Introduction*

> A full description of the opportunities available for participation and contestation within a country surely requires one to say something about the opportunities available within subnational units.
>
> – Robert Dahl (1971, 12)

The Peronist party has ruled the Argentine province of Formosa since the re-democratization of the country in 1983, winning nine consecutive gubernatorial elections. The current governor, Gildo Insfrán, was first elected in 1995 with 59 percent of the vote, and then reelected five times in a row with between 72 percent and 76 percent of the vote. Formosa has a very weak system of checks and balances: neither the provincial legislature (dominated by a large Peronist majority) nor the provincial judiciary control the governor.[1] How was this level of hegemony achieved in a province with some of the country's worst social development indicators? Some readers may think poverty breeds this kind of undefeatable local bosses, but one can find many regions in Argentina and other countries that are similarly underdeveloped and yet regularly produce competitive elections and rotation of parties in office. Other readers may suspect massive levels of patronage and clientelism, and they would be right: 54 percent of all formal workers in Formosa are on the provincial payroll (and an additional 9 percent are municipal employees).[2] Exaggerating only slightly, everybody is a provincial public employee or lives with someone who is. Therefore, most Formosans depends on the provincial budget for their economic survival. Can democracy function when the ruled are employees of the rulers, rather than the rulers being employees of the ruled?

* Portions of this chapter were published previously in Gervasoni (2010a).

[1] See Chapter 3 and in particular Figure 3.8.

[2] Pozzo (2017).

A second intriguing question: how can such a poor province pay for so many employees? Formosa's own tax revenues are tiny, accounting for barely 1 percent of its gross geographic product and just 5 percent of its public expenditures.[3] The other 95 percent comes from federal transfers sent by the national Treasury in Buenos Aires. The answer to the question, then, is that Formosa's employees are paid with taxes raised by the federal government in the rest of the provinces (especially the largest ones in population) and redistributed in favor of demographically small provinces like Formosa.

I will argue that there is a link between Insfrán's capacity to spend large amounts of money on public employees (and other things) without really taxing local constituents, and his long, hegemonic rule. Plentiful federal transfers to provinces like Formosa are subsidies, or unearned income, which, much like resource rents in oil-rich countries, give rulers the capacity to make most individuals, groups, and companies dependent on the state's budget without the state budget being dependent on them. It is not poverty, but the capacity to spend much money without taxing local actors that allows rulers like Insfrán to obtain electoral landslides unheard of in truly democratic polities (including Argentine provinces that do not enjoy high levels of federal subsidies). What I will call "fiscal federalism rents" are detrimental to subnational democracy in the same way that, according to many academic studies, oil rents are detrimental to national democracy. Contextual details vary, but the causal logic at work and the mechanisms connecting high rents with low democracy are essentially the same.

Why does subnational democracy (or the lack thereof) matter? In federations – and increasingly in formally unitary countries with high levels of decentralization – lower levels of government wield much power. Many of the laws, and most of the officials, judges, policemen, doctors, and teachers who make decisions and supply public services, belong to (first-level) subnational units such as US states, German länder, and Argentine provinces. Even if the national regime is democratic, autonomous regional governments command considerable fiscal, human, and bureaucratic resources which allow them to curtail political rights in many and important ways. Consider the case of the Southern US states, which were able to sustain racial segregation and one-party regimes for many decades in spite of being part of one of the oldest and most-consolidated national democracies in the world.

Less democratic subnational regimes show their ugliest face when they resort to visible coercion. I will argue, however, that high profile acts of repression are rare in such regions when they are embedded in a national democracy. Subnational rulers with authoritarian inclinations understand that banning a critical newspaper, crushing an opposition protest, or jailing a troublesome judge are risky moves in national democratic contexts. Instead, they will try to conceal their authoritarian ways by, for example, withdrawing publicity from the critical newspaper, signaling that participation in a protest will lead

[3] See Table 5.1.

to losing a public job, or blackmailing the judge after spying on her or his private life. These "soft" forms of repression significantly undermine democratic rights and freedoms, as media outlets "choose" not to publish facts or opinions unfavorable to the provincial administration, citizens fear turning up at an opposition rally, and judges default on their obligation to control the governor's actions. Although the specific tactics provincial government use are difficult to observe, their consequences are not: Chapter 3 documents, among other things, the prevalence in several Argentine provinces of grossly biased media systems, of low levels of freedom of expression for public employees, and of very weak checks and balances. These practices, paraphrasing a scholar of the province of San Luis, manufacture "serf citizens" (Trocello 2008; author's translation). Many elements central to mainstream definitions of democracy – freedom, accountability, limitations on the power of the executive, and a level electoral playing field – are critically weakened by them.

