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## Notes on Recent Elections

The 2009 legislative elections in Argentina<sup>☆</sup>

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## 1. Background

Argentina's 2009 legislative elections – for half of the lower house of Congress and one third of the Senate – had been scheduled for October. But, on the heels of a March defeat for her allies in provincial and municipal elections in the province of Catamarca, President Cristina Fernández de Kirchner requested that Congress move the elections forward to 28 June. And her narrow majority in Congress promptly complied. The justification offered by the administration and its legislative allies was that a drawn-out campaign would take a heavy toll on an economy already confronted with the global recession. But critics charged that the move was a political ploy aimed at avoiding the electoral repercussions of four additional months of economic decline and at leaving the fragmented opposition less time to forge alliances.

Fernández took office in 2007 following a landslide election and amid enormous popularity (Singer and Fara, 2008). Her husband and predecessor, Néstor Kirchner, had overseen the country's economic recovery, with growth at an average of over 8% over his four-year term. Although eligible to run for a second term, Kirchner nominated his wife to the ticket of his Front for Victory (*Frente para la Victoria*, FPV), a faction of the broader Peronist party (*Partido Justicialista*, PJ), while he himself took the PJ leadership. Kirchner has nevertheless been heavily involved – and is widely seen as pulling the strings – in Fernández's administration. For the legislative elections, Kirchner

himself ran at the top of the FPV list in the province of Buenos Aires, the largest province in the country that accounts for 40% of the population.

Up for election on 28 June were 127 seats in the Chamber of Deputies (*Cámara de Diputados*) and 24 seats in the Senate (*Senado*), three each from the provinces of Catamarca, Córdoba, Corrientes, Chubut, La Pampa, Mendoza, Santa Fe, and Tucumán. Deputies are elected for four-year terms from each of Argentina's 23 provinces and the city of Buenos Aires. Seats in the Chamber are allocated according to population and range from the five-seat minimum for provinces like Tierra del Fuego (pop. 100,000) to 69 seats for the populous province of Buenos Aires (pop. 15 million). These seats are assigned by closed-list PR using the d'Hondt formula and a 3% threshold. Senators are elected for six-year terms, with three Senators representing each of the same 24 districts. Two Senate seats are assigned to the party that places first in the election, the third going to the second-place party.

## 2. Parties

As Fernández's popularity waned over the course of her eighteen months in office, a growing number of politicians abandoned the Kirchners' FPV faction of the Peronist party, some forming their own parties, others running under separate PJ lists. In the heyday of Kirchner's popularity, politicians from the PJ's traditional rival, the Radical Civic Union (*Unión Cívica Radical*, UCR) defected to his camp and were dubbed the K Radicals. Among them was Julio Cobos, a governor from the province of Mendoza who accepted Fernández's offer to be her running-mate in 2007. But Cobos's relations with Fernández quickly soured, and he was practically shut out from the government. By the time

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of the campaign he had become an outspoken critic of the Kirchners, campaigning in his home province of Mendoza for a UCR-led alliance against the FPV. He has made it clear that he hopes to challenge the Kirchners in the 2011 presidential race, though he remains Fernández's Vice President.

Across most of the country's provinces, the UCR joined an alliance of non-Peronist center-right parties called the Civic and Social Alliance (*Acuerdo Cívico y Social*, ACyS). The Alliance became the umbrella for repentant K Radicals, the Socialist Party (*Partido Socialista*), and previous defectors from the Radical and Peronist ranks, like Margarita Stolbizer and Patricia Bullrich, prominent Deputies from the province and city of Buenos Aires, respectively. Perhaps the most prominent national figure of the ACyS, however, was Elisa Carrió, leader of Support for a Republic of Equals (*Afirmación para una República Igualitaria*), who had come in (a distant) second to Fernández in the 2007 presidential race.

