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The Risks of Re-Election Fever in Latin America

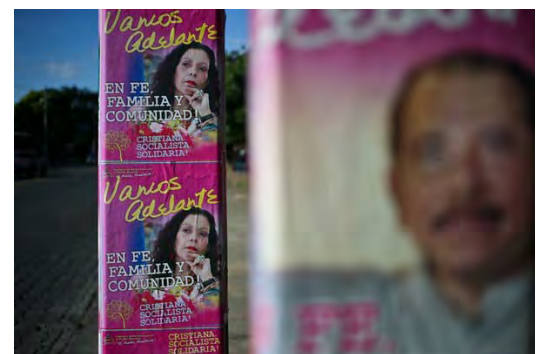
Christine Wade Thursday, Nov. 17, 2016

On Nov. 6, Nicaraguan President Daniel Ortega of the ruling Sandinista National Liberation Front, or FSLN, was re-elected to a third consecutive term, his fourth overall since 1984. There was little doubt about the outcome (</articles/20348>

</how-ortega-took-the-suspense-out-of-nicaragua-s-presidential-election>) of the

election given his overwhelming popularity and the lack of any viable opposition. Though Nicaragua's characteristically high voter turnout was down to 68 percent, Ortega won 72 percent of the vote

(<http://www.latimes.com/world/la-fg-nicaragua-election-20161107-story.html>).



Political posters of Nicaraguan President Daniel Ortega and his wife, Vice President-elect Rosario Murillo, on a building in Managua, Nicaragua, Nov. 7, 2016 (AP photo by Esteban Felix)

But Ortega's route to re-election has not been without controversy. Critics point to the erosion of democratic institutions and principles over his past two administrations. In 2010, the country's Supreme Court cleared the way for his re-election by declaring the constitution's prohibition on re-election "inapplicable." In 2014, a constitutional amendment provided for indefinite re-election, while victories at the ballot box in 2011 and 2012 ensured that the FSLN controlled the country's institutions. Court decisions in 2016 transferred leadership of the main opposition party to a historical faction within the party; its deputies were then required to vacate their seats in the National Assembly after they refused to recognize or meet with the new party leadership. For his detractors, Ortega naming his wife, Rosario Murillo, as vice president was merely the coup de grace to the facade of democracy in Nicaragua.

Ortega's immense popularity has rendered much of this criticism moot, though. He routinely enjoys approval ratings of more than 70 percent—the highest for any president in the hemisphere. Whether Ortega can hold onto this popularity remains to be seen. Some factors are out of his control: The crisis in Venezuela, for example, threatens access to low-interest loans used to fund vital and popular social programs. While financial and investment forecasts remain positive for Nicaragua, cuts to those programs could undermine Ortega's popularity.

Nicaragua is one of several Latin American countries that have amended laws on term limits and re-elections in recent years, including Bolivia, Colombia and Costa Rica. Following the region's transitions to democracy in the 1980s, many new civilian constitutions prohibited consecutive re-election, while a few permitted a single nonconsecutive term. The prohibitions were a response to military regimes and dictatorships during the 1960s and 1970s. But less than a decade later, countries throughout the region began to amend these rules. Now, most countries allow presidents to be elected more than once, in some form—either two consecutive terms or nonconsecutive terms. Only Guatemala, Mexico and Paraguay prohibit re-elections altogether, while only Nicaragua and Venezuela permit indefinite re-election. Last February, a bid by Bolivian President Evo Morales to run for another term was defeated in a popular referendum, but Morales said this week that he anticipated another referendum (<http://en.mercopress.com/2016/11/15/bolivia-evo-morales-admits-he-is-not-ready-to-go-home-in-2019>) on re-election would be held soon.