These failings of democracy at the subnational level would be grave enough if they just affected the citizens of a few provinces. The experience of Argentina, however, shows that a country's least democratic regions often have a disproportionate impact on its national politics. In particular, the governors of those provinces have been remarkably successful at capturing the presidency in Argentina. Carlos Menem (CM) and Néstor Kirchner (NK) won presidential elections in 1989 and 2003, respectively, when they were serving as governors of La Rioja and Santa Cruz, both demographically tiny provinces with some of the lowest levels of democracy in the country. Many of the hegemonic tendencies in their presidencies (and those of Kirchner's wife and successor, Cristina Fernández) can plausibly be attributed to their political socialization in low-democracy environments. This point was elaborated in the Preface as my frustration with the authoritarian tendencies of presidents Menem and Kirchner was an important motivation for undertaking the research project that led to this book. I quote from there: "Menem, for example, quickly packed the Supreme Court with a group of loyal and often unqualified cronies that made a joke of judicial checks and balances. Kirchner, among other things, targeted one of the most basic pillars of democracy, the critical media. No wonder: there are hardly any independent judges in La Rioja and hardly any independent media outlets in Santa Cruz. The first instinct of these leaders was to reproduce at the national level the hegemonic realities they had become used to in their provinces." George Wallace, the proudly segregationist governor of Alabama, ran four times for the presidency. One wonders how civil rights, and ultimately democracy, would have fared in the United States had he been successful.

Beyond becoming presidents, the rulers of the least-democratic regions affect the national regime in other ways, for example through their influence on legislators elected in their territories, who often represent the governors' interests in the national legislature. Jim Crow era Southern Democrats in the US Congress, as well as Peronist deputies and senators from Formosa, La Rioja, and Santa Cruz have often helped undermine national democracy. For reasons ranging from the seniority system in the US Congress to gross malapportionment in

Argentina, these legislators often command much more power than the relative demographic magnitude of their regions would suggest.

1.1 GETTING ON THE AGENDA: COMPARATIVE POLITICS AND SUBNATIONAL REGIMES

Scholars of political regimes have long noticed that the extent to which citizens of democracies enjoy political rights and freedoms varies widely, not only across social cleavages such as class and ethnicity, but also across subnational/regional[4] boundaries. The United States during the "Solid South" years, when a robust national democracy coexisted with a group of racially exclusionary, single-party subnational regimes (Key 1949; Gibson 2012; Mickey 2015), provided an early and stark example. In his classic *Polyarchy*, Robert Dahl noted, "even within a country, subnational units often vary in the opportunities they provide for contestation and participation" (1971, 14), adding that not dealing with this issue was a "grave omission" (p. 12) of his book. Four decades into the "third wave," it is even clearer that many national democracies include some very imperfectly democratic subnational regimes. The problem appears to be especially acute in large and diverse federations in the developing world. Countries such as Argentina, Brazil, India, Mexico, and Russia show remarkable heterogeneity in the degree to which their regions are democratic. Nevertheless, as the example of the US South shows (and the results of a comparative analysis confirm in Chapter 7), established democracies in developed nations are not necessarily free from the problem.

Political science is just starting to remediate Dahl's omission. Much of the burgeoning literature on federalism, decentralization, malapportionment, and other dimensions of subnational politics does mention the existence of authoritarian practices at the regional level, but usually just as a passing remark. Despite massive research on *national* authoritarianism and democracy in the last six decades, there are only a few such studies at the subnational level. Standard and widely used indices of democracy – for example that produced by the Polity IV project – do not consider any subnational information to code countries. The ambitious *Varieties of Democracy* project – a research initiative to improve the measurement of national regimes – does, for the first time to my knowledge, include a regional dimension (Coppedge, Gerring et al. 2011; Coppedge et al. 2018a, b).

[4] I refer to autonomous polities within sovereign countries (and to their regimes) using three terms at different levels of abstraction. The most general one is "subnational," as in "subnational unit" or "subnational regime." When referring to first-level subnational units, such as Argentine provinces, German länder, Russian republics or oblasts, or US states I use "region" and "regional regimes." Finally, when the text refers specifically to Argentina I use "province" and "provincial regime."

