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# Elections in Paraguay: Change in the Air

By Joel Fyke

- **Impatience with corruption has undermined the Colorado Party, which might lose power for the first time since 1946 in the April 20 elections**
- **Former bishop Fernando Lugo seems to be maintaining a narrow lead over two other candidates, although polling data is not considered entirely reliable**
- **The government's main electoral authority shows signs of bias toward the Colorado Party**
- **Candidates must refrain from making premature victory announcements that could disrupt vote-counting**

For the first time in its 62 years in power, Paraguay's Colorado Party finds itself in serious danger of losing a presidential election. Various opinion polls give opposition candidate Fernando Lugo a lead of about six percentage points before the vote on Sunday, April 20. Time may be running out for the Colorados to put their vast party machine into gear and pull out another victory.

Is the Colorado era nearing an end and, if so, why? This memo will attempt to answer those questions and offer recommendations for free and fair voting and vote-counting in the upcoming presidential and congressional elections.

The sustained popularity of Lugo, a former Roman Catholic bishop who leads the broad-based coalition known as the Patriotic Alliance for Change (*Alianza Patriótica para el Cambio - APC*), has surprised many within Paraguay, who in past elections have seen popular opposition candidates several times come within striking distance in the months preceding the election, only to be overtaken by the well-oiled Colorado Party machinery on election day. Lugo has bucked this trend, remaining in the lead since he announced his candidacy almost 16 months ago. His campaign has sought to draw the poor into Paraguay's political process as never before, a potentially far-reaching trend in a country where nearly a third of the population lives on less than \$2 per day. Consequently, participation in Paraguay's election is projected to surpass 70%, up from 62.5% in the 2003 elections.

The April 20 presidential elections will mark the fourth time Paraguayans go to the polls to choose their president since the fall of the 35-year dictatorship of General Alfredo Stroessner in 1989. The

Stroessner regime left a legacy of corruption and impunity, much of which was orchestrated by the general himself or through the bureaucracy of his political party, the National Republican Association (*Asociación Republicana Nacional, ANR*) – commonly known as the Colorado Party or simply *los colorados*. Yet the fall of Stroessner did not end Colorado rule. It was a dissident Colorado general who led the coup that toppled Stroessner, and the party's rule continues today. In power since 1946, the Colorado Party is currently the longest-ruling political party in the world.

The atmosphere surrounding this Sunday's presidential and local elections is tense. Although many Paraguayans had ruled out widespread violence on election day, recent attacks against some opposition party activists have raised the possibility of unrest.

Opposition candidates and many ordinary Paraguayans have voiced doubts about the impartiality of the Colorado-controlled Supreme Tribunal of Electoral Justice (TSJE), which is the country's highest electoral authority. The tribunal will oversee the ballot-counting and adjudicate any disputes. The work of local and international election observers at all stages will thus be critical to alleviating concerns about the integrity of the electoral process.

## **THE CONTEXT**

### **Corruption**

Corruption and patronage are deeply entrenched in Paraguayan politics. The country has boasted one of the highest perceived rates of corruption in Latin America since first appearing in the Transparency International Corruption Perception Index in 1998.

Yet in this election, corruption has resonated as an issue to a much greater degree than in the past. Former bishop Fernando Lugo has built much of his popularity by contrasting himself and his record against what is perceived as the graft and patronage of the Colorados. Why have so many Paraguayans suddenly begun to question what locals call the *ley de mbareté*,<sup>1</sup> which the Colorado Party has exercised for so long through a massive clientelist network?

A series of events during the current Colorado administration of Nicanor Duarte Frutos led to a growing impatience with corruption and may have set the stage for real political change in Paraguay.

Two years after the start of his five-year term, Duarte Frutos made known his interest in seeking a second term as president, a move prohibited by the Constitution. The fact that a constitutional reform would require a favorable ruling by the Supreme Court did not present a major obstacle, as a corruption scandal within the court in late 2003 resulted in a shift that left the president with a solid 5-4 majority in his favor on the court. What ignited large protests was when the president took the next step toward reelection in March 2006 by naming himself head of the Colorado Party. Tens of thousands of Paraguayans interpreted this step as the beginning of a slippery slope toward dictatorship and took to the streets, denouncing Duarte Frutos as the next Stroessner. Leading the protests was Bishop Emeritus Fernando Lugo.

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<sup>1</sup> The term loosely translates in to "law of the jungle" or "survival of the fittest," *Ley de Mbareté* is the idea that those in power will do anything necessary to maintain their position. *Ley* is the Spanish word for "law" and *mbareté* is the Guaraní word for "strength."

