

An Undisciplined Vice President:

Explaining the behavior of the argentine Vice President in the
2008 farm conflict

Gabriela Alemany

Abstract

In March 2008 a conflict started in Argentina between the government and the farm sector due to the introduction of a new tax scheme on the exportation of grains. Turning into one of the biggest conflicts the country had seen in recent years, the President decided to send a tax proposition to the Congress in order to give further approval to the measure. Despite having the President the majority of the seats in both Chambers, the measure was rejected by the Chamber of Senators. The unusual of this event was that the voting, having ended in a tie, was ultimately decided by the Vice President who voted against the measure originated from the President.

The purpose of this study was to elucidate why the Vice President voted as he did, analysing the possible determinants behind his action. Within the objective of studying the Vice President's behaviour is that the theoretical framework of Institutional Rational Choice was used, arguing that institutions, regarded as norms, rules and strategies, constrain or guide the behaviour of rational actors. Taking into consideration these two concepts, institutions and the rational actor, is that an analysis was constructed.

The findings in this study stress that the Vice President acted in order to satisfy his preference or goal of ending the conflict, a behaviour that was allowed or permitted by legal rules, as those regarded in the Constitution, and certain rules and norms governing the coalition the Vice President was in. These rules and norms allowed then a behaviour of divergence which the Vice President ultimately took.

Key words: Argentina, Vice President, farm conflict, motives, IRC
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1 Introduction

In a presidential regime, the support of a majority in the Congress is a necessary requisite to ensure government stability, as well as to ensure the realization of policies from the Executive. Disciplined actors and cohesive parties guarantee stability, posing no explicit challenge to the governing party and the head of state. (Morgenstern & Nacif: 2002: 4, 46, 47; Giannetti & Benoit 2009: 34).

Lessons learned from the United States Congress show that legislators, in presidential regimes where the Executive and Legislative powers are separated, are less prone to support the Executive than in other regimes. This is in large part because voting against the President, or deferring from the party line, does not particularly weaken the party or the individual's chances for re-election and/or a continuation of a political career (Giannetti & Benoit 2009: 6).

According to authors within the field, empirical data suggests that most legislators in the US Congress are driven by the ambition of re-election. They possess *static ambition*. That is, the ambition for re-election to the same political position within the legislative power as the one they occupy (Morgenstern & Nacif: 2002: 15, 16). As long as following the party line serves legislators static ambition, cohesion will be the norm, in other cases it won't.

Though they share many characteristics, the experience from the US Congress differs from the one observed in Latin American counterparts (Morgenstern & Nacif: 2002: 16). In contrast to static ambition, legislators in Latin America are driven by *progressive ambition*, that is, legislators pursue other and possibly higher career paths (Morgenstern & Nacif: 2002: 16). A career path that is closely related with the political party they belong to. Rates of reelection to the same position are low in most Latin American cases (Mainwaring & Shugart 1997: 276).

Intra-party conflicts in Latin America are not unheard of as legislators do in some instances not support a particular policy from their own party, coalition or President. However, party cohesion *is the norm*. When intra-party conflicts occur it might bring undesired outcomes as a destabilization or weakening of the government or ruling party.

Though party cohesion is the norm, one particular relationship, that between the President and Vice President, has in certain countries been littered with conflicts, leading to resignations and the freezing out of some individuals and groups from the political centre.

The latter is what occurred in Argentina in 2008 when the Vice President, Julio Cobos, voted *no* to a conflicted policy originated by the President Cristina Fernandez de Kirchner.

Less than six months in power, the President established a new tax scheme that would increase the export taxes to grains such as soybeans and sunflower.

This policy was strongly opposed by the farm sector affected by the tax increments, and led to one of the deepest conflicts the country has ever seen in recent years.

The conflict, which began in March 2008 and ended in July the same year, brought with it violent protests, strikes, harsh public discourses, a decline in the country's economy, a deterioration of the President's image and ruptures and divisions within the governing coalition.

As an ultimate way to solve the conflict, a tax proposition was sent to Congress for its final approval. The measure was approved by the Chamber of Deputies, but rejected by the Chamber of Senators. The voting, which had ended in a tie, was ultimately decided by the Vice President who voted against the proposition originally initiated by the President (Infolatam 2008-07-17). The event was historical since it was the first time a Vice President ever casted a vote in the Senate.

1.1 Purpose of the study and problem formulation

This study was originally motivated by a quote from the argentine deputy Silvia Vázquez who stated that: "Of all the senators and legislators who voted against the tax proposition, the only person who could not do that was the Vice President. Yet he did it" (4 Semanas 2009-06-22).

The purpose of this study is then to elucidate why the Vice President Julio Cobos, one of the main figures that should have supported the President and her policies, ended up rejecting the tax proposal. Hence, the main question of this study is: Why did the Vice President of Argentina halt the legislation on export taxes? In the search of answering the general question, I propose other minor inquiries that will guide this study:

- What specific determinants affected his behavior?
- Was he constrained in anyway by the institutions he was in?
- Acted he self-interestly?
- Acted he in consistence with the motivations given explaining his action?
- What was his ultimate goal regarding the conflict?

1.2 Importance of the study

Why is it important to study the behavior of the Vice President of Argentina in that particular case? Three reasons I believe are important to mention. First, the Vice President's behavior has not yet been comprehensively explained. Second, the situation was a historical event for the country, since it was the first time in the

history of Argentina that a Vice President had to untie a voting. The study can serve as a tool for further analysis in future possible scenarios like the one treated by this thesis. Third, it is important for the credibility of a government that their main actors behave in a cohesive manner. Disciplined politicians and legislators are required in order to maintain the stability of a government and pass legislation. When the contrary occurs it turns out crucial to know why this happened.

The ambition of this study is to provide important insights in the study of intra-party/coalition conflicts in Argentina, in this case regarding the behavior of the Vice President.

