

Argentina's Peronist former president sentenced to house arrest and lifetime political ban

Pseudo-left gives political backing to Peronism

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On June 10, Argentina's Supreme Court upheld a six-year jail sentence against Peronist former president Cristina Fernández de Kirchner (CFK). She, along with many other defendants, had been found guilty of fraud on December 6, 2022, following a lengthy trial on roadbuilding contracts awarded illegally for a number of years to a firm owned by multi-millionaire businessman Lázaro Báez in Santa Cruz Province. The court also barred CFK from running for office for the rest of her life, following her announcement of plans to run for a legislative post in Buenos Aires Province.

Fernández was found guilty of accepting bribes and payola in road building contracts in Santa Cruz Province, between 2003 and 2015, during her late husband Nestor Kirchner's one term in office and CFK's two terms. Nestor Kirchner died in 2010, after a long political career in Santa Cruz and the presidency.

The Supreme Court granted CFK several days to turn herself in at the headquarters of the Federal Criminal Court in Buenos Aires—the Comodoro Py building—for final processing.

In concluding remarks at this hearing, Cristina Fernández described the long process and the court's decision as “lawfare,” the intentional abuse of the legal system for political purposes. More than lawfare, the ex-president declared: “This is a firing squad.”

The political ban on Fernández, who remains the de facto political leader of the most important bourgeois political tendency in the country, Peronism, represents a major escalation in the turn by the Argentine ruling class and the administration of fascist President Javier Milei toward the criminalization of political opposition and the establishment of a police-state dictatorship. Milei openly defends the crimes of the last military dictatorship.

This operation is being directed in unison with the Trump administration, which had already barred CFK from entering the United States in March, accusing her of being involved in “significant corruption.”

Already in September 2022, a far-right Brazilian gunman tied to far-right circles connected to Milei's movement attempted to assassinate CFK.

Milei's Peronist predecessor, Alberto Fernández, and his vice president, CFK, oversaw a brutal social austerity regime dictated by the International Monetary Fund, setting the stage for Milei to win the elections despite promising an even more aggressive economic “shock therapy.” As the nominal “opposition,” the Peronist legislators, governors and union bureaucracies have given his legislation votes and negotiated some of his most radical attacks on social institutions and democratic rights.

Facing a constant upheaval of mass strikes and protests that the Peronist-led union apparatus is finding increasingly difficult to contain, the ruling class's decision to turn on CFK is not because it sees Peronism as a threat to its onslaught against the working class, but rather that it seeks to set an example and criminalize all opposition from below.

On Wednesday, June 18, a Federal Court in Buenos Aires accepted CFK's petition to serve her sentence in her home, under strict conditions; in addition to restrictions on who may visit her, it is not yet clear if she will be able to step onto the balcony of her US\$300,000 apartment in Buenos Aires. Argentine law allows convicts older than 70 to serve their sentence at home.

The court, however, upheld her ban from running for political office.

On the morning of the ruling, crowds of thousands began to assemble at Buenos Aires' central Plaza de Mayo square to protest. Groups organized by the Left and Workers' Front Coalition (FIT-U) marched in from the Obelisk Plaza and in downtown Buenos Aires. Mass protests also took place in the industrial city of Córdoba, the port of Rosario and other major cities.

Bureaucrats from the CGT and CTA union federations, supporters of the Campora Peronist Movement (led by the ex-president's son Máximo Kirchner), CFK's Justicialista Party, and other Peronist groups were joined by significant numbers of workers and students.

The ruling and ban against CFK have been exploited by the long-time apologists of Peronism in the pseudo-left parties of the middle class to present her as a political martyr. As the WSWWS wrote at the time, the election of Milei proved that, “as far as

workers are concerned, the Peronist apparatus is composed of a mob of corrupt officials and union bureaucrat thugs who conspire to enforce the diktats of the corporations and banks.” Now, Peronism’s pseudo-left partners are using every possible opportunity to help rebuild credibility and support for this bourgeois party.

Put frankly, these efforts can only help disarm the working class politically in the fight against fascism and dictatorship, similarly to how these same tendencies disarmed workers ahead of the brutal dictatorship of Gen. Rafael Videla (1976-83).

