

The Nature of the Political System in Argentina

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Abstract: Argentina represents Latin America's second-biggest country with regard to of land area, fourth largest by terms in population, and third largest in terms of economic importance. It is a federal republic made up of 23 autonomous provinces as well as the autonomous (capital) City of Buenos Aires, Argentina. It is a democracy based on elections having universal adult suffrage, a presidential form of administration, and a system of power separation. The President of the Republic wields executive authority, the National Congress wields legislative power, and the Nation's Judiciary, which includes the Supreme Court of Justice, wields judicial power. Provinces are led by governors with their own courts and legislatures. Argentina has long had a multilateral agenda, with a strong presence in global as well as regional organizations. It has strong historical and cultural links with the EU, alongside which it shares core ideals. The Delegation for Connections with Mercosur and the Euro-Latin America Parliamentary Assembly (EuroLat) primarily manage relations between the European Parliament and the Argentine National Congress. The European Parliament asked for 'Argentina to be accorded EU strategic partner status as an exceptional participant in the (Latin American) area, and a member of Mercosur along with the G20' in its resolution on EU political ties with Latin America on September 13, 2017.

Keywords: The political system; Political and constitutional authorities; and Executive Authority.

INTRODUCTION

The political system is the basic framework within which the political struggle of all countries of the world takes place, and political power is the cornerstone of it. The political system in Argentina is characterized as a federal republican system with a presidential and representative democratic system. The Argentine Constitution is subject to changes due to the instability of the political system, the most recent cases of constitutional change occurred between 1966 and 1973, and then again from 1976 until 1983. During the last change, the military junta performed the functions of the authorities (legislative, executive and judicial). Since the resumption of civilian rule in 1983, the relationship between the military and the government has been tense, however, after more than 17 years of democratic rule, amendments to the Constitution were approved in 1994, and during the political crisis of late 1994, in the nineties, the military was not ready to return to political life, which indicates the consolidation of democracy and civilian rule in Argentina. [Abadie, A. *et al.*, 2010 - Acemoglu, D. *et al.*, 2001]

The government of Argentina is governed by the Constitution of 1853. Although this document has been suspended several times, its basic structure is federal and Republican. Since 1949, the government of Juan Domingo Peron adopted a new constitution, but the subsequent military government canceled that document, and then some amendments were made. The original Constitution was approved by the Constituent Assembly, which met in October 1957. It was amended again in 1994, adopting the Constitution's proportional representation system to provide for a

federal Federation of provinces that retains all powers not specifically delegated to the federal government by the Constitution. The federal government is divided into three powers: the legislative branch enacts laws, the executive branch implements laws, and the judiciary implements the laws of the country. Accordingly, we will deal with the powers of the Argentine political system. [Abadie, A. *et al.*, 2006a- Abadie, A. *et al.*, 2002]

The legislative power of the state is vested in the bicameral Congress (the House of Representatives and the Senate). Both chambers are in the palace of congresses, known as the legislative block. The House of Representatives represents the people and consists of 257 deputies, who are elected for a term (four years). Half of the council is renewed every two years through the delegation of legislative power. The state has a bicameral Congress (House of Representatives and Senate). Both chambers are in the palace of congresses, known as the legislative block. The House of Representatives represents the people and consists of 257 deputies. They are elected for a term (four years). Half of the council is renewed every two years by direct elections on a list proportional basis. The party is closed in twenty-four districts, that is, Seats are allocated in proportion to the population of each district, ranging from a minimum of five to a maximum of seventy representatives per district, while senators are elected for one term. Term (six years). One third of the council members are renewed every two years through direct elections held on a proportional basis on a closed party list, with two seats to be

awarded to the party with the largest number of votes and additional seats to be awarded to the party. The importance of the research comes from the demonstration of the active role that political authorities play in the Argentine political system and the functioning of the federal system in the country. The research hypothesis is based on an attempt to understand the nature of the political system in Argentina through some constitutional texts amended in 1949 and the statement of the powers of the three authorities and their impact on the nature of the political system. [Acemoglu, D. *et al.*, 2003 - Alhadeef, P, 1989]