1.3 Methods and material used

This study will take the form of a theory consuming case study, in which the objective is that of explaining a specific case through the use of already existing theories (Esaiaasson et al 200: 40). Specifically, the explanations of actions (Hadenius 1983, *Scandinavian Political Studies*) is what will be highlighted in this study since the purpose of this paper is to explain the behavior of the Argentine Vice President and uncover the possible determinants behind his decision.

To determine motives is not an easy task since the motives itself are mental processes within an actor, which makes it difficult for observation (Teorell & Svensson 2007: 251). However, indicators will be used in this study in order to infer motives. The indicator that I will use the most is the actor's direct and explicit motivations (Teorell & Svensson 2007: 251; Hadenius 1983, *Scandinavian Political Studies*).

Regarding the material used in this study, it varies according to the subject at hand, ranging from second hand material, interviews and formal documents. For the explanation of the theoretical approach I have mainly used different books that treat the theoretical concepts used in this study. When explaining some background information necessary for a further understanding of this study, literature regarding Latin American politics has been used. Reference to internet sources is also used. For the explanation of the case and other events related to the conflict news paper articles have been used. Specifically, most articles are taken from Argentine news papers. Interviews with the Vice President are also used in the form of written interviews in news papers as well as of televised interviews from different TV-networks. Information is also taken from the Argentine Constitution as well as from the Senate and Government internet pages.

1.4 Theoretical approach used in the study

Even though the unit of analysis in this study is the actor and emphasis is placed upon the actor's behavior, this study would not be complete if we only concentrate at the agency level. On the contrary, understanding the structure or context in which the actor finds himself in, constraining or guiding the actor's choices, is also important to analyze. With this idea in mind, certain concepts within Institutional Rational Choice theory (IRC) will comprise the theoretical framework used in this study.

This theory is based on the idea that "the institutional context of a decision maker is a critical element in setting objectives and in recommending or selecting particular policy options" (Susskind et al 2001: 96). It utilizes assumptions from rational choice theory, considering the individual as a rational actor who will choose the best alternative available, and also includes the institutional component arguing that institutions, generally understood as formal and informal rules, ultimately affect, guide or constrain the choices made by the actors (Susskind et al 2001: 96-97). For this study I will particularly make use of these two concepts, institutions and rational actor, to structure my analysis.

1.5 Disposition

The following section explains the theoretical approach that will guide this study. Chapter 3 will continue by outlining some important and short facts about Argentina and the country's politics in general so as to have basic and shared information about the country in question. Chapter 4 treats the case, specifically the farm conflict, how it started and some general remarks. It then continues by specifically seeing the Vice President course of action during the entire conflict, divided into three stages, in order to collect useful information later used in the analysis. Interviews with the Vice President will follow the above mentioned. Once I have recollected all the information needed I will begin the analysis in chapter 5, discussing the findings and implications of it. Based on the results taken from the analysis, the final and concluding section, chapter 6, will draw two possible scenarios regarding the future behavior of Vice Presidents in general in Argentina.

2 Theoretical approach: Institutional Rational Choice

As a basic theoretical starting point, Institutional Rational Choice (IRC) will be utilized in this study. IRC is defined by Paul A. Sabatier as “a family of frameworks focusing on how institutional rules alter the behaviour of intendedly rational individuals motivated by material self-interest” (Sabatier 2007: 8). The literature regarding IRC is extensive and has been applied to a myriad of different problems and studies. For the purpose of this study, I have combined certain concepts from different authors to guide and aid me in my analysis of the case at hand. I have used a theoretical approach which is not based solely on one book or author, but rather that draws concepts from several.

The focus of IRC is on how institutions constrain rational action (Marsh & Stoker 2002: 86). Specifically IRC seeks to understand how institutions shape, guide and constrain rational actors’ behavior, preferences and the options available for action (Katznelson & Weingast 2005: 1; Marsh & Stoker 2002: 74; Dowding & King 1995: 7).

The theory draws assumptions from both rational choice and institutionalism. Since the purpose of this study is to elucidate why the Vice President acted the way he did, it results necessary to detail his interests, his preferences, his ultimate goal and how these were formed.

Two particular concepts will be outlined in this study: institutions and rational actor. It is through these two concepts within IRC theory that this study will be based on.

2.1 The individual as a rational actor

Within rational choice, individuals are assumed to be self-interested and always choose the course of action they believe will have the best overall outcome (Marsh & Stoker 2002: 65). Individuals are considered as having desires, called ‘preferences’, and beliefs. The actor acts in a particular way in order to satisfy his preferences. He does so on the basis of the beliefs he has regarding the opportunities of action available to him (Marsh & Stoker 2002: 69, 70; Parsons 2005: 8, 10). Preferences are regarded as being well ordered and transitive. Well ordered in the sense that preference A has a higher priority than B, B must come

before C and so on. Furthermore, preferences are transitive, meaning that if an actor prefers A to B, and B to C, he will then prefer A to C (Parsons 2005: 10).

In this attempt to satisfy his preferences, the actor is considered as a ‘utility maximizer’. This means that the individual will choose the action whose outcome is the most preferred (Parsons 2005: 11). The actor counts with perfect or complete information concerning all the relevant alternatives and can therefore choose and perform the best course of action (Parsons 2005: 13).

Actions possess certain benefits as well as certain costs. The benefits of an action are determined by the preference that is satisfied as a result of completing that action. The costs will be determined by for example, the time, money and effort that it takes to complete the action (Parsons 2005: 11). As the actual costs and benefits of an action can be only known once the action has been taken, the RC model considers the ‘expected costs’ and ‘expected benefits’ of any course of action (Parsons 2005: 13). The actor weighs the expected benefits and expected costs of various courses of action that are available to him against each other. The individual assesses the various available actions, and chooses the one producing the greatest benefit relative to his preferences (Parsons 2005: 11).