A second event that provoked widespread anger in Paraguay stemmed from a fire, believed to have been caused by a gas leak, at a supermarket in Asunción on August 1, 2004. What could have been a minor incident turned catastrophic when the supermarket's owner Juan Pío Paiva and his son Victor Daniel Paiva, according to numerous witnesses, ordered the doors locked to avoid looting as the fire spread. Emergency exits and fire-prevention systems were also inadequate. Hundreds of people were trapped inside; a total of 374 died and hundreds more suffered horrific injuries. Paiva and his son were tried and convicted of involuntary manslaughter in December 2006 and sentenced to five years in prison each. The sentences were widely rejected as too lenient, and people protested outside the courthouse and nearby streets of Asunción decrying the Paraguayan justice system as working only for the wealthy. The case is currently being retried and other parties such as the original builder have been implicated, but popular anger over the fire and its aftermath became catalysts for political change.

In late October 2007, the Supreme Court again earned the wrath of many in Paraguay by clearing retired General Lino Oviedo of all charges for his participation in a 1996 coup attempt against elected President Juan Carlos Wasmosy and ordering Oviedo freed from prison. Oviedo was also alleged to have planned the murder of Vice President Luis Argaña in 1999. Following news of the murder, protesters took to the Plaza de la Independencia in Asunción. Seven protesters were shot and killed by snipers in what subsequently became known as the "Marzo Paraguayo." The Supreme Court's decision to free Oviedo occurred just in time for the retired military officer to announce his candidacy for the presidency; he is now one of three main candidates. The release of the populist Oviedo was widely seen as a ploy by President Duarte Frutos to dilute popular support for Lugo among rural and marginalized communities, where Oviedo has cast himself as a *caudillo* who will restore order to the country.

A scandal that erupted earlier this year over yellow fever vaccinations had a deep impact on Paraguayans. In mid-February 2008, a string of yellow fever deaths touched off near-panic, and lines to receive the vaccine overwhelmed health centers throughout the country. Some centers reported lines up to 10 blocks long, with people waiting for more than 10 hours to receive the vaccine. As some communities began to announce that they had run out of vaccine doses, and the central government called for calm as it negotiated donations of additional vaccines from neighboring countries, local newspapers reported that Colorado Party neighborhood headquarters in a few communities somehow had stockpiles of the injections and were vaccinating party members who pledged their support in the upcoming elections. Newspapers published photographs of party members lining up to receive the vaccine. The reports sparked public outrage over what was perceived as the politicization of a public health crisis.

### **Itaipú**

Finally, the opposition alliance has managed to put the subject of the Itaipú Binacional hydroelectric dam, and to a lesser extent the Yacyretá dam, back on the table. Built between 1973 and 1982 on the Paraná river where it divides Paraguay and Brazil, Itaipú is the world's largest hydroelectric dam and a major producer of electricity for both countries. (Yacyretá is a more recent project with Argentina.) According to the 1973 treaty governing the dam, each country receives 50% of the electricity generated. But since Paraguay's energy needs are so much smaller than Brazil's, Paraguay uses only 7% of the total output and is entitled to sell the remaining energy to Brazil at a fixed price. Lugo and others have asserted that the price at which Paraguay sells the energy back to Brazil is absurdly small – approximately 3 dollars per kilowatt hour compared to a market rate in Brazil of more than 20 times that rate. Led by Lugo, the political opposition succeeded in making Itaipú a key campaign

issue. The opposition message has been that Itaipú's large, mostly unregulated revenue streams have been used by the ruling party to line the pockets of its elites while leaving the Paraguayan people with a raw deal.

The public perspective that the Colorados have helped themselves to the country's wealth while normal Paraguayans suffer the consequences has become particularly acute as unemployment rises, especially among youth and in cities. The lack of economic opportunity has led many Paraguayans to seek a better life outside their native land. While estimates vary of the number of Paraguayans living abroad, the number is reported to have surpassed one million, a significant outflow for a country with a population of just over six million. The increasing rejection of corruption has coincided with an outcry for more economic opportunities to reduce the "push factors" that lead to emigration.

## **THE CANDIDATES**

This is the context in which the three main candidates have launched their campaigns. Each has responded with a particular strategy for taking advantage of the opening for change.

