# POWER FOR DEMOCRACIES



# Argentina: The state of **Argentina**'s **democracy**

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# Why Argentina matters now

As South America's third most populous country and its second largest economy, Argentina has long served as a democratic reference point in the region. The country enjoys a strong global reputation for transitional justice, civic mobilisation, and rights enforcement. A founding member and long-time leader of regional blocs such as Mercosur, Argentina also holds a critical position in what is known as the Lithium Triangle, a group of nations rich in the strategic mineral.

Today, Argentina's long-standing democratic leadership is under threat from the Milei administration's assault on institutional checks and fundamental rights, along with its withdrawal from key multilateral institutions. Given the current state of affairs in the country, civil society-led legal action stands out as one of the most effective tools to counter authoritarian overreach and reinforce democratic norms.





# Democracy dashboard

Sources: V-Dem; Freedom House; Civicus; IMF; World Justice Project; RSF; World Bank Head of government: President Javier Gerardo Milei (2023-)

Regime type: Electoral democracy

Freedom score: 85/100 - Free

Quality of civic space: 65/100 - Narrowed

Rule of Law Index: **65/143** 

Press freedom ranking: **87/180** 

Accountability ranking: **63/100** 

GDP: \$1.213 trillion (3rd largest in Latin America)

#### A note on our sources

Our findings are based on desk research, literature reviews, and interviews with subject matter experts. Our assessments are based on indices from democracy observers of record:

- Varieties for Democracy (V-Dem): the V-Dem Liberal Democracy Index (LDI) ranging from 0 (least democratic) to 1 (most democratic), and other indices.
- Polity: the Polity Democracy Index ranging from -10 to +10 scale, with a -10 representing full autocracy and +10 full democracy.
- We have also reviewed and cite the relevant scores and rankings from Freedom House, Civicus, and other organisations concerned with the monitoring of different aspects of democracy.
- We have developed our own matrices for prioritisation of (1) countries; (2) democracy tactics within those countries; and (3) civil society organisations' effectiveness

### **Need to know**

- President Javier Milei, a self-identified 'anarcho-libertarian' and technocratic, authoritarian populist,\* has crafted a path of rapid erosion of democratic norms in Argentina; his La Libertad Avanza (Freedom Advances) party made strong gains in October 2025 mid-term elections, giving him the legislative support needed to move forward with his agenda.
- Authoritarian moves have included attempts to eliminate checks and balances through the expansion of executive power, the weakening of key institutions, and the suppression of fundamental human rights protections.
- Argentina's civil society holds a strong legacy of transitional justice and public mobilisation; it has remained resilient and active in the face of these threats.
- The judiciary, though under pressure, has maintained its independence, representing an important avenue to counter the Milei administration's anti-democratic measures.
- Power for Democracies research has found strategic legal action to be one of the most effective tactics for countering authoritarian backsliding. Given high levels of access to justice in the country and a demonstrated track record of using the courts to effect structural change, there is significant potential for success through litigation to protect fundamental rights and push back on overreach by the executive using the courts in both national and international arenas.

By labelling himself an anarcho-libertarian or anarcho-capitalist, Milei advocates for the total elimination of the state within the neo-liberal system. He relies on his technical expertise as an economist to justify the need to manage the state as a business and portrays himself as uniquely able to do so, a main characteristic of technocratic populism. A staple of his tenure has been authoritarian populism, which is characterised by a concentration of power in the executive with restriction of democratic rights.

#### **Democracy snapshot**

Argentina's democracy is at a critical juncture. While the country has weathered multiple economic, social, and political crises in the first decades of the 21st century, the election of President Javier Milei, a true political outsider, in December 2023 and the rise of his La Libertad Avanza party may represent the most formidable challenge to its institutions to date.

Milei took office amid a wave of popular discontent, pledging radical change to address what he called decades of mismanagement by the political establishment. His administration undertook a sweeping political and economic overhaul rooted in a radical libertarian philosophy advocating complete personal and economic freedom and the elimination of most, if not all, state functions.

