

“Bukele came to power by capitalizing on citizens’ discontent with establishment parties.”

## A Populist President Tests El Salvador’s Democracy

SONJA WOLF

Nayib Bukele won a surprising victory in the February 2019 presidential election in El Salvador, a country that has long been struggling with gang violence and a weak economy. The 39-year-old law school dropout and former publicist typically wears jeans, a leather jacket, and a backward baseball cap, and has described politics as a hobby. He comes from a family of Palestinian descent that controls a diverse business empire including advertising, textile, pharmaceutical, beverage, and automobile companies.

Bukele started his political career in 2012 in the Farabundo Martí National Liberation Front (FMLN) and went on to serve as mayor of San Salvador, the capital. Despite his family’s long-standing ties to the former guerrilla movement, the party expelled Bukele in 2017 for violations of its internal rules. The following year, he and his circle of relatives and friends created a party called New Ideas, but failed to register it in time for the 2019 election. He ran for the presidency with the support of the Grand Alliance for National Unity (GANU), an offshoot of the right-wing Nationalist Republican Alliance (ARENA).

Behind the youthful, modern image that Bukele tries to convey is a social conservative opposed to same-sex marriage and abortion. Although he portrayed himself as an anti-establishment candidate during the campaign, his government has since displayed more continuities than ruptures with deeply ingrained practices and policies.

ARENA and the FMLN had taken turns governing El Salvador after the 1980–92 civil war, and both parties were disgraced by corruption scandals. Three former presidents have been charged

with illicit self-enrichment: Francisco Flores died while awaiting trial, Antonio Saca was convicted and sentenced to prison, and Mauricio Funes fled to Nicaragua.

Bukele blamed both parties for the country’s precarious security situation, lack of economic opportunities, and depleted public finances. Under the campaign slogan “Return what you stole,” he promised transparency and an end to corruption. Effective use of social media and the electorate’s discontent with the major parties paved the way for Bukele’s triumph in the first round of the election with 53 percent of the vote, avoiding a runoff.

Since taking office in June 2019, he has maintained a business-friendly administration while pursuing ill-defined policies, with a centralized governing style that leaves little space for citizens’ participation or dissent. The president has no stated religious affiliation, but in a veiled threat to those who interfere with his political agenda, he frequently proclaims that “nobody will stand between God and the people.”

Polls conducted by Central American University’s Public Opinion Institute (IUDOP) showed that in his first 100 days in office, Bukele had a higher approval rating than any other postwar president. After a year of clashes with the legislature and the judiciary, his public support had declined, but 80 percent of respondents continued to endorse his government, with the strongest support coming from Salvadorans who have limited literacy and live in marginal and rural areas. At least until the February 2021 midterm elections, though, the president has few allies in the Legislative Assembly.

### GOVERNING BY TWEET

Bukele uses technology to great effect, relying heavily on Twitter to stay in touch with citizens

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and cabinet members. He even took a selfie as he addressed the United Nations General Assembly in September 2019. Yet his strained relations with the media, particularly investigative reporters, have escalated into fierce and unprecedented attacks on critics of his administration.

In his rare public appearances, Bukele delivers monologues from a podium and avoids questions from the audience. Twitter has become the government's main communications channel, even though the social networking platform is barely used in El Salvador. According to Internet World Stats, only 58 percent of Salvadorans were Internet users as of June 2020. StatCounter data reveal that in September 2020, Twitter accounted for a mere 5 percent of the country's social media traffic.

Nonetheless, Bukele and his ministers on a daily basis churn out tweets about government decisions and policies, staged cabinet meetings, or last-minute press conferences. But the president and his staff rarely respond to online queries. The official information, or rather publicity, that they share is not designed to help citizens make educated decisions and hold the administration accountable. On the contrary, it is intended to shape emotionally driven, symbolic politics. Social media posts, typically accompanied by copious photos, tout spectacular advances in areas such as infrastructure, health care, education, and security. These statements tend to generate considerable social media noise and reach the wider population through the national press, but the reality is often very different than they claim.

A notable example is Bukele's relationship with the armed forces. On his inauguration day, he ordered the military, in a tweet, to remove Colonel Domingo Monterrosa's name from military barracks. Monterrosa had served as commander of a counterinsurgency battalion responsible for the killing of nearly 1,000 people in the notorious 1981 El Mozote massacre. Since previous governments had avoided confronting the military over civil war crimes, Bukele's directive came as a welcome surprise for human rights groups and the victims' families. The new commander-in-chief declared that relevant military archives would be opened "from A to Z." Yet Bukele later backed the armed forces in denying access to its records, on

the grounds that opening them would compromise his administration's military plans.

