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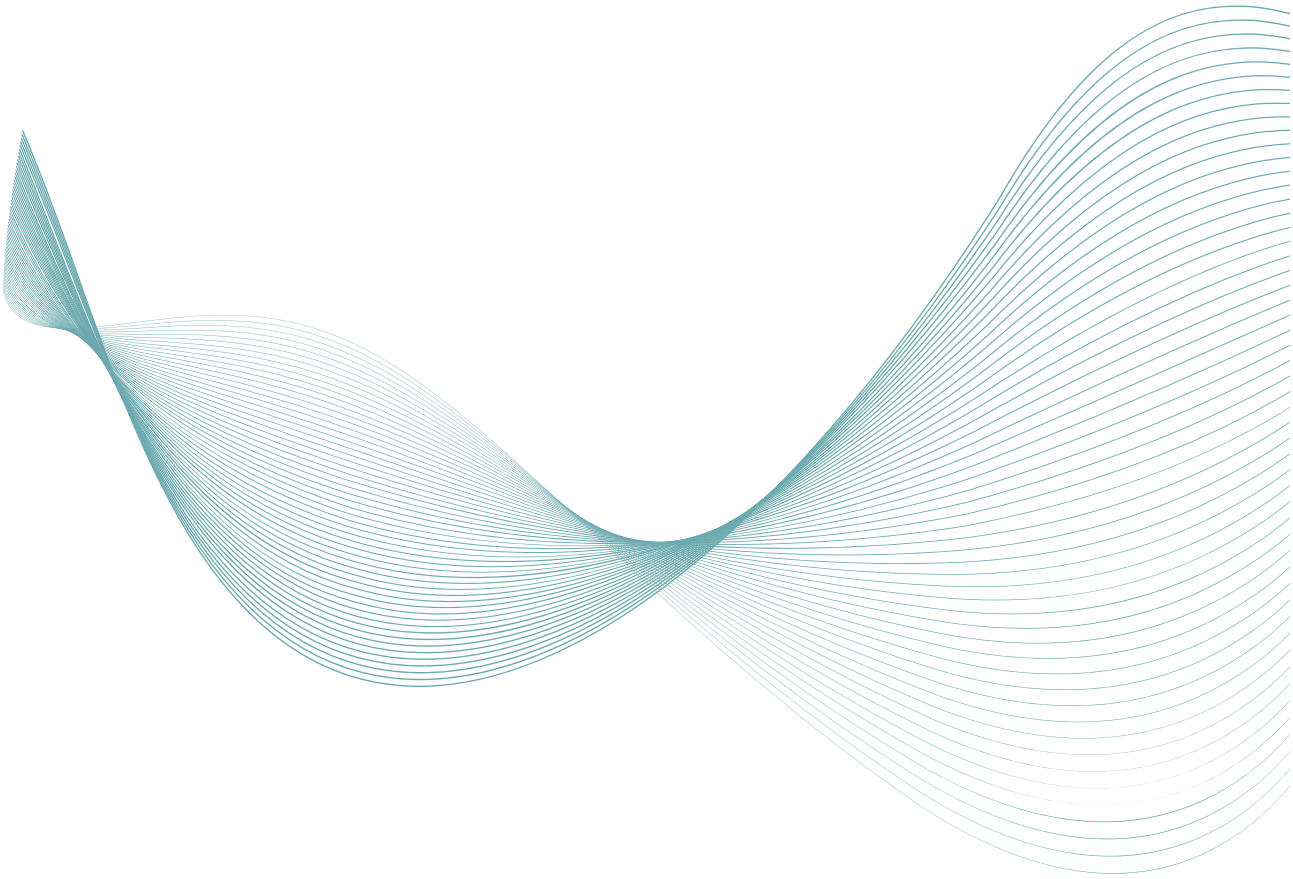

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Lessons from El Salvador's Authoritarian Turn

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If El Salvador is still a democracy, it is unlikely to remain one for long. President Nayib Bukele has exhibited autocratic tendencies since he took office in June 2019. But the country's turn toward authoritarianism began in earnest in May 2021, when Bukele gained a supermajority in the country's Legislative Assembly. Within hours of taking their oaths, the president's new legislative allies voted to vacate—and then pack—the Constitutional Chamber, El Salvador's highest court. Speaking to the legislature soon after the judicial coup, a triumphant Bukele vowed never to let his enemies return to power: "As long as God gives me strength," he promised, "I will not let it happen."[2] Indeed, Bukele and his allies have systematically undermined remaining sources of horizontal accountability, including opposition parties, lower courts, local governments, independent government agencies, civil society organizations, and the press.[3] In late 2021, the Constitutional Chamber paved the way for Bukele to seek reelection in 2024. If he runs, Bukele is all but guaranteed a second term—in part because he is extremely popular and in part because there remain few guarantees that the election would be minimally fair.