In sum: according to rational choice, the actor is a self-interested utility-maximizer with a clear set of preferences and perfect information regarding the possible courses of action to attain his goals, the choice of which will depend on an expected cost/benefit calculation.

2.2 Institutions

When trying to define the concept it is easy to fall in the trap of conceptual stretching in which the concept includes so much that the concept ends up weak and diluted (Marsh & Stoker 2002: 103; Sabatier 2007: 23).

The definition to be used in this study follows Elinor Ostrom conceptualization in which institutions are the shared concepts that are used by actors in repetitive situations organized by *rules, norms, and strategies* (Sabatier 2007: 23). Institutions are not just political organizations. They are complex social constructs which determine a rational actor’s behavior by defining possible, acceptable, and forbidden alternatives for actions in any given situation. Institutions are not tangible objects which can be observed by the human eye. To study them a deep knowledge of the relevant situation is required so as to identify the proper ‘dos’ and ‘don’ts’ (Sabatier 2007: 23).

Rules are defined as shared prescriptions that forbid, demand or allow a particular action or result (Ostrom 2009: 199). They are the “shared prescriptions (must, must not or may) that are mutually understood and predictably enforced in particular situations by agents responsible for monitoring conduct and for imposing sanctions” (Sabatier 2007: 23). The absence of a rule that forbids or

demands a specific action is consequently the same as the presence of a rule that allows the action (Ostrom 2009: 200). Rules can be both formal, as in a law, and informal, as in an implicit code of conduct. Since rules are not always written in text, individuals perceive them through cognitive processes. This can lead to misinterpretations and miscalculations as one individual perceives a certain rule differently than another (Sabatier 2007: 36).

Norms are shared prescriptions that reflect the value that individuals give to actions or strategies without a closer connection to the immediate consequences (Ostrom 2009: 71). These norms tend to be enforced by the actors through internally and externally imposed costs and inducements (Sabatier 2007: 23). Opportunistic behavior, understood as cunning self-interest, will occur when the individual finds it more beneficial to not follow the shared norms (Ostrom 2009: 72). The amount of opportunistic behavior is determined by the severity and general acceptance amongst others of the norms forbidding it. The possibility of opportunistic behavior can never be completely excluded as certain goals may be so tempting, that no norm matters.

Strategies are regularized plans the actor makes “within the structure of incentives produced by rules, norms and expectations of the likely behavior of others” (Sabatier 2007: 23). Strategies are a mean to an end, the end being a certain result. Translated into terms of Rational Choice, the strategies are the courses of action chosen to satisfy a certain preference.

Since institutions, understood as an umbrella term for the three components described above, are not static social creations, they continuously change as actors ignore existing rules, adapt those rules favoring their interests and so forth (Marsh & Stoker 2002: 100, 101).

In sum: Institutions are the rules, norms and strategies that determine an actors’ behavior in any given situation. Institutions are intangible social constructs, which are part of a constant process of change. Though institutions determine an actors’ behavior, the individual is not completely bound by them as they can behave opportunistically. Finally misinterpretations and miscalculations of rules and/or norms are possible and probable.

2.3 Analytical Tool

The concepts outlined above are necessary in order to identify the determinants behind the Vice President’s decision. Specifically, it will allow me to identify if Cobos acted as a rational actor, weighting the costs and benefits of incurring into a particular action that would best satisfy a well specified preference.

The importance of institutions is critical since it will allow me to identify if Cobos course of action and ultimate decision was constrained or influenced in any way by a particular rule, norm or strategy.

3 Background, Argentine politics from 1983, party discipline and President – Vice President relation

In this chapter I will introduce some short facts about Argentina and the country's politics as a mode of introduction to how things have worked in the country, followed by how party discipline works in the national Congress.

3.1 Short facts about Argentina

Argentina, a democratic country since 1983, is a federal republic with a presidential form of government (Morgenstern & Nacif: 2002: 147). As a presidential system with separation of powers, the Executive power is composed by one person with the title of the President of the Argentine Republic (Argentina's Constitution, Art 87). The Legislative power is a bicameral organ, divided between the Chamber of Deputies and the Chamber of Senators. The Vice President of the country is also the president of the Chamber of Senators. He presides the Senate but does not vote only in the exception of a tie. The Vice President has besides the role of replacing the President in the case of the President's death, illness, renouncement or absent from the capital (Argentine's Constitution, Art 57, 87, 88; Morgenstern & Nacif: 2002: 147-149). The Judicial power is formed by 12 appointed judges.

Since 1983 and until the mid 1990s, Argentina's political life has characterized by the dominance of two political parties: the Partido Justicialista (PJ, also known as the peronist party, formed under the General Perón presidency in 1946) and the Unión Cívica Radical (UCR, a party created in 1891) (Morgenstern & Nacif: 2002: 149; UCR 2001-06-15). Although the PJ and UCR were important and dominant parties during the 80's and the mid 90's, the maintenance of this two-party-dominant system has been in decline since 1995, with the creation of new political parties and coalitions from dissident members within the two parties (Mainwaring & Shugart 1997: 264).

3.2 National party system

The two parties, UCR and PJ, have traditionally been rival parties, drawing different voters from very different backgrounds (Mainwaring & Scully 1995: 222-229). Since the mid 1990's, new parties and coalitions have formed, both from the left and right spectrum, destabilizing the two dominant parties. The PJ, though it still remains a very important and large party, has experienced fractioning within the party, with each faction following a certain leader's basic political stances.

For example, within the PJ there are those affiliated to 'Menemismo' owing obedience to the former president Carlos Menem, and 'Kirchnerismo' who owe obedience to the current President's husband, and former President, Néstor Kirchner.

