

# EL SALVADOR'S FEBRUARY 4<sup>TH</sup> ELECTION:

## Eight Keys to Understanding the Political Context and Likely Results

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Photo: El Faro/Carlos Barrera



Seldom are the results of a future election so widely assumed and expected. Nayib Bukele is poised to be reelected on February 4, 2024 due, in large part, to his crackdown on gangs; the image of a decisive leader he has projected; and the growing sense of national pride he has fostered. Undergirding many of these attributes are a number of troubling developments as well. He has cultivated a cult of personality and personal loyalty that threaten democratic checks and balances. Transparency and accountability mechanisms – especially in the justice system – have been coopted; and he has vilified independent actors in society including the independent press and civil society organizations. He has also benefited by the weakness of traditional political parties tainted by serious corruption. The latest opinion polls suggest he will win the election outright in the first round receiving well over the 50 percent threshold.

The Vice President and the entire unicameral Legislative Assembly of 60 deputies will also be elected on the 4th. A month later, on March 3, all 44 municipal mayors, city council members, and 20 representatives to the Central American Parliament will be elected.

**In an effort to provide context for the upcoming elections, we highlight eight important factors to consider in assessing the political landscape in El Salvador.** While this document acknowledges President Bukele's personal popularity, it also places it in a broader political context so that United States policy makers can understand the growing threats to democracy his re-election represents.



Seattle International Foundation  
Central America

## Summary

1. **Bukele and his party are popular.** Polls show he is likely to win in the first round by surpassing the 50 percent threshold. According to some polls, he could win with well over 60 percent of the vote or higher.
2. **Why is Bukele popular?** He has undertaken popular policies such as tackling the gangs. There are reports that individuals are feeling more secure and less harassed by the gangs. He has promoted and fostered greater pride in El Salvador among citizens. Along the way, he has also undermined alternative sources of information about his policies by weakening transparency mechanisms, vilifying opponents, independent media, and civil society making it difficult to independently verify the reports of success.
3. **Bukele controls the public narrative.** He has constructed a polarizing narrative that has come to dominate public debate. His public relations and social media teams have successfully promoted a narrative where he is the protector and defender of the Salvadoran people and anyone who criticizes him represents a past corrupt political system. He has created an “us vs. them” narrative and, in the process, a cult of personality.
4. **Bukele has weakened transparency and oversight mechanisms, which, in turn, has aided corruption.** Among other things, information on budgets and public procurement is routinely withheld from public scrutiny. Most previously available public information has been reclassified as confidential.
5. **Bukele has skewed the electoral playing field to favor his party and himself.** He and his party have passed major electoral reforms that amount to gerrymandering dramatically reducing the number of places where he must compete. Other reforms changed voting procedures including giving preference to party lists over individuals. Oversight and fairness for overseas voting were also weakened.
6. **Bukele is leading El Salvador towards a de facto single-party State.** By reducing the number of legislative seats and municipalities, and marginalizing his political opponents most, if not all, of the opposition parties are likely to disappear after the election, leaving few challenges to Bukele’s power.
7. **Bukele has undermined the rule of law and human rights.** Bukele and his party have systematically dismantled democratic checks and balances, and human rights protections by coopting the justice system. There is strong evidence of enforced disappearances, deaths while in custody, and crimes against humanity.
8. **Bukele’s authoritarianism is a threat to El Salvador, Central America, and the entire region.**

# Eight Keys to Understanding the Political Context and Likely Results

## 1. Bukele and his party are popular 2. Why is Bukele popular?

According to a December poll released by the University Institute for Public Opinion at the University of Central America (UCA), Bukele is leading public preferences with 61.7%. The next closest competitors received 5.5% (FMLN) and 3.6% (ARENA). Nearly 70% agree that Bukele should be a candidate for re-election despite constitutional prohibitions (see more below). 49.3% of those interviewed say he is respecting the constitution by becoming a candidate while 43% say he is not.

The UCA poll also suggests that Bukele's political party, *Nuevas Ideas* (NI), is likely to win a large majority of the congressional vote (81.2%). If this turns out to be correct, NI would have a super majority in the Assembly and would be able to make dramatic changes and pass constitutional reforms with little debate, when the new Assembly takes office on May 1.<sup>1</sup>

Less favorable to Bukele and *Nuevas Ideas* is that only 40.3% say they will support the government's candidates for municipal councils and mayors, although they are still well ahead of opposition parties Arena (4.8%) and FMLN (4%).

