

## Epilogue

On September 3, 2021, the fears of deteriorating constitutional authority surrounding executive power were confirmed. The new Constitutional Chamber gave Bukele approval to run for a second consecutive term.

Claudia Ortiz responded with a proposal regarding the unconstitutionality of the reelection, emphasizing the potential threat of power consolidation, drawing the connection that the last president to have served two consecutive terms was Dictator Maximiliano Hernandez Martinez.<sup>17</sup> Hernandez Martinez is known in Salvadoran history for being responsible for the genocidal massacre of El Salvador's indigenous population in 1932.

The proposal highlighted the fact that it was the people who ultimately removed Hernandez Martinez in 1944, warning that if anyone intended to stay in consecutive presidencies again, they must also be a dictator. It continued with strong language, calling Bukele a warlord and emphasizing his orientation towards militarization.

The proposal points to Article 75 of the constitution, which argues that citizens lose rights when signing, acting, or proclaiming to promote or support the reelection or continuation of the presidency. She reminded the Legislative Assembly that their duty is to the people and the constitution, not to dictator-like leaders who intend to follow in the footsteps of Dictator Maximiliano Hernandez Martinez.

In the meantime, Bukele did not commit to running for reelection. Instead, he focused on his plan for security, which would define his presidency in the years to come, with unprecedented support and extreme controversy.

Bukele's subsequent widespread fame and popularity stemmed from his image as a president who delivered change to a country struggling with extreme levels of violence and economic insecurity due to uncontrolled gang violence. After securing support throughout the government for the first two and a half years of his presidency, his popular support came from the proclaimed success of the State of Emergency as part of his Territorial Control Plan.

The weekend of March 25-27, 2022, set the stage for its implementation. An unprecedented surge of 87 assassinations came in one weekend as the result of a truce break.<sup>18</sup> In a show of no

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<sup>17</sup> Marvin Francisco Pleitez Marroquín. "NI LOS MISMOS DE SIEMPRE, NI EL MISMO PARA SIEMPRE." VAMOS party, January 10, 2022. <https://claudiaortiz.org/wp-content/uploads/2022/04/Ni-los-mismos-de-siempre-ni-el-mismo-para-siempre.pdf>.

<sup>18</sup> Many have questioned whether the surge was a consequence of breaking negotiations between the gangs and the state, undermining Bukele's previous statements condemning negotiations between past administrations and gang leaders.

tolerance, Bukele responded with an act that would ultimately garner international attention and unprecedented domestic support, which ensured his reelection.

On March 27, 2022, the Legislative Assembly approved the implementation of a State of Emergency, suspending civil liberties to facilitate mass arrests that would reduce homicides and bring security to a nation plagued by gang violence. The suspension of civil liberties is likened to past Mano Dura policies, such as expanding the terms of punishment for gang members, broadening the criteria for identifying gang membership, and permitting arbitrary detention.

What set Bukele's policies apart was the intensity with which the administration remained committed to mass arrests. With substantial funds allocated to the military and police force, and extremely high levels of arrests, the Bukele administration took credit for the decline in homicide rates, even though the homicide rate had already been in steady decline since 2015.<sup>19</sup>

In the first year of its implementation, over 65,000 people were detained under the State of Emergency's authorization of arbitrary detention. With international attention focused on the shocking images of prisons overcrowded with gang members, Bukele offered a sense of tangible change with the State of Emergency.<sup>20</sup> This, paired with investment in the tourist industry and the increased capacity to travel safely across previously gang-controlled zones, allowed Bukele to rebrand El Salvador as a safe space and attractive travel destination.

Especially for Los Hermanos Lejanos, Salvadoran migrants, most of whom had fled the country due to violence either during the war or because of gangs, the image of safety and a land to which they could not only return but also vacation was extremely attractive. With a diaspora representing 20% of El Salvador's population sending remittances that supported a significant portion of the economy, who also held voting power, it was important for Bukele to capture this demographic's support.

Bukele has since co-opted this image of safety, turning it into a pillar of his savior complex. He positions himself as the only one who could save the nation from decades of violence. With an approval rating of over 70%, many Salvadorans disregarded concerns about his seizure of power across all three branches of government.

Civilian safety was so insecure throughout the country for such a long time that many are willing to sacrifice some civil liberties in exchange for assured security. Voters adopted the mentality of tolerating sacrifices to accomplish great strides in the scope of democracy by voting for a ruler who exhibited authoritarian behavior and a tendency to disregard checks and balances on power in the executive branch.

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<sup>19</sup> See **Appendix I graph**

<sup>20</sup> Appendix II

From February 2022 through 2023, Salvadorans at home and abroad praised Bukele's actions, which brought safety to the streets. Over time, however, Bukele's strong-handed policies began to receive criticism for failing to deliver justice. Many criticize Bukele's regime and the State of Emergency as mere showmanship, uncertain of what the reality of high arrest and detention rates means. However, as long as arrests are made, the assumption of security prevailed, as human rights and democratic processes began to erode.