What explains El Salvador's ongoing authoritarian turn? Bukele himself has, of course, played a key role. Relying on a distinctive political strategy that combines populist appeals, authoritarian tactics, and a modern personal brand fueled by social media—what I have labeled millennial authoritarianism (Meléndez-Sánchez 2021)—Bukele has built a formidable electoral coalition. Like many would-be autocrats before him, Bukele has used his overwhelming public support—most polls place his approval rating above 80 percent (e.g., Rentería 2021)—to consolidate power under the presidency and weaken checks and balances.

This, however, is only one part of the story. In 2018, the year before Bukele's election, 63.4 percent of Salvadorans said they were dissatisfied with democracy

1 The views expressed in Manuel's contribution to this volume are those of the author and do not necessarily reflect the views of the U.S. Institute of Peace or the Minerva Research Institute.
2 A full video of this speech is available online, in Spanish, at https://www.youtube.com/watch?v=9AlBouIqN3E.
3 See, respectively, Flores 2021; Miranda 2021; Velásquez 2021; Guzmán *et al.* 2020; Alemán and Sherman 2021; and Abi-Habib and Avelar 2022.

(LAPOP 2018). Over 60 percent agreed that "elections are a waste of time because things in this country will never change," and 78 percent said political parties did not represent people like them (IUDOP 2018). Millennial authoritarianism could not have succeeded in El Salvador if Salvadorans had not already grown deeply disillusioned with democracy by the time Bukele ran for office: Bukele's authoritarian project thrived in, but did not create, these conditions. Why, then, did so many Salvadorans lose faith in democracy in the first place?

Here I focus on two factors that contributed to this public disillusionment with democracy in El Salvador: the unintended long-term consequences of the country's democratic transition pact and the double-edged nature of high-profile corruption investigations. Both of these factors highlight important theoretical insights that are often overlooked in discussions about democratic backsliding, and, in doing so, may offer lessons that extend well beyond El Salvador.[4]

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The Unintended Long-Term Consequences of Transition Pacts

In the early 1990s, the Nationalist Republican Alliance (Arena) government and the Farabundo Martí National Liberation Front (FMLN) guerrillas—bitter rivals in a civil war that had been raging since the early 1980s—struck a pact designed to end hostilities and transition to democracy. El Salvador's transition pact had three main components. First, the 1992 Chapultepec Peace Accords created a pathway for the FMLN to demobilize, become a political party, and participate freely in the "civil, political, and institutional life of the country" (Gobierno de El Salvador 1992, 54). Second, a 1993 General Amnesty Law granted combatants on both sides of the conflict immunity from prosecution for war-related crimes. Finally, a new Electoral Code, written in 1992, set high barriers to entry for new parties and gave leaders of both Arena and the FMLN significant influence over future electoral processes.

These agreements presented difficult tradeoffs, particularly from the perspective of transitional justice. However, they successfully addressed the central challenge to democratization in El Salvador: ensuring that the vital interests of Arena, the FMLN, and the core constituencies each represented would be protected during and after the transition. The pact ensured that the two organizations—as well as their individual members—could participate freely in electoral politics without facing prosecution or disqualification for war-related offenses. Meanwhile, the new Electoral Code shielded leaders of the two parties from internal competition by allowing them to control leadership and candidate selection. The Electoral Code also protected party leaders from *external* competition, for example by conditioning access to public campaign financing on expected vote share—a move that left newcomers at a major disadvantage compared to the well-established Arena and FMLN.