The UCR, which today is the second largest political party in Argentina, has witnessed a strong decline since its glory days in the 1980s, in great part during the latter 1990s and as a consequence of bad leadership, internal coalition-formation and an economic and political crisis (McCoy 2000: 29; Skidmore & Smith 2005: 106). Due to the weakening of the UCR, the PJ grew stronger in the same period, winning the last two presidential elections. Specifically, it was the creation of the coalition Front for Victory (FPV, Frente para la Victoria) that brought former president Nestor Kirchner in 2003, and later on his wife Cristina Kirchner in 2007 to the presidency. FPV represents a left-wing alliance within the PJ under the common figure of Nestor Kirchner.

For the 2007 elections a coalition called 'Concertación Plural' was formed which included a wide variety of parties and factions supportive of the FPV or Kirchnerismo. Those from the UCR that supported the FPV were called Radicales-K, to differentiate from those in the UCR opposing the government. The Vice President Julio Cobos, a Radical-K, joined the Concertación Plural forming the Kirchner-Cobos presidential coalition, which won the elections in November 2007.

3.3 President – Vice President relation

With the exception of the 1983 presidency, the presidencies between then and now have seen several conflicts between the President and Vice President of Argentina. Traditionally, the Vice Presidents have been relegated to a lower political level. They have been assumed to be submissive to the President, possessing only some legislative and replacements functions. However, tension has arisen as the Vice Presidents have failed to always behave in the way that was expected from them as the loyal companion and supporter of the President (Biografía de Eduardo Duhalde, 2009-10-26). When discrepancies had arisen, the norm has mainly been the renouncement of the Vice President.

To different degrees the Carlos Menem's presidency of 1989; de la Rúa's presidency in 1999; and Kirchner's in 2003 experienced confrontations between the two actors.

During Menem's first term, his Vice President Eduardo Duhalde left the government in order to acquire a more independent and prominent role, becoming later on in the governor of the province of Buenos Aires. The vice presidency remained vacant for the rest of the term (Biografía de Eduardo Duhalde, 2009-10-26). In October 2000, the Vice President Carlos Alvarez resigned the post after a disagreement with the President Fernando de la Rúa on how he had handled a bribe scandal in the Senate (Peruzzotti & Smulovitz 2006: 15, 261). The post also remained vacant for the remainder of the term. The departure of the Vice President weakened the coalition government, marking the beginning of the end of de la Rúa's government, which dismantled a year later (BWN Patagonia, 2008-07-07).

In 2003, the Vice President Daniel Scioli openly disagreed with the President and party colleague Néstor Kirchner regarding a policy issue, which led to blocking of the Vice President from important issues. Scioli did not resign but stayed in the government at the price of being left aside from central matters (BWN Patagonia, 2008-07-07).

3.4 Party discipline in the Argentine Congress

According to several authors the level of party discipline in the Argentine Congress is comparatively high (Morgenstern & Nacif: 2002: 32, 147,157; Mainwaring & Shugart 1997: 278). Party discipline in Congress is understood as legislators voting for their party line. Particularly, a disciplined governing party is one "that is in a position to impede explicit challenges to the presidential leadership" (Morgenstern & Nacif: 2002: 46). Legislators from the PJ have usually voted the same way despite differences that may have existed within the party and its members (Mainwaring & Shugart 1997: 278).

Different factors influence the level of legislative party discipline: the first one is based on the assumption that legislators' ambition is what drives their behavior (Morgenstern & Nacif: 2002: 18). Specifically in the Argentine case, legislators have a progressive ambition, that is, they aspire to other career paths, preferably to higher posts (Morgenstern & Nacif: 2002: 16), from mayor to governor, from deputy to senator, and so on. Since the party controls the legislator's access to the party list, it turns out necessary to maintain a good relationship with it (Mainwaring & Shugart 1997: 276, 278). One way of doing this is through the "adherence to party rules and codes of conduct, one of which is voting the party line in the legislature" (Morgenstern & Nacif: 2002: 177). Party loyalty then becomes crucial for legislators in order to continue their political life and aspire to higher positions.

Two more factors influence the degree of party discipline: the first one stems primarily from the incentives and punishments applied by the President or the party leader to its members. Incentives such as the creation of new positions and appointment in committees (Morgenstern & Nacif: 2002: 35-37). Punishments

such as public humiliation, expulsion from the party, etc. (Mainwaring & Shugart 1997: 279; Morgenstern & Nacif 2002: 38).

The last factor refers to the legislators' identity with their party. For many the fact of being a Peronist (PJ) or a Radical (UCR) is a fundamental part of their personal identity, which influences how they vote (Morgenstern & Nacif 2002: 159). The decision for many to remain a peronist or a radical implies "much more than a simple rational calculation of costs and benefits vis-à-vis their political career" (Morgenstern & Nacif: 2002: 183). Moreover, and particularly within the PJ, there is a strong tradition of loyalty to the party in general and to the party leader in particular, referring to 'traitor' to those who defect from the party line (Morgenstern & Nacif: 2002: 183). This tradition of loyalty and a strong personal identity with the party acts as a further constrain on the legislators from breaking away from the party and eventually voting against it.

4 “Resolución 125” – The beginning of the farm conflict

In this section I will outline the farm conflict. Focus will be on describing the situation the country suffered in order to understand the Vice President’s behavior during the conflict, which will be outlined in the next section.

4.1 Farm conflict

On March 11th 2008, the Minister of Economy Martin Lousteau, in concordance with the directives given by the President, introduced a new tax-scheme on the exportation of grains that affected soybeans, sunflower, corn and wheat. The new tax scheme, “resolución 125”, established a system of slide-taxes, meaning that taxes increase as international commodity prices increase (NY Times 2008-06-24; Página12a 2008-03-12).