'This authoritarian populism style of governance merges strong, centralised control with anti-elite and nationalist appeals.'

His administration moved swiftly to impose sweeping economic austerity measures to address the country's long-standing economic crisis while consolidating executive power through the use of emergency decrees and efforts to bypass judicial norms.<sup>1</sup>

At the same time, foreign policy under the Milei administration has shifted Argentina away from traditional regional alliances and multilateralism and towards ideological alignment with authoritarian global figures and governments.<sup>2</sup>

While the president frames these changes as an essential part of his libertarian overhaul,<sup>3</sup> analysts<sup>4</sup> and rights observers<sup>5</sup> have signalled their alarm about the erosion of democratic guarantees and what they view as an abdication of the country's long-standing role as a model for human rights and democratic governance in Latin America.



23 January 2025: Javier Milei, President of Argentina, speaking at the 55th annual meeting of the World Economic Forum (WEF) in Davos, Switzerland
Credit Image: picture alliance/KEYSTONE | MICHAEL BUHOLZER

The roots of Milei's rise, and the strength of Argentina's institutions and civil society, should be understood in the context of the country's political history. The military dictatorship of 1976–1983, known as the Dirty War, was marked by mass disappearances, torture, and systemic human rights abuses, which left an indelible legacy.

The return to democracy, driven by public demand and anchored by President Raúl Alfonsín's administration (1983–1989), set a powerful precedent in Latin America and beyond for transitional justice and the rebuilding of democratic institutions. The memory of state terror and the social mobilisation it generated still shape Argentina's political culture today, including through the many civil society organisations that continue to litigate cases of Dirty War crimes in the country's courts.



One important actor in resisting the dictatorship was the Peronist movement, a political force that originated with the presidency of Juan Domingo Perón in the 1940s. The movement champions labour rights, economic sovereignty, and social justice, prioritising a strong state presence in the economy.

Peronism reasserted itself in various forms after the military dictatorship, including under President Néstor Kirchner's (2003–2007) administration. Kirchner focused on stateled development, expansion of social programmes, and an assertive human rights agenda, which can be seen particularly in the reopening of trials for crimes committed during the dictatorship.

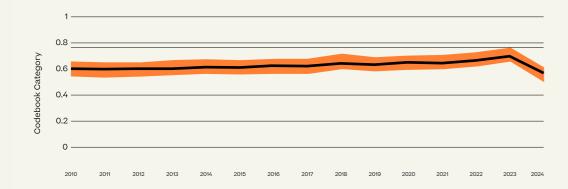
His successor and wife, Cristina Fernández de Kirchner (2007–2015), significantly reduced poverty and expanded civil rights, but also sparked public anger over economic mismanagement and corruption. Her tenure culminated in a recently upheld conviction on fraud charges related to public works contracts and the declaration of her ineligibility to run for office.

# Argentina has a long history of rescue packages from IMF, including a \$57 billion bailout negotiated under former President Macri.

Fernández de Kirchner's successor Mauricio Macri (2015–2019) shifted the economy towards market-oriented reforms and negotiated the largest International Monetary Fund (IMF) bailout in history: \$57 billion – in a country that already had a long history of rescue packages from the international lender. Macri's austerity measures and external debt dependency fuelled widespread discontent, leading to his defeat in 2019 by Peronist candidate Alberto Fernández. While Fernández campaigned as a moderate unifier, his administration was defined by internal divisions, the challenges of the COVID-19 pandemic, and continued economic hardship.

Mounting frustration with traditional political elites and persistently high inflation created fertile ground for the rise of Milei, who resonated with a disillusioned electorate.<sup>6</sup>

# Argentina Liberal Democracy Index 2010–2024



Varieties of Democracy (V-Dem)'s Liberal Democracy Index (LDI) using V-Dem graphing tools.