Bukele has also launched relentless attacks on press freedom. He grants few interviews, and most of those are to the international media. He has prohibited his ministers from speaking to some outlets and excluded investigative journalists from press conferences or refused to take their questions, giving preference to compliant reporters. *El Diario de Hoy*, one of El Salvador's largest mainstream newspapers, had its government advertising contracts canceled after publishing an article noting that journalists had been barred from a press conference. And by blocking reporters from his Twitter account, Bukele obstructs their access to public information.

Smears and insults are incessantly hurled at government critics. There is no evidence that Bukele is behind the online slurs and sexualized threats that journalists have received. But nor has he acted to stem the abuse that rains down on anyone who questions his administration. Rather, he openly derides and mocks political adversaries,

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journalists, human rights defenders, judges, and even the attorney general (who is elected by the legislature), alleging that they all belong to an oppositional network that seeks to undermine his government. On the first anniversary of his inaugura-

tion, he claimed that such internal enemies now pose the greatest threat to the nation.

Bukele has shown particular animosity toward *El Faro*, *Revista Factum*, and *Gato Encerrado*, publications that have run damning exposés about his government's corruption, secret negotiations with gangs, and haphazard response to the COVID-19 pandemic. Some media outlets' operations were disrupted by cyberattacks or break-ins. *La Página*, an online news portal currently administered by the Salvadoran state, asserted that an *El Faro* journalist sexually assaulted a female colleague and the newspaper covered up the crime. Both *El Faro* and the alleged victim denied the allegations, but the attorney general opened a criminal investigation. The Ministry of Finance is conducting an invasive tax audit of *El Faro* that the president has described as part of a money laundering case. US lawmakers have sent letters expressing alarm at the Bukele administration's mounting hostility toward investigative journalism.

## BLOCKING SCRUTINY

Frenetic Twitter sprees mask the opacity that has characterized Bukele's presidency, reducing accountability and facilitating corruption. The 2011 Law on Access to Public Information (LAIP) aims to make public institutions accountable by requiring them to turn over the data they generate or administer to anyone who files a request. During the COVID-19 pandemic, however, Bukele has limited government transparency in different ways.

Since the arrival of the virus in El Salvador, online transparency portals have not been updated, and the offices handling information requests have been closed. The state of emergency permitted the administration to operate without following standard procedures established in the Public Sector Procurement and Hiring Act (LACAP). But it did not exempt officials from reporting expenditures to the Legislative Assembly and the Court of Auditors. Since March 2020, the Bukele administration has reported \$3 billion in spending on items such as medical supplies, stimulus payments, and the construction of a hospital, often under contracts awarded to companies with ties to government officials. The administration has resisted calls to explain to auditors the details of how those funds were used.

After journalists uncovered numerous corruption cases, the president signed two executive decrees in August 2020. The first loosened the LACAP regulations, enabling public institutions to receive tenders by email. Previously, the entire procurement process could be tracked through the Ministry of Finance's electronic Comprasal system. Removed from public scrutiny, the process is now easier to manipulate and more open to irregularities. The second decree amends the LAIP regulations, making it more difficult for citizens to request public information and eroding the autonomy of the commissioners tasked with overseeing the transparency law's application.

The ability to request the full or partial disclosure of official information allows citizens, journalists, and researchers to scrutinize government activities and contributes to a functioning democracy. Bukele not only has created more hurdles for those seeking access to agency records, but he also interfered in the election of a commissioner nominated by journalists' associations. (The LAIP stipulates that the commissioners be elected from short lists provided by duly registered business and professional associations, universities, and labor

unions.) In a flawed and surreptitious vote, the president managed to install an official sympathetic to his aim of increasing government secrecy.

## EXECUTIVE OVERREACH

Bitter confrontations with other organs of the state have marred Bukele's time in office. In the early days of his administration, he tweeted instructions to summarily dismiss hundreds of state employees, claiming that the previous FMLN governments had hired them without merit. Dozens of the laid-off workers asked the Supreme Court to protect their basic rights. In some cases, they won reinstatement orders, though Bukele warned the magistrates not to block the dismissals.

Such frictions intensified during the pandemic when the Constitutional Chamber of the Supreme Court overturned nearly a dozen executive decrees. The president had taken urgent measures to stop the spread of the coronavirus, including a national quarantine that severely constrained public mobility and required the arrest of lockdown violators. The Legislative Assembly, leery of such restrictions on constitutionally guaranteed rights, decided to renew the quarantine only once. The Supreme Court ruled against detentions of lockdown violators in confinement centers and prohibited the security forces from entering homes and forcing people to stay inside. It also warned the president that he could not declare a state of emergency or a national quarantine without a proper legal foundation.

