Policy Issues

The Reelection Debate in Latin America

John M. Carey

ABSTRACT

The debate over presidential reelection reappeared in Latin America in the last decade, and promises to continue in the years ahead. Arguments in favor contend that the possibility of immediate reelection increases politicians' responsiveness to citizen demands and allows voters the freedom to retain popular incumbents. Arguments against emphasize the danger of abuse of power by incumbents who seek to prolong their tenure. This article illustrates the parallels between these arguments and those made historically regarding the issue. It also suggests that the means by which provisions to allow reelection are adopted can provide valuable signals of their consequences.

In each of three recent years, Latin America witnessed a political upheaval prominently involving presidential reelection. In 1999, newly elected Venezuelan president Hugo Chávez convoked a constituent assembly that declared itself sovereign, displaced the sitting congress, and drafted a new charter of government that extended the presidential term from five to six years and allowed for consecutive reelection. In July 2000, President Chávez stood for reelection and renewed his mandate, opening the possibility that he could govern for almost 14 consecutive years if he is able to win again in 2006. In 2000, Peruvian president Alberto Fujimori stood for a third consecutive term and won a disputed contest, only to be subsequently unseated by a corruption scandal sufficiently fantastic as to defy brief description, but sufficiently compelling and familiar that a summary here is unnecessary.

The question of reelection also played a small but significant part in Argentina in December 2001. The Argentine Congress appointed San Luis Province governor Adolfo Rodríguez Saa as temporary replacement for President Fernando de la Rua, who was resigning, on the understanding that interim elections for a successor would be held in a few months. Rodríguez, however, immediately began to alienate supporters and skeptics alike with a series of announcements—of cabinet appointments to figures widely regarded as corrupt, of dubious monetary policy devices, and of his intention to stand as a candidate in the planned presidential elections. This last step helped induce Peronist copartisans to

abandon Rodríguez; they had selected him on the understanding that he would not use the office as a platform from which to launch a presidential candidacy. Bereft of political and popular support, Rodríguez resigned a week later.

Reelection was a footnote to the Argentine fiasco, but it was absolutely central to the regime crises in both Peru and Venezuela. Fujimori's bid for a third term was widely denounced inside and outside Peru as a blatant usurpation of authority. Chávez's actions have raised similar concerns about concentration of power and personalization of the presidency.

Is presidential reelection a problem? These nearly simultaneous events lend urgency to the question. Constitutional reforms just a few years earlier allowing reelection in Argentina (under standard, constitutional procedures for presidential succession) and Brazil suggest its broader relevance. This essay reviews the historical context in which restrictions on presidential reelection were first widely adopted, along with the recent wave of changes in these rules, and concludes by evaluating the arguments both for and against reelection.

The Historical Roots of "No Reelection"

Concerns about presidential perpetuation in office are as old as presidentialism itself; they followed naturally from the preoccupation among the founders of America's many republics with maintaining political stability in the absence of monarchy.

In Philadelphia in 1787, delegates to the U.S. constitutional convention considered limiting presidents to a single six- or seven-year term (Madison 1787 [1966], 322–29, 356–61). The idea attracted substantial support but criticism as well, most thoroughly articulated by Alexander Hamilton in *Federalist* 72 with a series of arguments still echoing through present-day debates over presidential term limits. Hamilton elaborates the rationale behind the combination of a four-year presidential term and reelegibility for election.

> The first is necessary to give the officer himself the inclination and the resolution to act his part well, and to the community time and leisure to observe the tendency of his measures, and thence to form an experimental estimate of their merits. The last is necessary to enable the people, when they see reason to approve of his conduct, to continue him in the station in order to prolong the utility of his talents and virtues. (Hamilton 1789 [1961], 436)

Hamilton argued, in addition, against enshrining in the Constitution a prohibition on returning successful and popular presidents to office,

on the grounds both that this would impinge on voters' freedom and that it would prevent stability in the executive branch. Given Hamilton's initial support for a monarchy—the most stable executive imaginable, in his mind—his appeals to democratic principles with regard to presidential selection may have been somewhat disingenuous. They did, at any rate, carry the day.

