Empresas Recuperadas*, MNER)⁸, their slogan being 'Occupy, Resist, Produce!'.⁹ Supported by some sectors of the Catholic Church (those concerned with eradicating poverty and unemployment), and the Argentine Workers Central (*Central de Trabajadores Argentinos*, CTA), the MNER offers legal support and political lobbying to deal with company debt, the establishment of co-operatives out of a bankrupt company, and strategies for resisting former owners' use of the police and the law in attempts to evict workers from the factories. The co-operative strategy is accompanied by micro-ventures with other social movements such as the Movement of the Unemployed, directed at the creation an economy of solidarity, autonomous from the state. Co-operatives have been successful in the more labour intensive sectors of the economy and those industries where the quality of the product depends on the creativity and dedication of the workers and a high level of workers' involvement in the company's development (Krakowiak 2002). To those who belong to the Co-operative Movement, as it has become known,

the recovering of factories is a strategy to maintain their jobs and thus avoid unemployment. As for the organisation of production and administrative and legal forms, the co-operative represents for them the best legal form allowing the independence from the state and the development of new autonomous and co-operative relations at the work place.

In an attempt to differentiate themselves from the 'traditional co-operative movement', which would have contravened solidarity principles by transforming the companies into public limited companies, advocates of this new co-operativism claim that recovered factories are 'tools of resistance' (Workers CTA Congress, n/d. unpublished document). They also reject the confusion which associates the co-operative movement with self-employment and subsistence production, the latter being survival strategies rather than tools for social change. According to this sector recovered factories allow the development of solidarity relations. The takeover is seen as a learning process based on co-operation, democracy and equal distribution of income, which has the potential to lead to the creation of new institutional and social relations. In contrast to the co-operativist approach, a small group of factories have been recovered using a strategy enthusiastically advocated by most sectors of the political left¹⁰ – workers' self-management with the demand for the nationalisation of the enterprise by the state.¹¹ Factory takeovers are seen as part of a wider revolutionary strategy, a wider struggle for socialism, which believes in the demand of workers' management with state intervention. Unlike co-operatives, direct workers' management or workers' control (of production and administration), following the nationalisation (*estatización*) of the factory in question, allows, according to this view, the implementation of a 'non-reformist reform'.

To them, the major disadvantage of co-operatives is that they do not escape the logic of the capitalist system: the factory must compete in the market with the rest. This means that wages, the pace of production and working conditions are always at stake. The main problems are the lack of capital to buy raw materials and supplies to stimulate production, and the company indebtedness, compromising the production plans and leading to a reduction of

salaries to levels well below the national average (self-exploitation) all to repay the debts.

They argue that the main difference between these two projects lies in that, whereas in the co-operative movement, the co-operative and workers' self-management are ends in themselves, in the proposal for self-management and workers' control with demands for state ownership, this is a transitional measure which aims to accompany a wider process of liberation. Whereas in the former case workers' 'autonomy' is limited to the whims of the market, in the latter workers' control allows the experience of self-management but recognises that there is no possibility of real control unless the capitalist social relations of exploitation are altogether eliminated. Otherwise, these self-management experiments cannot be more than momentary illusions of hope and are destined to fail (Martinez J 2003).

3) From Confrontation to Integration: The '*Programa de Trabajo Autogestionado*' (Programme for Self-Managed Work)

The Programme for Self-Managed Work (PTA) was launched by the Department of Employment in March 2004 (Decree 194) within the framework 'Plan for the Promotion of Employment: More and Better Jobs' (*Plan Integral para la Promoción de Empleo: Más y Mejor Trabajo*). The PTA is regarded by senior managers as an 'institutional response to a diversity of demands by employees of enterprises and factories involved in the process of recovering of plants' (MTEySS, Interview 1, 16.8.05). For programme managers, the PTA has the intention to

Strengthen self-management by providing a range of services from advice to technical and financial assistance to concrete projects to be achieved in the short and medium term (MTEySS Interview 1, 16.8.05).

