

Change for the Sake of Change

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On 19 November 2023, Argentinian citizens voted in a run-off election between Sergio Massa, the current Minister of Economy, and Javier Milei, the libertarian candidate, to elect the president of the Republic for the next four years. With a difference of 11%, Milei, an anarcho-libertarian and [anti-caste populist](#), won over the populist alternative of the Peronist apparatus. The result of the elections means that 40 years after the restoration of democracy, the extreme right has come back into power in Argentina. In this blog, we provide a possible explanation of Milei's electoral win and map how Argentina's institutional framework and constitutional safeguards might help reign in some of his more radical proposals.

Choosing a ,Madman‘

Argentina's turn to an unknown, radicalised and peculiar political character (the president-elect has been nicknamed "[the madman](#)" in the past) is the product of people being utterly disillusioned with many years of government in the hands of "Kirchnerism." Called after the name of the first president who practised this type of politics, Nestor Kirchner, "Kirchnerism" is a self-identified populist left-wing movement linked to Peronism. It has governed for four electoral periods from 2003 to 2022, with only one interruption by a center-right elected government between 2015 and 2019. Néstor Kirchner's term was followed by two terms with his wife, Cristina Kirchner, and then the current president, Alberto Fernández, of whom Cristina Kirchner is the vice president.

Under their governance, Argentina has plunged into a serious social crisis: [40% of the population lives in poverty, 10% live in extreme poverty and at least half of the population works in the informal economy](#). Milei, throughout the campaign, appealed to the anger of voters at a political establishment that has led [corruption flourish and struts their wealth before the eyes of the poorest](#). Meanwhile, [obstacles to productivity](#) are omnipresent, and the quality of public [education](#) – once a point of [pride](#) for Argentina's people because of its quality and for its ability to promote [social mobility](#) – has plummeted and just become a flag to wave. People are *fed up* to the degree that their anger at the political establishment overcame the fear that Milei's political character and his radical proposals evoke. These include, *inter alia*, proposals to dollarise the economy, ban abortion, and reduce the state to a minimum as well as to [reduce the number of ministries from 18 to 8](#).

Yet, the question remains as to why after 40 years of democratic upswing, Argentinians elected a right-wing populist, who has largely distinguished himself by his radicalism, unpredictability and at times aggressive behaviour. As Roberto Gargarella [writes](#), this election confronted voters with an impossible choice. Both options – [be it the current economy minister of an indebted Argentina with a failing economy or the candidate who literally used a chainsaw to demonstrate how we](#)

[would cut state institutions and some of the most basic rights](#) – were clearly unwise. Faced with this kind of choice, citizens can only lose. Symbolically speaking, the loss is undeniable. Anarcho-libertarian populism has invaded the civic life of a country that has already been shaken by the [,rift‘ between Kirchnerists and non-Kirchnerists](#) and where the enemy is now the [political caste](#) that Milei is calling for to be [eradicated](#). The caste is those who, in his opinion, support an impoverished state and all those who do not join his libertarian agenda.

Milei’s Agenda

Milei’s election has occurred against the backdrop of an existential conflict between Argentina’s Kirchnerists and non-Kirchnerist citizens who see themselves as [staunch enemies](#). The tension between antagonistic groups reached its peak last year when there was an [attempt to assassinate](#) Vice President Cristina Kirchner just before a corruption conviction was issued against her. Nevertheless, few politicians have been as aggressive as Milei, who wielded the chainsaw to eradicate the political caste or took on the Vatican, calling the Argentinian Pope a [“filthy leftist” and a “representative of evil.”](#) While some of his rhetoric is [clearly right-wing](#), his [proposals](#) are many and varied and it is thus difficult to pigeonhole him. For example, he does not share any nationalist ideas or alignment with the Catholic Church. Nor does he call for Argentine sovereignty over the Malvinas Islands. This is quite remarkable since no presidential candidate had ever expressed the intention to relinquish sovereignty over the [Malvinas Islands](#).

However, there is one part of Milei’s proposals that has led even right-wing leaning anti-Kirchnerist citizens to cast their vote in favour of the Kirchnerist candidate, [Sergio Massa](#). These proposals, which are causing the greatest anxiety, are linked to the breaking of some fundamental agreements, some of which are the basis of coexistence even in an unhappy Argentina. We refer, for example, to Milei’s denial of state crimes during the last [dictatorship](#) as well as his proposal to [liberalise the sale of firearms and to allow the sale of organs](#). The proposals in question, despite their varied nature, have caused disquiet because they appear to be quite extreme in a nation already struggling with social conflict, high crime rates, and extensive poverty. The latter two suggestions, particularly in a context of significant poverty and inequality, and notably the contentious idea of allowing the sale of organs to settle debts, pose a threat to peace and coexistence, as well as to the limits that the state can impose on individual autonomy in situations of extreme [disadvantage](#).