Although the Constitution provided for a renewable presidency, however, those distrustful of executive authority continued to advocate an informal norm that no president should serve more than two terms, citing as precedent George Washington's refusal to stand for reelection in 1796. No incumbent challenged this informal rule until Franklin Delano Roosevelt ran for, and won, a third term in 1940, and then a fourth in 1944, in the midst of World War II. The U.S. Constitution was subsequently amended in 1951 to prohibit any subsequent president serving more than two terms. The main rationale was to prevent the personalization of the executive branch through its prolonged occupation by any individual.

The idea of *¡No reeleccionismo!* was emblazoned on Latin America's political consciousness most famously as the rallying cry of Francisco Madero's campaign in 1910 to unseat Porfirio Díaz after 34 years in which Díaz dominated the Mexican executive. Controversy over presidential *continuismo* and over constitutional restrictions on reelection, however, has historical roots that go far deeper. Díaz's own campaign slogan as he challenged Benito Juárez in 1871 was "Effective suffrage and no reelection." Further back still, at the birth of the Latin American republics, there were advocates both of limiting presidential terms and of extending them. Simón Bolívar enthusiastically endorsed both positions at different times. Delivering a constitutional plan to the Venezuelan Congress in 1819, he wrote,

> Nothing is more perilous than to permit one citizen to retain power for an extended period. The people become accustomed to obeying him, and he forms the habit of commanding them; herein lie the origins of usurpation and tyranny. . . . Our citizens must with good reason learn to fear lest the magistrate who has governed them long will govern them forever. (Quoted in Bierck 1951, 175)

Seven years later, however, in delivering a constitutional plan to the Congress of the Republic of Bolivia, his position had changed completely.

> The President of the Republic, in our Constitution, becomes the sun which, fixed in its orbit, imparts life to the universe. This supreme authority must be perpetual, for in non-hierarchical systems, more than in others, a fixed point is needed about which leaders and citizens, men and affairs can revolve. . . . For Bolivia, this point is the lifetime presidency [*presidencia vitalicia*]. (Quoted in Bierck 1951, 598)

The change in Bolívar's position with respect to presidential perpetuation was part of a broader change in his theory of constitutional design. Whereas initially, for Venezuela, he advocated a concentration of power in the executive and short terms, his *presidencia vitalicia* for Bolivia was endowed with limited constitutional authority. As Bolívar put it, "his hands have been tied so that he can do no harm," on the premise that constitutional limitations on presidential power could guarantee stability while preventing tyranny (Bierck 1951, 599).

In practice, Latin American prohibitions on presidential reelection appear to have been motivated both by theory and by experiences of individual politicians who endeavored to entrench themselves in power.[1] All countries adopted prohibitions on immediate reelection during the nineteenth century, in most cases early in their national histories. Summoning the recent memories of Juan Manuel de Rosas's rule in Argentina during the 1830s and 1840s, Juan Bautista Alberdi successfully endorsed a ban on consecutive reelection in the 1853 charter as follows:

> To allow reelection is to extend to twelve years the presidential term. The president always has the means to secure his own reelection, and only rarely would refrain from doing so. Any reelection sows controversy, because it will be fought based upon actions taken in the first period in preparation for the effort. (1915, 276)

Peruvian constitutions prohibited reelection after independence in 1822, with the brief exception of an 1826 charter, which established a *presidencia vitalicia* for Bolívar himself but which lasted only 54 days. The Colombian Constitution of 1821 allowed one consecutive reelection, but was replaced nine years later with a charter that prohibited consecutive reelection, as have all constitutions since. With the exception of the period 1869–78, all Ecuadoran constitutions have banned consecutive reelection.

Chilean presidents were allowed one consecutive reelection until 1871, but not since. Costa Rica's early constitutions allowed two consecutive terms. In 1857, however, President Juan Rafael Mora attempted to change the rule to allow for a third period, and was ousted as a result. Both subsequent constitutions, 1869 and 1871, included prohibitions on consecutive reelection. Cleto González Víquez, who served two nonconsecutive terms as president himself, described a fundamental distrust of *continuismo* among Costa Ricans by the late nineteenth century (González Víquez 1958).