In 2015, Honduras became the latest Latin American country to allow a president to be re-elected when the Honduran Supreme Court, in a rather dubious ruling (<http://www.csmonitor.com/World/Americas/Latin-America-Monitor/2015/0428/Honduras-legalizes-reelection-issue-at-heart-of-2009-coup>), overturned a constitutional ban. That cleared the way for President Juan Orlando Hernandez to run again (<https://panampost.com/elena-toledo/2016/04/18/honduras-supreme-court-approves-presidential-reelection/>), and last week he accepted the nomination of the ruling National Party to be its candidate in next year's elections. His announcement comes in spite of the fact that no legal procedures have been approved for re-election. Honduras' Congress has yet to determine whether re-election will be permitted for consecutive or nonconsecutive terms. Nor has it fixed the number of permissible terms. Moreover, despite the court's ruling, the language banning re-election is still in the constitution, and there's no clear sense of a procedure to change it.

Across Latin America, many citizens see legislatures as impediments for progress; for some they are even expendable.

Opposition leaders and members of civil society oppose Hernandez's nomination, claiming the ruling is not valid because the court does not have the power to amend the constitution. Student protesters opposing his re-election bid have clashed with police in recent days (<http://abcnews.go.com/International/wireStory/honduran-president-seek-election-dispute-43431909>).

Making matters worse is the fact that former Honduran President Manuel Zelaya was ousted in a coup in June 2009 after he attempted to schedule a poll on whether to hold a referendum on amending the constitution, potentially to rewrite the rules on re-election. The opposition claimed that Zelaya's move was a Chavez-style attempt to hold onto power, despite the fact that the poll would not have had any impact on the elections already scheduled for later that year. That same opposition now supports Hernandez's re-election, while Zelaya's left-wing Libre party opposes it.

So far the U.S. reaction to Hernandez's bid has been neutral. A statement from the U.S. Embassy in Honduras (<https://hn.usembassy.gov/statement-regarding-comments-washington-honduran-presidential-reelection/>) read, "The U.S. Government does not oppose President Hernandez or others from presenting themselves for re-election according to the Honduran democratic processes. It is up to the Honduran people to determine their political future through their democratic institutions and processes." This is curious given that Hernandez used a court that he stacked with partisans to get the re-election ruling he wanted—the same scenario that resulted in scathing U.S. criticism of Ortega (<http://archives.republicans.foreignaffairs.house.gov/news/story/?2052>).

What does this re-election trend reveal about Latin America? One explanation is that the region has become increasingly comfortable with democracy, and there's little concern that today's democratic leaders will attempt to keep themselves in power at all costs. After all, only in a handful of circumstances have Latin American presidents sought to extend their time in office—such as Venezuela's Hugo Chavez and Colombia's Alvaro Uribe, along with Morales and Ortega—and not all of them have been successful.

But another explanation is that Latin America's democracies are hyperpresidential, giving presidents significant leeway to govern as they see fit. This system is supported by popular attitudes toward government institutions. Across Latin America, many citizens see legislatures as impediments for progress; for some they are even expendable (<http://www.vanderbilt.edu/lapop/news/100209en.pdf>). But analysts like the Brookings Institution's Daniel Zovatto warn of the danger (<https://www.brookings.edu/opinions/reelection-continuity-and-hyper-presidentialism-in-latin-america/>) that this combination of hyperpresidentialism and re-election poses to liberal democracy in the region.

Whatever the explanation, numerous Latin American leaders have come to view themselves as indispensable. Ortega has been the FSLN's sole presidential candidate since 1984, running in a total

of seven elections. Some view Ortega's appointment of his wife as his vice president as an attempt to cement a line of succession, and he wouldn't be alone in doing so. Other recent first ladies have succeeded their husbands in office, like Cristina Fernandez de Kirchner in Argentina, or attempted to, like Sandra Torres in Guatemala. Earlier this year, Keiko Fujimori, the daughter of Peru's former President Alberto Fujimori, who also served as Peru's first lady, lost her second bid to become president. Of course, Fujimori himself also had controversial re-election bids. In Honduras last week, Zelaya announced that his wife, Xiomara Castro, who ran against Hernandez in 2013, would be Libre's 2017 presidential candidate.

If the re-election trend reveals anything, it is the presence of a small clique of presidential hopefuls that have been aided by a lack of political competition and credible opposition. Latin America's political parties have long been viewed as vehicles for self-promotion, nepotism and corruption; the re-election trend does little to dispel that perception. If they are to survive, opposition parties need to develop deeper roots and cultivate new leaders for the future.

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