The Peronist opposition to the Kirchners formed a center-right alliance of its own, headed by the Republican Proposal (*Propuesta Republicana*, PRO) of Mauricio Macri, a prominent businessman and soccer club president who became mayor of Buenos Aires in 2007. Macri forged an alliance with a rightwing faction of the PJ that included another millionaire-cum-politician, Francisco de Narváez, and the former governor of Buenos Aires, Felipe Solá. De Narváez and Solá headed the PRO alliance list in the province of Buenos Aires, where they competed directly with Kirchner. Macri's own deputy, Gabriela Michetti, resigned from her post to head the PRO list in the city of Buenos Aires.<sup>1</sup>

Some politicians, particularly those with provincial bases of support, dissented from the Kirchner camp, but chose to remain within the Peronist umbrella. Carlos Reutemann, a popular Senator from the province of Santa Fe (and former Formula One driver), became the most prominent anti-Kirchner Peronist, advancing both his Senate reelection and his already-declared bid for the presidency in 2011. He faced Socialist and ACyS ally Hermes Binner, the current governor of Santa Fe, who was also seen as a presidential contender. Other Peronist dissidents remained within the PJ organization, running under its list against the FPV list.

Meanwhile, the Kirchners made every effort to consolidate the FPV's hold on the traditional bases of Peronist power, including the province of Buenos Aires. One strategy was running Kirchner and popular Buenos Aires governor Daniel Scioli at the top of the FPV list, along with a smattering of popular mayors. Opponents argued that many of these politicians – including Scioli himself and possibly Kirchner – had no intention of actually taking their seats in the Chamber. These *testimonial candidacies*, as they came to be called by their critics, were challenged by the ACyS in Buenos Aires courts but were upheld by the judiciary.

<sup>1</sup> Michetti and Carrió are known to be friends and political allies in the city of Buenos Aires, but negotiations for a political alliance between the two failed in April.

### 3. Issues

The elections were seen broadly as a referendum on Fernández's performance in office, with opposition campaigns focusing primarily on three issues. The first was the state of the economy. Amid a global recession, the Argentine economy began to show signs of decline in the first months of 2009 and is overall expected to contract this year for the first time since 2002. Farm output was also declining as a result of both the country's worst drought in seventy years and conflicts between the government and farmers (see below). In 2008, for the first time in history, Argentina exported less beef than did neighbouring Uruguay.

Opposition candidates – particularly the PRO – attacked the Kirchners' statist economic agenda. Both Kirchners placed controls on domestic prices for food and utilities, and have taken confrontational positions toward international investors. Fernández re-nationalized the airline Aerolíneas Argentinas in September 2008 and ten private pension funds (worth roughly \$30bn) the following month, moves Macri said his party would seek to reverse. When Venezuelan president Hugo Chávez nationalized steel companies owned by Argentine conglomerate Techint in April, Fernández refused to intervene, despite demands from a wide range of opposition and business leaders. The administration is also widely believed to be manipulating official statistics, particularly inflation rates, which many economists estimate to be in double digits despite the much lower government reports. Most of the opposition parties therefore promised to prioritize restoring the credibility of the National Institute of Statistics and Censuses (INDEC).

The second major source of opposition to the government was its ongoing clash with farmers and their supporters. Back in March of 2008, Fernández sought to impose variable export taxes on agricultural products like wheat and soy in an attempt to shore up the government's foreign currency reserves. That led to months of protests by farmers, who ceased production and erected hundreds of blockades around the country. Not only had Fernández alienated rural producers and their powerful trade organizations, but her handling of the conflict angered many middle-class voters. Many urban Argentines blamed the Kirchners' confrontational style for endless traffic jams and for the empty shelves in their grocery stores. Some even joined farmer organizations in protests, banging pots and pans (a form of protest known in Argentina as *cacerolazos*) in the streets throughout the country's major cities. The clash with the rural sector also cost Fernández the support of many legislators and mayors from the more agriculture-dependent provinces. Cobos, who as Vice President leads the Senate, cast the tie-breaking vote that rejected Fernández's export tax hike, boosting his own popularity and cementing his divorce from the Kirchners. Representatives from farmers' groups appeared on the ballots in several provinces, promising to take their fight to the halls of Congress.