The first republican constitution of Brazil, promulgated in 1891, replaced the emperor with a president as head of state and banned consecutive reelection. In his account of the constituent assembly, Rui Barbosa, the constitution's principal intellectual author, reflected on the

examples of two contemporary republics, France and the United States—neither of which imposed formal restrictions at the time—and the relevance of their precedent for Brazil. Anticipating arguments by Juan Linz 60 years later in his rationale for deviating from the French example, Barbosa reasoned that parliamentarism would ensure the selection of executives only from among those with long and honorable political careers—a model not relevant to Brazil's presidential system. With respect to the United States, Barbosa (1933, 161–65) cited the unwritten norm limiting presidential tenure, which he ascribed to George Washington and believed was inviolable. On these grounds, then, Brazil's no reelection rule was regarded as consistent with the theory that presidential power must be checked.

Continuismo and Reaction in the Twentieth Century

Although constitutional restrictions on reelection were common, so also were efforts to avoid or overturn them. Juan Rafael Iglesias managed to suspend the Costa Rican restrictions and win a second term in 1897. In the twentieth century, a number of South American presidents who rose to power on combinations of popular and military support disdained constitutional obstacles to their continued rule.

Augusto Leguía forced through amendments to the Peruvian Constitution that allowed his reelection to second and then third consecutive terms in the 1920s. Getúlio Vargas pursued a similar strategy in establishing his *Estado Novo* in Brazil in the 1930s. In Bolivia, Víctor Paz Estenssoro attempted to prolong his 1960–64 presidency, securing a constitutional amendment to allow consecutive reelection from a congress dominated by his Movimiento Nacional Revolucionario (MNR), then winning the 1964 election. Splits in the MNR, however—most notably opposition to Paz Estenssoro among organized labor—forced the president to rely increasingly on the military to support his administration. Within a few months of his reelection, the generals dispensed with the civilian executive altogether, removing Paz Estenssoro in a coup.

Restrictions on reelection were also abolished during the first presidency of Juan Domingo Perón in Argentina. As late as 1948, Perón himself argued against presidential reelection as follows:

> Although it may well be that everything depends on men, history shows us that they are not always evenhanded or honorable in judging their own merits and taking into consideration the common good, subordinating this to personal or factional interests. To my mind, reelection would be an enormous danger to the political future of the republic and a threat to public service. (Congreso de Argentina 1948, 17)

By the next year, however, the president had evidently changed his mind; and he convened a constituent assembly that established reelection without restrictions. His party's *Consejo Superior* appealed to the democratic principle of maximizing voter choice, arguing, "the prohibition on reelection presents an offense to the Argentine citizen. . . . It is as equally undemocratic to require a voter to vote for an unwanted choice as to prevent a vote for the desired option" (Serrafero 1997, 123). Peronist leaders in the assembly invoked Argentina's particular historical circumstances, which, they argued, required Perón to continue in office.

> If the fortune of this Argentine enterprise depends on the constitutional possibility that General Perón is reelected president of the republic by the free vote of its citizens, then we should remove the constitutional impediment that is consistent with neither political wisdom nor the historical circumstance in which the country finds itself. (Sampay 1949, 289)

In all the cases reviewed here, disillusionment with the performance of these presidencies and the upheaval with which they ended fueled a reaction against *continuismo* and the reestablishment of constitutional prohibitions on reelection. Meanwhile, the success of the PRI regime and the Constitution of 1917 in bringing stability to Mexican politics while tempering personalism served as an endorsement for strong prohibitions on presidential reelection.

Constitutional restrictions, then, were common throughout Latin America from early on, although they were enforced with varying degrees of success. By the middle of the twentieth century, however, the principle of restricting reelection had gained widespread currency and—during periods of civilian rule, at least—had become the norm in most of Latin America.

Opening Pandora's Box?

As the twentieth century drew to an end, the tide appeared to be turning once more in favor of incumbent presidents. Longstanding prohibitions on immediate reelection were overturned in Peru (1993), Argentina (1994), Brazil (1996), and Venezuela (1999). Both the reforms and their chief proponents enjoyed substantial popular support, at least initially. In all four cases, the presidents who secured the reforms were subsequently reelected by large margins.