On July 26, 2023, the Legislative Assembly approved 11 reforms to the Law Against Organized Crime, which allowed for collective trials and eliminated the 24-month maximum for penal processes. These collective trials involved up to 900 individuals, with anonymous judges wearing hoods.<sup>21</sup> This facilitated the rapid 'processing' of cases, leading to the mass imprisonment of young men.

Despite claims of achieving the title of the safest country in the Western Hemisphere, the State of Emergency has been renewed every 30 days, totaling 32 renewals by November 2024. This raises questions about the ongoing necessity of the State of Emergency, considering the purported achievement of peace.

As Bukele used his skills as a former publicist to build support for his image as El Salvador's savior, he did not formally launch his campaign for the presidency until September 15, 2022, El Salvador's Independence Day. He used the occasion to reframe the day as the nation's new independence, with himself positioned to continue saving the country from terror.

On December 1, 2023, six months before the next presidential term began on June 1, 2024, Bukele stepped down from the presidency, anticipating a guaranteed re-election. He announced on a national broadcast that he would focus on the campaign. However, this leave of absence was not a complete relinquishment of his role; he retained the responsibilities of the position and continued to use the presidential residence.<sup>22</sup>

Claudia Rodríguez de Guevara, the private secretary of the Presidency and head of the Department of Municipal Works, took his place as interim president during this "leave of absence". Guevara, a low-profile cabinet member and longtime associate of the Bukele family, had little political experience, making the appointment as controversial as the run for re-

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<sup>21</sup> Miranda Aburto, Wilfredo. "Mass Trials in Bukele's El Salvador: Legal Reform Will Allow Hearings of up to 900 Prisoners." *El País*, July 28, 2023. <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>22</sup> Gressier, Roman, and José Luis Sanz. "Inner-Circle Financial Officer Will Be Interim President While Bukele Campaigns for Reelection." *El Faro*, December 1, 2023. [https://elfaro.net/en/202311/el\\_salvador/27168/inner-circle-financial-officer-will-be-interim-president-while-bukele-campaigns-for-reelection](https://elfaro.net/en/202311/el_salvador/27168/inner-circle-financial-officer-will-be-interim-president-while-bukele-campaigns-for-reelection).

election itself, given that there was no public or popular election. She was appointed by the Nuevas Ideas-dominated Legislative Assembly on November 30th to be the interim president.<sup>23</sup>

Although still acting president, Bukele implemented the State of Emergency, which would become the defining policy of his presidency. This action generated public support and legitimized his seizure of power as popularly and democratically supported, further challenging the opposition.

His strategy of power consolidation and populism-turned-authoritarianism proved successful in his technically unconstitutional re-election bid. Bukele won by a landslide, securing 84.65% of the vote, while his closest rival from the FMLN party received only 6.4%.<sup>24</sup> Thus, despite the considerable erosion of democratic values and significant infringements on civil liberties, Salvadorans overwhelmingly supported an authoritarian shift and welcomed the potential for dictatorship.

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<sup>23</sup> Lemus, Efren, and Gabriela Cáceres. "The Financial Revolving Door between Bukele and His Presidential Designee." *El Faro*, December 13, 2023. [https://elfaro.net/en/202312/el\\_salvador/27183/The-Financial-Revolving-Door-between-Bukele-and-His-Presidential-Designee.htm](https://elfaro.net/en/202312/el_salvador/27183/The-Financial-Revolving-Door-between-Bukele-and-His-Presidential-Designee.htm).

