

## **Distributed Risk... Lottery-like Bets in Politics as a Response to Constitutional Changes**

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### **Abstract**

The paper aims to analyze the simultaneous candidatures used in municipal elections in the province of Chaco in 1995, as responses to changes in electoral systems. The analysis is centered on the candidates who ran concurrently to two positions – mayor and councilor - at the same level of government in the same election; Discriminating winners from losers.

It can be stated that the term *quinielera* candidacies, resulted in a strategy that, out of a total of forty candidates, served to win to the head (mayor) three candidates of the Provincial party *Acción Chaqueña*; And in the prizes was effective for 11 candidates, of which nine correspond to *Acción Chaqueña* and two to the Radical Civic Union, political party of national order.

The conclusions that the work leaves could be used for the analysis of the internal rules of the political parties, and to propose norms that really regulate the operation of the political parties.

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**Keywords:** Elections, electoral system, Chaco province

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### **Introduction**

The selection and nomination of candidates to the different democratically elected public offices that are appointed via a voting system is a process that has not been studied in depth at subnational level in Argentina.

We present the analysis of the results of the nomination of candidates for mayors and council members in the political parties of the Chaco

Province and the results of the 1995 elections. This election was the first to take place after the 1994 constitutional reform.

In said reform the lengths of the mandates and the process to occupy municipal positions were affected by establishing the direct election of mayors and extending the mandate to four years. The previous regime provided for indirect election and a two- year term in office.

This study focuses on explaining a mechanism called *voto quiniela* (literally, quinella voting), both in the selection of candidates and in the electoral results. By *voto quiniela*, we understand the mechanism by which a candidate runs for two offices with different hierarchy in the same list simultaneously, in analogy with the popular game of chance organized by the Argentine National Lottery. This institution understands the lottery as a game with a great popular acceptance, which was formalized in 1973. It is a game with a pool type financing. It consists of making a draw of numbers ranging from 0000 to 9999, with a daily frequency from Monday through Saturday, and which has different modalities, depending on the alternative times of the day in which the drawing is performed (Morning, Afternoon, and Night). The game is popularly known as *quiniela*, and it allows for placing bets on both the actual number that is drawn and the order the numbers are drawn in. Generally, bets are placed on a particular number to come in first (straight bet, biggest prize) or within any of the first top ten positions (smaller prize).

### **Candidate selection logic**

Mainwaring and Shugart (1997) mention three characteristics in electoral laws that influence the level of partisan discipline in different countries. These are *the gathering of votes among the candidates of a party, control over who are to be party candidates, and control over the order in which candidates are elected out of the party lists.*

Siabelis (2008) shows that research responds to three questions, focused on what the procedures are, what are the effects of those procedures, and what are the determinants of certain procedures.

With respect to the first question, Siabelis (2008) emphasizes that it is a private process in many countries that takes place within the party, and bases his statement on the classic work of Duverger (1959) arguing that it is secret because parties do not like to show how they carry out the process. Rahat and Hazan (2001) mention the complexity of the process and point out the presence of two difficulties that must be overcome by candidates: First, the different selectors in different places, and second, the multiple stages involved in these processes.

Regarding the types of procedures, Siabelis (2008) highlights that the investigations refer to three aspects related to this variable. The first aspect is

related to the degree of legal regulation or private control of the parties involved in the process (Ranney, 1981; Ware, 1996). The second aspect refers to the candidacy requirements, that is, regulations or laws imposed by the parties on potential candidates (Hazan, 2002; Rahat and Hazan, 2001). Third, the degree of centralization or decentralization of the process that may be territorial or functional (Czudnowsky, 1975, Hazan 2002, Norris 1996, Rahat and Hazan 2001, Ranney 1981, Ware 1996).

As for the second question, it mentions investigations that analyze the selection of candidates as an independent variable and tries to identify their effects. Most researches make it clear how candidate selections reflect and affect the distribution of power within parties (Gallagher et al., 2001, Henig, 1970). With regard to this question raised by Siabelis (2008), the classic work of Michels (1949) is quoted, who argued that the selection of cases illustrates the oligarchical tendencies of the parties, thus becoming a means by which party leaders could prevent the emergence of new leaders (iron law of the oligarchies).

Analyzing the effects of the selection procedures, already in the middle of the 20th century Schattschneider had presented a metaphor that fits and is very illustrative of the process, expressing that *the nature of the nomination procedure determines the nature of the party; the one who can make the nominations is the one who runs the show. This is therefore one of the best points in which to observe the distribution of power within the party* (1942: 64).

As for the third question, Siabelis (2002) argues that there are few productions that try to account for the determinants of selection procedures, so it is difficult to establish solid conclusions that explain the factors involved in these processes.

According to Jones, Saiegh, Spiller and Tommasi (2000) in Argentina, since the return to democracy in 1983, the PJ (Justicialist Party) and the UCR (Radical Party) employed three different modalities in candidate selection: The elite arrangements, the assembly elections, and direct primaries. The first mechanism includes a variety of types of arrangements within a range from imposing a list by a provincial leader to a list that arose from negotiations among the provincial elites of the party. The second mechanism refers to lists that were the product of a formal provincial party assembly in which the delegates choose the candidates. The third mechanism only includes those cases where two or more lists compete in direct elections.