Together, these provisions persuaded the leaders of the two organizations to lay down arms. Crucially, the pact also set the stage for the development of a strong and remarkably stable party system following the initial transition. Arena consolidated its status as the strongest party on the right, while the FMLN soon established itself as the largest party on the left. Former wartime leaders and combatants ran for office, participated in national and local government, and played an active role in intra-party politics: to adapt Loxton and Mainwaring's (2018) evocative phrase, the pact offered these former fighters a political life after civil war. Importantly, the new party system also offered Salvadoran voters—who were experiencing full electoral democracy for the first time—a meaningful choice between two parties that represented deep, preexisting social cleavages. The pact, in short, made it possible for Arena and the FMLN to compete at the ballot box instead of on the battlefield.

To be sure, my claim is not that the pact alone was responsible for El Salvador's democratization. Others, for example, have noted the importance of popular mobilization (Wood 2001) and the international context (Montgomery 1995, 213–262) in bringing about Salvadoran democracy, as well as the key role of party-building strategies (Holland 2016; Loxton 2021, 126–165) in ensuring the continued success of Arena and the FMLN after the initial transition. What I suggest is that the pact made El Salvador's transition to democracy *possible* by making electoral politics minimally safe for powerful actors on both sides of the regime divide; the pact was, in other words, a necessary (if not sufficient) condition for democratization.

4 What follows is adapted from Meléndez-Sánchez 2021.

However, as Salvadoran democracy entered its third decade, the enduring legacies of the transition pact contributed to a process of political decay.[5] Well into the 2010s, wartime leaders and their close allies continued to dominate the two main parties and, through them, electoral politics. No election illustrates this more clearly than the 2019 presidential contest. Despite (or perhaps because of) his popularity, traditional FMLN elites—who still controlled the party's *cúpula*, or top governing structures—viewed Bukele with great suspicion: they feared that Bukele, already the country's most popular and skillful politician by some margin, would easily secure the FMLN's nomination and then marginalize the party's longstanding powerbrokers. As a result, the cúpula swiftly expelled Bukele from the FMLN, claiming that he had attempted to divide the party. They then handpicked Hugo Martínez, a former combatant and veteran party loyalist, to run against Bukele.

This is an instructive episode. The Chapultepec Accords and the Amnesty Law had allowed wartime elites to remain at the helm of the FMLN after the transition. The Electoral Code, which gave party leaders full control over internal party discipline and the party's nomination process, had then allowed these traditional elites to remain in power for decades and to block newcomers who, like Bukele, could challenge their dominance. A similar dynamic occurred inside Arena: well into the twenty-first century, the party's internal workings—including its nomination processes—continued to be dominated by the conservative economic elites who had founded the party decades earlier. In the early 1990s, El Salvador's transition pact made democratization possible precisely by ensuring that elites on both sides of the regime divide could protect their interests through Arena and the FMLN. But, as late as 2019, the two parties remained first and foremost vehicles of elite interest representation.[6]

As a result, a growing number of voters grew disillusioned with what these parties—which had become synonymous with electoral politics—had to offer. By 2018, only 30.8 percent of Salvadorans said they supported one of the major parties. Almost 80 percent said that Arena and the FMLN did not represent people like them, and 60 percent agreed that elections were a waste of time (IUDOP 2018). A chasm had opened up between Salvadorans and their political parties. Bukele stepped in to fill this void.

The Salvadoran experience invites us to revisit bygone debates about the merits and limitations of elite pacts. As the Third Wave spread across Latin America, O'Donnell and Schmitter (1989) argued that pacts could facilitate difficult transitions from authoritarian rule by protecting the key interests of powerful elites, thereby protecting the new democratic playing board against those who may otherwise wish to knock it over. "Pacted transitions," in this view, offered a way to "arrive at a sufficiently strong consensus about the rules of the game … so that no major elite [would be] tempted" to revert to authoritarianism (Karl 1990, 12). Indeed, El Salvador's successful transition demonstrates that, even in deeply divided societies, pacts can create incentives for elites to tolerate democratization—in part by giving them tools to succeed at, and eventually embrace, electoral politics.

Yet even as scholars of the region recognized that pacts could make democratic *transition* possible, some worried that these same pacts could eventually pose problems for democratic *consolidation*. Writing soon after Brazil's transition, for example, Hagopian (1990, 147) noted that, by shielding elites from full-blown electoral competition, transition pacts could deter political parties from becoming "genuine transmission belts for nonelite interests." Karl (1990, 8) warned that transition pacts "may appear temporary agreements" but become "persistent barriers to change, barriers that can even scar a new regime with a permanent 'birth defect.'"