Before rushing to conclude that we are witnessing a definitive historical trend, however, we should look at the broader perspective. Restrictions on reelection have been relaxed in four of Latin America's largest countries; but during the same period, the Dominican Republic, Nicaragua, and Paraguay moved in the opposite direction, placing vari-

Table 1. Rules on Presidential Reelection, as of 2001

No Reelection	After One Interim Term	After Two Interim Terms	Two Consecutive Terms, Then No Reelection	Two Consecutive Terms, Then One Interim Term
Colombia	Bolivia	Panama	Brazil	Argentina
Costa Rica	Chile		Venezuela	Peru
Guatemala	Dominican Republic			
Honduras	Ecuador			
Mexico	El Salvador			
Paraguay	Nicaragua			
	Uruguay			

ous sorts of restrictions on reelection where none had previously existed. In Panama, moreover, voters rejected then-president Ernesto Pérez Balladares's 1998 referendum to amend the constitution and allow consecutive reelection by a margin of almost 2 to 1.

Other countries made smaller adjustments to the restrictions associated with presidential terms, with no clear pattern visible. Colombia in 1991 disallowed reelection after an intervening term out of office, which had previously been permitted. Panama in 1994 increased the required "sitting out" period from one to two terms. Ecuador in 1998 allowed reelection after one intervening term, which it previously had not permitted.

In Costa Rica, nonconsecutive reelection was prohibited by constitutional amendment in the 1970s, after the third presidency of José Figueres Ferrer. In 2000, former president Oscar Arias proposed removing the lifetime prohibition and allowing nonconsecutive reelection once again. Opinion polls showed broad popular support for the idea, but critics labeled it as self-serving, given the source. Arias, in turn, complained that prominent politicians had originally approached him with the idea and encouraged him privately, then betrayed him once he went public, torpedoing the prospects for the reform.

As this brief review of recent reforms suggests, there has been an overall movement toward allowing reelection, but it is far from uniform. Table 1 shows its current status. The details of provisions regulating presidential reelection, moreover, such as whether restrictions are permanent or interim, are potentially important, and warrant serious consideration.

The Promise of Reelection: Democracy and Leadership

What does immediate reelection mean for presidencies in Latin America? In the most straightforward sense, eliminating restrictions allows voters an increased measure of discretion to retain a popular incumbent in office. This is an argument that reelection enhances choice, and therefore the quality of democracy. In his influential work on presidentialism, Juan Linz (1994) suggests that one of the system's central flaws is that the no reelection rule prevents the retention of a competent and popular chief executive, should a country be fortunate enough to have found one. The point would appear to be ratified by the resounding reelection victories won by presidents Carlos Menem in Argentina in 1995 and Fernando Henrique Cardoso in Brazil in 1998. Even their critics, moreover, must acknowledge the extent of Fujimori's support in Peru in 1995 and Chávez's in Venezuela in 2000.

An even more powerful argument in favor of reelection is that it should improve democratic responsiveness and accountability by aligning the incentives of incumbent presidents more closely with those of voters. To realize this happy outcome, voters must reward politicians who promise and deliver popular policies, such that presidents who aspire to reelection will be more attentive to citizens' preferences than those who are constitutional lame ducks. Although these premises are regarded as practically axiomatic by many political scientists (particularly North Americans), however, the real situation invites skepticism. Research by Susan Stokes (2001) presents the puzzle that Latin American presidents who flagrantly violated their own campaign promises have subsequently been rewarded at the polls—either personally, if reelection is allowed, or through their parties—provided that their policy switches yielded strong macroeconomic performance.

Another argument occasionally offered in favor of reelection is that lame duck status weakens presidents as leaders of their parties. The logic here is that legislators and other politicians will be less inclined to support an executive whose time remaining in office is limited. Thus, allowing reelection may enhance presidential ability to construct and sustain legislative coalitions and to bargain effectively with politicians at other levels of government. It is worth keeping in mind, however, that presidential strength is a double-edged sword, and executive dominance can undermine the broader goal of enhancing democracy within parties. For example, in the months preceding the 2000 Venezuelan elections, the prospect that Chávez could hold the presidency for 12 more years bolstered his personal influence in the Movimiento Quinta República (MVR), encouraging lower-level politicians to defer to his edicts. When Chávez announced preferences for candidates to lower

offices that contradicted nomination decisions the MVR's executive committee had already made, the committee scrambled to amend its list and ratify the presidential choices (*El Universal* 2000). In Costa Rica, by contrast, where presidential reelection is proscribed completely, incumbent presidents exercise far more limited control over the fates of lower-level politicians, contributing to parties' greater independence from presidential control (Carey 1996).

