

GUATEMALA 2023: FROM AUTHORITARIAN DEEPENING TO DEMOCRATIC RESURGENCE

Guatemala 2023: Del Fortalecimiento Autoritario al Resurgimiento Democrático

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ABSTRACT

Guatemala's 2023 was defined by the year's most stunning and tumultuous election in all Latin America. After his shocking second-place finish in the first round, little-known anti-corruption candidate Bernardo Arévalo of the young Movimiento Semilla party won the presidency. Following years of increasing democratic decline and a vicious lawfare campaign against regime opponents, the 2023 election, which was meant to further bolster authoritarianism, became a democratic breakthrough. This article takes stock of the 2023 electoral cycle, analyzing the social, political, and international factors favorable for authoritarian consolidation alongside the surprising dynamics of democratic resilience. Guatemala's recent anti-democratic slide was spurred not by executive aggrandizement but by prosecutorial and judicial entities on a political mission and intent on using legal instruments to criminalize dissent. However, through a combination of divisions in the ruling coalition, momentum from prior anti-corruption mobilization, and robust international backing, actors from below, namely indigenous communities and the broad-based opposition movement cultivated by Semilla, saved Guatemalan democracy. In so doing, they carved a path toward political renewal that few could have imagined a year earlier, though its promises remain fragile and uncertain.

Keywords: Guatemala, elections, democratic backsliding, lawfare, authoritarianism

RESUMEN

El año 2023 en Guatemala estuvo definido por las elecciones más sorprendentes y tumultuosas de toda América Latina. Después de su impactante segundo lugar en la primera vuelta, el poco conocido candidato anticorrupción Bernardo Arévalo del joven partido Movimiento Semilla ganó la presidencia. Tras años de declive democrático creciente y una campaña legal agresiva contra opositores al régimen, las elecciones de 2023, que estaban destinadas a fortalecer aún más el autoritarismo, se convirtieron en un avance democrático. Este artículo hace un balance del ciclo electoral de 2023, analizando los factores sociales, políticos e internacionales favorables para la consolidación autoritaria junto con las dinámicas sorprendentes de resistencia democrática. El reciente declive antidemocrático de Guatemala fue impulsado no por un agrandamiento ejecutivo sino por entidades procesales y judiciales en una misión política e intentando utilizar instrumentos legales para criminalizar la disidencia. Sin embargo, a través de una combinación de divisiones en la coalición gobernante, impulso de movilizaciones anticorrupción anteriores y un sólido respaldo internacional, actores desde abajo, especialmente las comunidades indígenas y el movimiento de oposición amplio cultivado por Semilla, salvaron la democracia guatemalteca. Al hacerlo, trazaron un camino hacia la renovación política que pocos podían haber imaginado un año antes, aunque sus promesas siguen siendo frágiles e inciertas.

Palabras clave: Guatemala, elecciones, retroceso democrático, guerra jurídica, autoritarismo



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I. INTRODUCTION

The year 2023 in Guatemala marked the 30th anniversary of the attempted *autogolpe* staged by President Jorge Serrano Elías (1991-1993), the second elected civilian leader following the country's 1986 democratic opening. The crisis, which became known as the *Serranazo*, erupted on May 25, 1993 when the president suspended civil liberties, dissolved Congress, dismantled the Supreme Court, and pressed for a constitutional referendum. A coalition led by the institutionalist leadership of the Guatemalan military, the organized private sector, civil society organizations, and social movements thwarted the self-coup attempt within just two weeks, forcing Serrano's resignation and restoring the constitutional order (Fernández Camacho 2004).

The episode served as the most significant test of Guatemala's young, fragile democracy—that is, until the political turmoil of 2023. Well into the current period of elected civilian rule, Guatemala's democratic foundations have remained weak and precarious, at best. However, the 2023 election cycle brought them to the brink of collapse.

After a stunning second-place finish in the first round, anti-corruption candidate Bernardo Arévalo defeated three-time presidential contender and establishment stalwart Sandra Torres in a landslide. In response, the ruling coalition, which had spearheaded efforts to criminalize anti-corruption crusaders and critical journalists, accelerated its assault on democratic institutions. Led by Attorney General Consuelo Porras, Guatemala's Public Prosecutor's Office (*Ministerio Público*, MP), in alliance with corrupt judges, temporarily suspended Movimiento Semilla, broke open boxes of vote tallies, and sought to lift the prosecutorial immunity of the president-elect, vice president-elect, several opposition legislators, and the electoral tribunal magistrates who certified the election results. Their goal was to prevent the peaceful transfer of power. Arévalo labeled the MP's campaign a "slow-motion coup."

As with the 1993 *Serranazo*, Guatemala's delicate democracy overcame the autocratic threat, and Arévalo and Vice President Karin Herrera took office in January 2024. But why was the "slow-motion coup" of 2023 able to advance as far as it did? And, against the odds, how did Guatemalan democracy emerge resurgent?

This article takes stock of Guatemala's tumultuous 2023, analyzing the social, political, and international factors favorable for authoritarian consolidation alongside the surprising dynamics of democratic resilience. In contrast to the 1993 episode, Guatemala's latest anti-democratic slide was spurred not by executive aggrandizement but by prosecutorial and judicial entities on a political mission and intent on criminalizing dissent. Amid deepening authoritarianism, the elite actors that had coalesced to stop Serrano's *autogolpe* in its track largely took a backseat, waiting to see which way the political winds blew. Instead, it was actors from below, namely the young opposition movement cultivated by Semilla

and indigenous authorities and communities, that saved Guatemalan democracy. In so doing, they carved a path toward political renewal that few could have imagined a year earlier, albeit one that remains fraught and uncertain.