The argument behind the increment of the export taxes was three folded. First, it was directed to protect the internal market since every rise on the international prices incentivized the farmers to increase their exportations reducing the amount sold on the internal market (Página12 2008-03-12; Página12a 2008-03-12). Second, the measure was also directed to discourage the production of soybeans, a grain that negatively affects the fields, and encourage the production of other products such as corn and wheat (Página12a 2008-03-12). Lastly, the President Cristina Kirchner insisted that the export taxes were necessary in order to finance diverse social programs and improve the wealth distribution in the country (NY Times 2008-06-24; BBC Mundo 2008-07-18).

The farm sector, represented by the four main entities - SRA, FA, CRA and CONINAGRO - harshly criticized the tax measure arguing that the tax was confiscatory and discouraged investment (Infolatam 2008-06-02; BBC Mundo 2008-07-18).

Critics even claimed that the money that would be recollected from the taxes would go to the personal interest of the government and not to the creation of social plans. They also criticized the President for having taken the decision unilaterally, without previously consulting with the stakeholders. The issue rapidly led to political conflicts as several governors and mayors expressed their opposition to the tax measure and the President’s way of dealing with the farm sector and the conflict in general.

The day after the implementation of the taxes the farm sector initiated a series of protests, which would continue for four months, demanding the elimination of the export taxes. The protests were supported by a large part of the Argentine population. Supporters of the President also organized demonstrations, though largely unsuccessful compared to the massive numbers mobilized by the farm sector (Infolatam 2008-07-17). The Minister of Economy and author of the tax scheme renounced a month after the conflict started. Several governors and legislators from the provinces which have a large farming sector positioned themselves against the tax scheme and proposed alternative solutions.

The government held a firm posture throughout the conflict, although some minor changes were later introduced to appease certain groups within the farm sector. The President accused the farm sector of destabilizing the country. Dialogue between the two parties was scarce and led to few results as neither side would accept major changes to their proposals.

On June the 17th the President decided to send a law proposition to the Congress in order for them to decide over the final approval or rejection of the export taxes. Even though the President had the authority to rule over export taxes, the likely approval of the measure by the Congress would imply an important support to the measure. The idea was then to let the Congress resolve the conflict. Since the President counted with a majority of the seats in both chambers, it was expected that the tax proposition would be approved (Perfil 2008-07-17; NY Times 2008-06-24). Accordingly, the idea of sending the tax measure to the Congress was originated by the Vice President who, in a public letter, had asked the President to do so.

The tax proposition was approved by the Chamber of Deputies (BWN Patagonia, 2008-07-07). The voting in the Chamber of Senators concluded after 18 hours of deliberation, ending in a tie twice in a row (Clarín 2008-07-16). It was then the Vice President's responsibility to untie the voting since he was the president of the Senate (Argentine's Constitution, Art 57). The moment was historical since it was going to be the first time that a Vice President ever voted in the Senate. As it is known, he voted against the tax proposition.

The day after the voting in the Senate, the President signed a decree stating the elimination of the tax scheme introduced in March. The President criticized the farm sector as well as the legislators of the upper chamber who had voted against the proposition (Clarín 2008-07-18; La Nación 2008- 07-18). In a speech the President stated that:

Some that were not from our party have accompanied me and others that were with us have defected. Perhaps they did not understand what we said in October –

making reference to the month of the presidential campaign-. They will, eventually (BBC Mundo 2008-07-18).¹

4.1.1 Consequences of the conflict

The conflict led to major economic, social and political consequences. The economic consequences manifested in an economic decline, inflation, an increment on the basic food product's prices, food-shortage and a standstill in the export sector (Infolatam 2008-07-17; Infolatam 2008-06-19; Wharton 2008-06-25).

Politically, the governing coalition, Concertación Plural, ended up debilitated. Specifically, members within the UCR faction, known as Radicals-K, left the coalition. One of the reasons behind this was not only their disagreement regarding the tax measure, but also that the coalition had ended emphasizing the PJ or peronist identity instead of the identity of a plurality of viewpoints, as it was originally intended. The public image of the President plumed, falling from 45% approval rate at the beginning of her mandate to 23% in May (Infolatam 2008-06-02; Wharton 2008-06-25).

Socially, it lessened people's support to the President, and eventually it also lessened the support given to the farm sector. The conflict eventually caused fatigue among the population who just got tired of the conflict (Wharton 2008-06-25; Infolatam 2008-06-02).

4.2 Cobos behavior during the conflict

Before studying the Vice President's course of action during the conflict, I will introduce a short background regarding him.

Julio Cobos is a civil and constructor engineer who started his political career in 1991 within the Radical Party (UCR). He was elected for the governorship of Mendoza in 2003 as a candidate of the UCR. Under the years of his governorship he supported the then President of Argentina Nestor Kirchner, a member of the PJ – a party traditionally opposed to the UCR. This sympathy to the PJ brought confrontations between Cobos and members of the UCR.

In 2007 Cobos was presented as a candidate for the vice presidency along with Cristina Kirchner. Cobos was subsequently expelled from the UCR and adopted the identity of Radical-K. Kirchner-Cobos was the result of the so called Concertación Plural, a political coalition representing diverse political parties all aligned behind the Kirchner's figure. The idea was to create a common project through the divergence of positions (La Nación 2007-08-14). They won the

¹ Own translation

elections in November 2007 with more than the 46% of the votes (CV Julio Cobos, Honorable Senado de la Nación).

4.2.1 Cobos and the farm conflict

During the days of the conflict Julio Cobos adopted a different position from that of the President Cristina Kirchner. If the President's position was characterized by being confrontational with the farm sector, the Vice President's position was characterized by the search of dialogue and consensus with different actors involved in the conflict (Honorable Senado de la Nacion 2008-04-01; Honorable Senado de la Nacion 2008-04-26). These two ways of dealing with the conflict eventually brought differences between the President and Vice President. According to Cobos, they had not spoken to each other since a month prior to the voting in the Senate (Cobos' Interview to Perfil 20 de Julio de 2008).