Finally, the opposition frequently criticized the Kirchners' style of governing. The administration's decisions are made by the couple with only a small circle of advisers,

**Table 1**  
Results of the Chamber of Deputies elections in Argentina, June 2009.

Party	Votes	Votes (%)	Seats	Seats (%)	Overall seats	Change
Front for Victory (FPV) and Peronist party (PJ) allies	5,655,862	29.6	46	36.2	105	–32
Civic and Social Alliance (ACyS) and Radical Civic Union (UCR)	5,497,912	28.7	41	32.3	78	+17
Republican Proposal (PRO) and allies	3,415,326	17.8	20	15.7	30	+16
Anti-Kirchner Peronist dissidents	1,412,538	7.4	9	7.1	21	+4
Southern Project and allies	444,691	2.3	4	3.1	8	+1
Encounter for Democracy and Equality	402,502	2.1	2	1.6	2	+2
Worker's Party	219,507	1.1	0	–	0	+0
Other parties with less than 1%	1,475,427	7.7	0	–	5	–7
Other provincial parties	610,322	3.2	5	3.9	8	–1
Total	19,134,087	100.0	127	100.0	257	
Blank votes (% of total votes)	639,558	(3.2)				
Null votes (% of total votes)	318,683	(1.6)				
Votes under judicial review (% of total votes)	31,387	(0.2)				
Total votes (turnout)	20,092,328	(72.3)				
Registered electorate	27,797,930					

Source: National Electoral Directorate, Ministry of the Interior (<http://www.elecciones.gov.ar/inicio.htm>).

triggering opposition calls for greater transparency at the presidential palace. During both Kirchners' administrations, power has also been increasingly centralized in the executive (see [Bonvecchi and Giraudy, 2007](#)). Back in 2006, Kirchner's legislative majority gave him the discretion to reallocate the public budget without consulting Congress, a prerogative Fernández also enjoyed. The Kirchners noted that they rarely used this power, but opposition leaders promised to limit these so-called *superpowers* and to strengthen the powers of the legislature vis-à-vis the executive.

#### 4. Results

Even allowing for the fact that this was a legislative election, lacking the horse-race appeal of a presidential contest, turnout on 28 June was low by Argentine standards. Voting is compulsory in Argentina (though weakly enforced) and even midterm elections drew 80% of voters in the 1980s and 1990s. Yet only 72% of eligible voters turned out this time. Some of this may be explained by voters who had previously cast blank ballots choosing simply not to turn out on June 28; blank votes represented only about 3% of the ballots cast, as compared to the 9% in 2007.<sup>2</sup>

The election resulted in a resounding defeat for the Kirchners, who lost their bloc's majorities in both houses of Congress. In the Chamber of Deputies, they can now expect roughly 120 votes from their FPV members and those from the smaller and provincial parties that often support them (Table 1).<sup>3</sup> That makes them the largest bloc, but leaves them shy of the 129 votes needed for a majority. Both the ACyS and PRO benefited from the losses by the Kirchners and their allies. The ACyS bloc is now the second-largest in

the Chamber, followed by PRO and its allies. But these two blocs have a combined seat tally of just 108, so they too can reach 129 votes only by attracting votes from elsewhere, such as from the anti-Kirchner factions of the PJ and from Reutemann's allies.

In the Senate, the Kirchners are now just short of a majority (Table 2), though they are likely to suffer post-election desertions.<sup>4</sup> Still, they may be able to rely on some of the smaller provincial parties to get over the majority threshold. The opposition, meanwhile, would need to unify a much wider – and less likely – set of blocs to achieve its own majority.

Perhaps more troubling in the long run for the Kirchners were their symbolic defeats. They swept the bastions of *kirchnerista* support, like Formosa, La Rioja, and Tucumán. But the Kirchners' allies lost in all of the important battleground provinces. Their FPV came in second to the PRO alliance in the province of Buenos Aires, dealing a personal blow to Kirchner, who had placed himself at the top of the ticket. Michetti and PRO won the city of Buenos Aires, though by a smaller margin than expected. Still, the FPV list came in a distant fourth in the city, bolstering Macri's 2011 presidential hopes.<sup>5</sup> Reutemann, another presidential hopeful, kept his Senate seat under his own party's ticket. Cobos's allies won in the province of Mendoza by a massive 20 points, making him another plausible presidential contender. And an opposition alliance even scored a narrow victory in the province of Santa Cruz, where Kirchner himself was born and where he served as governor for over a decade.