According to the poll, 38.8% of those surveyed thought Bukele should run for reelection because of his successful work so far and his method of governing. Another 18.5% support his reelection so that the "progress" he has made can "continue." Together, over 50% believe he has done good things for the country.

Bukele's security policies and handling of the Covid 19 pandemic have gotten good marks from the populace though his handling of the economy has been viewed less positively. Nevertheless, his charisma, style, and "take charge" attitude are utmost in people's minds. Asked what factors are most important in the presidential election, the largest group (44.5%) said the candidate was the most important while the next highest (19.6%) said it was the campaign and policy positions. He has succeeded in fostering a sense of pride among most Salvadorans, something that has been absent for a number of years.

Despite his evident support, other more troubling strategies have also contributed to his popularity. We summarize a few below:

<sup>1</sup> Such actions are not unprecedented. When *Nuevas Ideas* first gained control of the Legislative Assembly on May 1, 2021 it just hours they replaced the country's Attorney General and purged the Constitutional Chamber of the Supreme Court with Bukele loyalists. See: [https://elfaro.net/en/202105/ei\\_salvador/25452/New-Legislative-Assembly-Ousts-Supreme-Court-Magistrates-and-Attorney-General.htm](https://elfaro.net/en/202105/ei_salvador/25452/New-Legislative-Assembly-Ousts-Supreme-Court-Magistrates-and-Attorney-General.htm)

### 3. Bukele controls the public narrative

From the outset of his government, Bukele has been an effective communicator. He has constructed a polarizing political narrative that dominates public debate. He has positioned himself as the protector and defender of the Salvadoran people and fostered a sense of national pride through infrastructure projects and by attracting international competitions and entertainment spectacles.

He also bristles at any national or international criticism often accusing them of defending a past corrupt political system. He has created an “us vs. them” narrative, where he is the one fighting for the frustrated and downtrodden Salvadoran people. In the process he has built a cult of personality. According to an August 2022 poll, nearly 40% of respondents listed Bukele as the most important factor for them in the election. He was followed by religion at 39%; the constitution at 20%, and *Nuevas Ideas* party at just over 4%. The pollsters concluded that Bukele has become “more important than religion” for Salvadorans.<sup>2</sup>

Those who challenge his narrative or ask probing questions, including by the independent press and civil society organizations, are quickly and derisively denounced on the President’s social media platforms as enemies of the Salvadoran people and supporters of corruption. He has turned his back on El Salvador’s troubled past recently ordering the destruction of a war memorial

marking the end to the country’s civil war. He accuses those seeking justice for past human rights violations of defending the old political system.

His control of the public narrative is backed by an army of online trolls and bots. According to a 2022 Reuter’s article, “President Nayib Bukele has built a communications juggernaut... Its engine: paid internet trolls whose online attacks are endangering journalists and political opponents.”<sup>3</sup> He uses these online tools and allies to attack independent journalists and non-governmental organizations, as well as echoing his own political messages. He frequently uses national television broadcasts to announce his latest decisions via well-produced press events. No other Salvadoran figure can command the national attention as fully.

**He undermines independent organizations by requiring excessive and costly financial and administrative audits and making spurious legal accusations against them.** In effect, he cripples their ability to operate at full capacity. Several independent journalists and media outlets have been forced into exile or begun operating from abroad. One leading Salvadoran human rights organization, Cristosal, who has reported on serious human rights violations in the context of the State of Exception (see below for more), has lost its tax exempt status in El Salvador and is facing other potential sanctions.

Finally, the government has used sophisticated spyware (Pegasus) to monitor the work of independent journalists. One of the country’s leading independent news outlets,

<sup>2</sup> August 2023 poll by Universidad Francisco Gavidia, Centro de Estudios Ciudadanos, and Disruptiva. <https://www.disruptiva.media/wp-content/uploads/2023/08/encuesta-de-humor-social-un-punto-de-partida-082023-2.pdf>

<sup>3</sup> *Trolls, propaganda and fear stoke Bukele’s media machine in El Salvador.* By Saraha Kinosian. November 29, 2022. <https://www.reuters.com/investigates/special-report/el-salvador-politics-media/>



El Faro, has found dozens of their correspondents' work phones infected with Pegasus.<sup>4</sup>

In this context, it is not surprising that any alternative view of what Bukele and his government are doing is drowned out by the President and his allies. Most Salvadorans only know and hear what the government tells them.<sup>5</sup>

#### **4. Bukele has weakened transparency and oversight mechanisms, which, in turn, has aided corruption**

Mechanisms to guarantee transparency and accountability in government have been widely undermined or rendered meaningless.