The topic timidly entered the research agenda of comparative politics in the 1990s, as the functioning of the new third-wave democracies significantly expanded the number of formally democratic subnational regimes. This new source of evidence eventually made it quite clear that within-country regime variance was substantial. Several scholars highlighted the existence of subnational "authoritarian enclaves" (Fox 1994, 106) or the persistence of authoritarian "traditional politics" (Hagopian 1996) at the regional level, even after national transitions to democracy.

Toward the end of the decade, the topic figured with some prominence in the works of influential scholars of democracy. They alerted that "[e]nclaves of exclusion and repression exist throughout Latin America and the successor states of the Soviet Union" (Diamond 1999, 133) and wondered "how one conceptualizes a polyarchical regime that may contain regional regimes that are not at all polyarchical" (O'Donnell 1999b, 315). The introduction to the edited volume *Subnational Politics and Democratization in Mexico* called attention to the "survival and even strengthening of subnational authoritarian enclaves in states like Puebla, Tabasco, Guerrero, Chiapas, Oaxaca, Campeche, and Yucatán" and, more generally, to the "uneven, patchwork character of democratization" in Mexico (Cornelius 1999, 3–4). Mexico's decisive move toward national democratization in 2000 was considered an "unfinished transition" because of the persistence of these enclaves (Lawson 2000). Not coincidentally, an early and influential piece on the methodology of subnational comparisons used as one of its main illustrations the persistence of "illiberal peripheries" in new national democracies (Snyder 2001, 101–2).

In Argentina, journalists preceded academics in throwing light on "problematic" provincial regimes. Soon after the country returned to democratic rule in 1983, a few investigative journalists started writing about provinces such as Catamarca, San Luis, and Santiago del Estero where elected Peronist governors seemed to exercise power well beyond the limits of democratic principles. Local scandals that made the national news (such as the 1990 "María Soledad" case in Catamarca[5]) and colorful provincial bosses (e.g., governors Adolfo Rodríguez Saá of San Luis and Carlos Juárez of Santiago del Estero) aroused the interest of journalists. The resulting stories and books focused on many maladies, such as personalism, nepotism, clientelism, and corruption, but authoritarianism (not necessarily under that name) was a paramount topic of these works. A sample of excerpts from the titles and subtitles of these

[5] María Soledad Morales, 17, died in obscure circumstances, apparently during a party organized by people linked to the provincial regime. Eventually Guillermo Luque, the son of a Catamarcan Peronist federal deputy, was found guilty of her rape and murder, and sentenced to twenty-one years in prison (he was released in 2010, after fourteen years, for good behavior). The case became a provincial and national scandal, especially after clear signs that the provincial government headed by Ramón Saadi was trying to cover up friends. Massive and repeated demonstrations kept the scandal alive for months. In 1991, President Menem used the constitutional power of "federal intervention" to remove Saadi from the governorship.

books – even untranslated – is instructive: *Historia de un Feudo* (Zicolillo and Montenegro 1991, on Catamarca), *Cuando el Tirano cae su Poder Termina* (Morandini 1991, on Catamarca), *El Último Feudo* (Wiñazki 1995, on San Luis), *Contrademocracia Argentina* (Bazla 2002, on San Luis), *Crónicas del Fascismo Mágico* (Wiñazki 2002, on San Luis), *Miseria, Terror y Desmesura* (Carreras 2004, on Santiago del Estero), and *Terror, Corrupción y Caudillos* (Dandan, Heguy, and Rodríguez 2004, on Santiago del Estero). Even allowing for some measure of attention-grabbing exaggeration, these titles are telling: one does not use words such as "feudal," "tyrant," "fascism," and "terror" to describe regimes that are reasonably democratic. These and other journalistic works helped put provincial regimes on the agenda of scholars of Argentine politics and provided them with an initial and valuable, if nonsystematic, body of empirical evidence to start exploring the subject.

Later academic works confirmed that these journalists were on to something. Further research reveals that Argentina has one of the world's highest levels of regional unevenness in the fairness of its subnational elections and in the respect for civil liberties (McMann et al. 2016). This should not be surprising, as the country has medium to high values in most of the variables that, according to the cited study, tend to predict regime heterogeneity across regions: terrain ruggedness, population size, and, especially, economic inequality among regions. Moreover, because Argentina is a federal nation with very powerful first-level subnational units (Hooghe et al. 2016), what journalists were observing was very real: a few provincial governments that were (*de facto*) much less democratic than others *and* (*de facto* and *de jure*) very autonomous to make their own decisions over a wide range of policy areas.