Amid the challenges brought on by the Milei administration's policies, Argentina retains several sources of institutional resilience that provide openings to stem the democratic decline. The judiciary has preserved its independence, despite being under attack. Civil society remains vibrant, with trade unions, feminist and LGBTQ+ groups, pensioners and youth, human rights organisations, and legal advocacy networks continuing to organise against government overreach through mass mobilisation and strategic litigation nearly two years after Milei's election. Long-standing expert-led civil society organisations are at the forefront of this litigation, contesting moves by the executive and defending fundamental rights at the courts.

The next two years will prove pivotal. Following La Libertad Avanza's victory in the October 2025 midterm elections, and with presidential and legislative elections set for late 2027, the trajectory of Argentina's democratic backsliding will hinge on the balance between executive ambition, institutional resilience, and sustained popular mobilisation.

# Threats to democracy

The two main threats to Argentina's democracy under Milei: (1) executive overreach; and (2) attacks on fundamental rights. These are the primary factors that have been driving Argentina's democratic erosion since late 2023.

#### **Expansion of executive powers**

Clear indicators of the Milei administration's efforts to bypass checks and balances include his frequent use of presidential decrees and his success in gaining congressional approval of the Omnibus Bill, a sweeping legislative package that grants the executive temporary powers to legislate in key areas such as economic, administrative, security, and energy policy.<sup>8</sup>

In February 2025, Milei attempted to circumvent Senate approval to fill two Supreme Court vacancies via decree. Though the move was blocked, it raised alarms, as the attempt to politicise the judiciary reflects the ongoing pressure on that institution. Data from Varieties of Democracy (V-Dem) Institute shows a rise in government attacks on the judiciary since Milei's election, including verbal attacks by the president – reiterated ahead of the October mid-term elections, when he called for an end to the 'nefarious judiciary industry', and referred to labour lawyers as 'vultures'. Milei's spokesman used social media to accuse a female judge who had issued multiple rulings invalidating presidential decrees on labour rights as working under the influence of the unions.

This strategy of executive aggrandisement<sup>12</sup> – or the gradual expansion of executive power at the expense of other branches of government, often through legal and institutional means that undermine checks and balances<sup>13</sup> – has been well-documented by scholars of democratic backsliding. The expansion of the executive has featured prominently in the rise of Donald Trump in the United States as well as in the consolidation of power by illiberal leaders in Turkey, Hungary, Italy, and Poland.

#### Threats to fundamental rights

The Milei administration has systematically rolled back the country's previously strong protections for fundamental rights. Under the guise of cost-cutting, it dissolved the Ministry of Women, Genders and Diversity<sup>14</sup> and dismantled anti-discrimination state institutions and policies.<sup>15</sup> The administration has targeted LGBTQ+ people, stripping them of rights and using inflammatory rhetoric; since Milei's election, violent hate crimes against members of the LGBTQ+ community are up 70 per cent, with experts noting a connection between the two.<sup>16</sup> Moreover, the Milei administration has launched a direct attack on Indigenous rights by annulling the law which suspended evictions of Indigenous communities, thereby enabling their rapid and often violent displacement from their lands without procedural protection.<sup>17</sup>

His administration has embraced historical revisionism,<sup>18</sup> downplaying dictatorship-era crimes and slashing funding to programmes that focus on dictatorship remembrance.<sup>19</sup> This narrative is actively advanced by Vice President Victoria Villarruel, who gained notoriety by advocating for an end to human rights trials, placing perpetrators and their families on equal footing with the victims of state terror.<sup>20</sup>

At the same time, the Milei administration has expanded Argentina's security infrastructure, which presents a mounting threat to civil liberties. Just four days after his inauguration, he introduced an anti-picketing decree criminalising the right to public protest; it empowers the police to adapt coercive tactics and allows for the withdrawal of social benefits from demonstrators. While Milei's government has cut state expenditure in basically all areas of governance, his administration has dramatically increased police and military spending, signalling an expansion of state surveillance capacities. This raises the spectre of widespread monitoring and repression of political opponents and civil society.