In a recent letter<sup>6</sup> to U.S. Treasury Secretary Janet Yellen, several U.S. NGOs –including Seattle International Foundation (SIF)<sup>7</sup> – made the following points:

*The Salvadoran government is not transparent in other areas related to the use of public funds... Information on budgets and public procurement is routinely withheld from public scrutiny, especially as relates to security expenditures. The Legislative Assembly approved decrees, which allow the government to manage public funds without adhering to the Law of Acquisitions and*

*Procurement of the Public Administration. The Access to Information Institute has classified most of the public information as confidential. In January 2023, the Legislative Assembly also passed a law that would give government officials wide discretion over \$1.5 billion in “strategic” construction contracts. Further, the Legislative Assembly is not required to publish draft legislation and opportunities for public engagement are limited. Due to concerns over the lack of transparency of the Bukele government, the Open Government Partnership’s (OGP) steering committee removed El Salvador from its list of member countries in March 2023 for failing to create an action plan to meet the minimum requirements in fiscal transparency, access to information, and citizen participation. (El Salvador was a founding member of the OGP, a non-governmental organization designed to promote transparency and accountability, in 2011.) Finally, President Bukele blocked the release of the IMF’s annual report on the Salvadoran economy in March 2023, raising speculation that he blocked it because the report would contradict his public statements on the economic health of the country.*

*Corruption in the government is coupled with this lack of transparency. According to Transparency International’s 2022 Corruption Perceptions Index, public sector corruption reached an all-time high, scoring 33 out of 100, where 0 means highly corrupt. The State*

<sup>4</sup> 15 Members of El Faro Sue NSO in US Federal Court for Pegasus Hacks. [https://elfaro.net/en/2022/11/el\\_salvador/26559/15-Members-of-El-Faro-Sue-NSO-in-US-Federal-Court-for-Pegasus-Hacks.htm](https://elfaro.net/en/2022/11/el_salvador/26559/15-Members-of-El-Faro-Sue-NSO-in-US-Federal-Court-for-Pegasus-Hacks.htm)

<sup>5</sup> As free press withers in El Salvador, pro-government social media influencers grow in power. <https://www.voanews.com/a/as-free-press-withers-in-el-salvador-pro-government-social-media-influencers-grow-in-power-/7223148.html>

<sup>6</sup> The letter was an initiative led by the Latin America Working Group. Access here: <https://www.dplf.org/en/resources/international-organizations-send-letter-us-treasury-secretary-raising-concern-about>

<sup>7</sup> Seattle International Foundation is a private intermediary foundation which invests primarily in Central America to support democracy, human rights, and civil society.

Department's 2022 human rights reports states that multiple officials in the executive branch were accused of corrupt acts. For example, in 2021, El Salvador received a \$600m loan from the Central American Bank for Economic Integration (CABEI) to provide relief to small businesses negatively affected by the Covid pandemic. An investigation by the Organized Crime and Corruption Reporting Project found that Bukele diverted \$200m of that loan to pay for the adoption of Bitcoin. The State Department's report characterized the impunity for official corruption as endemic and that the Bukele government actively prevented prosecution of those officials unless they were political opponents. In 2021, the National Assembly passed a law that grants immunity to Salvadoran officials accused of mismanaging coronavirus funds.

## **5. Bukele has skewed the electoral playing field to favor his party and himself**

Bukele's popularity and *Nuevas Ideas*' large majority in the National Assembly have allowed him to push through significant electoral reforms that largely benefit him and his party. With almost no debate, the Assembly significantly reduced the number of Assembly seats from 84 to 60, and the number of municipalities around the country from 262 to 44. In so doing, the number of places where *Bukelismo* had to compete was reduced. Likewise, areas where *Nuevas Ideas* is less popular than Bukele, and where other parties have built local political organization over time, have been absorbed into larger jurisdictions that favor the President and *Nuevas Ideas* effectively resulting in a form of Salvadoran gerrymandering.

Additionally, changes were made to how

voting was carried out. Previously, elections were open and one could vote for any individuals affiliated with a political party. Now municipal elections are based on a party list and not individual candidates. The reputation of the president and his political party thus become the primary factor rather than the abilities and qualifications of an individual candidate. Furthermore, in multi-seat departmental (or state) elections, voters' preferences will be weighted to favor the winning party (likely *Nuevas Ideas*) resulting in more seats for the winner and fewer for minority parties. While not an uncommon practice in other countries, it will further consolidate *Bukelismo*'s power.