De Luca, Jones and Tula (2000) show that local partisan leaders are key in the nomination process, arguing that the decision to carry out interns in the PJ and UCR depends first on whether the party controls the

government at a provincial level, and secondly, whether the incumbent governor is in a position to seek reelection or not.

### **Scenario and Political Parties in the Chaco Province 1983-1995.**

Orsolini (2012) describes the evolution of the provincial political system from March 1983, with the end of proscriptions, to political parties. Characterizing it as bipartisan, with the predominance of the Justicialist Party over the Radical Party until in 1987 *Acción Chaqueña* emerges and gains access to seats in the provincial legislature.

This tripartite scenario in the provincial political system is used by *Acción Chaqueña*, an emerging and consolidating party that gets to the province's governorship in the 1991 elections. As the Chaco Province legislature, unicameral, is renewed every two years, *Acción Chaqueña* became a second force with twelve legislators out of a total of thirty in the 1993 elections. The positions of members of the constitutional convention for the reform of the provincial constitution to be developed in 1994 were also included in the 1993 elections, within the framework of a wave of constitutional reforms that took place in the country at national and subnational levels, aimed at consolidating democracy.

Micozzi (2001), accounts that the Justicialist Party had the largest number of conventional members, however the sum of the conventional members from *Acción Chaqueña* and the Radical Party was greater. This situation stopped Justicialism from imposing indefinite reelection to the governor and vice-governor, and generated a consensus in the new modality of election of mayors and mandate terms.

### **Material (human or other) and methods**

For the study, the sixty-eight municipalities of the province of Chaco were analyzed, taking into account the category system stated in the Provincial Constitution that groups them in three, according to the number of inhabitants. The sources used were the official candidates' proclamation proceedings by political of mayors and councilors parties that run for elections in all categories of municipalities and the elected candidates proclamation official proceedings for those elections in the Province of Chaco in 1995<sup>84</sup>.

From these proceedings, simultaneous candidacies for mayors and municipal councilors were identified and tabulated and were grouped by parties from the four variations presented: *Mayor and 1° council member, mayor and 2° council member, mayor and 3° council member, and mayor and 5° council member*. Then, a second table was drawn up showing the total

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<sup>84</sup>Extracted from the Chaco Province Electoral Tribunal website [www.electoral.chaco.gov.ar](http://www.electoral.chaco.gov.ar)

number of candidates without discriminating between parties, resulting in the number of winners and losers to the positions of mayor.

The previous steps enabled the development of a bar graph showing the number of simultaneous candidacies by parties in their different variations, and tables that provided the winning and losing candidates, both for the position of mayor and for the position of council member. These tables made it possible to differentiate the effectiveness of the strategy in the different positions in which it was used and to determine which one had greater prevalence.

**Objectives:**

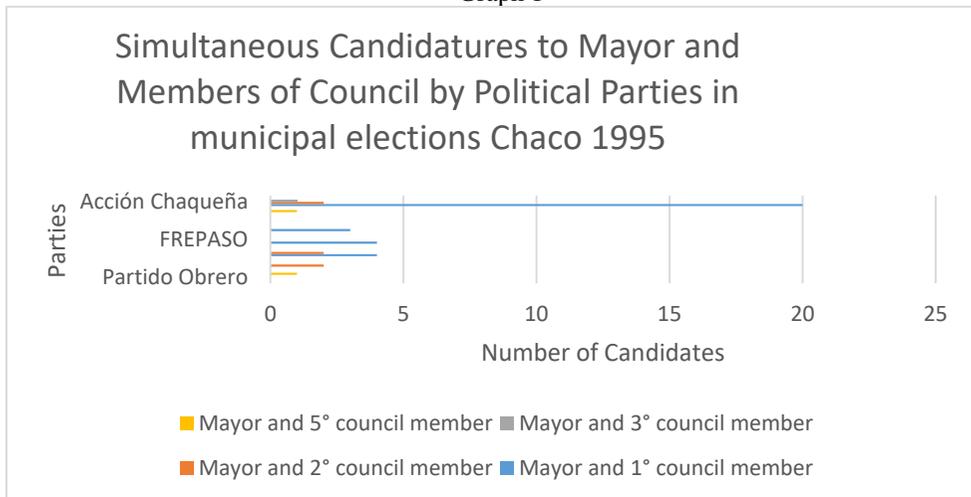
As of the new form of election of the municipal executive positions, this work aims to analyze how these modifications affected the selection of candidates for these positions in the municipal elections of 1995, with special emphasis in the *voto quiniela* as the mechanism used by some Parties in that election.

**Results / conclusions**

One of the effects of changing how mayors are elected has been the appearance of simultaneous candidacies to the positions of mayors and council members in first, second and third order. Seven of the eleven parties that presented candidates for the elections used this mechanism.

The following graph shows the prevalence of *Action Chaqueña* in the use of this mechanism.