# Geopolitical importance

Argentina's post-dictatorship legacy of transitional justice, an independent judiciary, and civic mobilisation has made it one of Latin America's strongest democratic anchors. A member of the Group of Twenty (G20) economies and a key player in regional political and economic alliances, the country serves as a pivotal agricultural and cultural hub in the southern tier of Latin America.

'Under President Milei, however, Argentina (has) crafted a departure from the country's historic commitment to multilateralism, regional cooperation, and international human rights advocacy.'

Under President Milei, however, Argentina is undergoing a fundamental shift in its regional and global role. The new president's administration crafted a departure from the country's historic commitment to multilateralism, regional cooperation, and international human rights advocacy.<sup>21</sup> This transformation has sweeping implications, positioning Argentina as both a disruptor in Latin America and a significant node in the global resurgence of authoritarian populism.

This realignment creates significant ripple effects beyond Argentina's borders, weakening Latin America's collective bargaining power in trade, climate action, and human rights governance at a moment when global challenges demand unified responses.

#### Regional and global influence

Since the democratic transition in the 1940s, Argentina has played a pivotal role in regional organisations, including several in which it is a founding member. Milei's administration, however, has systematically undermined that role by retreating from both regional and international alliances. Milei declared his intention to withdraw from the South American regional blocs Mercosur and Unasur, worked to cancel the January 2025 summit of the Community of Latin American and Caribbean States (CELAC), and rejected membership in BRICS, a global grouping of major emerging economies. The reasons given for these moves are ideological: As Milei puts it, under his leadership, 'Argentina will not align with communists.'<sup>22</sup>

At the regional level, Argentina's break with multilateralism weakens the ability of neighbouring Brazil to lead on trade, climate, and human rights, as the moves undermine Mercosur and CELAC. More critically, the rise of Milei risks emboldening anti-democratic forces in Brazil, where Jair Bolsonaro's legacy remains influential, creating destabilising incentives for the region's largest democracy.

In May 2025, the Milei administration formalised Argentina's withdrawal from the World Health Organization (WHO), which will have a global impact. The move mirrored Washington's own withdrawal from the WHO under Trump, and Milei nodded to this by timing the announcement to coincide with the official visit of U.S. Secretary of Health and Human Services Robert F. Kennedy Jr.

Milei has forged personal and political ties with other authoritarian populist figures such as Donald Trump, Israeli Prime Minister Benjamin Netanyahu, Hungarian Prime Minister Viktor Orbán, Spanish politicians Santiago Abascal and Isabel Ayuso, and Italian Prime Minister Georgia Meloni. In international forums, he has styled himself as a leading voice against what he refers to as the 'woke agenda', making statements which have caused backlash at home.<sup>23</sup>

#### **Geopolitical and economic factors**

The Milei administration's foreign policy must be understood in the context of Argentina's economic crisis. Milei secured an additional \$20 billion package from the IMF in April 2025, a deal endorsed by the United States.<sup>24</sup> His ideological affinity with US leaders facilitated this cooperation, reinforcing the geopolitical importance of Buenos Aires to Washington at a time of growing Chinese influence in Latin America.<sup>25</sup> In October 2025, the United States and Argentina signed an 'economic stabilisation agreement' worth \$20 billion to prop up the peso ahead of the mid-term elections;<sup>26</sup> the US treasury secretary also pledged to assemble a separate \$20 billion private debt facility to support Argentina's debt commitments.<sup>27</sup>