In order to provide a better overview of the way Cobos behaved during the conflict I will divided it into three stages.

4.2.2 Initial stage

During the first weeks of the conflict, Julio Cobos took a posture of support to the President and the tax measure. He did a few public appearances in which he mainly expressed the support to the President and condemned the farm sector and the protests that have taken place. Already at this stage he urged for the need of dialogue between the two conflicted parts, always supportive of the President.

4.2.3 Intermediate stage

Within weeks in the conflict, Cobos began reuniting with members from the farm sector and other political actors who expressed their worries about the conflict. He started making more public appearances and insisted in the search of a dialogue between the two parts, although always expressing his support to the President.

In mid June Cobos wrote an open letter to the President expressing the need to put an end to the conflict and suggesting her to send the tax proposition to Congress. The idea was to let the Congress decide over the measure, introducing the changes needed to satisfy both parts of the conflict.

Days later, the Vice President organized a meeting with the governors of all the provinces with the objective of contributing with propositions and ideas to the tax proposition sent to the Congress (Honorable Senado de la Nacion 2008- 06-19). Despite having talked with all the governors, many who had confirmed their attendance, only three of 24 governors came to the meeting (Honorable Senado de

la Nacion 2008-06-20). The three governors who came were opposed to the tax measure and to the President in different degrees.

Shortly after the meeting with the three governors, the Vice President reunited with approximately 200 mayors from the main provinces affected by the conflict, as well as with more members of the farm sector. They explained the situation in their respective provinces and asked Cobos to transmit all of their experiences and worries to the Congress and to the President (Honorable Senado de la Nacion 2008-06-23).

In light of these actions, the Vice President was harshly criticized, mainly by those from the PJ faction within the government, for independently having organized the meetings with actors confronted to the government, particularly to the President. He was accused of acting against the government, and of pursuing personal interests to obtain more popularity (Cobos' Interview to Perfil 2008-07-20).

Cobos responded that he was surprised that the meetings had been considered a scandal (Honorable Senado de la Nacion 2008- 06-19), underlining that a productive dialogue includes all interested and affected parties and that divergence in ideas should be accepted (Honorable Senado de la Nacion 2008-06-26). Furthermore, he made reference to the original idea behind the creation of the governing coalition, which was one of consensus-reaching between actors from vastly different backgrounds on the political spectrum (BWN Patagonia 2008-06-27).

4.2.4 Final stage

Before the voting in the Senate, Cobos was confident that the tax proposition would be accepted by the upper Chamber, since it had already been approved by the low chamber (Cobos' interview to Perfil 2008-07-06).

On the day of the voting in the Senate, Cobos confessed that he was subjected to pressure from all sides. He was also persuaded to not vote and to let the vice president of the Senate untie the voting. This way the voting would have ended in the acceptance of the tax measure, since the vice president of the chamber was in favor of the measure.

The Vice President was rushed to cast the decisive vote, after the voting ended in a tie twice. Before casting the final vote, Cobos made a speech in which he tried to defend and motivate his decision with the hopes that the President would understand him. Some fragments of his speech are as follow:

There are men and women from the ruling coalition who think different. There are men and women from other parties that also think different. I am sure that what the citizens, the farm sector, the government, the people, our children, everybody want is that a consensual decision is reached.

I know I am part of this government and that I come from a different background, of another political space, and that because of that I can dissent or defer in some things. That is plurality. That is to act with respect to the convictions one beholds.

I want to continue being the Vice President of all argentines, the coalition partner to 2011 with the current president. I repeat once again that this is one of the hardest moments of my life. I do not pursue any interests. I'm only expressing or trying to express what my convictions, my feelings tell me.

I do not believe that this law will lead to a solution to this conflict. I cannot support it, but that does not mean I am betraying anyone. I am acting according to my convictions. I apologize if I am mistake.² (Impulsobaires, written speech, 2008-07-17).

The critics against Cobos, which came mainly from the PJ factions within the governing coalition, highlighted the fact that he was the representative of the Executive in the Senate, not a simple senator, and that he therefore had the obligation to accompany the President and vote regarding the interests of the Executive (BWN Patagonia, 2008-07-07). He was considered an opportunist and a traitor, arguing that he had to renounce the vice presidency post (4 Semanas 2009-06-22). Others, particularly those from the UCR faction known also as Radicales-K, defended his decision, arguing that he followed his convictions and acted in accordance with the Constitution (La Bandurria 2008-07-24).

The next section recounts some of the interviews made with Cobos in which he stated what the motivations behind his decision and course of action were.

4.3 Cobos post-crisis

The motivations given by Cobos in several interviews³ he did shortly after the voting in the Senate, do not differ from the way he acted during the conflict and from what he stated in his speech in the Senate. In this sense, there seems to be no contradiction between his behavior during the entire conflict and the reasons given for the decision he finally took.

With respect to the day of the voting, he said that he was subject to pressures from all directions but that he had already decided what his vote was going to be. He never clarified exactly when he reached a decision. He only clarifies that he had decided early on in the conflict (Televised interview with Cobos, Vodpod; Cobos' Interview to Clarin 2008-07-19).

² Own translation

³ Translated by me

Cobos argued that the country was in a bad situation and that he wanted to find a way out (Televised interview with Cobos by Lanata, part 1). He claimed he didn't vote against the tax measure per se, neither did he vote against wealth distribution, but rather that he voted against an unbalanced and unreasonable solution (Televised interview with Cobos by Lanata, part 1). All that he had done was to help the government in the way he could and thought was all right, which was the search of consensus between conflicted parts. He never acted or wanted to act against the government he was part of.

