

## **ITP Research Form**

**ITP: Argentina 2019**

Faculty Advisor: **Mary Foster**

Research Group Members Robert Chou, Maria Fay Karras, Bernardo Lopez, and Drew Page\*:

Paper Title: **Argentina (1983-2019): The Evolution Of A Modern Legal System Since The Return Of Democracy**

Abstract:

**This paper explores an era of Argentine history starting from 1983, when the end of military rule brought the return of democracy, up until the present day. During this period, Argentina saw nearly a dozen heads of state, with each having their own impact on the balance of power between the executive and judiciary. The Argentine Constitution, which was modeled after the United States Constitution, sets up a system of checks and balances, establishes a federal form of government, and calls for the use of jury trials (once implemented). However, Argentina's execution of these constitutional provisions has drastically diverged since the 20<sup>th</sup> century from the United States. The reason for this divergence is largely due to the influence of corrupt governance throughout Argentine history.**

**Part I discusses the implementation of jury trials in criminal cases during a time when the public perception of the courts is low. Part II explores the history of federalism and how the judicial and political reforms have impacted the balance of power between the provincial and federal governments. Part III examines the lack of independence in the judiciary, the public perception of and lack of faith in the courts, and the judicial reforms under President Macri. Lastly, Part IV dives into the impact of the judiciary on national economics and analyze how corruption and the Rule of Law affects foreign and domestic investments in Argentina. While Argentina has suffered from institutional illegitimacy, a recent anti-corruption agenda and reforms to increase transparency in the judiciary promise some hope of restoring public faith in the legal system.**