Bukele publicly refused to accept these decisions and made veiled threats against the judges. He delegated the vice president to lead closed-door discussions about a constitutional reform process meant to culminate in September 2021. The modifications would involve the separation of the Constitutional Chamber from the Supreme Court, the selection of candidates for top-level judicial positions (such as Supreme Court judges and the attorney general), and the functioning of the electoral system.

The amendments, if passed, would prevent conflicts between the three branches of government, but at the cost of limiting the powers of the Legislative Assembly and the Supreme Court. Changes to the Constitution must be approved by two consecutive legislatures and would therefore be ratified after 2024, when Bukele is supposed to have left office. He may nevertheless benefit from these amendments, especially if his New Ideas party proves to be an enduring political force.

Bukele has made no secret of his disdain for the Legislative Assembly. In the 84-member unicameral body, he has the support of GANA's 10 deputies. But ARENA and the FMLN, with 35 and 23 deputies respectively, have enough votes to thwart his initiatives, including his annual budget plan.

Tension peaked just eight months into Bukele's term. Threatening to dissolve the legislature, he summoned lawmakers for an extraordinary session on February 9, 2020, demanding that they authorize him to negotiate a \$109 million loan from the Central American Bank for Economic Integration to fund his security policy. On that date, a Sunday, Bukele arrived at the Assembly accompanied by riot police and heavily armed soldiers who filled the debate chamber. New Ideas supporters heeding his call for a popular insurrection against the legislature surrounded the building, along with government employees who were strong-armed into joining the rally. But there was no quorum for a vote. Bukele sat in the speaker's chair to pray, then left the chamber claiming that God had counseled him to remain patient.

Approval to negotiate the loan had been held up because lawmakers had expressed reservations about some of the items included in the proposal, such as a ship, rather than small boats, to counter drug trafficking. The president orchestrated the occupation of the Assembly not just to force a vote, but also to restore the government's image for decisiveness following a water-supply crisis in greater San Salvador. Administration officials underestimated the reactions that this spectacle would provoke.

The deployment of the military to intimidate another organ of the state was unprecedented in the postwar period, and was widely condemned abroad. In response to a complaint brought by a group of citizens, the Supreme Court ordered Bukele not to make illegitimate use of the army and the police. But many citizens appeared untroubled by the president's blatant disregard for the separation of powers. His persistent diatribes against the Assembly have eroded its legitimacy, leaving it with little credibility to provide adequate checks on the executive.

## GANG POLITICS

In the past two decades, repressive iron-fist policies inadvertently helped transform El Salvador's street gangs into more ruthless organizations,

more involved in illicit economies, with strengthened leadership and territorial controls. In a December 2019 interview on the US television news show "60 Minutes," Bukele acknowledged that the gangs had become a parallel state in some communities.

Bukele's 2019 campaign called for a security policy that would combine technology-aided law enforcement with social programs aimed at preventing gang recruitment and rehabilitating offenders. His administration's security strategy, encapsulated in the unpublished Territorial Control Plan, has prioritized recovering territories from the gangs, hitting their finances, and interrupting their communications. The plan entails an increased police and military presence in the municipalities worst afflicted by gangs, particularly in commercial areas where extortion is endemic. The government has refused to make the plan publicly available on the grounds that doing so would reveal sensitive law-enforcement information, which makes it difficult to assess its impact.

Although El Salvador's 1992 peace accords relieved the armed forces of domestic security responsibilities, Bukele has given the military a greater role in anti-crime operations than his predecessors did, in violation of the peace accords and the

Constitution, which allows the president to use the armed forces only in exceptional circumstances. In its first year, his administration stepped up military recruitment and granted the Ministry of Defense a generous budget increase. Meanwhile, the president has demonstrated no interest in increasing police accountability; instead, he has encouraged officers to use lethal force if they feel threatened.

El Salvador's homicide rate, until recently among the world's highest, has markedly declined in recent years, from a daily average of 18 killings in 2015 to 9 in 2018. In 2014, the first year of President Salvador Sánchez Cerén's term, 13 murders were recorded each day, on average. In Bukele's first year, the average daily toll of murders dropped to four per day. Judging by the available statistics, 2020 is on course to overtake 2019 as the most peaceful year of the postwar era, though transparency restrictions make it difficult to measure violence reduction with certainty. The police and the attorney general stopped publishing homicide data when Bukele took office.