The Programme consists of five types of assistance.¹²

1. *Financial help of 150 pesos (£30) to individuals* for a maximum period of six months if they do not enjoy any other benefit. The idea here is to support workers who are resisting ejection and are in 'stand by' (MTEySS Interview 1), that is between being unemployed and employed.¹³

2-5. *The allocation of 500 pesos per worker (maximum of 50,000 pesos) to the 'productive unit'* for (i) technical assistance and training; (ii) the purchase of raw material, inputs, tools, equipment or repairing or put in motion old machinery (iii) technical assistance with installation of equipment and machinery and (iv) Support for the expansion of the F/Es and their consolidation in the market by providing funds to pay for the costs of the expansion such as legal certificates, permits and so on.

The creation of collective projects is encouraged by a recently created register (*Registro de Efectores de Desarrollo Local y Economía Social*),¹⁴ which allows workers involved in co-operatives or collective projects to be tax exempted for a two-year period to help low income workers in vulnerable situations (MTEySS, Interview 3, 2005).

3.1 Programme evaluation

Two assessments by the MTEySS (2004 and 2005) show some of the effects of the programme. Among other things, they illustrate that programme managers consider it to be successful. According to them, the PTA must act primarily as an institutional articulator, in order to solve specific situations that come up in each case. Progress was made in liaising with public and private bodies which would be able to provide technical or financial assistance to F/Es. The programme helped workers to reorganise production and the labour force and assisted them in the preparation of business plans, in repairing inadequate old machinery and in refurbishing buildings to meet legal requirements, and increase production levels and commercialisation of products, improve quality and reduce costs. It also assisted in purchasing new equipment so as to diversify production, reinvest in capital assets and improve safety at work and environmental conditions within the factory.

The *agreements* constitute the tool through which the MTEySS and the F/E in question engaged in a venture with the purpose of implementing the project proposed by workers, previously approved by the PTA. Tables A3.1, A3.2, A3.3 and A3.4. included in Appendix 3 describes the distribution of agreements by region, sector, and the use to which the funds were put in 2004 and 2005. By October 2004, 28 agreements had been reached between the F/Es and the state for 29 F/Es (two enterprises sharing the same productive unit), 17 per cent of units identified. These agreements affected 24 per cent, that is 1,726 of workers (MTEySS, 2004b). The programme spent 615,460.96 pesos, i.e. 55 per cent of the amount assigned to 2004, and 39 per cent of the total programme budget of almost three million pesos (MTEySS, 2004b). More agreements were concluded during the following year. By the end of 2005, 38 per cent of the 175 F/Es (that is 67 units) reached an agreement with the state, incorporating 3,907 workers (that is 49 per cent of the estimated total of workers involved) (MTEySS, 2005a).

According to programme managers, the dissemination of the programme –via individual contacts or existing organisations – was key to the success of the programme. They attributed this partly to the fact mayors in the area in which the F/Es were located have received information about the programme. Dissemination activities also included the organisation of the ‘National Exhibition of Factories and Recovered Enterprises’ organised by the programme on April 29, 30 and May 1 2005 in the city of Buenos Aires, with the participation of 89 F/Es and more than 6,000 workers. The exhibition was sponsored by the city council and consisted of a series of conferences, business rounds, and stands where each co-operative could show their products, and speak about their experience. The idea was to ‘facilitate the dissemination of the F/Es activities, contribute to their commercial development and help them to make contacts with potential clients.’(MTEySS 2005c)

3.2 Distribution of agreements between F/Es and the State (2004 and 2005)

Table A3.1: Geographical distribution of agreements (2005)

Location	Amount of E/F identified by the PTA	Agreements	% of identified F/Es
Buenos Aires	94	40	43
Buenos Aires City	27	6	22
Chaco	3	3	100
Chubut	2	1	50
Cordoba	9	3	33
Corrientes	3	3	100
Entre Rios	5	0	0
La Pampa	4	0	0
La Rioja	3	3	100
Mendoza	4	2	50
Neuquén	3	0	0
Rio Negro	3	2	67
San Juan	2	0	0
Santa Fe	12	3	25
Tierra del Fuego	1	0	0
			--
Total	175	66	

Source: MTEySS 2005a

Table A3.2: Distribution of agreements according to industrial activity (2004)