## **6. Bukele is leading El Salvador towards a de facto single-party State**

Bukele and his governing *Nuevas Ideas* party have effectively lumped together their political adversaries –right, left, and center– into a single bloc that he has described as the corrupt establishment of the past. This strategy has allowed him to create a unified adversary in the minds of Salvadorans paving the way for a public narrative that appeals to broad segments of the population that are tired of the traditional parties.

This strategy has helped Bukele marginalize his political opponents, and move –legally, politically, and rhetorically– towards a single party state similar to what Ortega has done in Nicaragua. According to two recent polls, all of the existing opposition parties are polling less than 50,000 votes, which, if confirmed on February 4, could result in the loss of their party registration. Additionally, it is very possible *Nuevas Ideas* will control 58 of 60 seats in the next Legislative Assembly.

## 7. Bukele has undermined the rule of law and human rights

*President Nayib Bukele and his majority in the Legislative Assembly have systematically dismantled democratic checks and balances.*<sup>8</sup>

**a) The “Bukele” Supreme Court and Attorney General:** On its first day in control of the Legislative Assembly on May 1, 2021, Bukele’s party used its super majority<sup>9</sup> to replace five members of the Supreme Court’s Constitutional Chamber with Bukele loyalists. According to *El Faro*, “Minutes later, the Assembly removed Attorney General Raúl Melara and replaced him with former lead prosecutor for organized crime, Rodolfo Delgado,” also considered a Bukele loyalist.<sup>10</sup>

These actions took place with total disregard for Constitutional and Assembly procedures. According to *El Faro*’s report, “The names of the Constitutional Chamber’s new magistrates were kept secret, even from the *Nuevas Ideas* legislative bloc, until deputy Christian Guevara, the bloc’s new leader, read them aloud during the plenary. Minutes later, and without evaluating the list, the Bukelista deputies elected the new magistrates.” Respect for the separation of powers ended

on that day.

**b) Constitutional prohibition on presidential reelection ignored:** According to numerous analyses, consecutive presidential reelection is prohibited in six articles of the Salvadoran Constitution.<sup>11</sup> To avoid these prohibitions, the Salvadoran Constitutional Chamber ruled that Bukele could stand for reelection in 2024 if he were to step aside for six months before taking office for a second time.<sup>12</sup> On November 30, 2023 Bukele asked for and received permission from the *Nuevas Ideas*-led Legislative Assembly to take a six months leave of absence from the presidency to dedicate himself to the campaign.

The United States initially denounced the Constitutional Chamber’s decision to allow for reelection. In a September 5, 2021 statement, the Department of State’s spokesperson, Ned Price, made clear the U.S. position. “The United States government condemns the September 3 ruling by the Constitutional Chamber of the Supreme Court of El Salvador, which authorized immediate presidential re-election in contravention of the Salvadoran constitution.”<sup>13</sup> Since then, however, the State Department has been publicly silent on the matter and has made numerous overtures to Bukele in an effort to maintain good relations.<sup>14</sup>

<sup>8</sup> Human Rights Watch, *World Report 2023*, El Salvador chapter: <https://www.hrw.org/world-report/2023/country-chapters/el-salvador>

<sup>9</sup> With support from three other small parties – GANA, PCN, and PDC.

<sup>10</sup> *Bukele’s Legislative Assembly Ousts Supreme Court Magistrates and Attorney General*. [https://elfaro.net/en/202105/el\\_salvador/25452/New-Legislative-Assembly-Ousts-Supreme-Court-Magistrates-and-Attorney-General.htm](https://elfaro.net/en/202105/el_salvador/25452/New-Legislative-Assembly-Ousts-Supreme-Court-Magistrates-and-Attorney-General.htm)

<sup>11</sup> The National Association of Private Enterprise (ANEP) found: Articles 75, 88, 131, 152, 154 and 248 of the Constitution of the Republic of El Salvador expressly prohibit immediate presidential reelection. [https://www.anep.org.sv/wp-content/uploads/2022/09/Comunicado\\_Anexo\\_reeleccionBukele.pdf](https://www.anep.org.sv/wp-content/uploads/2022/09/Comunicado_Anexo_reeleccionBukele.pdf)