One of the main data sources for this book is a survey of experts on the politics of each Argentine province. An item toward the end of the questionnaire supplied the experts with a definition of democracy and asked them to rate the reference period (2003–7) in their provinces (plus the Raúl Alfonsín, CM, and NK national administrations) on a scale ranging from "very democratic" to "not democratic at all."[6] This item is not the most rigorous measure of subnational democracy because it leaves much to the different criteria that different experts may use,[7] but it is useful as a simple, "quick and dirty" empirical

[6] The question read as follows: "For the next questions I need to define democracy as 'a political regime in which: (1) the executive and legislative branches are elected in free and fair elections with universal adult franchise, (2) there are effective checks and balances among the executive, legislative and judicial branches, and (3) basic constitutional rights such as freedom of speech are respected.' I am going to mention several provincial and national governments, and I would like you to tell me, using this definition, whether each of them was very democratic, quite democratic, somewhat democratic, not very democratic or not democratic at all." The wording in Spanish can be consulted in the online appendix at www.utdt.edu/profesores/cgervasoni.

[7] For example, although a definition is given, experts may still bring into their assessments their own ideas about what democracy is. Even those who strictly follow the definition may interpret the three elements included in it differently, and weight them in different ways.

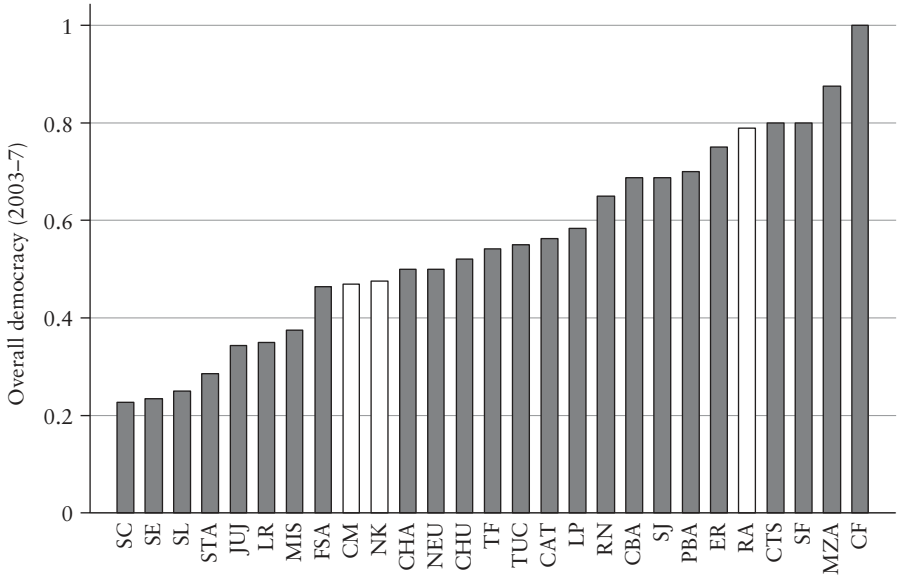

FIGURE I.1. *Overall evaluations of subnational democracy in Argentina (2003–7)*

exploration of our subject matter. Figure I.1 presents the provincial experts' average scores on this overall indicator of democracy (0 = minimum level of democracy; 1 = maximum level of democracy).

The main point to notice is that provincial democracy varies significantly: the city of Buenos Aires (CF), Mendoza, Santa Fe, Corrientes, Entre Ríos, Buenos Aires, San Juan, and Córdoba are deemed reasonably democratic by experts while, at the other end, Santa Cruz, Santiago del Estero, San Luis, Salta, Jujuy, La Rioja, and Misiones are seen as much less democratic. The national-level ratings (white columns) provide a useful (and interesting in itself) point of reference for comparison. As Figure I.1 shows the 1983–9 Raúl Alfonsín (RA) administration was considered democratic by the 155 experts (although less so than the most democratic provinces). The CM (1989–99) and NK (2003–7) administrations were evaluated as considerably less democratic, and in fact below most provinces. Again, these are not the best data to describe subnational democracy in each province (e.g., Corrientes and Formosa do significantly worse with the alternative measures used in the rest of this book), but the figure as a whole shows two real patterns: (1) that provinces vary widely, from very democratic to rather undemocratic; and (2) that they can be, as expected, less democratic than the national regime but, surprisingly, also more democratic.