Industrial Activity	F/Es	With Agreement	% With Agreement
Metallurgic and metal mechanic	42	15	36
Food	25	5	20
Meat packing	12	7	58
Health	12	6	50
Graphics	10	3	30
Textile	9	3	33
Chemistry and services	9	3	33
Construction	8	3	38
Glass	6	5	83
Transport	6	3	50
Shoes	5	5	100
Wood	5	3	60
Education	4	0	0
Paper	4	2	50
Journals and graphics	4	2	50
Commerce and services	4	0	0
Plastic	3	1	33
Mines	3	1	33
Tourism	2	0	0
Caucho	1	0	0
Leader	1	0	0
Total	175	67	38

Source: MTEySS 2005a

Table A3.3: Distribution of agreements according to type of assistance required (2004)

Type of assistance required	Agreements
Economic Help (Individual)	16
Repairs and/or purchasing of equipment , raw material and other inputs	16
Reconditioning of infrastructure	04
Total	36

Source: MTEySS, 2004b

Table A3.4: Distribution of agreements by use of funds (2005)

Type of funds	E/Fs Number
Individual financial help (only)	19
Individual financial help & productive investment	17
Productive investment (only)	29
Total	65

Source: MTEySS, 2005b

According to programme managers, the dissemination of the programme – done via individual contacts or through the existent organisations – was succesful as the majority of F/Es had received information about the programme. Dissemination activities included the organisation of the ‘National Exhibition of Factories and Recovered Enterprises’ organised by the programme on April 29, 30 and May 1 2005 in the city of Buenos Aires, with the participation of 89 F/Es and more than 6,000 workers. The exhibition was sponsored by the City Council and consisted of a series of conferences, business rounds, and stands where each co-operative could show their products, and speak about their experience. The idea was to ‘facilitate the dissemination of the F/Es activities, contribute to their commercial development and help them to make contacts with potential clients (MTEySS 2005c).

4) Towards the institutionalisation of radical forms of NGPA?

The PTA has fostered a degree of institutionalisation of workers' radical action entailed in the *tomas*, no longer projecting them as unusual, reserved for times of crisis, but as embedded within the state agenda. Institutionalisation does not mean that state coercion and sources of conflict between workers and the state are eradicated. The instruments of coercion remain latent in the state's monopoly on force, so 'workers consent because they are always coerced'... (Hoffman, 1984: 85). Rather, institutionalisation means the 'structuring' of workers' action by the state (Piven and Cloward 1977) and implies a controlling character which facilitates the transformation of coercion into consent, by finding areas of agreement between social and labour movements and the state on which to work new and stable channels of dialogue and participation. As Meyer and Tarrow (1998: 21) highlight

institutionalization is defined by the creation of a repeatable process that is essentially self-sustaining ...; it is one in which all relevant actors can resort to well established and familiar routines. For political movements, institutionalization denotes the end of the sense of unlimited possibilityit means the end of the uncertainty and instability that can result when unknown actors engage in uncontrollable forms of action.

The political and economic crisis made apparent the negative impact of neo-liberal policies on democracy, fostering the mobilisation of traditional and new actors. Following similar developments in the rest of Latin America, the appointment of President Kirchner in May 2003 revealed the government's intention to reestablish a more sound relationship with civil society and to 'repair' the damage caused by neo-liberal reforms. Unlike the preceding administration, whose general attitude towards social movements was hostile, the present government has publicly acknowledged that solving the problem of unemployment, poverty and the deterioration of labour market conditions

requires a renewed dialogue with non-governmental organisations as a pre-condition of political stability and economic growth.

The tendency towards the institutionalisation of the *tomas* commenced within a wider political climate and policy framework, celebrated by many social movements whose priorities are (i) encouraging the 'culture of work' and solidarity within a context of unemployment, informality and crisis of union representation at the workplace; (ii) acting on the principles of collectivism and solidarity put forward by the workers and their supporters; and (iii) punishing speculative behaviour by investors at the expense of the workers.

First, the programme was launched in a context of high underemployment, unemployment and worsening labour conditions. Thus, in addition to ameliorating the effects of unemployment and creating jobs, PTA managers argue that the programme will help co-operatives to defend 'dignified work' and recover skills in trades being threatened with extinction (such as glass making)' (MTEySS, Interview 1, 16.8.05). The programme matches the government's intention to create a new policy ethos, central to which is the promotion of bottom-up decision-making processes and the encouragement of the principles of the 'social economy' (MDS, 2004; MDS, Interview 1, 5.9.05) embraced by the *tomas*: 'we are thinking of policy from below... taking on board the social knowledge of the population' (MDS, 2005: 15; see Dinerstein, 2006).