In short, there are a number of strong arguments for allowing presidential reelection, but the relative lack of experience with reelection in democratic regimes in Latin America makes it difficult to evaluate the validity of those arguments against hard evidence. The relationships among citizen preferences, presidential performance, electoral responses, and party politics in Latin America are complex, and we are only just beginning to understand them.

The Risk: More *Continuismo*

The argument against presidential reelection that continues to hold the most currency is simply that presidents will abuse the powers of the executive branch to ensure their own perpetuation in office. Each of the countries that banned presidential reelection during the 1990s endured extreme cases of such *continuismo* earlier in its recent history—under Alfredo Stroessner in Paraguay, various Somozas in Nicaragua, and Joaquín Balaguer in the Dominican Republic. Before the abrupt collapse of Fujimori's presidency, Peru appeared to be moving along this path, and the extraordinary circumstances surrounding the president's removal in November 2000 should not obscure the danger of *continuismo* that the case represented. It is worthwhile, therefore, to review in somewhat greater detail the issues surrounding Fujimori's attempt to hold on to his office.

Fujimori's very candidacy in 2000 violated the limit of two consecutive terms embodied in the constitution he introduced in 1993. He justified his third candidacy by declaring that his first term as president (1990–95) did not count, because it began under the previous constitution (which allowed no consecutive reelection at all!). When a plurality of Peru's Constitutional Tribunal objected to Fujimori's creative interpretation of his own charter, the president's compliant congressional majority fired the offending judges.[2]

During the 2000 campaign, Fujimori's supporters systematically intimidated opposition candidates and disrupted their campaign rallies; his administration used state resources to pressure the Peruvian media to slant their campaign coverage; and the vote count harbored irregularities—particularly in the first round. Had it not been for the extraordinary leak of videotapes that exposed his administration's attempts to

change the outcome of the congressional election retroactively by purchasing a compliant majority, Fujimori might well have retained control of the executive for another five years.[3]

Peru's 2000 election must serve as a warning that presidential *continuismo* by means of intimidation and fraud has not been relegated decisively to the past. Yet *continuismo* is far from inevitable. The case of Argentina's Carlos Menem suggests that the same political bargains by which presidents pursue their ambitions can strengthen the checks and balances that limit presidential abuse of power.

In his initial term, 1989–95, Menem successfully stacked the Argentine Supreme Court with compliant justices, who subsequently ratified a number of constitutionally dubious expansions of presidential power. To secure legislative support for constitutional reform allowing reelection, however, Menem acquiesced to opposition demands to restore the court to its original size, removing many of his cronies and thus restoring balance. One result was that Menem's attempt to interpret the "two consecutive term" clause favorably, as Fujimori had, faced multiple institutional obstacles. Many politicians in Menem's own Peronist Party (Partido Justicialista) preferred the president's rival, Eduardo Duhalde, as their candidate.

Emboldened by the political opposition to the president's overtures, the Supreme Court in March 1999 ruled unanimously against appeals that would have allowed a third consecutive Menem candidacy. The court's action, which was supported by a congressional majority consisting of pro-Duhalde Peronists and all other parties, thus deterred Menem from openly pursuing the Peronist nomination. In short, the bargain Menem struck in 1994 secured his first reelection, but the longer-term effect was to restore the potential for judicial independence from the executive, balancing power more evenly among the executive, the legislature, and the courts than it had been earlier in the decade (Jones 1997).

A final observation regarding institutional design has to do not with consecutive reelection but with the rules governing eligibility for nonconsecutive reelection and the potential problem associated with "punctuated" eligibility. In most cases in which reelection is limited, former presidents must sit out one term before they are eligible to run again. This opens up the possibility that an incumbent president prohibited from immediate reelection may be privately inclined to undermine his own party's immediate electoral success. If another politician from the incumbent's own party wins control of the executive—with all the policymaking and patronage powers that entails—then the outgoing president will almost certainly be eclipsed as the party's leading figure. If the incumbent's party loses the next election, however, the outgoing president may retain prominence as leader of the opposition, along with an aura as the champion capable of winning a national election.