**Fernando Lugo** leads the Patriotic Alliance for Change (*Alianza Patriótica para el Cambio*), a loose alliance of parties spanning the political spectrum from activist-socialists to fairly traditional center and center-right movements, from large political party machines to *campesino* movements. He has depended largely on his charisma and the existence of a common enemy in the Colorado Party to keep the alliance from disintegrating. He has presented a broad message of hope and change for Paraguay, fully incorporating anti-corruption rhetoric and claiming that he will throw out *mafiosos* who manipulate politics to their own benefit.

His background as a bishop in the poor department of San Pedro lends credibility to his platform, which includes plans to stimulate the economy while maintaining social equity, anti-corruption measures, and a commitment to re-establish the independence of the judiciary. His discourse emphasizing social equality and ending poverty have prompted critics to suggest he is influenced by communism or Venezuela's Hugo Chávez. Lugo has sought to answer these disparate and distorted claims by stressing his record as a builder of consensus, reiterating his respect for private property, and by meeting with local agriculture and business interests and with regional leaders such as Brazil's Luis Inácio Lula da Silva.

**Blanca Ovelar**, the ruling party candidate, has attempted to straddle the line between traditional Colorado Party values and a more progressive, centrist message to appeal to a wider audience and attract non-Colorado voters. She previously served as Deputy Minister and then Minister of Education and Culture, posts in which she was widely praised as honest and a good administrator. She has portrayed her selection over former Vice President Luis Castiglioni, seen by many Colorados as next in line for the throne, in a closely contested party primary as a move away from the traditional party candidate and into the future, but she has also been careful to assuage the base's unease over her election as the party's presidential hopeful. Her candidacy was first championed by the Progressive Colorado Movement (*Movimiento Progresista Colorado*) and she has since portrayed the election of herself as the first woman president as both a "revolutionary" and "radical" step for Paraguay and as the only choice for real change in the country.

**Lino Oviedo**, a retired army general and former head of the Paraguayan armed forces, was convicted in 1998 of a coup attempt and sentenced to 10 years prison but fled the country and settled in Brazil, where he stayed until 2004. He returned voluntarily to Paraguay and served two and a half years in prison before the Supreme Court overturned his conviction in October 2007, at which point he immediately announced his run for the presidency, just six months before the elections.. Oviedo is seen by many to represent a return to the strong-arm authoritarian leaders of the past. Ironically it is a mark of how much Paraguay has changed that the traditional *caudillo* candidate is not running under the flag of the Colorado Party, but rather as leader of a party he founded, the National Union of Ethical Colorados (*Unión Nacional de Colorados Éticos – UNACE*). Oviedo's platform concentrates on seven mega-projects to stimulate the economy and employment, mostly large-scale infrastructure projects such as rebuilding the railroad system and investment in an industrial center in the largely uninhabited Chaco region.

There are also several minor candidates. Each of three major campaigns has promoted polls that put its candidate in the lead, although the general consensus remains that Lugo maintains a narrow lead of around six to eight percentage points. Recent information shows Ovelar siphoning some of Oviedo's votes, which points to a close election on Sunday.

The TSJE is scheduled to announce official preliminary results by 1:00 A.M. Monday, April 21, local time. The winner of a plurality of the votes wins the election; there is no runoff.

## **THE PROCESS**

### **The Electoral Tribunal**

Public opinion regarding the TSJE has changed drastically. The Tribunal once enjoyed strong public approval.<sup>2</sup> But in late 2006, opposition justice Alberto Ramírez Zambonini complained that he was being isolated by the remaining two justices, Rafael Dendia and Juan Manuel Morales, due to a disagreement over the removal of a high-level official within the Tribunal. Currently, Zambonini does not attend sessions and claims to be kept in the dark regarding most official TSJE business. He reports that he simply receives the decisions already signed by the other two magistrates and adds his opinion, either in favor or against, as a formality. The Tribunal, which had at one point enjoyed satisfaction rates higher than any other public institution, rapidly descended into partisan squabbles and lost credibility.

The loss of public credibility is exacerbated by changes to the voting process for this election, which include an increase in the number of voting booths. Facing a lack of confidence in the electronic voting systems as a result of the political polarization of the tribunal, the decision was made to return to paper ballots, a move that caused an increase in voting booths from around 9,500 to nearly 14,500. The increase in the number of voting stations also means that sites for some registered voters have changed, which could cause confusion.

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<sup>2</sup> A study by the Latin American Public Opinion Project published in 1998 showed that only 5.9% of Paraguayans polled rated the work of the TSJE as "Poor" or "Very Poor" Available online through <http://sitemason.vanderbilt.edu/files/hSRMZy/Democratic%20Values%20and%20Behaviors%20in%20Paraguay%20a%20Comparison%20of%201996%20with%201998%20February%201999.pdf>

The increase in the number of polling places has brought with it an increased need for official party poll watchers, which has put a strain on opposition parties to find and train enough volunteers to guarantee transparency.