<sup>12</sup> [https://elpais.com/internacional/2021-09-04/la-sala-de-lo-constitucional-de-bukele-aprueba-la-reeleccion-presidencial.html?event\\_log=oklogin](https://elpais.com/internacional/2021-09-04/la-sala-de-lo-constitucional-de-bukele-aprueba-la-reeleccion-presidencial.html?event_log=oklogin)

<sup>13</sup> <https://www.state.gov/salvadoran-re-election-ruling-undermines-democracy/>

<sup>14</sup> <https://twitter.com/whaasstsecty/status/1717349638133498174>

**c) The “Perpetual” State of Exception:** In March 2022, Bukele announced a 30-day State of Exception in response to a horrific uptick in violence –an estimated 87 murders over a few days according to Amnesty International. This terrifying few days occurred in the context of several years of declining homicides in El Salvador. In a new report on the State of Exception, InSight Crime found that, “the government of El Salvador launched one of the most relentless security crackdowns in its history in its latest attempt to debilitate the country’s three main gangs –the *Mara Salvatrucha* (MS13), the Barrio 18 Revolucionarios (18R), and the *Barrio Sureños* (18S).”<sup>15</sup>

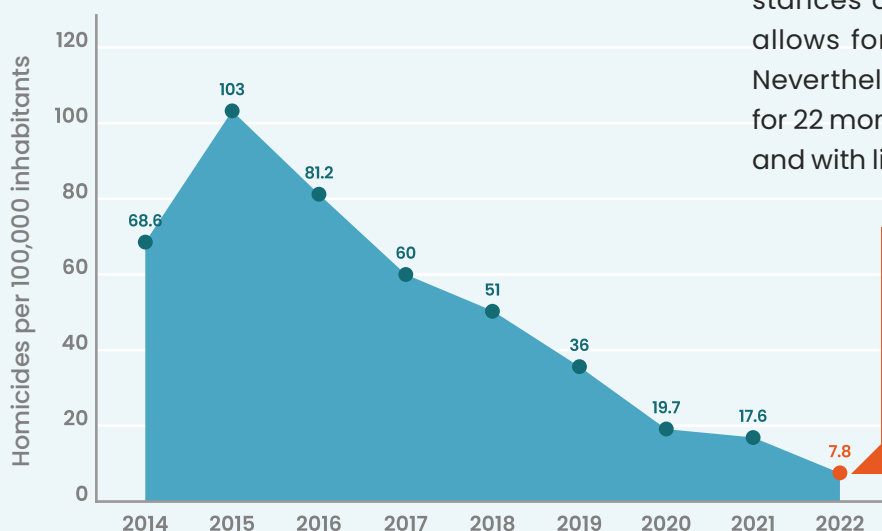
InSight Crime’s assessment reached several general conclusions. Among these, they found that the gangs have been neutralized for now and may never return to their former form. At the same time, gang members are lying low, have been weakened, but not defeated.<sup>16</sup>

A 30-day State of Exception is permissible in El Salvador under certain extraordinary circumstances and specific limitations. It can be renewed once for a total of 60 days. Nevertheless, it has been renewed continuously for 22 months in contravention of the constitution and with little debate in the National Assembly. The renewals have been justified because of the strategy’s success,

### Homicide rates in El Salvador from 2004 - 2022

The homicide rate in El Salvador has decreased significantly since 2015, a trend that continued in 2019 with the beginning of Nayib Bukele’s mandate. In 2022, the Bukele government declared a State of Exception after one of the country’s bloodiest weekends since the end of its civil war when gang members shot indiscriminately in public killing 87 people. Prior to this episode, the country had recorded its lowest homicide rate in the previous 8 years.

A 30-day State of Exception is permissible in El Salvador under certain extraordinary circumstances and with specific limitations. The law allows for one renewal for a total of 60 days. Nevertheless, it has been renewed continuously for 22 months in contravention of the constitution and with little debate in the Legislative Assembly.



The declaration of a State of Exception in El Salvador on March 27, 2022 was based on the violent murders of 87 people that occurred during one weekend that month.

Source: Statist

<sup>15</sup> *El-Salvador’s (Perpetual) State-of-Emergency: How Bukele’s Government Overpowered Gangs.* <https://insightcrime.org/investigations/el-salvador-perpetual-state-emergency-how-bukele-government-overpowered-gangs/>

<sup>16</sup> InSight Crime, *ibid.*



according to the government. The government reports that homicides due to gang violence and extortion are way down. Published reports from neighborhoods suggest people have indeed experienced feelings of greater security and felt at liberty to move about without harassment from gangs.