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The president credits the Territorial Control Plan for the nationwide drop in murders, even though this downward trend had begun under the previous administration. According to an IUDOP poll, 72 percent of respondents agreed that Bukele's initiative helped lower crime. Yet some of the municipalities covered by the plan did not experience a decrease in murders, while the most marked declines occurred in towns it excludes. Furthermore, some days saw unusual spikes or drops in violence. There were days with zero homicides and one long weekend in late April 2020 when 84 killings occurred.

Bukele held imprisoned gang leaders responsible for the April explosion of bloodshed. He retaliated by imposing drastic new constraints on incarcerated gang members: a suspension of visits, cell lockdowns, and an end to the segregation of rival gang members. His staff flooded social media with photos showing hundreds of detainees clad only in underwear and face masks, jammed together on the floor without regard for social distancing. This performance of repression seemed designed to draw the approval of a population accustomed to, and tolerant of, hardline policing. It was also a cynical simulation of a clampdown, disguising the government's behind-the-scenes negotiations with Mara Salvatrucha, the gang known as MS-13, to reduce the violence by noninstitutional means.

Secret pacts between politicians and gangs are nothing new in El Salvador. In 2012, the Funes administration sought a truce—though it publicly denied doing so—by offering gang members jobs and improved penitentiary conditions in return for a halt in murders. The cease-fire promptly halved the homicide rate. But it disintegrated after a year, as political infighting between Funes and the FMLN increased and the promised economic opportunities failed to materialize.

The truce was deeply unpopular with Salvadorans because of the cover-up and the perception that the government had made excessive concessions. The deal also showed that the gangs had developed a formidable capacity to block or facilitate governance. In the run-up to the 2014 presidential election, ARENA and the FMLN each covertly paid the gangs substantial amounts of money to manipulate voter turnout in their favor.

Controversies over these deals led to legal consequences. Several officials involved in the earlier truce have faced criminal prosecutions. A 2015 Supreme Court ruling declared the gangs

terrorist organizations, making it illegal to cooperate with them.

Bukele denounced the two major parties for holding such talks, and he has publicly taken a stance of never negotiating with the gangs, in order to avoid granting them legitimacy. However, during his tenure as mayor of San Salvador (2015–18), his staff routinely offered privileges to gangs, including jobs or market stalls in prime locations, to clear the way for his flagship projects, such as the redevelopment of the historic center. His team also reportedly paid gangs to gain their support in the 2015 municipal elections.

Despite the president's bellicose rhetoric, an *El Faro* exposé revealed that his office moved quickly to win a commitment from MS-13 to reduce violence and support New Ideas in the February 2021 elections. In return, the government agreed to allow inmates access to better food, transfer strict guards, and reverse its decision to desegregate prisons. It even implied that it was open to the possibility of softening the maximum-security regime in prisons or repealing certain laws. The unexpected April upsurge in violence, it turned out, was the gang's way of reminding the administration to keep its promises.

But the apparent security improvements under Bukele are deceptive. The decline in murders may take law enforcement pressure off the gangs, but they continue to maintain strangleholds over neighborhoods and terrorize residents. Reports of extortion—the gangs' main source of income—were rising before the pandemic.

## CORRUPTION QUESTIONS

As a presidential candidate, Bukele pledged to create an International Commission against Impunity in El Salvador (CICIES). This agency would be modeled after Central America's gold standard for anticorruption mechanisms, the UN-backed International Commission against Impunity in Guatemala (CICIG). For 12 years, that independent investigative body worked closely with local prosecutors and police to build their capabilities and help them dismantle criminal networks. It was widely praised for its work, which resulted in the detention of powerful drug traffickers, the prosecution of dozens of senior Guatemalan government officials, and the indictment of former President Otto Pérez Molina and his vice president, Roxana Baldetti. Despite, or because of, its many accomplishments, the CICIG closed in 2019 after it opened an investigation of illegal campaign

financing involving then-President Jimmy Morales, and he refused to renew its mandate.

Bukele opted to avoid the independence and oversight that the UN considers necessary for this kind of agency. Instead, in September 2019, he signed a cooperation agreement with the Organization of American States. The resultant CICIPES is an extension of the executive branch, and thus unlikely to act impartially. Not only does it lack independence, but its role is limited to providing technical assistance to the attorney general. Aside from an audit of pandemic-related government spending, which found irregularities and led to an investigation by the attorney general, the CICIPES's activities to date are unclear.

Despite his public stance against corruption, Bukele himself has faced allegations of improprieties. During his first term as San Salvador mayor, he was implicated in a money laundering case involving Alba Petróleos, a subsidiary of the Venezuelan state-owned oil company. As president, he has made generous use of a discretionary spending account after promising to eliminate the fund, which served as a source of illicit enrichment for his predecessors.