When asked about the way he behaved during the conflict and the decision taken, Cobos answered that:

I presented myself as Kirchners co-candidate, but that does not mean that I have to say yes to everything or agree always. When two people think the same it's because one of them is not thinking at all. And here we were in a situation that could not result in 'all in favor or all against'. I wonder, would the country be better off if I had voted in favor of the tax proposition? Probably not. Today the conflict is solved (Interview to Gente 2008-08).

Cobos argued that the solution was to consent, not to be on one side or the other (Televised interview with Cobos, Vodpod). Moreover, he added that he was part of a coalition where plurality was the norm. He had simply acted in consequence with that idea (Televised interview with Cobos, Vodpod).

When asked about his political identity, he replied that he had always felt a Radical (UCR) and that he never stopped being a Radical (Televised interview with Cobos by Lanata, part 1). He added that he lamented that the governing coalition had ended up being dominated by the Peronist (PJ) identity – the political faction of the President –, rather than the plural identity it proposed in its beginnings (Cobos Interview with Clarin 2008-07-19).

Further on, he replied that he felt as the Vice President of Argentina with the responsibility that is attached to the post. This responsibility was to support that which he believed was right, and manifest his disagreement in subjects that he believed were wrong, always with the idea of helping the government (Televised interview with Cobos by Lanata, part 2).

He also added in the interviews that he was not going to renounce, and that he had not considered himself as a possible presidential candidate (Televised interview with Lanata, part 1). It should be noted however, that he did actually present himself as a presidential candidate a year later.

5 Analysis

In the following section I will identify Cobos' main preferences, the rules and norms most relevant to the determination of his behavior and relative to these the strategy employed. The attempt will then to explain Cobos behavior.

5.1 Preferences

In the interviews and speeches outlined in this study, particularly those which took place post-crisis, it becomes clear that Cobos was conflicted between two goals during the conflict. The first was to support the government, the president and the main ideas behind the proposed tax measure. Though it may not seem that way in retrospect, Cobos was in fact supportive of the general idea of the tax measure, meaning wealth redistribution and the creation of social plans.

The second, was to find a way out of the conflict. According to statements made by him, he chose to vote the way he did in order to resolve the conflict, even though by resolving it he did so in favor of one of the parties in the conflict, the farm sector. The other choice, accepting the law, would according to his beliefs not have ended the conflict one way or another.

The predominance of the second preference relative to the first one was established throughout the conflict. As it can be outlined from chapter 4.2, in the initial stages of the conflict, the dominant preference was that of supporting the government. In an intermediate stage, the second preference started to gain predominance over the first one. In this period we see that Cobos, because of the conflict between preferences, attempted to find alternatives through dialogue, as a way of combining both preferences into a single solution. In a final stage, Cobos established the final order of preferences in which the second was superior to the first.

5.2 Institutional setting

During the course of the study, I have briefly introduced the rules and norms which were present, relative to Cobos, in the context of the conflict. To offer clarifications, I will elaborate on them in the following section. I have structured the rules and norms into a set of general categories in order to provide a clear picture of the determinants of Cobos' actions. The categories will be structured as:

Legal (or formal rules), Concertación Plural, and Vice Presidency. The aim of this exercise is to define the probable determinants behind Cobos' decision to ultimately vote no to the tax measure.

5.2.1 Legal

The Argentine Constitution establishes and prohibits certain behavior for the Vice President. Accordingly, the Constitution establishes that he presides the Senate and that he only votes in case of tie (Argentine's Constitution. Art 57). It also states that the Vice President has substitutive functions when the President is absent for any reason.

Following the rules established in the Constitution, there is none that forces the Vice President to vote in a specific way or to agree to all the decisions made by the President. It follows that there were no formal rules specified in the Constitution regarding how he should behave or vote. Since no formal rule existed that demanded a certain course of action in this situation, except of course procedural matters, it is logically the same as the existence of a rule that permitted any action to be taken or decision to be made. To my knowledge, no written or spoken agreement detailing the Vice President's obligations in a situation such as this one existed.

5.2.2 Concertación Plural

The Concertación Plural coalition formed in 2007 was constructed under the idea of plurality, a space where different political positions could meet in order to construct a common project and the search of consensus (La Nación 2007-08-14).

According to the rules laying the foundation to the coalition, it was not prohibited to behave or think in a different way than the President or other members of the coalition. In fact the difference of opinions was promoted as strength rather than a weakness by the ruling coalition. However, as pointed out by Cobos himself, this notion was more show than talk as the Peronist (PJ) faction within the coalition was dominant. A conflict of rules and norms arose as the Radicales-K in the coalition were more or less dominated by the Peronist faction. On the one hand, the Peronist faction demanded a positive vote. On the other hand, the Radicales-K did not. Since Cobos had explicitly declared his allegiance to the Radicales-K it follows that his adherence to this group implied that he was not constrained by the rules and norms of the Peronist faction. Since there was a division of political standpoints within the coalition, the rules applying to one group, even if it was dominant within the coalition, were not mutually understood by all of the coalition members and neither were they predictably enforced by any of its members. Furthermore, though the norm within the coalition was to support the President and her policies, it was not considered a strict norm to a large

portion of the coalition, especially to those labeled as Radicales-K, hence opportunistic behavior was a possibility.

5.2.3 Vice presidency

There are specific conducts that are expected/required from the Vice President. This corresponds to the fact that he is part of the government and as such must behave cohesively with the government he is part of.

Through the practices of past Vice Presidents, certain norms of behavior have been established. The general norm, is that the Vice President has to support the President in all of his/hers decisions. As has been explained in chapter 3, conflicts between the President and Vice President have arisen on several occasions in the past. The enforcement of the general norm has led to the freezing out of certain Vice Presidents and/or renouncements in the case of non-compliance. The norm can therefore be seen as quite strict and with specific consequences. Furthermore, the norm has been that the Vice President is relegated to a lower political level than the position implies. His behavior is limited to actions that do not damage or jeopardize the President's interests.

