

AmericasBarometer: Topical Brief – July 29, 2013

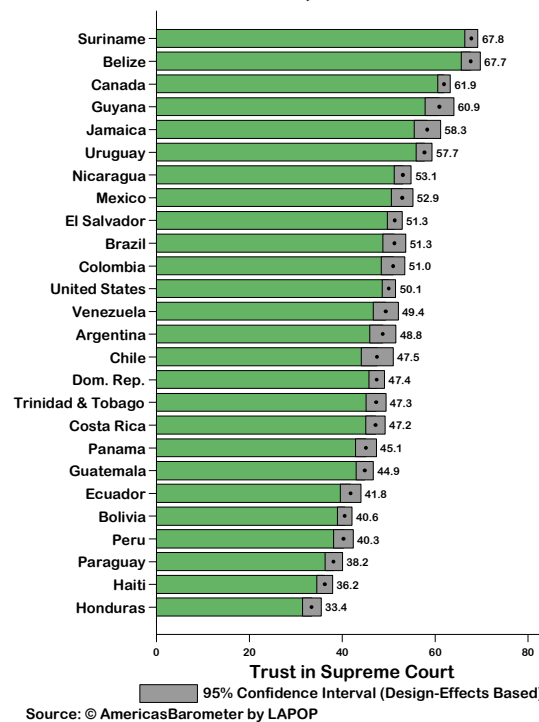
Public Opinion and Trust in the Supreme Court in Argentina

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Last month, Argentina’s Supreme Court ruled as “unconstitutional” several articles of a Congressionally-approved judicial reform that would allow citizens to elect under party ballots the members of the Magistrates’ Council – currently a non-elected body responsible for overseeing the appointment and removal of federal judges. The high court’s decision was met with strong disapproval from the executive branch, which had fervently promoted the reform as a mechanism to “democratize” the old and corporatist judiciary system. This political schism between the two institutions is particularly interesting from the perspective of public opinion, as this *Topical Brief* will show that at least through 2012 support for the president has been strongly linked to trust in the Supreme Court.

In the 2012 round of the AmericasBarometer survey by LAPOP,¹ a total of 41,626 persons in 26 countries were asked “To what extent do you trust the Supreme Court?” This question was originally asked on a scale from 1 to 7, where 1 represents “Not at all” and 7 “A lot”, and here is recalibrated on a 0 100 scale.

Figure 1. Trust in the Supreme Court in the Americas, 2012



¹ Funding for the 2012 round mainly came from the United States Agency for International Development (USAID). Important sources of support were also the Inter-American Development Bank (IADB), the United Nations Development Program (UNDP), and Vanderbilt University. Prior issues in the *Insights* series can be found at <http://www.vanderbilt.edu/lapop/insights.php>.

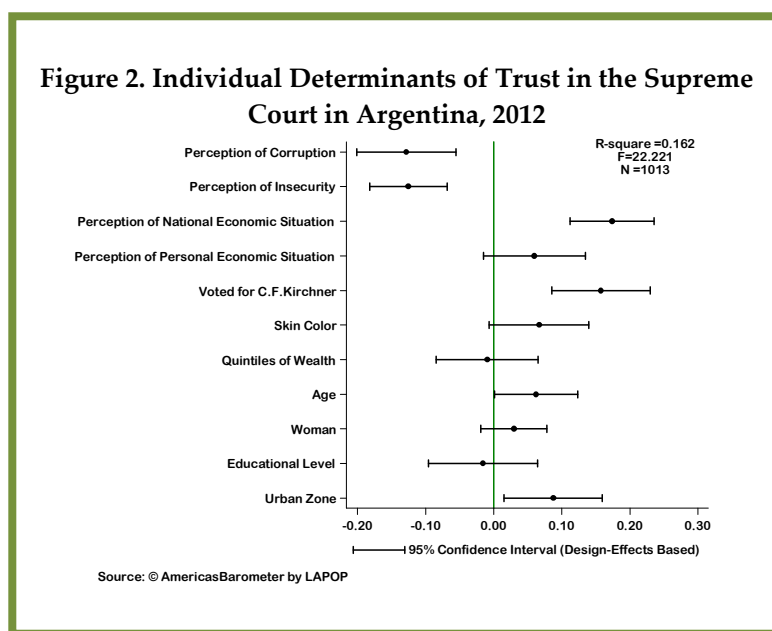
Figure 1 shows mean levels of trust in the Supreme Court in each country. As can be appreciated, there is wide variation across nations.² Suriname and Belize are at the top of the ranking with nearly 68 points, while Haiti and Honduras are at the bottom with 36 and 33 points respectively. Twelve countries have average levels of trust that exceed 50 points, meaning that their citizens tend to be positively disposed toward trusting this institution.