An Orderly Transfer of Power

Despite the heated nature of the elections, marked by Milei’s [accusations of fraud](#) on the eve of voting, and the triumph of “the madman”, the government accepted defeat and the candidates behaved reasonably. Similarly, despite the widespread anger, the celebrations on the streets also passed off without any significant [incidents](#). Javier Milei and the outgoing president held a formally cordial meeting to organize the transition, which was followed by meetings between the vice-president-elect and the outgoing one, as well as various ministers in the same situation. If no

unexpected events occur, it is likely that the transition will proceed in an orderly manner. We hope that President Fernández will present President-elect Milei with the presidential sash and administer the oath of office. This would be a sign of integrity and democratic quality and would allow Milei to take office within the institutional framework provided by the legal system.

Constitutional Roadblocks to the ‘Madman’s’ Agenda

At the same time, Milei’s arrival in the presidency creates a significant degree of uncertainty due to the radical nature of various of his proposals, his proven aggressiveness and Argentina’s turn towards populism. The question remains as to what constitutional democracy, with its system of checks and balances, can do to erect a fence against Milei’s more [radical proposals](#), as for instance the free use of weapons, or to ‘burn’ the Central Bank.

It matters, in this regard that despite his victory, Milei does not have a parliamentary majority. The parliamentary elections were held together with the first round of the presidential elections, in which several political forces competed, winning seats, and distributing representation in both the Chamber of Deputies and the Senate. In the new composition of the Chamber of Deputies, the current ruling party (associated with Kirchnerism) will maintain the largest share with 108 seats, followed by the center-right coalition (Juntos por el cambio) with 94 seats, and the party of the winner, Javier Milei, with only 38 seats. In the Senate, Kirchnerism will also remain the strongest party with 33 seats, the center-right coalition (Juntos por el cambio) will hold 21 seats, and Milei’s party will have only 7 senators. No bloc will have a quorum on its own, and the three main forces will need to negotiate among themselves.

Milei will therefore need the support of another force from the centre-right. This is likely part of the members of Juntos por el Cambio members, which [supported him in the run-off](#), to pass legislation in parliament. Nonetheless, the other parties will hopefully put the brakes on some of Milei’s libertarian proposals that jeopardise Argentina’s core democratic and constitutional values. In this respect, the opposition will likely oppose proposals such as the sale of human organs, the deregulation of the arms trade, the semi-privatization model of education proposed by Milei, the dismantling of public policies related to [historical memory](#), and the suspension of trials for crimes committed during the dictatorship, among other things. On the other hand, it is foreseeable that with the support of his center-right allies, Milei may succeed in implementing some of his key economic proposals, such as the privatization of public companies, a drastic reduction in public spending, a decrease in the size of the state, as well as an extensive deregulatory policy.

The lack of a parliamentary majority in the hands of the new President has another advantage in case Milei’s nickname “the madman” is more than that and becomes a problem that would make it difficult for him to lead as President of the Republic. In particular, Articles [53](#), [59](#) and [60](#) of the Constitution outline the process for

impeachment proceedings, which can be initiated in cases of misconduct or crimes committed while fulfilling official duties.

Moreover, even if all this fails and unconstitutional laws flourish, the Argentine Supreme Court remains an independent body with a certain degree of institutional health. This is so despite various manipulations and attempts at [manipulation](#). It has in the past proven its willingness to fulfil its role as a guarantor of Argentina's Constitution and [democratic institutions](#).

The Opposition's Task

The institutional checks and the control of the vigilant citizenry can give us hope to overcome [Argentina's](#) typical problem of reducing democracy to periodic votes every two or four years. At the same time, Milei's lack of a political "apparatus," in particular his inability to rely on long-standing politicians to staff his cabinet and the youth of his party, might help overcome the party corruption and political clientelism that have long characterized Argentine politics, among many other [problems](#). That being said, addressing these latter problems will neither be easy, nor can it be achieved quickly, given that Argentina's problems are multifaceted, complex and interwoven, and depend to a large extent on the mayors, who wield considerable [power](#).

As previously noted, Milei holds a minority position in both chambers of Parliament. He does not possess the support of any governors or mayors, which significantly limits his power. This limitation is particularly evident considering that most of his campaign proposals, whether economic or social, require Congressional approval.

In the worst case, however, the absence of a political apparatus could lead to two possible extreme scenarios: a very weak president who cannot make policies and has difficulties with governability, as in the case of Pedro Castillo in [Peru](#); or the self-construction of a president who, to overcome his weaknesses, builds his strength through authoritarianism, as in the case of Nayib Bukele in [Salvador](#). Let us hope that neither one nor the other materialises. The future opposition that is now leaving power and the accidental allies of the new president will bear a lot of responsibility in the next four years in Argentina, much more than on other occasions.