Argentina is not atypical. According to V-Dem data, as of 2012, 68 percent of all countries in the world had elected regional executives and/or assemblies, but unevenness within them in terms of the fairness of the elections and the

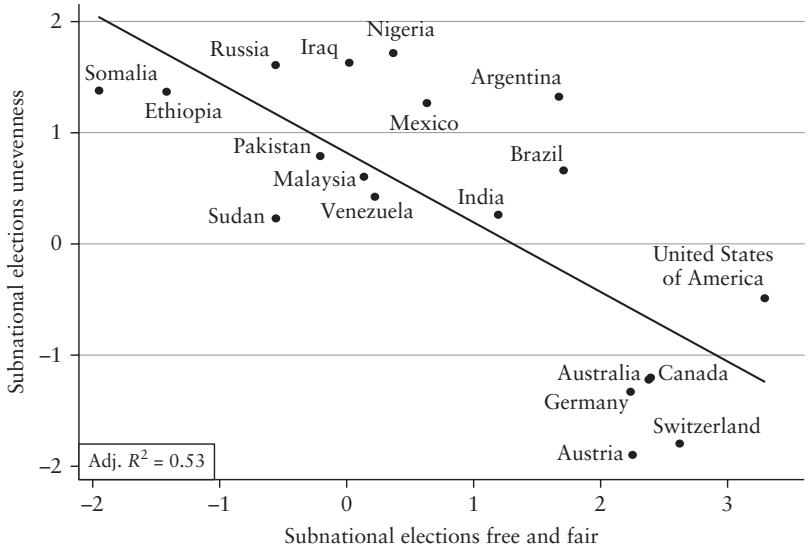

FIGURE I.2. *Subnational elections in nineteen large federations (2014)*
Source: Author's elaboration on varieties of democracy data (Coppedge et al. 2018a)

respect for civil liberties was often high (McMann 2018). Figure I.2 presents indicators of regional elections' freeness and fairness (*X*-axis) and of their territorial unevenness (*Y*-axis) for nineteen large federal countries. There is significant variance in both axes. Some countries have subnational elections that are largely free and fair (e.g., Germany and the United States) some leave much to be desired (e.g., Somalia) and some obtain middling levels (such as Argentina, India, Mexico, and Nigeria). Likewise, in some nations elections are of similar quality across subnational units, while in others there is significant variance. The two variables are quite strongly correlated (adjusted $R^2 = 0.53$), indicating that those countries that have freer and more fair regional elections tend to also be more even territorially. Nations such as Brazil, Mexico, Nigeria, the United States, and especially Argentina, are above the regression line, indicating that the quality of subnational elections there is more uneven than expected on the grounds of their overall subnational elections quality. Not surprisingly, these are among the countries most studied by the literature on subnational democracy: differences within countries are especially visible and especially puzzling, given that many potential explanatory factors vary little (or not at all) across the regions of a given nation.

These differences among the regions of a given country call for an explanation. An important advantage enjoyed by scholarship on subnational regimes is that it can "stand on the shoulders of *national* giants," so to speak: political science has produced, since Lipset's (1959) seminal article, a huge, theoretically rich, and methodologically sophisticated literature on measuring and explaining

democracy and authoritarianism at the national level.[8] The recent and small literature on subnational democracy, then, has a solid foundation on which to build, as well as great potential to contribute better measurement tools, innovative theories, and critical evidence on the extent of, and reasons for, regime differences. Expanding scholarship on democracy from the national to the subnational level greatly increases the size and diversity of the relevant units of analysis. The thousands of regions, territories, counties, and municipalities around the world are an exceptional source for new ideas and new evidence.