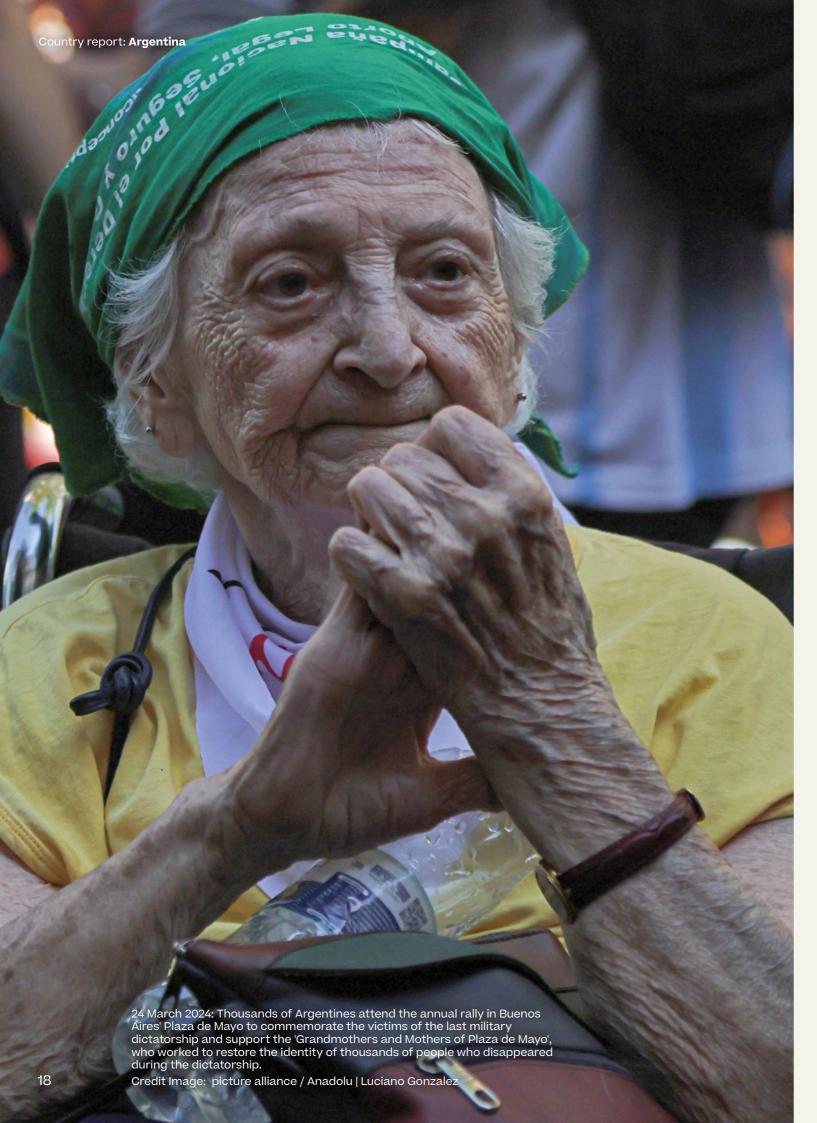
Argentina's history of democratic resistance has made it home to a diverse and strong civil society.

Credit Image: picture alliance / Anadolu | Luciano Gonzalez

# Countering democratic decline

Despite mounting threats, Argentina retains considerable potential for democratic resistance and recovery, grounded in one of Latin America's strongest and most diverse civil society ecosystems. Drawing on an extraordinary legacy of transitional justice, civil society organisations in the country have a strong organisational and coalition-building culture and high level of expertise, especially in legal safeguards for civic participation. Argentina's democratic institutions, including the courts, remain functional despite being under stress. These institutions continue to provide avenues for domestic and international accountability.

There are no legal barriers to foreign funding for civil society organisations. Activists are not facing systemic prosecution, although they have faced harassment, particularly through public discreditation and strategic lawsuits against public participation (SLAPPS). Furthermore, deregulation under the Milei administration has made foreign financial transfers more accessible.



#### A legacy of resistance

Argentina's enduring democratic culture is shaped by its postdictatorship legacy and strong collective memory:

## Transitional justice leadership:

Argentina is internationally recognised for prosecuting crimes from the military dictatorship era.

### Civil society organisations:

Many of Argentina's most influential CSOs grew directly out of the dictatorship years and continue to defend rights, pursue accountability, and mobilise against authoritarian threats today. Newer organisations find inspiration in, and continue to work to preserve, this legacy.

### Annual commemorations:

Remembrances of the end of the military dictatorship continue to mobilise large crowds, reinforcing public commitment to democracy.