Second, although all forms of workers' management are welcome, the majority of the 'assisted companies' became co-operatives. According to the MTEySS report, there are two possible reasons for this: (i) Co-operatives are 'more compatible with the need to reach consensus and set common goals, as well as manage expectations and go ahead with the decision making process in difficult and unusual conditions' (MTEySS, 2004). (ii) This legal form is encouraged by a new legislation on bankruptcy (Art. N° 190, *Ley de Concursos y Quiebras* no 24.522), which establishes that magistrates can allow workers to continue with the production of goods and services of the enterprise at stake until the legal declaration of bankruptcy, on condition that

workers present a project and organisation plan under the form of workers' co-operatives.

Third, expropriation, demanded by workers, has also been the government's tool to help new co-operatives. Although some of the F/Es genuinely became bankrupt, many others staged fraudulent bankruptcies (*quiebras*) and drained factories of a variety of resources. Whereas in the former case bankruptcy is the culmination of a process of deterioration and indebtedness – a normal consequence of the crisis – in the latter it is the culmination of a process of emptying of the company by seemingly accumulating debt with fictitious creditors, non-declaration of assets and asset-stripping, destruction of the inventory by bribing functionaries in charge of accounting control (Fajn, 2003: 34-35), all of which was achievable in the climate of impunity in which entrepreneurs operated during the 1990s. In the latter cases, the magistrates have ruled in favour of workers' co-operatives expropriating the F/Es, their furniture, machinery and installations, by declaring the F/Es and their assets as 'public goods.' By the end of 2004, there were 52 factories expropriated from their owners.¹⁵

Conclusion

This paper has focussed on the institutional impact of radical forms of NGPA in Argentina, where NGPA is defined as 'action with collective public purposes, such as self-help and community-based alternatives towards poverty alleviation, job creation and social transformation, undertaken by traditional and non-traditional actors, ranging from NGOs to unions and new social movements.' The paper discussed the *Programa de Trabajo Autogestionado*, PTA, launched by the Department of Employment in 2004 with the intention of supporting technically and financially workers' co-operatives which emerged out of the process of factory takeover and recovering in the late 1990s and early part of the first decade of 2000s.

The aim has been to show that PTA emerged neither as a result of policy innovation 'from above' or as a result of struggles 'from below'. Rather it represents the crystallisation of the contested relationship between labour and social organisations and the state, specifically, between workers involved in factory takeovers and the government within the context of the aftermath of the crisis in Argentina. It was shown that, first, social and labour movements' strategic orientations cannot be completely understood without considering governmental action. As Gough and Wood note,

the ways in which the state might seek to organise and reorganise its population for convenient, limited policy concessions can itself produce new solidarities and social bases for critical and social action (Gough and Wood, 2004: 322).

Second, the state is not a *deus ex machina* above society but the political form of capitalist social relations and, as such, the political arena where different interests are confronted and through which institutional and actor' strategies are deployed and reshaped. Social actors' acceptance, collaboration with, resistance to, alternative proposals to policy reforms (or several of these simultaneously), may produce changes in state institutions and policies

themselves, as governments seek to achieve order, stability and a certain degree of consensus. From this perspective, although the state cannot resolve the contradictions inherent in capitalist societies, it can, nevertheless, 'contain the political impact of those contradictions' (Clarke, 1992: 136) through policy-making.

The PTA reflects both a renewal in policy making and a change in the attitude of the movement of factory occupations, which have held a positive disposition towards institutional support to develop autonomy and self-management. On the one hand, the government's approach to social movements aims at depoliticising radical action by 'assisting' the workers and making their needs a priority in a way that absorbs their ethos of *social policy from below*.¹⁶ The PTA pre-empts the political meaning of the *tomas* and celebrates them as innovative survival strategies. On the other hand, the majority of the takeovers did not follow a political strategy led by unions or political parties. Their political edge stems from vulnerable employment situations and has been strategically oriented towards building collective projects and pursuing organisational goals aimed at the consolidation of the movement of recovered factories for practical reasons.