The Kirchners, however, were not dealt the only surprise. Carrió's candidate, Alfonso Prat-Gay, the former head of the Central Bank, came in third in the city of Buenos Aires, behind filmmaker Fernando "Pino" Solanas's center-

<sup>2</sup> As in other Argentine elections, reports emerged of vote-buying ([Brusco et al., 2004](#)), particularly by the FPV in the province of Santa Fe. But there were no reports of election fraud on a significant scale.

<sup>3</sup> Reported election results are as of August 2009. A small portion of ballots are still under judicial review, as noted in the tables. These could only change the vote shares very marginally and therefore will not affect seat allocations.

<sup>4</sup> The marked difference between the Senate and Chamber of Deputies vote shares is largely the result of the different portions of each chamber being renewed (8 districts in the Senate versus all 24 in the Chamber).

<sup>5</sup> Luckily for Macri, his alliance partner, de Narváez, who scored a high-profile victory against Kirchner in the province of Buenos Aires, is a naturalized Colombian and therefore not eligible for the presidency.

**Table 2**  
Results of the Senate elections in Argentina, June 2009.

Party	Votes	Votes (%)	Seats	Seats (%)	Overall seats	Change
Civic and Social Alliance (ACyS) and Radical Civic Union (UCR)	2,477,688	40.5	12	50.0	25	+5
Front for Victory (FPV) and Peronist party (PJ) allies	1,212,255	19.8	8	33.3	36	–4
Anti-Kirchner Peronist dissidents	710,580	11.6	2	8.3	2	+0
Union for Córdoba	429,364	7.0	0	–	0	+0
Republican Proposal (PRO) and allies	342,449	5.6	2	8.3	2	+1
Worker's Party	58,890	1.0	0	–	0	+0
Other parties with less than 1%	545,570	8.9	0	–	2	–2
Other provincial parties	84,567	1.4	0	–	5	–1
Total	5,861,363	100.0	24	100.0	72	
Blank votes (% of total votes)	144,798	(2.4)				
Null votes (% of total votes)	116,602	(1.9)				
Votes under judicial review (% of total votes)	12,235	(0.2)				
Total votes (turnout)	6,122,763	(72.2)				
Registered electorate	8,474,844					

Source: National Electoral Directorate, Ministry of the Interior (<http://www.elecciones.gov.ar/inicio.htm>).

left Southern Project. And her ally Binner lost to Reutemann in Santa Fe. That surely deals a blow to any ambitions Carrió might have had for 2011, though she has stated that she does not intend to run again.

## 5. Implications

The Kirchners offered some initial acknowledgement of their defeat. On June 29, Kirchner resigned from the leadership of the PJ, and the following week Fernández reshuffled her cabinet. Still, even the new cabinet members are close confidants of the Kirchners, and the president pointedly left in place Commerce Minister Guillermo Moreno who oversees the INDEC and whose resignation was being demanded by opposition leaders.

The immediate implication of the June 28 election is likely to be deadlock. The new Congress is not officially seated until December 10 and does not begin reviewing legislation until March, following its summer recess. Even then, with the opposition divided between at least two

blocs, it seems unlikely to agree on much. The Kirchners may have lost their rubber-stamp Congress but it is not clear how much the opposition will be able to get done in its place. What is certain is that, whichever Kirchner chooses to run in the 2011 race, he or she is likely to face strong challenges from the likes of Cobos, Macri, and Reutemann, either in the primaries for the Peronist candidacy or in the election itself. Argentina's next presidential race will not be a repeat of Fernández's sweep to victory in 2007, particularly since she now faces the difficult task of winning back her popularity while having to share power.

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