Punctuated eligibility therefore presents potential problems in political parties. One is the garden-variety tension between former presidents angling to return to office and the current administration. In Venezuela, for example, where the 1961–99 Constitution allowed reelection after two interim terms, President Jaime Luscinchi's term was marked by a struggle between his supporters and former president Carlos Andrés Pérez over control of the Acción Democrática organization and the party's next presidential nomination (Coppedge 1994, 102–3). More interesting, from the perspective of constitutional design, is the possibility of moral hazard between parties and incumbent presidents under punctuated eligibility, whereby the incumbent's incentives with respect to his own party's electoral success may be compromised by ambitions to regain the presidency in the future. It was widely believed, for example, that Menem failed to support his party's nominee, Duhalde, in 1999 partly because Menem aspired to regain control of the Peronist Party and recapture the presidency in 2003.

The problem is particularly acute in the Peruvian and Argentine formats because an outgoing incumbent whose party retains the presidency will confront a copartisan who is eligible for reelection, too, at the end of the required sitting-out period. The perverse incentives within parties generated by punctuated eligibility suggest that if presidents are to be barred from reelection at all—whether after multiple terms or only one—they should be barred permanently.

Reelection to Other Offices

The matter of punctuated eligibility highlights the tension between reelection of current and former presidents and the progressive ambitions of other politicians. This, in turn, suggests the importance of considering the presidency in the context of reelection more generally. Do prohibitions on reelection to other offices mirror those on the presidency? Are restrictions for other offices based on the same rationale? The answer to the first question is, for governors, generally yes; for others, no. The empirical asymmetry implies, moreover, that the matter of reelection for chief executives is distinct, theoretically and politically, from other elected positions.

When the positions are popularly elected, restrictions on subnational governors are common. In Mexico, state governors are constitutionally limited to a single six-year term, just as the president is (Article 116). Venezuelan state governors are limited to two consecutive terms, as is the president, although gubernatorial terms are only four years long, whereas the presidency is six (Article 160). In Colombia, departmental governors serve three-year terms and cannot be reelected (Gómez Albarello 2001). In Brazil, state governors were, like the presi-

dent, ineligible for reelection, until the 1997 constitutional reform allowed one consecutive reelection for each office (Article 82). In Argentina, the federal constitution does not stipulate rules; and heterogeneity prevails across provincial charters, with many, but not all, allowing consecutive reelection (Eaton 2001).

Prohibitions on legislative reelection are much rarer; three Latin American countries currently impose constitutional limitations. Venezuela's 1999 Constitution (Article 192) allows two, or possibly three, consecutive terms.[4] Mexico and Costa Rica prohibit all consecutive reelection for legislators—a provision slightly less restrictive than their permanent bans on presidential reelection. In both countries, however, there is discussion of relaxing or abolishing restrictions on legislative reelection, with the goal of enhancing members' expertise and strengthening Congress as a policymaking institution in regard to the executive.

Apart from these cases, legislators are eligible for unlimited reelection. Constitutional restrictions on municipal executives are rarer still. Mexico (Article 115) prohibits immediate reelection; Venezuela (Article 174) limits mayors to two consecutive terms. Prohibitions are absent in other cases.

Whereas presidents in every country face at least some restriction on reelection, restrictions on other major elected offices are more varied. Restrictions on governors—where they are elected—are common; on legislators and mayors, they are rare. Why do we observe this particular brand of asymmetry, but not the reverse (for example, cases in which legislative reelection is restricted but presidential is not)? The issue is not explicitly discussed in any constitutional debates of which I am aware, but there are at least two plausible explanations—one based on principle, the other on the alignment of politicians' ambitions.

First, to the extent that prohibitions are necessary to guard against manipulation of the electoral processes, this principle is more compelling the greater the capacity of the office to act unilaterally and, perhaps, secretly to usurp power and perpetuate tenure in office by illicit means. Alternatively, even if chief executives could be expected not to tamper with the electoral process, politicians farther down the political ladder have every reason to support constitutionally mandated turnover at the top, which ensures that the most sought-after offices will periodically be available. It would be difficult to secure acquiescence among those who draft constitutions to an arrangement that allows unrestricted presidential reelection while it compels turnover for lower posts.