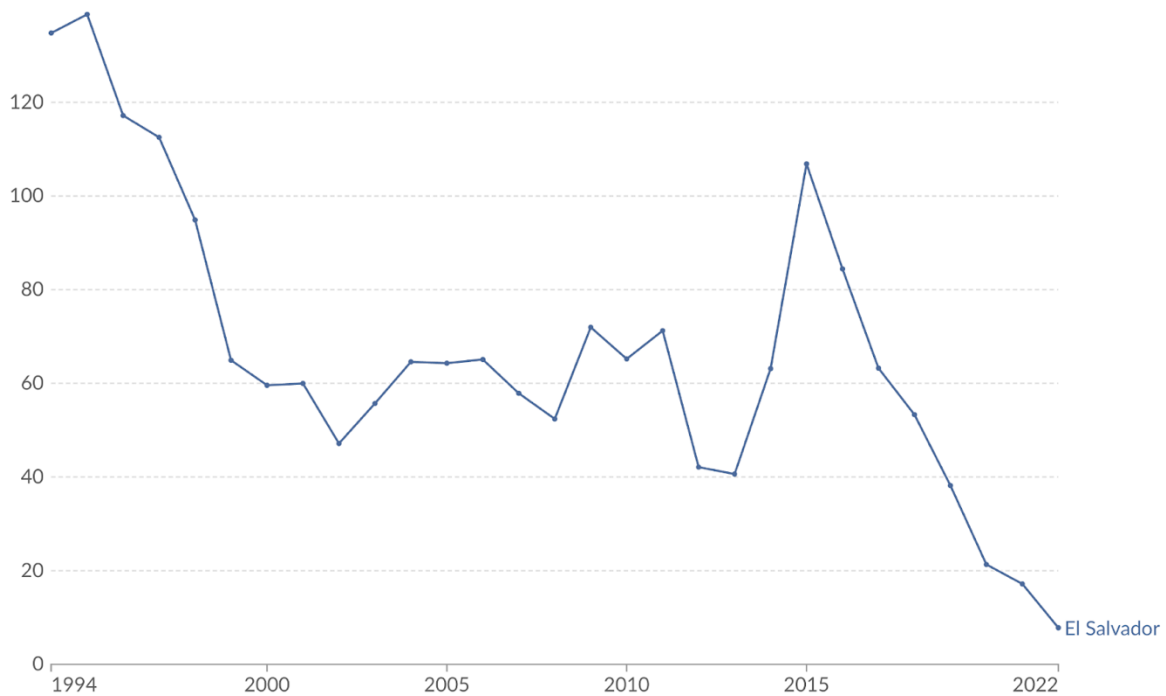
<sup>24</sup> Statista Research Department. "Distribution of Votes Cast in the 2024 Presidential Elections in El Salvador, by Candidate." Data. Statista, July 5, 2024. <https://www.statista.com/statistics/1448778/distribution-votes-cast-presidential-elections-el-salvador/>.

## Appendices

### Appendix I

#### Homicide rate

Annual number of deaths from homicide<sup>1</sup> per 100,000 people.



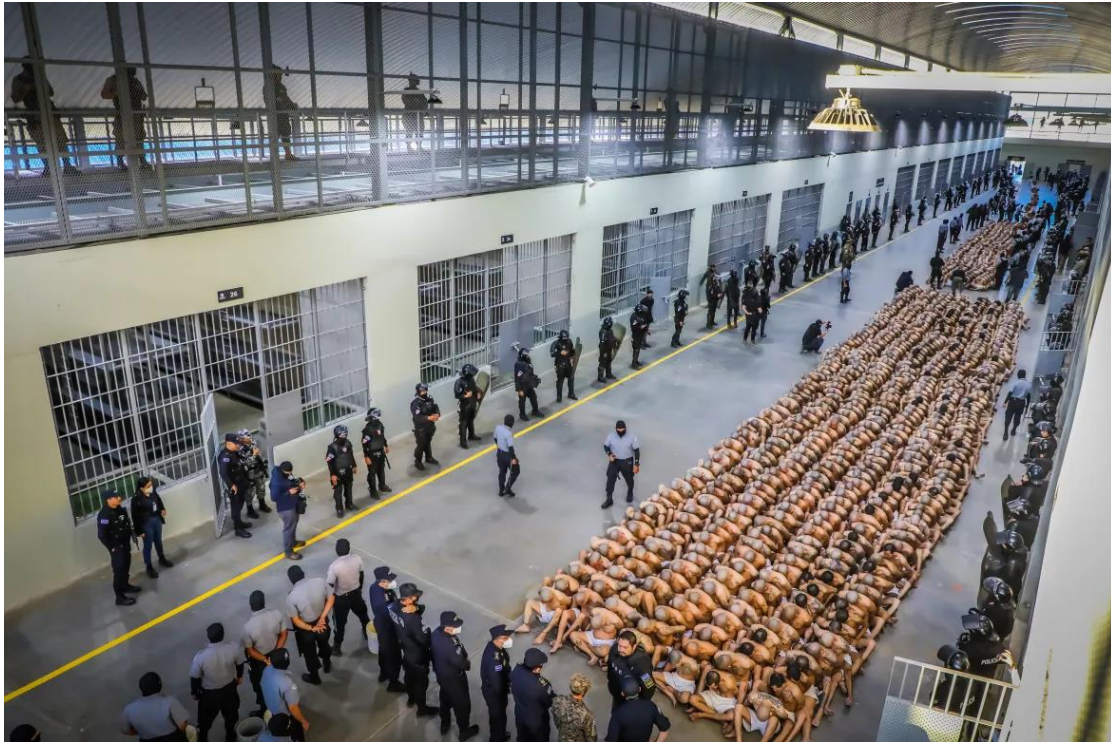
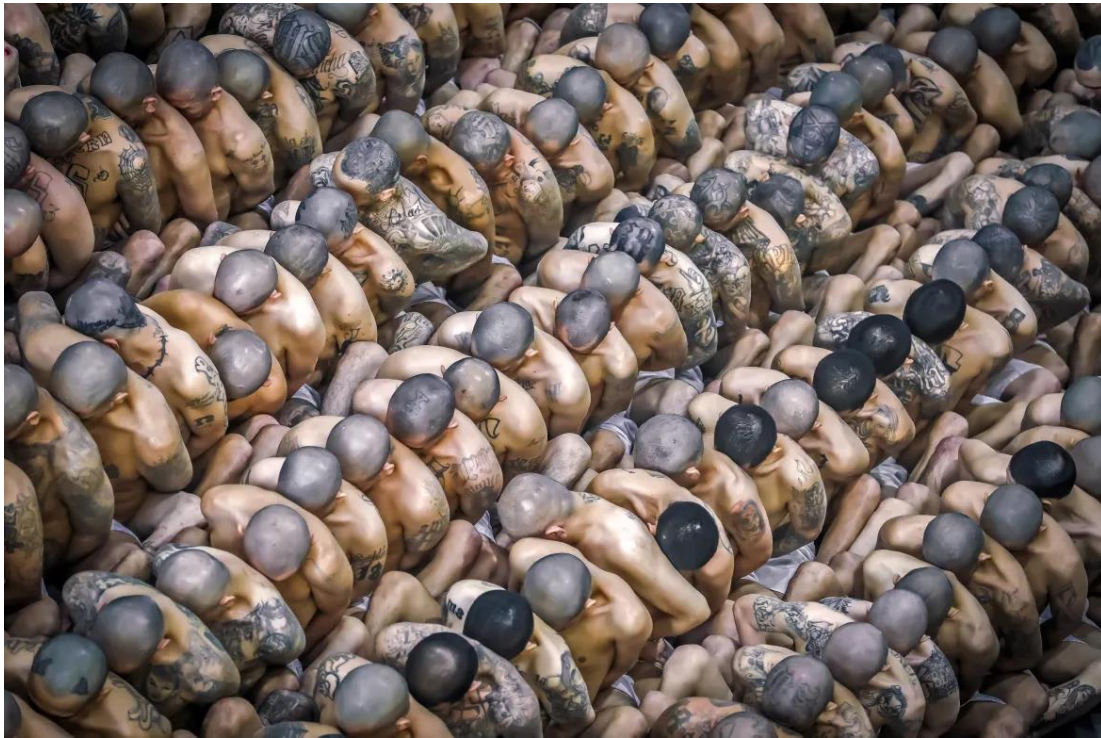
Data source: United Nations Office on Drugs and Crime (2024)