Myriam Bregman, legislator for the Morenoite Socialist Workers Party (PTS), which leads the FIT-U, has issued several statements that communicate unconditional, political support for CFK. Speaking to reporters of the corporate media, she said:

In a capitalist democracy as restrictive as the one we live in, the Supreme Court arrogates to itself even more rights, the right to decide who can and cannot be a candidate. We believe that there must be mass mobilizations throughout the country, that measures of struggle must be undertaken so that no one can be distracted because this goes beyond the immediate case. This is a political message of an anti-democratic attack, which like all anti-democratic attacks, as the history of our country has shown us, ends up inevitably being against the people.

CFK’s remarks at the hearing were then endorsed by Jorge Altamira, the founder of the pseudo-left Partido Obrero and leader of its dissenting faction Política Obrera, in a recent interview. Altamira rejected the judgment, describing it as a political frameup similar to that against Brazilian President Luiz Inácio Lula da Silva, who, in 2014, was convicted for being involved in the Odebrecht Scandal (Operação Lava Jato), facilitating the election of the fascistic Jair Bolsonaro.

Also interviewed in a radio program was Partido Obrero leader Gabriel Solano, who also belongs to the FIT-U. Solano spoke along the same lines, accepting that CFK was guilty of fraud, but insisting that “everybody commits fraud” and that the attack on her is political. “It is evident that this is a case of political persecution,” said Solano. Solano then explained that the PO does not support Kirchner, citing the complicity of members of the CFK administration in the murder of PO member Mariano Ferreyra on October 20, 2010, during a protest by contingent rail workers of the Roca Railroad attacked by Rail Union goons, protected by the police. Ferreyra and two others were shot down. Ferreyra died at a hospital.

The partial privatization of Argentine rail lines, which had been nationalized under the first Peron regime, took place under the administration of Néstor Kirchner with the collaboration of the government, trade unions and private companies. It allowed for the hiring of contingent low-wage “temps” under conditions of fierce over-exploitation. Benefiting from this was the Rail Union, a full partner in the Roca Railroad that hired the goons that attacked the workers on October 20, 2020.

The death of Mariano Ferreyra triggered mass protests. Nine years ago, the movie *¿Quién Mató a Mariano Ferreira?* (Who killed Mariano Ferreyra?) exposed the crime and the Kirchners’ complicity. In minute 1:06:00 through 1:10:00 of the movie, Rail Union leader Pedraza, the organizer of the goon squads, speaks of his relationship with the Labor Ministry and with Néstor and Cristina Kirchner.

Solano declared, “We have ‘pending business’ with CFK ... however, we will defend her right to run.”

Altamira and Solano insist that their tendency’s participation in these marches does not signify political support for CFK or Peronism. That is a fraud: If right-wing former president Macri or fascist Milei had been in Cristina’s shoes, they would refrain from protesting on their behalf. These movements promote CFK as a lesser-evil capitalist alternative for the working class.

Behind the FIT-U’s criminal refusal to create a genuine, working class alternative is their petty-bourgeois class orientation hostile to the working class, which explains their ready adaptation to the personality cult of a “who’s who” of enemies of the working class: Juan Domingo Perón, his first wife Evita, Carlos Menem, Néstor Kirchner and Cristina Fernández, doing all they can to turn the Argentine working class away from social revolution and to the bourgeois, nationalist programs of the above and their phony anti-imperialism.

There is little doubt that the Kirchners participated in, and profited from, a payola scheme involving public works together with others.

In truth, fraud and corruption have been a hallmark of capitalist governments and is intrinsic to the operation of capitalism, with government officials taking advantage of privileged information and corporate connections to enrich stockholders, corporate CEOs and themselves (as in the infamous Enron Scandal of 2001). These corrupt practices are continuing today across the world, under Milei, who eliminated the agency investigating his participation in a crypto scam, or for that matter the administrations of Netanyahu, Trump and Pedro Sanchez of Spain, all now embroiled in growing corruption scandals.

The threat of a fascist dictatorship—with the CFK case laying the groundwork for much broader attacks against democratic rights—cannot be underestimated, but the fight against it can only be based on a sober assessment of the role played by the Peronists and pseudo-left in disarming any viable resistance in the working class based on a revolutionary, socialist and internationalist program.



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