### **Electoral Violence**

For most of the campaign, violence had been limited to scuffles between rival parties during marches or speeches and the occasional altercation between party activists putting up political posters or other party propaganda.

That dynamic has changed recently, with two groups within the Patriotic Alliance for Change, Tekojojá (a grassroots *campesino* movement) and P-MAS (the Paraguayan Movement Toward Socialism) reporting serious attacks in recent weeks. A trained election observer for Tekojojá was shot twice and his wife killed on April 8, and a group of P-MAS supporters who were putting up campaign posters were attacked on April 3, sending four of them to the emergency room with injuries. At least one Tekojojá leader has also reported receiving death threats as text messages to her cellphone.

Inflammatory rhetoric by several candidates and party leaders has increased in the days before the vote. Various unsubstantiated claims, including one by the current president that professional agitators from Ecuador and Venezuela have arrived in the country, could also worsen an already tense situation.

### **Elections Observation**

The popular enthusiasm surrounding these elections has led to an increase in local transparency and observation initiatives as well as international observation teams, all designed to help guarantee free and fair elections. The observers' work is increasingly important in the charged atmosphere surrounding Sunday's vote.

Electoral missions from the international community include teams from the Organization of America States (OAS), and the International Foundation for Election Systems (IFES). Both the OAS and IFES have expressed concerns regarding the election authorities, calling for increased transparency and a quick release of results on the part of the Electoral Justice authorities and cautioning political parties from making premature pronouncements of victory.

There is a wide variety of important civil society initiatives promoting clean elections and public accountability. These include the Development Information and Resources Center (*Centro de Información y Recursos para el Desarrollo*, CIRD), a research organization promoting sustainable development and wider voter participation; a coalition of groups called SAKÃ,<sup>3</sup> which plans to carry out a comprehensive quick count; and DECIDAMOS, which has organized a widespread civic education campaign and has helped train local election officials. Seeds of Democracy (*Semillas para la Democracia*), another civil society group, has conducted a public media campaign to raise awareness about the dangers and effects of the use of state resources in political campaigns. High-profile cases highlighted by *Semillas* include that of the yellow fever vaccine doses appearing at Colorado party offices, detailed above. *Semillas* also developed a website with the Center for Judicial

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<sup>3</sup> SAKÃ is the Guaraní word for "transparency."

Studies (*Centro de Estudios Judiciales, CEJ*) to look at justice-related issues surrounding the elections.<sup>4</sup>

## **CONCLUSION**

No matter who wins Sunday's election in Paraguay, he or she will inherit a country desiring change. Even if the Colorado Party holds on to power, the fundamental political landscape has changed as a result of general discontent over the corruption associated with the party hierarchy. One effect of the Lugo candidacy and its broad base of support has been an influx of new parties and political movements into the process. Some, such as Tekojojá, look likely to win congressional seats. This increased political participation may prove to be one of the most lasting legacies of this electoral cycle and may be reflected in the makeup of the new Congress.

Ovelar, if she wins, will be faced with splits in her own party as a result of the highly contested internal party primary in January. Lugo, who has managed to hold together the shaky Patriotic Alliance for Change by maintaining a broad-based discourse with his charisma and spirit, will have to learn to govern and compromise, two skills at which he is relatively untested. Oviedo is a polarizing figure who inspires admiration in some and hatred in others. If he wins, his challenge will be to join strategic forces from within the traditional Colorado Party, from which he and his party emerged, with certain opposition elements attracted to UNACE's outsider rhetoric.

## **RECOMMENDATIONS**

- **In the face of widespread (and to some extent justified) skepticism about the impartiality of the electoral authorities, WOLA urges the tribunal to redouble efforts to guarantee a transparent process. It should set aside recent partisan squabbles.**
- **The likelihood of a close election makes transparency of the electoral process of the utmost importance, so that the results will be respected nationally and internationally.**
- **Local and international observers should remain vigilant to the myriad forms that manipulation and fraud can take.**
- **Police must take quick action to respond to violence or threats of violence against political parties and movements.**
- **The three main candidates and their political groupings must refrain from making preliminary victory pronouncements or employing inflammatory rhetoric that could disrupt the electoral process and even trigger violence. Whatever the result, parties and their members should take any complaints through the formal appeal process.**

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<sup>4</sup> <http://www.justiciayelecciones.org.py>