OurWorldinData.org/homicides | CC BY

1. Homicide: The killing of a person by another with intent to cause death or injury.



## Appendix II



AlJazeera: Photos: Inside El Salvador's new 'mega prison' for gang members (27 Feb 2023)  
<https://www.aljazeera.com/gallery/2023/2/27/photos-inside-el-salvadors-new-mega-prison-for-gangster>







BBC: Thousands of tattooed inmates pictured in El Salvador mega-prison. 25 February 2023.  
<https://www.bbc.com/news/world-latin-america-64770716>

### Potentially relevant articles

#### Article 101

The economic order shall essentially answer to principles of social justice that tend to ensure to all inhabitants of the country a dignified existence of the human being.

The State shall promote the economic and social development through the increase of production, productivity and the rational utilization of the resources. With the same end, it shall foment the diverse sectors of production and shall defend the interest of the consumers.

#### Article 164

All the decrees, agreements, orders, and resolutions issued by the functionaries of the Executive Organ, exceeding the powers that this Constitution establishes, shall be null and should not be obeyed, even if issued with the intent of submitting them for the approval of the Legislative Assembly.

#### Article 168 MILITARIZATION



12th.—To deploy the Armed Force to defend the State's Sovereignty and its territorial integrity. Exceptionally, if the regular means for maintaining internal peace, tranquility, and public order have been exhausted, the President of the Republic may deploy the Armed Force for this end. The activation of the Armed Force shall be limited to the time and the measure strictly necessary for re-establishing order and shall cease as soon as this task is completed. The President of the Republic shall keep the Legislative Assembly informed on such activities, which may arrange to stop such exceptional means at any time. In any case, within fifteen days following their termination, the President of the Republic shall present to the Legislative Assembly a detailed report on the performance of the Armed Force; [33]

#### Article 183

The Supreme Court of Justice, through the Constitutional Division, shall be the sole tribunal competent to declare the unconstitutionality of laws, decrees, and regulations, by their form or content, in a general and compulsory manner, and it may do so on the petition of any citizen.