5.3 Explaining the decision

As outlined above, Cobos, as a rational actor was subjected to certain rules and norms which constrained and allowed certain actions in the case at hand. The following explanation attempts to elucidate Cobos behavior from his point of view, meaning his perception of the situation and the rules and norms applicable in the context.

In legal terms, Cobos was free to act however he wished. Relative to the ruling coalition's rules and norms, he had the possibility to dissent even though it was not popular with certain factions within the coalition. The norms demanding support to the President were not strict and therefore a certain amount of freedom could be enjoyed with relatively modest repercussions. Acting as a Vice President, it was expected of him to support the President no matter what. Finally, although Cobos was Vice President, the norms stated that his true place was in the shadows of more prominent figures, acting in a way that did not damage the interests of the President or government.

Cobos did support the President during the conflict though not in a way as could be expected and not in the decisive stage of the conflict. Rather, he sought alternative solutions not supported by the President or the government as a whole.

In general, he defected from the coalition line in not fully supporting the tax measure; and contrary to what was expected from him, he assumed the role of a

prominent actor, not only because of his responsibility as the caster of the untying vote but also as a mediator between the parties in the conflict.

Entering into the analysis proper, Julio Cobos had two conflicted preferences. One was his support to the President, the government and the tax measure. The second was to end the conflict. These preferences were made possible by the institutional setting the actor found himself in. The rules and norms governing the vice presidency and the coalition he belonged to demanded on one hand that the actor supported the President's decisions and acted in concordance with the government he was part of. On the other hand, the legal structure and another facet of the coalition he was in made possible that he could behave in discordance with the President's position and interests. Eventually, the second preference acquired greater importance than the first one.

From the intermediate stage I mentioned before, the course of action/strategies taken by Cobos was directed at satisfying his ultimate preference which was to find a way out of the conflict. In the selection of the choices available for action, he chose the one that gave the greater benefits relative to the favored preference. This way, the meetings with the governors and other political actors was a strategy taken by Cobos in order to pursue his goal of eliminating the conflict; even though this behavior implied the antagonism with the President and other actors within the government. It can be argued that the expected benefits of doing meeting with the governors, at the cost of gaining enmity with the government, was greater than the expected benefits of behaving in accordance with the government in his pursuit of his ultimate goal.

This course of action taken, however, was guided by the fact that he belonged to a coalition and a party faction that allowed such behavior. The main norm behind the Concertación Plural coalition was plurality and the search of consensus. It was then permitted to adopt a different posture and to meet with members of other parties and factions in the pursuit of a consensual solution to the conflict. Furthermore, the fact of belonging to the Radical party faction, separate from the Peronist faction, permitted Cobos to adopt a different posture from those who were indeed Peronists – such as the President and many from the government were.

However, in adopting this behavior, he did not follow the norm of the vice presidency of supporting the government and behaving less autonomously. Cobos behaved in a way that was contrary to the norms within the vice presidency because it was more beneficial for him to act against the norms than follow them. To follow the norm would simply not have satisfied his ultimate goal. In this sense, he acted opportunistically ignoring a set of norms that conflicted with his preference.

The extended reasoning is applied during the final vote in the Senate. According to the institutional setting, he had three options of action available: to

vote yes, no or not vote at all. In his belief, two of the options, to vote yes or not vote, would have led to the approval of the tax measure. This would lead to an outcome that was not the preferred by Cobos, since it would not, according to him, have stopped the conflict. The third option, to vote no, was the only perceived possible and allowed option available to him to satisfy his preference of stopping the conflict.

Cobos final rejection of the tax measure was then a behavior allowed by the norms and rules surrounded him. He chose the best course of action taken –to vote no– to satisfy his ultimate goal of ending the conflict within this frame. The action can ultimately be regarded as opportunistic in the sense that Cobos ignored and were against existing norms regarding the vice presidency, in order to achieve his preference.

6 The vice presidency beyond the farm conflict

Some final reflections made in light of the lessons learned from the farm conflict can be made. In the following, I will propose two tentative future scenarios concerning the future role of the Vice President in Argentina as a consequence of Cobos' behavior.

6.1 Raising the bar

As a consequence of Cobos' opportunistic behavior during the conflict, it can be argued that he might have permanently altered the perceived importance of the norm associated with the post of Vice President which demands compliance with the President and government.

The gravity of Cobos' opportunistic behavior will in all likelihood not be matched in the near future by any Vice President in Argentina.

The tax measure was an issue of great importance in Argentina at the time, both in terms of economic consequences and as an issue of prestige for the President. For reference, a comparison which most students of political science can relate to would be if the Vice President of the United States, Joe Biden, had cast the decisive vote halting US President Barak Obama's health care reform bill in early 2010.

By voting no to the tax measure, in clear opposition to the wishes of the ruling coalition and the President, Cobos set the bar extremely high for what is considered as acceptable. In doing so, he raised the tolerance level of both the minimum and maximum possible divergent action taken by a Vice President. A possible consequence is then that the norm demanding compliance with the wishes of the President and government in general is weakened, allowing future Vice Presidents to act more independently.

This would imply a strengthening of the vice presidency in terms of power over processes in the political sphere.

6.2 Lowering the bar

In contrast to the first scenario, the opposite could occur as well. Given the loss of prestige for the President, it seems possible that future Presidents and

governments will do anything in their power to avoid that a Vice President is given the opportunity to bring down a cause of this importance. In other words, the norm demanding compliance could be strengthened and the repercussions of not following the norm could be more severe so that a cost/benefit calculation of a Vice President's actions never results in unwanted consequences by the government and President. As a result, Vice Presidents would be much less free to act independently from the President and government.

The role of the Vice President would be severely limited and restrained, lowering the impact an actor occupying the position can make on political issues.

All in all, only time will tell if undisciplined Vice Presidents will be the norm or the exception.

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