El Salvador's experience suggests that these warnings, too, were prescient. There is a fundamental cross-temporal tradeoff at the heart of democratic pacts: pacts can make democracy viable in the short run but undermine it in the long run. Today, amid growing concerns of creeping authoritarianism and a "democratic recession" (e.g., Diamond 2015), understanding how to navigate this tradeoff is perhaps more important than at any time since the Third Wave. For example, under what conditions do pacts continue to limit electoral competition well after the transition period? And how can future pacts be designed to minimize their negative long-term effects? These are important questions for scholars seeking to improve our understanding of how to protect and promote democracy sustainably.

5 On political decay, see Huntington 1968 and Fukuyama 2014.
6 A new Political Parties Law, enacted in 2013, aimed to democratize the inner workings of the traditional parties, most notably by requiring that parties select candidates for public office through internal elections. But, in practice, party leaders retained their ability to control the candidate selection process, for example by purging membership rolls, handpicking internal election coordinators, and manipulating parties' loosely defined "ethics codes" in order to exclude unwanted candidates. For a discussion of these and other design flaws that undermined the 2013 Parties Law, see FUSADES 2013.

How Fighting Corruption Can Backfire

A second factor that contributed to Salvadorans' disillusionment with democracy was a string of high-profile corruption investigations beginning in 2013. In September of that year, former President Francisco Flores (1999-2004) was accused of redirecting 15 million dollars in international donations earmarked for earthquake relief toward Arena's campaign coffers. In 2016, three other former officials were accused of corruption: President Antonio Saca (2004-09), First Lady Ana Ligia Mixco de Saca (2004-09), and Attorney-General Luis Martínez (2012-15). Former President of the National Assembly Sigfrido Reyes (2011-15) was investigated for corruption beginning in 2017. Mauricio Funes, who led the first FMLN government between 2009 and 2014, followed suit in 2018.

In short, in the span of five years, six of El Salvador's most powerful and high-profile politicians were formally (and very visibly) investigated for corruption. The accusations against them were credible—Martínez and Saca were eventually handed prison terms, Flores died under house arrest, Funes fled to Nicaragua (where he was granted citizenship by Daniel Ortega's government), and Reyes escaped to Mexico—and the investigations implicated governments of both parties. These events had no precedent in Salvadoran history.

How did Salvadorans respond? In principle, fighting high-profile corruption could increase public trust in democracy by showing voters that democratic institutions can hold powerful politicians accountable and by deterring further acts of corruption. However, such efforts can also backfire by creating a "perception that the whole system is rotten" (Mayka and Smith 2018) and by providing populist candidates—such as Bukele—with political ammunition against the establishment.

This is what happened in El Salvador. Most voters did not view the string of high-profile investigations as a sign that Salvadoran democracy could hold politicians accountable, but rather as evidence that democracy was corrupt beyond hope. By 2018, 84.9 percent of Salvadorans believed that at least half of all politicians were involved in corruption; almost one in three Salvadorans believed *all* politicians were corrupt (LAPOP 2018). Perversely, the non-partisan nature of the corruption investigations only contributed to the sense that democracy was broken: as Salvadoran political scientist Oscar Pocasangre noted, for voters these investigations "proved disorienting when it came to distinguishing between ARENA and the FMLN. Once easily distinguishable, now the parties seemed to amalgamate into one undesirable mass." Before long, "voters started questioning their party ties and looking for alternatives" (Pocasangre 2021).

Bukele capitalized on these attitudes to powerful effect. "Return what you have stolen" ("devuelvan lo robado") and "There is enough money when no one steals" ("el dinero alcanza cuando nadie roba") are two of his signature catchphrases. He often describes his political movement as a historic effort to end a corrupt regime and establish "real democracy":

> Now we are building a real democracy. We are not building a false democracy, like the one the forces of the status quo installed. … For 200 years, democracy was a pantomime. It was all theater. We had elections, yes, but when politicians got to power, they forgot about the people. … They never cared about people, they only cared about votes. To them I say: keep crying for that system in which you saw our country as your plantation and our people as your laborers, keep tearing your hair out because you can no longer enrich yourself at the expense of the Salvadoran people. … We will never again return to the system that for two centuries sank us into crime, into corruption, into inequality, and into poverty. Never again.[7]