The media, though increasingly under pressure, remains protected, with laws upholding freedom of expression and banning censorship. Despite the closure of the state news agency under the Milei administration and persistent government hostility towards journalists (including SLAPPs filed by Milei and his administration), safeguards exist in support of an independent press, making it another key tool for defending democracy.<sup>28</sup>



#### **Opportunity for change**

Argentina's democratic outlook through 2026–2027 will be shaped by an interplay between electoral outcomes, economic performance, and sustained civic mobilisation. Milei's popularity remains stable,<sup>29</sup> and his party secured a clear mid-term victory in October 2025 – a win reflecting visible disinflation and policy credibility reinforced both by the additional IMF bailout and Trump currency exchange deal.<sup>30</sup>

A fragmented Peronist opposition, despite its emphatic Buenos Aires provincial gains on 7 September 2025, combined with historically low national turnout at around 67 per cent in a country with mandatory voting, further tilted the field.<sup>31</sup> Markets rallied strongly after the result.

'The World Bank's October 2025 Poverty and Equity Brief cautions that poverty remains elevated and that recent gains are fragile'

Yet the picture is not unequivocally positive: although recent estimates report a decrease in poverty levels,<sup>32</sup> austerity measures are still squeezing households, with the World Bank's October 2025 Poverty and Equity Brief cautioning that poverty remains elevated and that recent gains are fragile without a recovery in jobs and real incomes.<sup>33</sup> The OECD likewise urges coupling fiscal consolidation with stronger, better-targeted social protection to prevent deeper inequality.<sup>34</sup>

Accordingly, experts across political and economic lines are sceptical of the long-term viability of the Milei administration's reforms.<sup>35</sup> If those reforms falter and poverty levels rise, a broader wave of discontent could emerge.

#### Top areas for engagement

Strategic legal action is one of the most promising channels for checking executive abuses under the Milei government. Argentina's judicial and legal system is healthy, robust, and independent. Civil society organisations are experienced in successfully using the courts to defend democracy and fundamental rights, and they are currently responding to the expansion of presidential power by asking courts to review the constitutionality of legislative authority delegated to the executive.

At the same time, legal action is needed to enforce constitutional norms. In the face of rights rollbacks, civil society organisations have also asked the judiciary to uphold protections enshrined in Argentina's 1994 constitutional reform and in international treaties like Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Covenant on Civil and Political Rights (ICCPR). They have obtained important victories, including a win in the courts challenging the Milei administration's labour reforms.

As a party to the American Convention on Human Rights, Argentina has in the past been subject to numerous cases before the Inter-American Court of Human Rights (IACHR), paving the way for cases to be escalated to transnational courts if needed.



# Recommended action: Supporting strategic legal action

Based on Argentina's institutional history and the fact that the legal system has so far resisted political capture by Milei's administration, legal action is the most tractable and impactful method for stemming democratic erosion.

Well-supported by infrastructure, expert capacity, and transnational legal pathways, this tactic offers enforceable, precedent-setting outcomes that can both counter rights violations in Argentina's current political climate and strengthen democratic safeguards over the long term.

Experts interviewed for this report consistently pointed to the legal arena as one of the most effective platforms for resisting the Milei administration's authoritarian moves. The country boasts several well-established and specialised legal civil society organisations, many founded during the last years of the military dictatorship or during the transition, that consistently engage in rights-promoting strategic litigation.

Donor support for these organisations could therefore be key to stemming Argentina's democratic decline. The theory of change underpinning this tactic (Figure 1) posits that when donors support civil society organisations in pursuing legal action that challenges the national government's illegal/unconstitutional positions and decrees, the result can be judicial rulings that defend and uphold democratic norms and fundamental rights, holding the government accountable and contributing norm preservation (including the independence of the judiciary) and to maintaining the civic space open. Rulings can, inclusively, be precedent setting, establishing norms and preventing future erosion.

These rulings, thus, can help counter authoritarian moves and improve democratic governance. Legal action in Argentina is therefore not only about individual victories but also about strengthening the institutional environment for democracy.