While apparently true, two caveats should be noted. Independent verification of the government's claims is nearly impossible due to lack of transparency as discussed above; and, according to official statistics, the homicide rate was already on a downward trend when the State of Exception was declared.

Whatever the possible benefits of the State of Exception, other analyses points to extremely troubling consequences. According to the government's reporting, some 77,000 people have been incarcerated since the beginning of the "emergency." As of 2022, El Salvador had the highest prison population rate (605/100,000 population) in Latin America and the Caribbean,<sup>17</sup> and the problem has only grown in 2023. Despite new prison construction, El Salvador's judicial system is overwhelmed leading to a reform of the criminal code that allows mass hearings of up to 900 individuals at a time.<sup>18</sup>

The State of Exception has also meant the effective suspension of numerous basic human rights including access to legal representation and basic due process

guarantees. Many people are being detained but not formally charged. Information about their whereabouts and basic health is denied to family members. This practice suggests the government is effectively practicing "enforced disappearances" according to the Due Process of Law Foundation (DPLF).<sup>19</sup>

Piecing together testimony from released prisoners and family members, **Cristosal** has reported on over 150 suspicious deaths in custody, and torture.<sup>20</sup> An analysis commissioned by SIF has also found evidence of violations that would constitute *crimes against humanity*.

## **8. Bukele's authoritarianism is a threat to El Salvador, Central America, and the entire region**

Despite his popularity, evidence of Bukele's authoritarianism is widespread, and its impact on Salvadoran democracy is grave. Suspension of basic rights, less transparency and accountability, troubling undemocratic electoral reforms, and even likely crimes against humanity are the by product of his governance and should not be overlooked.

Should Bukele be reelected as expected, and his *Nuevas Ideas* party expand its control over the Legislative Assembly and local government, Bukele's power would be virtually unchecked. This raises fear that he will expand his grip on power even more. For example, he has proposed a "foreign agents" law modeled on laws in Nicaragua

<sup>17</sup> <https://www.statista.com/statistics/809197/prison-population-rates-latin-america-caribbean-country/>

<sup>18</sup> <https://english.elpais.com/international/2023-07-28/mass-trials-in-bukeles-el-salvador-legal-reform-will-allow-hearings-of-up-to-900-prisoners.html>

<sup>19</sup> [https://www.dplf.org/sites/default/files/contribuciones\\_a\\_desapariciones\\_de\\_corte\\_duracion\\_en\\_el\\_salvador.pdf](https://www.dplf.org/sites/default/files/contribuciones_a_desapariciones_de_corte_duracion_en_el_salvador.pdf)

<sup>20</sup> <https://cristosal.org/EN/2023/04/01/el-salvador-widespread-abuses-under-state-of-emergency/>

and Venezuela that would force any entity receiving support from abroad to register as a foreign agent. The result would not only stigmatize organizations receiving foreign funding, but would give the government more oversight over these organizations' finances and potentially threaten their capacity to conduct independent work and activities.

Sadly, his popularity has led people in other countries to call for their own Bukele model. The government of Honduras declared its

own State of Exception for security purposes using many of the same justifications Bukele has used. People across the region, from Guatemala to Peru and Argentina, are calling for the adoption of *Bukelismo* in their own countries.<sup>21</sup> The appeals to populist and authoritarian solutions are overwhelming. **The danger to democracy is not only in El Salvador but also around the region.** For this reason, a strong principled response to *Bukelismo* is needed from the international community including the United States.

## Conclusion

**While popular and likely to win reelection handily, Nayib Bukele's reelection should be understood in its fullest context. His success in undermining transparency and accountability mechanisms and his ability to drive polarizing "us vs. them" narratives by vilifying opponents have driven his popularity to record levels. He has used his popularity to dramatically alter the electoral playing field to favor his political ambitions and his party. Furthermore, he has reformed the country's criminal code and, in some cases, ignored criminal procedures that have altered the power structures of gangs but resulted in mass incarceration of citizens, unexplained deaths while in custody, and enforced disappearances amounting to crimes against humanity.**

**We urge United States policy makers to examine Nayib Bukele's full record and ensure that United States policy upholds basic standards of democracy and human rights in El Salvador.**

<sup>21</sup> <https://www.americasquarterly.org/article/nayib-bukeles-growing-list-of-latin-american-admirers/>