Realizing the Bolivarian Ideal?

Clearly, the general contours of the debate over presidential reelection have remained remarkably stable over time. Arguments in favor

emphasize a number of points. One is that the prospect of reelection—and, conversely, the threat of its denial—induces politicians to be responsive to the demands of citizens. Another is that in principle, restrictions on reelection are restrictions on voter choice, and in that sense are antidemocratic. A third is that reelection lengthens the president's time horizon, as well as those of the other political actors with whom the president interacts, thus mitigating the problem of ineffectual, lame duck executives.

The most compelling counterargument continues to be, as it has been since the founding of the American republics, that allowing reelection invites the abuse of executive power and, ultimately, tyranny. Bolívar's argument, that long terms are unproblematic as long as the office is weak, appears to assume away the central problem—that presidents may seek to expand and manipulate executive power in the pursuit of the *presidencia vitalicia*. Bolívar's basic insight suggests, nevertheless, that reforms to allow presidential reelection may be distinguished according to how they are engineered.

For example, when reforms are brought about by negotiations between the president and political opponents, these deals tend to involve concessions that limit presidential power, mitigating the danger that presidential perpetuation will transform itself into presidential tyranny. This is a variant of the Bolivarian ideal, and among the recent cases of presidential reelection, it is best approximated in Argentina and Brazil. To secure reforms that allowed for reelection, both Menem and Cardoso had to make concessions to their opponents, the effects of which ultimately limited the power of their office. In these cases, the threat of *continuismo* through the subversion of democracy appears to have been allayed, and the potential advantages of presidential reelection may have been realized.

When reforms to allow reelection are brought about by plebiscite, in contrast, concessions to other political actors tend to be absent, and subsequent constraints on presidential authority are weaker as a result. This is the antithesis of the Bolivarian ideal, in that even the Liberator acknowledged the danger of tyranny inherent in prolonged rule by a powerful chief executive. Brazil's experience under the first Vargas regime, Argentina's under Perón, and Peru's after Fujimori's constitutional reform of 1993 all conform to this model. In terms of how the reelection reform was engineered, so, too, does the case of Chávez in Venezuela. It is too early to tell whether Chávez's administration and the other institutions he has established will move along a path parallel to those of the other plebiscitary reelected presidencies, but the initial similarities are troubling.

NOTES

An earlier version of this essay was published as "Reelecciones presidenciales: pros y contras" in *Foreign Affairs en Español* (2): 77–92, May 2001. Some of the ideas were first developed for a project of the Inter-American Dialogue and the book *Constructing Democratic Governance*, 2d edition, edited by Jorge I. Domínguez and Michael Shifter, to be published by Johns Hopkins University Press in 2003. Thanks to the following for sharing their historical expertise on presidential reelection in specific countries: on Brazil, Octavio Amorim Neto; on Costa Rica, Kevin Casas; on Peru, Gregory Schmidt; and also Brian Crisp, Juan Gabriel Gómez Albarello, Kent Eaton, Jorge I. Domínguez, Mark Jones, and Kathleen O'Neill.

1. Much of the specific information about constitutional prohibitions on reelection in the following section is drawn from Nohlen 1993 and Serrafero 1997.

2. Fujimori's majority in Congress had ratified language specifically approving two consecutive presidential terms under the current constitution. The Constitutional Tribunal voted 3–0 (but with the remaining four members abstaining) that the law was inapplicable to Fujimori. The abstentions rendered the decision dubious. The doubts themselves were rendered moot, however, by Congress's ensuing impeachment of the antireelection judges. I thank one of the anonymous reviewers for *LAPS* for clarifying the specific sequence of events here and the legal and constitutional issues at play.

3. It is not surprising that in the wake of Fujimori's fall, the issue of presidential reelection has been opened to debate once again in Peru. A reform to prohibit immediate reelection was considered in Congress in 2001, but as of January 2002 it had yet to be ratified as a constitutional amendment. See Congreso del Peru 2001.

4. Article 192 states that deputies "may be reelected for two periods, maximum." This could be read to mean that two periods are the maximum period of service allowed. The language, however, leaves open the possibility of reelection to two subsequent periods after a deputy's first period.

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