2. LITERATURE REVIEW

The Constitution of 1853 governs the government of Argentina, although this document has been suspended several times, the basic structure is federal and Republican, from 1949, the government (Juan Domingo Peron) adopted a new constitution, but the subsequent military government cancelled that document, and then some amendments were made to the original Constitution by the Constituent Assembly, which met in October 1957 and another was amended in 1994 adopting the proportional representation system of the Constitution on a federal Federation of provinces that retains all the powers not specifically delegated to the federal government by the Constitution. [Alston, L. J. *et al.*, 2010; Alston, L. J. *et al.*, 2006]

2.1. Political and constitutional authorities

The federal government is divided into three powers: the legislative power legislates laws and the executive power enjoys the implementation of laws, while the judicial power applies the laws of the country, so we will touch on the powers of the Argentine political system. The legislative power of the state is vested in a bicameral Congress (the House of Representatives and the Senate) both houses are located in the palace of Congress known as the legislative block, the House of Representatives represents the people and consists of 257 deputies [Andrien, K. J, 1982- Arellano, M. *et al.*, 1987]. They are elected for a term of (four years) half of the council is renewed every two years through direct elections on a proportional basis to the closed party list in twenty-four districts, i.e. seats are allocated in proportion to the population of each district ranging from a minimum of five to a maximum of seventy deputies per district, while senators are elected for a term of (six years) a third of the council members are renewed every two years through direct elections on a proportional basis to the

closed party list, with two seats awarded to the party that received the most votes and additional seats awarded to the party. the country's electoral rules Place re-election in the hands of local party heads who aim to protect Therefore, each election brings a higher percentage of new members than those who did not run or were not elected to renew their mandate as a result, most of them may have experience in party politics or in regional legislatures. A new member is elected by the termination of the membership of the Senate due to death, resignation or for any other reason [Ashraf, Q. *et al.*, 2013- Azcuy Ameghino, E, 2002]. Since 2017, the quota law stipulates that at least one third of the candidates in each legislative ballot of the party must be women in electable existing positions, but there are no quotas for minority representation before the legislative elections, i.e. mandatory one-day federal primary elections are held for all parties and the alliance. in both the primary and legislative elections, citizens aged sixteen and over can vote, as Argentines living abroad Voting in the consular offices of the country. The powers and Administrative Organization of the Chamber of Deputies and the Senate are slightly different, but each has a president and three vice-presidents, as well as secretaries of parliamentary, administrative and operational coordination and assistant secretaries, each of whom manages various directorates that make the Parliament work on a daily basis.the work of the National Congress revolves around the decision-making process on draft laws, administrative decrees, communications, resolution, declaration proposals, as well as letters from the executive branch. regarding bills, they can be submitted by deputies, senators, the president of the Republic, and, since 1994, on a popular initiative. [Bambaci, J. *et al.*, 2002]

Bills, except for the latter, can be initiated in either chamber-the chamber in which the bill is introduced is called the "Chamber of origin". Once approved, it goes to the "review chamber", if both chambers approve the bill, and the executive branch does not exercise veto powers, it becomes law legislative procedures in both chambers are similar. [Barro, R. J, 1999]

Argentine congressional scholars have devoted a lot of their efforts to explaining the relationship between the executive and legislative branches and, more specifically, the legislative success of the president and individual legislators in overcoming various stages of the bill under unified

and divided governments in both majority-led and pluralist congresses.

Legislative success is attributed to different agenda-setting powers which tend to be closely related to fluctuations in public opinion of the executive branch and vary significantly with respect to individual legislators mostly depending on whether they have a party colleague in the presidency or not to the majority or plurality party, holding leadership positions and having political capital (i.e. control over the number of committees to which a bill is sent, the ability to promote legislation and / or the power to guard), and the specific characteristics of each proposal such as the issues addressed, the amount and party membership of co-sponsors, and the number of committees. [Barro, R. J. et al., 2013]

2.2. Executive Authority

After the 2001 crisis, reform packages aimed at increasing accountability and the participation of civil society in this institutional scenario were introduced as a result, not only new and more popular spaces for debate were created, but also profound changes were made in the ways legislators build alliances, generate consensus and political agreements, in a few words, the ways they practice politics and therefore, in the ways that until then they in the legislative sphere it still stands ‘A few exceptions aside, largely unexplored. Executive power is vested in the head of state of Argentina and a deputy for a four-year term for one electoral cycle. The president and his deputy are elected by the people, as the elections are held two months before the termination of the president's term, when the president and his deputy take office in accordance with their religious beliefs before the Congress. [Baskes, J, 2000]

The electoral rules in the executive branch differ from the legislative branch by the voting method, that is, when the list receives the highest number of votes in the first round, i.e. more than forty-five percent of the votes cast, the candidates are announced as president and vice president of the state, and if the list receives less than forty percent of the votes cast, and there is a difference of more than ten percentage points from the total votes cast from the list that follows, the candidates are announced as president and vice president of the state, and if a second round of elections is required, it may be held between the two highest lists that received votes within thirty days after the election round the first one. [Bayle, C, 1952]

Judicial power is exercised by the Supreme Court of justice and other lower courts established by Congress within the national territory, the president may in no case exercise judicial functions or assume jurisdiction over pending cases or reopen cases that have been closed.