Theory of change for donor support of strategic legal action Preservation to independent judiciary and open civic space Government accountable Donor fills legal action cases in favor CSO's budget of fundamental civic rights CSO aovernment's

This simplified theory of change can, however, conceal a more complex legal process. Litigation often begins at the provincial level and may escalate to the Supreme Court or even to transnational forums such as the Inter-American Court of Human Rights (IACHR). Such escalation amplifies the impact of litigation, creating binding precedents, raising international visibility, and increasing political costs for government overreach.

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#### What legal action involves in Argentina

Legal action encompasses a wide spectrum of activities, including:

Initiating lawsuits to protect civil liberties (e.g., freedom of assembly, expression, association)

Filing constitutional challenges to emergency decrees or rights restrictions Litigating before international human rights bodies

Using investigative lawyering and collective actions to drive accountability

Defending civil society (journalists, activists, and ordinary citizens) against SLAPPs or other forms of harassment perpetrated by the president and his administration

This range of legal activities is covered by a wide variety of reputable civil society organisations based in Argentina.





#### **Effectiveness of legal action**

There is good general evidence for the effectiveness of strategic legal action, and the available evidence in support of its use in the Argentinian context is particularly strong. Key variables for success include an independent and accessible judiciary, a skilled civil society legal sector, and the integration of litigation with public advocacy, research, and coalition-building.

In general, the people of Argentina enjoy strong access to the legal system. As shown in Graph 2, the courts have remained independent over the past 30 years (although this has been affected by the Milei administration's actions). Access to justice has likewise remained high and largely stable, according to V-Dem data. Although Argentina has declined in V-Dem's LDI since Milei's election, it is noteworthy that this has not been mirrored by a corresponding drop in access to justice, indicating that this avenue is still viable for democratic defence.

# High and low court independence and access to justice in Argentina, 1994–2024



V-dem graphing tools, 25-10-2025

Numerous studies have documented how legal strategies in Argentina have catalysed structural change. In one example, research found that non-governmental organisation (NGO)-led advocacy helped reshape judicial norms and reinvigorate judicial accountability.<sup>36</sup> Labour and civil society organisations have also transformed political disagreements into legal cases, using them strategically to gain political advantage.<sup>37</sup>

Additionally, strategic litigation and informal legal education displaced authoritarian-leaning judges, encouraged institutional reforms, and improved procedural transparency in the Supreme Court.<sup>38</sup> These reforms were not just symbolic: they created structural conditions for more equitable legal access and democratic resilience.

Global evidence also suggests the importance of collaboration between different movements and organisations in strategic litigation.<sup>39</sup> Such cooperation can play a significant role in developing a shared vocabulary about rights that can be used across legal cases and public debates.<sup>40</sup> Both dynamics are well-established in Argentina, where coalition-based legal action in protection of collective and individual rights is a staple.

#### Relevance to the current moment

Argentina's legal field, despite some pressure, remains open and relevant. As of late 2025, the courts continued to hear high-profile challenges to executive decrees, restrictions on protest, and media repression.

The dynamic political situation in Argentina creates a degree of uncertainty. If the Milei administration were to succeed in its efforts to pack the Supreme Court, effectively undermining the independence of the judiciary through appointing judges by presidential decree, the chances of success for individual challenges could decrease.<sup>41</sup>

Nonetheless, given the context outlined here, strategic litigation should be considered the most promising tactic, as it is both highly feasible and holds a potential for impact in Argentina's current political context as well as in years to come.

This is a critical inflection point for Argentine democracy: while attacks on rights, norms, and institutions are intensifying, the judiciary remains independent and civil society engaged in democracy's legal defence – making timely strategic legal action not only possible, but essential.

#### **Democratic developments**

<b>02</b> Omnibus Bill approved in Congress		proved	<b>04</b> Country secures \$20 bn IMF bailout		Avanza party ha	Milei's La Libertad Avanza party has losses in Buenos Aires	
December 2023	February 2024	April 2025	April 2025	June 2025	7 September 2025	15 October 2025	26 October 2025
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