Interestingly, Argentina's score of 49 places it near the regional average and close to such countries as the United States and Chile, whose judicial branches are considered among the best developed in the region.

To explain differences in individual attitudes *within* Argentina, I estimated a linear regression model that includes the following variables: perception of corruption and insecurity, perception of the economy (both national and personal), whether the respondent voted for President Cristina Fernández de Kirchner in the 2011 election, education level, age (coded in number of years), gender, wealth, skin color, and urban/rural residence. The coefficients are standardized for ease of comparison.

The results indicate that four sets of variables are statistically significant. First, among the socio-demographic variables, only the respondents' place of residence obtains statistical significance: urban dwellers have more trust in the Supreme Court than persons who live in a rural setting. Second, as one would expect, perceptions of corruption and crime erode trust in the Argentina's Supreme

² Item nonresponse was 4.4% across the sample as a whole; those who did not answer are not analyzed in this report.



Court.³ Third, evaluations of the national economic situation are positively associated with trust in this institution. There is no relationship, however, between one's own economic situation and levels of trust. Fourth and most importantly, the results indicate that respondents who voted for Cristina Fernández de Kirchner express substantially higher levels of trust in the Supreme Court than respondents who cast their votes for other presidential candidates.⁴

Therefore, it appears that in Argentina, at least in 2012, support for the executive and the Supreme Court moved in tandem. This result is consistent with the general tendency noted for the Latin American and Caribbean region by Maldonado (2011). In Argentina, this tendency may have been fueled to a large extent by the fact that former President Néstor Kirchner in 2003 led an overhaul of the Supreme Court, which had been packed by President Carlos Menem in 1990 and was widely perceived as politicized and corrupt. Sponsored by Kirchner, the Argentine Congress impeached or forced

³ I also estimated regression models including individual experiences (victimization) with corruption and crime. No matter how I estimated these models, victimization by corruption and crime never obtained statistical significance.

⁴ Including a variable of presidential popularity instead of this variable leads to virtually the same statistical results.

the resignation of six of the nine Supreme Court members and substituted them with highly respected jurists.

But, where in 2012 Argentine citizens linked their electoral support of the president to their trust in Supreme Court, we might expect this dynamic to shift in the current context. Indeed, a new chapter will open in the months to come as the Argentine Supreme Court has to rule on the constitutionality of another controversial law promoted by the national government and passed in 2009: the broadcasting law. Although this legislation does not regulate media content, it does indirectly affect private media profits (Kitzberger 2012).

In sum, it is important to consider how public attitudes toward the executive and the judiciary power will evolve in an environment marked by political disputes between these two separate branches of government. Only time will tell whether the recent rift between the executive and judicial branch over the Magistrates' Council reform will escalate in the near future and affect trust in the Supreme Court in Argentina.

REFERENCES

- Kitzberger, Philip. 2012. "The Media Politics of Latin America's Leftist Governments," *Journal of Politics in Latin America* 4 (3): 123-139.
- Maldonado, Arturo. 2011. "What Determines Trust in the Supreme Court in Latin America and the Caribbean?" *Insights Report No. 54*, Latin American Public Opinion Project (LAPOP): Nashville, TN.

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Full results of the 2012 AmericasBarometer – Argentina survey and the AmericasBarometer 2012 comparative study can be consulted on-line at www.LapopSurveys.org. The full data set is available for on-line analysis or download (in SPSS and Stata formats) at no cost.