Throughout the pandemic, the government has evaded transparency requirements for the use of emergency funds. It has awarded public procurement contracts for overpriced medical goods and services to companies linked to administration officials, their relatives, or politicians close to Bukele. Some of these contracts have apparently violated the Government Ethics Law.

In one of the more notorious cases, the Ministry of Agriculture purchased \$1.6 million in groceries for emergency food packages from a company owned by the head of the state-run Environment Fund. The Ministry of Health bought face shields for \$250,000 from the same official, masks for \$344,000 from a lawmaker, and boots for \$225,000 from a company owned by relatives of the health minister. The Ministry of Tourism temporarily rented, from a relative of the health minister, an overpriced COVID-19 containment center that was not on the list of authorized facilities.

The president has tried to dismiss these scandals with frequent complaints about “fake news.” Meanwhile, he converted a taxpayer-funded television network, Channel 10, into the government’s propaganda arm. So far, his promises to eradicate corruption and favoritism have yielded more

façade than substance. Upon coming to power, he fired hundreds of civil servants, claiming that the previous administration had hired them based on family ties or political loyalties rather than merit. He quickly moved to fill these positions with his own relatives, friends, business partners, and former employees.

Three of Bukele’s brothers wield enormous influence in his government, though they hold no official positions and therefore cannot be held accountable. Instead of promoting a culture of integrity in the Salvadoran public administration, the president is implementing a corporatist project designed to consolidate the power and privileges of his family and its associates.

## TWO CONTAGIONS

In March 2020, Bukele imposed a series of stringent measures to halt the transmission of COVID-19. After closing El Salvador’s borders to foreigners, he declared a national quarantine on March 12—before the country had any confirmed cases of the coronavirus—and ordered police and the military to enforce compulsory stay-at-home orders.

The government then offered a one-time \$300 subsidy to the neediest households, while suspending public transportation and limiting access to shops, pharmacies, and banks to twice a week, using the numbers on citizens’ identity cards to track them. It also announced plans to convert San Salvador’s international convention center into a public hospital for COVID-19 patients.

These responses soon drew criticism. The interruption of bus and taxi service forced residents of peripheral neighborhoods to walk many miles to buy food or keep critical medical appointments. The face masks purchased by the Ministry of Health were found to be inadequate for use by health care professionals and were passed on to law enforcement and military personnel.

The Human Rights Ombudsperson’s Office received hundreds of complaints about abuses committed by the security forces, including illegal detentions and illtreatment. The containment centers where more than 4,000 people were quarantined after violating the lockdown, some for more than 30 days, operated in such unsanitary conditions that they became sources of contagion. The Ministry of Health frequently moved people between these facilities and Saldaña Hospital in

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*Bukele has launched relentless attacks on press freedom.*

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San Salvador, the city's main treatment hub for COVID-19 patients.

In the ensuing confusion, patients who had tested positive for COVID-19 were kept near people being treated for diabetes and asthma. Some of the infected died due to lack of adequate medical attention. Three months after its inauguration in June 2020, the converted convention center, now known as Hospital El Salvador, still lacked basic necessities, such as a sterilization facility and a laundry.

Back in March, the Legislative Assembly had authorized the disbursement of \$2 billion in emergency funds on the condition that a supervisory committee, comprising government officials and representatives of civil society groups, would audit the allocated resources. After less than two months, the civil society members resigned, declaring that the administration's lack of transparency made proper oversight impossible.

Despite these controversies, IUDOP polls indicate that Bukele's handling of the pandemic is widely considered one of the main achievements of his first year in office. In a survey by Francisco Gavidia University, 48 percent of respondents were inclined to back New Ideas in the February

2021 municipal and legislative elections. ARENA and the FMLN were trailing far behind Bukele's party, at 4 percent and 3 percent, respectively. Voter support for other parties reached at most 1 percent.

The government is pulling out all the stops to sideline its rivals, including Our Time, a new centrist party that promotes evidence-based policymaking and integrity in public service. The agriculture minister retaliated with defamation lawsuits against Our Time candidates who filed criminal complaints against the minister and other officials, alleging corruption and other irregularities.

Bukele came to power by capitalizing on citizens' discontent with establishment parties. His populist rhetoric of sweeping transformations resonates with a population tired of violence, economic woes, and corruption. Absent genuine policy reforms and structural change, his approach is deepening polarization and conflict. If he leads New Ideas to a resounding midterm election victory, existing checks and balances will be corroded even further. Without a serious political opposition, a free press, or a robust civil society, El Salvador's democracy is slowly being extinguished. ■