The PTA stimulates the process of institutionalisation of the *tomas* by providing financial and technical support to workers' co-operatives within a broad policy framework which encouraged the return to the culture of work, promotes bottom-up decision-making processes, embraces the principles of 'social economy', and punishes anti-social corporate behaviour. As mentioned in the introduction, the *tomas* have had both a defensive character inspired by the need to preserve jobs and an expansive political edge inspired by ideas of autonomy produced by the political crisis in Argentina in 2001. By 'institutionalisation' of the *tomas* we meant that the most challenging and radical aspects of workers' actions are discouraged by the state. As the *tomas* are accepted and habitualised, they are depoliticised and restricted to the purpose of the recovering factories rather than making them an element of the 'struggle for liberation' anticipated by many workers. As Piven and Cloward (1977: 32 and 33) propose,

...concessions are rarely unencumbered. If they are given at all, they are usually part and parcel of measures to reintegrate the movement into normal political channels and to absorb its leaders into stable institutional roles ... At the same time that the government makes efforts to reintegrate disaffected groups, and to guide them into less politically disturbing forms of behaviours, it also moves to isolate them from supporters.

Paradoxically, the depoliticisation of the *tomas* by means of their institutionalisation through financial and technical support for the factories occurs simultaneously with the institutional recognition of the workers' *political* stated objectives of autonomy and self-management.

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Notes

¹ ... the action with collective public purposes, such as self-help and community-based alternatives towards poverty alleviation, job creation and social transformation, undertaken by traditional and non-traditional actors, ranging from NGOs to unions and new social movements. (See <http://www.lse.ac.uk/collections/NGPA/>).

² Between May and June 1964, when 3,013,000 workers participated in the takeover of 11,000 factories as part of the *plan de lucha* launched by the CGT, involving 75.4 percent of waged workers in 10 percent of industrial enterprises

³ Similar processes took place in Venezuela, Brazil and Colombia (See Ghibaudi 2006)

⁴ The criteria to establish the level of poverty and indigence by INDEC is based on the value of the family basket, estimated at 193.77 pesos per adult for the city of Buenos Aires and its outskirts in April 2002.

⁵ IMPA has also created an art centre *Fábrica Ciudad Cultural*, inside the factory, where exhibitions, concerts, theatre, dancing, as well as drawing, ceramics, pottery, drama, puppets, music, cinema and photography classes are offered on daily basis.

⁶ See Report from *La Verdad Obrera*, PST no 128;

⁷ They are Work Co-operatives Federation (*Federación de Cooperativas de Trabajo* FECOOTRA), the National Movement of Recovered Enterprises (*Movimiento Nacional de Empresas Recuperadas*. MNER), the Movement of Recovered Factories (*Movimiento de Fábricas Recuperadas* MFR) and the Argentine Workers Central (*Central de Trabajadores Argentinos*, CTA).

⁸ See <http://www.mnerweb.com.ar/sobre.htm>

⁹ Other legal forms include renting after a legal agreement with previous owners, joint business with previous owners (see Fajn 2003).

¹⁰ Workers' Party for Socialism (*Partido de los Trabajadores por el Socialismo* PTS), the Socialist Workers' Movement (*Movimiento Socialista de Trabajadores* (MST) and with some differences, the Workers' Party (*Partido Obrero*, PO)

¹¹ Zanón Ceramics, Brukman Garments, Tractors Zanello, sugar refinery La Esperanza and coal mines Rio Turbio.

¹² In order to enjoy the benefits of the programme, the F/Es need to be included into a register of *Unidades Productivas Autogestionadas por los Trabajadores* (Productive Units Managed by Workers) (MTEySS, n/d, leaflet)

¹³ These workers might be awaiting (with no other income support) the legal resolution of the *toma* in a tent located outside the factory/enterprise

¹⁴ See http://www.desarrollosocial.gov.ar/Planes/DLES/normativa/189_04.pdf, accessed 20.6.06

¹⁵ Expropriation does not mean workers' ownership directly and there are also variations in the extent and degree of expropriation. In 2004 Buenos Aires City Council declared buildings, equipment and brand names of 13 F/Es in the city a 'public good', and made them subject to expropriation, some with the assistance of the programme.

¹⁶ We are coining this term, which has been inspired by the idea of 'welfare policy from below' put forward by Steinert and Pilgram, 2003.