Graph 1



Source: Compiled by authors based on the data presented on the Chaco Province Electoral Tribunal website [www.electoral.chaco.gov.ar](http://www.electoral.chaco.gov.ar)

These data raises the following question: who or how many won the elections and took the mayor office? Forty nominations were identified, in which winners and losers were distinguished in the categories of mayors (table 1) and council members (table 2).

Table 1: Number of winners and losers for mayor in municipal elections in the province of Chaco with simultaneous nominations in 1995

Total of Simultaneous Applications	40
Winners	3
Losers	37

Source: Compiled by authors based on the data presented on the Chaco Province Electoral Tribunal website [www.electoral.chaco.gob.ar](http://www.electoral.chaco.gob.ar)

Table 2: Number of winners and losers for council member in municipal elections in the province of Chaco with simultaneous nominations in 1995

Total of Simultaneous Applications	40
Winners	11
Losers	29

Source: Compiled by authors based on the data presented on the Chaco Province Electoral Tribunal website [www.electoral.chaco.gob.ar](http://www.electoral.chaco.gob.ar)

This way it is observed that this strategy of "betting" (in the metaphorical sense of the word) distributing the risk is only completely effective in three out of forty cases. With regards to obtaining council member seats, it was found that the effectiveness of the strategy was greater.

Moving forward with the density of the description on the strategy results, it is necessary to emphasize that:

- For the mayor category, the candidates who won the elections using this strategy were part of *Acción Chaqueña*. The elected candidates proclamation proceedings confirm this as it is stated there: “Given that he/she has been previously proclaimed mayor, and having also been elected as first place council member, the list of the *Acción Chaqueña* Party must be shifted in the mentioned category”<sup>85</sup>. The electoral laws at that time left the selection of the candidates to the internal and private decisions to the parties, an issue that was resolved by the PASO (Spanish acronym that stands for Simultaneous and Mandatory Open Primaries) that somehow rushed the end of the *quiniela* candidacies.
- In municipal council member category, the winners largely belong to *Acción Chaqueña* and, in a smaller proportion (two people out of a total of eleven), to the Radical Party. In this sense, certain aspects were identified, related with the voting volume of the election and the territorial scope of the

<sup>85</sup> Act 435/95 corresponding to the 1995 elected candidates proclamation proceedings.

parties in the municipalities in which the candidates become council members. As far as the candidacy's requirements imposed by the parties are concerned, the logic described by Hazan (2002) and Rahat and Hazan (2001) is valid. This type of candidacies clearly show that the requirements imposed by the parties in the context studied were to have real possibilities of securing some of the positions to which the candidate was presented. Concerning the UCR in particular, a correlation with the statements by Jones, Saiegh, Spiller and Tommasi (2000) was found, given that in some municipal districts in the Province, elite arrangements predominated over assembly elections and direct primaries. From a more analytical perspective, it can be stated that a list arrangement prevailed, in which a very strong local leader appeared in places of the list that ensured their access to the position.

- From a demographic point of view, the municipalities in which the strategy worked for one party or another, are not the big cities. The municipalities in which the simultaneous candidacies according to the provincial constitution <sup>86</sup> are successful are within the second or third category. As the research related to the degree of centralization or decentralization of the process, which can be territorial or functional, studied by Czudnowsky (1975) and Norris (1996) among others, the option of the *voto quiniela* gives clear signs that the candidates' selection process was highly decentralized in the territorial aspect. As a result, the power for nominating candidates ends up falling into the hands of the local leaders, who finally nominate the candidacies for the municipal elections at will; a phenomenon that is strongly emphasized in the smaller urban centers.

- The strategy was used by seven parties in thirty-two municipalities of the province.

- The national parties with little territorial reach in the province used the strategy in the first category municipalities, while the far-reaching parties used the strategy in small towns that coincide with third-category municipalities.

- The Justicialist Party did not use the strategy; the Radical Party used it in 10% of the total municipalities of the province.

In the province of Chaco, the selection of candidates for municipal executive positions in the 1995 election was mainly handled by the parties themselves and, when selecting candidates for municipal executive positions, the party oligarchies iron law studied by Michels (1949) was enforced.

This electoral trick is a strategy used by parties with low voting volume, in small districts. For this reason, logic dictates that, the greater the

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<sup>86</sup> The 1994 constitution of Chaco province establishes in section 183, three municipality categories that vary according to the amount of population of the district.

size of the district and the greater the voting volume of the party, the fewer possibilities of using this mechanism.

This mechanism made it possible for a provincial party to access municipal legislative positions in municipalities where the voting volume prevented it from being a competitive force.

As for the national parties, the strategy was associated with their running in districts where the elite party structure and its voting volume prevented them from competing in municipal elections.

On the other hand, the mechanism was more effective in small municipalities, which responds to two factors. Firstly, the party component, as this strategy was used by *Acción Chaqueña* and the Radical Party in third category municipalities mostly. Secondly, the electoral competitiveness of each municipal electoral system. Since not all parties have lists of candidates for local offices in all municipalities, the competition is reduced and, as the candidacy is simultaneous, it increases the chances of accessing at least one of the offices.

It should be researched in the future whether these strategies were used again in subsequent elections, as well as whether they were used in other provinces of Argentina.

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