Judges are appointed by the executive branch with the approval of the Senate, appointments are based on a binding list of three candidates proposed by the Judicial Council and this council is periodically reconstituted in order to achieve a balanced representation of political bodies resulting from popular elections, judges from all courts, lawyers in the Federal Register, as well as other persons from academic and scientific fields, the size and structure of the council provided for in the law on its establishment. [Becker, S. O. et al., 2009]

Judges of the Supreme Court and lower courts retain their posts as long as they maintain a good level of conduct and can be removed from their posts by the decision of an impeachment jury consisting of legislators, judges and registered lawyers, on the basis of poor performance, professional misconduct or for ordinary crimes, since the Supreme Court and lower courts have the responsibility to hear and decide all cases related to matters governed by the Constitution, laws of the nation or treaties with foreign countries; judges of the Supreme Court and lower courts retain their posts as long as they maintain a good level of conduct and can be removed from their posts by decision of an impeachment jury consisting of legislators, judges and lawyers It is the responsibility of the Supreme Court and the lower courts to hear and decide all cases related to matters governed by the Constitution, the laws of the nation or treaties with foreign countries; the Supreme Court exercises jurisdiction over Appeals in accordance with the rules and exceptions established by Congress. [Berkowitz, D. et al., 2003a- Bértola, L. et al., 2012]

Administration of justice under the Argentine legal system, the administration of justice is a common authority between the nation and the provinces, as Articles(5 and 123) of the Constitution stipulate that each territory shall enact its own constitution in accordance with the principles, declarations and guarantees of the supreme law "which guarantees the administration of justice" the provinces may elect their own officials and judges without interference from the federal government at the same time, research of the Constitution states that the Constitution itself, the laws enacted by

Congress in accordance with it, treaties with foreign authorities are the supreme law of the nation, and the authorities of each province violations that may be contained in regional laws or constitutions. The judicial authority of each province is responsible for the administration of ordinary justice within the territory of that province, applying the laws mentioned in Article 75, paragraph 12, namely civil, commercial, criminal, mining, labor and Social Security laws - depending on the jurisdiction under which matters or persons lie in relation to National Justice. The Supreme Court and lower courts consider and decide on all cases related to matters governed by the Constitution and the laws of the nation, apart from those that are the responsibility of territorial jurisdictions. [Bertrand, M. *et al.*, 2004]

2.3. Dynamics of both Centralization and federalism.

The dynamics point to an explanation of the way in which policies of federalism and decentralization in Argentina affect the quality of its democracy, to strengthen the relationship between political hegemony in the province and bargaining power in the national sphere, tending to strengthen the pivotal role not only of governors in general, but in particular of the governors of those provinces with weaker democratic credentials. This means that the “darker” aspects of the Argentine political system tend to have a stronger influence on national politics and public policy-making of the country. Influence in the national arena is both financial and political, in terms of resources to continue developing local dominance, as well as in terms of building Political careers at the national level, in general, have tended to point out some of the implications of Argentina's peculiar policy and fiscal federal arrangements for governance and accountability at the provincial and national levels: the strange exchanges of lax federal finances and the national government's selective interference (or lack thereof) in affairs Regional political votes in a weak national congress (populated by legislators responsive to provincial party employers) and local political mobilization for national elections combine to produce both poor governance and weak accountability at both levels. Many Argentine provinces are local bastions of power dominated by political elites, characterized by a paucity of political competition, a weak division of authority [Bethell, L, 1993- Bollen, K. A, 1990], clientelist political ties, and the dominance of media and business opportunities often built and maintained

by those same elites. This political dominance is largely based on Through intergovernmental fiscal transfers and other forms of aid from the national political arena a convincing argument using state rentier theories explains the weakness of democracy in the Argentine provinces as a result of the fact that governors finance most public spending from resources not obtained from the direct taxes on provincial citizens that would be expected. [Bolt, J. *et al.*, 2014]