The Salvadoran experience illustrates that, much like pacts, high-profile anti-corruption efforts can present a difficult tradeoff when it comes to democratic consolidation. In the long term, rooting out corruption almost certainly strengthens democracy. But in the short and medium term, such efforts can *threaten* democracy by undercutting voters' faith in the political system and fueling the rise of populists and extremists. These short-term costs of fighting corruption may be most salient in contexts where corruption and abuse are widespread—that is, precisely where fighting corruption is most important. To be sure, this does not imply that anti-corruption efforts should be abandoned, but we should strive to understand how to predict and minimize their unintended short-term consequences for democracy.

Moving Forward

How will El Salvador's authoritarian turn evolve moving forward? Even compared to other cases of democratic backsliding in the region, the odds of a democratic resurgence in El Salvador are long. Three years into his term, Bukele remains overwhelmingly popular:

7 A full video of this speech is available online, in Spanish, at https://www.youtube.com/watch?v=9AlBouIqN3E.

his approval rating has hovered between the mid-80s and the low-90s. Since mid-2021, his allies control 64 of the legislature's 84 seats, 196 of the country's 262 municipal governments, and the judicial branch. The opposition, meanwhile, remains divided and unpopular. If Bukele intends to continue consolidating power and undermining checks and balances, he appears to have the political capital and institutional leverage to do so.

Yet two critical issues are likely to keep Bukele up at night: crime and debt. Beginning in 2019, negotiations between the Bukele administration and the country's main criminal groups helped drive homicide rates down to their lowest level in over a decade. But in March 2022, violence exploded after negotiations broke down (Meléndez-Sánchez 2022). The government responded by declaring a state of emergency, suspending due process guarantees, and conducting over 40,000 arrests.[8] Bukele's swift and aggressive response to the homicide spike is telling: a sustained increase in criminal violence could undermine his support among voters, 38.2 percent of whom say that crime, violence, and insecurity are the country's biggest problems (IUDOP 2021). Historically, Salvadoran governments have alternated between repression and negotiation in their approach to crime. Both strategies have ultimately failed: repression tends to trigger higher levels of violence as criminals fight back, while negotiations are difficult to sustain. On crime, the past does not bode well for Bukele.

On the issue of debt, it is the future that poses a threat to Bukele's dominance. El Salvador's public debt burden is expected to reach 86.9 percent of GDP by the end of 2022, with major repayments due in 2022 and 2023. In February 2022, citing an estimated financing gap of 1.2 billion dollars for 2022, Fitch downgraded El Salvador's credit rating from B- ("highly speculative") to CCC ("substantial credit risk") (Fitch Ratings 2022).[9] In April, El Salvador's bonds declined by 15.1 percent, "a rout only surpassed by bonds in war-torn Ukraine" (McDonald 2022). In an attempt to shore up the country's fiscal position, Bukele has experimented with Bitcoin, which became legal tender in September 2021. So far, Bukele's gamble has backfired: as cryptocurrencies have tumbled, El Salvador has recorded massive losses (Pérez 2022), while the country's Bitcoin-backed "volcano bond" has attracted few investors (McDonald 2022). Meanwhile, negotiations with the IMF—which has urged El Salvador to abandon Bitcoin (Martin 2022)—have stalled. Investors, according to some reports, are now bracing for a default (Rosen 2022). Bukele may thus have some difficult—and politically costly—fiscal choices to make in the near future. He may be forced, for example, to overhaul the country's public pension system, in which 25 percent of the country's debt obligations are tied up (Fitch Ratings 2022)—a political quagmire that every previous government has avoided.

O'Donnell (1994, 66) once argued that, faced with crisis and policy failure, presidents who have concentrated power can quickly move "from omnipotence to impotence." In crime and debt, Bukele may have two potential crises in the making.

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8 This means that, during the state of emergency (which is ongoing at the time of writing), the Bukele government has conducted approximately 1.2 arrests for every 200 Salvadorans. Local and international observers have warned of arbitrary arrests and widespread human rights violations (e.g., Amnesty International 2022; Human Rights Watch 2022).

9 In May 2022, Moody's too downgraded El Salvador's rating, citing "a deteriorating predictability of institutions and government actions" as a contributing factor (Moody's Investor Service 2022).

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