

The Rule of Law in Nascent Democracies

Judicial Politics in Argentina

REBECCA BILL CHAVEZ

Stanford University Press
Stanford, California

2004

Contents

<i>List of Illustrations and Tables</i>	ix
<i>Acknowledgments</i>	xi
Introduction	i
1. Constructing the Rule of Law	9
2. Argentina's Shifting Executive-Judicial Balance of Power	28
3. Monolithic Party Control and Critical Junctures: The Erosion of the Rule of Law under Perón and Menem	53
4. A Tale of Two Provinces: Judicial Autonomy in San Luis and Mendoza	80
5. Monolithic Party Control and Executive Dominance in San Luis	99
6. Party Competition and the Rule of Law in Mendoza	116
7. The Politics of Reform Coalitions	134
Conclusion: Competitive Politics and the Rule of Law in Presidential Systems	157
<i>Appendix: A Spatial Model of Supreme Court Independence</i>	167
<i>Notes</i>	171
<i>Bibliography</i>	217
<i>List of Interviews</i>	237
<i>Index</i>	243

Illustrations and Tables

Map of Argentina	xvi
------------------	-----

Figures

4.1 Changes in Supreme Court size in San Luis and Mendoza, 1983–2000	91
A.1 Spatial models of unified and divided government	168
A.2 The sequential game	169

Tables

1.1 Indicators of Executive Subordination of the Judiciary	26
2.1 Argentine Supreme Court Appointees, 1983–99	37
2.2 History of Informal Practices in Argentina, 1862–1999	50
3.1 Divided Government in Argentina, 1916–46	57
3.2 Monolithic Party Control in Argentina, 1946–83	60
3.3 Distribution of Senate Seats under Alfonsín, 1983–89	61
3.4 Distribution of House Seats under Alfonsín, 1983–89	61
3.5 Distribution of Senate Seats under Menem, 1989–98	62
3.6 Distribution of House Seats under Menem, 1989–99	63
3.7 Composition of the Impeachment Jury	74
4.1 Indicators of Executive Subordination of the Judiciary in San Luis and Mendoza	82
4.2 Compliance with Formal Rules: San Luis versus Mendoza	95
5.1 San Luis General Election Results, 1973–91	101
5.2 Unified Government in San Luis, 1983–2003	103
6.1 Divided Government in Mendoza, 1983–2003	119
6.2 The Judicial Council: San Luis versus Mendoza	128