Levels of democracy are low when subnational units enjoy abundant central government support and a weak tax link to the local citizen. Different political systems tend to select individuals with different characteristics for public office. Casual observers often find that the Argentine political class is somewhat lacking in comparison to what one might expect from The country is based on some educational and human development indicators. [Brennan, J. P. *et al.*, 2009]

Argentina is the country that systematically presents indicators of governance (corruption, independence of the judiciary, bureaucratic capacity) that correspond to those in countries with lower levels of We believe that this “paradox” is rooted in the selection of a peculiar type of politician to become successful at the local level, a tendency To further select among them the distinctive characteristics at the national level, and the tendency of sub-national actors who achieve national power to import some “backward” practices to the national level from which they are successful. [Bruhn, M. *et al.*, 2012]

In so many counties, which she describes as having “closed games,” voters vote for the ruling elites because they know from experience that the ruling elites deliver even if what they deliver is not much, and they cannot be sure that the opposition will be willing and able to do so, Jones offers. Meloni and Tomasi show evidence that voters reward those governors who have a greater ability to obtain additional resources from the federal fiscal game. As long as this ability is not strictly related to honesty or good administrative skills, this is another mechanism that weakens the ability of citizens to choose and reward politicians. [Buchanan, P. G, 1985]

3. DISCUSSION

This research uses instances of institutional breakdown to evaluate the long-run impact of de jure versus de facto political institutions to development. The empirical strategy used here

identifies moments during an institutional breakdown as well as builds a counterfactual scenario considering Argentina established de jure and de facto political structures such as competitive polity, genuine rule in law, checks and balances, along with an independent Supreme Court, based on Argentina's extensive historical bibliography. The 1853 Constitution incorporated many elements from the US republican model; therefore, Argentina began its Belle Époque period. It achieved impressive rates of economic development but never completed its democratic transition. [Burkholder, M. A. et al., 1977-Cameron, A. C. et al., 2005]

Although democracy is associated with the rule of law and greater transparency, the Sáenz Pea Law further sowed the seeds over wealth and income redistribution and helped pave the way for populist-style public policies that also tolerated the institutional breakdowns which followed. Argentina's democratic transition was legally violated by a 1930 military coup, which resulted in a decade of election fraud, the loss of democratic oversight, and Juan Perón's ascension to power. This study demonstrates that Argentina's departure of the system of checks and balances, as well as its abandonment of the rule of law, produced a series of chronic institutional failures that had long-term consequences for the country's growth and development. [Cameron, A. C. et al., 2011]

The lack of institutional breakdowns has been associated to an estimated 45 percent rise in per capita productivity in the long term. A gain of this magnitude is akin to Argentina's transition from a middle-income country to the ranks of Spain as well as Italy. The long-run benefits of a lack of institutional breakdowns include ubiquitous, resilient, and large-scale advances in long-run development in the counterfactual situation. If the Sáenz Pea Law had not permitted populist-style wealth and income redistribution, the synthetic control estimates presented suggest that Argentina's per capita income now would be close to 62 percent of the US level, equivalent to New Zealand or Slovenia. Instead, Argentina has maintained over a century of governmental volatility, undermining the protection of property rights. Argentina's per capita GDP would have approached that of New Zealand, Spain, as well as Italy if institutional failures had not occurred. [Campos, N. F. et al., 2012; Cantón, D., 1973]

CONCLUSION

This paper adds to the new literature on federalism that documents that real - world Federal structures are more the story of self-interested politicians participating in a multi-domain competition for political benefits than an exercise in optimal institutional design.

This means that institutional reforms such as the various forms of decentralization should be interpreted from the perspective of a broader political context and the incentives it generates, rather than sterile technical discussions one of the main aspects emphasized in this paper is that the institutional structure of decentralization "has implications not only at the subnational level, but also on national governance and accountability".

This paper has illustrated how incentives work in a highly decentralized Federation, one in which these incentives are not aligned in the direction of good governance and accountability.

Federal democracy opens up career paths for aspiring politicians in Argentina, who can become strong candidates for national leadership by developing their reputation for good governance in the province. we also highlight exactly the opposite channels, where political success at the provincial level is based on weak local accountability funded by the resources of the obtained common pool.

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