Over the past two decades, scholars have produced several studies of subnational democracy, or of related concepts such as democratic competitiveness or human rights respect. Qualitative case studies have been conducted for Argentina (Chavez 2003, 2004; Gibson 2005, 2012; Trocello 2008; Behrend 2011; Giraudy 2015), Brazil (Hagopian 1996; Durazo Herrmann 2014; Borges 2016; Souza 2016), India (Heller 2000; Tudor and Ziegfeld 2016), Kyrgyzstan (McMann 2006), Mexico (Cornelius, Eisenstadt, and Hindley 1999; Snyder 1999; Gibson 2005, 2012; Durazo Herrmann 2010; Giraudy 2015), the Philippines (Sidel 2014), Russia (Gel'man et al. 2003; Petrov 2004; McMann 2006), South Africa (Munro 2001), and the United States (Gibson 2012; Mickey 2015; Gibson and King 2016). There have also been several quantitative studies aimed at describing and/or explaining subnational regimes within a single country, for Argentina (Gervasoni 2010a, 2010b, 2016b; Giraudy 2010, 2015), Brazil (Borges 2016), Mexico (Hernández Valdez 2000; Beer and Mitchell 2004; Giraudy 2010, 2015; Somuano Ventura and Ortega Ortiz 2011; Gervasoni 2016b; Loza and Méndez 2016), India (Beer and Mitchell 2006; Lankina and Getachew 2012), Russia (McMann and Petrov 2000; Lankina and Getachew 2006; Saikkonen 2016a, 2016b), and the United States (Hill 1994; Goldberg, Wibbels, and Mvukiyehe 2008). There are also quantitative studies conducted at the municipal level (Gel'man and Lankina 2008; Benton 2012). More recently and taking advantage of the new *Varieties of Democracy* dataset, scholars have begun to study subnational regimes across the world (McMann et al. 2016), transcending the previous focus on one or a few countries. These are significant contributions, but they pale in comparison to the exemplary literature on national regimes, characterized by high and increasing levels of theoretical sophistication and methodological rigor.

Building both on the national and subnational literatures, this book attempts to advance our knowledge by: (a) making an in-depth descriptive and explanatory contribution for the specific domain of Argentina's twenty-four first-level subnational units; and (b) providing a comparative perspective with several other countries, hoping (and claiming) that the book's methodological and theoretical innovations are applicable to many other nations and many

[8] Too large to cover adequately here; for an excellent summary see Coppedge (2012).

other subnational units. In the next two sections, I provide a summary of the book's original descriptive and explanatory contributions, which are developed at length in the following chapters.

1.2 DESCRIPTION: OBJECTIVE AND SUBJECTIVE OPERATIONALIZATIONS OF SUBNATIONAL DEMOCRACY

There exist many and diverse indices of democracy (or regime type) at the national level, some of which are longstanding and cover most countries of the world over extended periods of time (such as the widely used Polity score). That is not the case for the subnational level. Therefore, a substantial part of this book is dedicated to: (a) developing several measures of subnational democracy; (b) applying them to all the provinces of Argentina to provide a comprehensive description of their political regimes; and (c) applying one of these measures comparatively to eight countries: Argentina, Australia, Canada, Germany, India, Mexico, the United States, and Uruguay. This descriptive effort is valuable in itself, and constitutes an indispensable foundation for causal inference.

For Argentina I developed two alternative operationalizations of subnational democracy, one objective (which results in the *Subnational Democracy Index*, based on electoral and institutional indicators) and one subjective (which results in several indices derived from a survey of local experts on provincial politics), and applied them to all the provinces for the periods 1983–2015 and 2003–7, respectively. The resulting indices provide a rich and detailed anatomy of provincial regimes in contemporary Argentina, covering many aspects of democracy, from the core electoral competition component to the status of press freedom, the effectiveness of checks and balances, and the prevalence of human rights violations.

For the rest of the countries analyzed in this book, I developed a generalized version of the objective index – the *Comparative Subnational Democracy Index* (CSDI) – that can be applied to nations with different institutional characteristics than Argentina. This index is relatively narrow in the sense that it taps only the "contestation" dimension of democracy, but has the advantage of permitting both cross-unit comparisons among different countries and within-unit comparisons over time.

Two key conclusions emerge from these data: (1) regions do vary considerably in the extent to which they are democratic, and do so along many dimensions of political regimes; but (2) they typically range from democratic to hybrid, hardly ever reaching the authoritarian pole in countries where the national regime is reasonably democratic. Paralleling national-level findings, regimes that combine elements of democracy and authoritarianism appear to be, in certain contexts, more viable, and therefore more prevalent than outright authoritarianisms (Zakaria 1997; Levitsky and Way 2002, 2010; Ottaway 2003; Schedler 2006).