II. CONTINUED CORRUPTION, IMPUNITY, AND THE CRIMINALIZATION OF REGIME OPPONENTS

Despite the formal return of procedural democracy in the mid-1980s, Guatemala's political system has been persistently characterized by deep democratic deficits and high levels of criminality and impunity. Yet patterns of autocratization and corruption reached new heights in 2023, the final year of conservative incumbent Alejandro Giammattei's rule. According to the Varieties of Democracy project (V-Dem), Guatemala flipped from an "electoral democracy" to an "electoral autocracy" in 2021 (Nord et al. 2024, 60). The country has maintained this distinction over the last three years. In 2023, Guatemala's score on V-Dem's Liberal Democracy Index plunged even further, reaching its lowest level since 1999.¹

In addition, the continued deterioration of the rule of law positioned Guatemala as among the countries with the highest perceived levels of corruption in Latin America and the world in 2023. Guatemala's score on Transparency International's Corruption Perceptions Index dropped to 23 out of 100, its lowest in over a decade. Out of 180 countries included in the index, Guatemala now ranks in the top 15% of the most corrupt. Meanwhile in Latin America, the only countries with higher perceived levels of corruption are the repressive dictatorships of Nicaragua and Venezuela (2023 Corruption Perceptions Index).

In 2023, the Giammattei administration continued to do the bidding of Guatemala's "criminal oligarchic" ruling coalition by fomenting corruption, impunity, and the criminalization of opponents (Schwartz and Isaacs 2023, 22-4). The MP, under the leadership of Attorney General Consuelo Porras, advanced its legal retaliation against former judges and prosecutors who worked to combat corruption alongside the United Nations-backed International Commission against Impunity in Guatemala (CICIG).

In September 2023, for instance, Judge Carlos Ruano was forced into exile after receiving threats and facing a spurious legal case—all related to his denunciation of pressures from a former Supreme Court justice seeking to absolve her son of corruption charges (García 2023a). In so doing, Ruano followed in the footsteps of judges Erika Aifán and Miguel Ángel Gálvez, who fled Guatemala under similar trumped-up charges in 2022. The ex-judge that targeted Ruano also denounced former CICIG lawyer Claudia González, who was held in prison for 81 days starting in late August 2023. González had previously rep-

¹ To download and explore the complete V-Dem Dataset, please visit: <https://www.v-dem.net/data/the-v-dem-dataset/>.

resented another ex-CICIG colleague, Virginia Laparra, who was convicted of abuse of authority at the end of 2022 and held in solitary confinement until her January 2024 release on house arrest (García 2023b).

In addition to the new persecutions, 2023 saw the convictions of dissident voices indicted earlier in Giammattei's tenure. In June, a judge convicted leading investigative journalist and the founder of Guatemala's *elPeriódico*, José Rubén Zamora, of money laundering, sentencing him to six years in prison (Lakhani 2023). During the trial, the Special Prosecutor against Impunity (FECI) began investigating six journalists and three columnists for allegedly conspiring to obstruct justice through their reporting on the case (García 2023c). Meanwhile, severe financial strains forced *elPeriódico* to shut its doors in May 2023, ending its 26-year run in the country (García and Cantú 2023).

The year also brought major reversals in accountability for state-perpetrated human rights abuses during Guatemala's 36-year armed conflict (1960-1996). After forcing the presiding judge into exile, the judiciary began dismantling a criminal case involving over a dozen retired military and police officials for atrocities committed against individuals documented in the Death Squad Dossier [*Diario Militar*] between 1983 and 1985 (Burt and Estrada 2022). Just a few months later, a court ordered the release of three former military leaders who had been convicted for the forced disappearance of 14-year-old Marco Antonio Molina Theissen and aggravated rape of his sister, Emma Molina Theissen, in 1981 (Guatemala Releases Military Officials 2023).

These patterns of impunity also extended to high-profile corruption sentences won by the MP and CICIG prior to Porras' tenure. A Guatemalan judge absolved former communications minister Alejandro Sinibaldi who had been charged with accepting bribes in the regionwide Odebrecht scandal (Guatemala: Juez Cierra" 2023). Months later, Sinibaldi, former president Otto Pérez Molina (2012-2015), and several other ex-ministers benefitted from the shuttering of the notorious *Cooptación del Estado* [Cooptation of the State] case, which involved a wide-ranging illicit scheme to secure kickbacks in exchange for state contracts (Pérez Marroquín et al. 2023; for more on grand corruption in Guatemala, see Pallister 2023).

Meanwhile, Porras' MP insulated Giammattei and his allies from new corruption investigations, despite emerging allegations. In October 2023, for example, prosecutors shelved a case related to the supposed payment of bribes to Giammattei by the Russian beneficiaries of a port concession (Valdéz 2023). The investigation—known as the “Magic Carpet” case because the cash bribes were allegedly delivered to the presidential palace in rolled-up rugs—came to light in 2021 when anti-corruption prosecutor Juan Francisco Sandoval was forced into exile. The MP also shuttered corruption cases against top health ministry officials for irregularities in the purchase of the Russian Covid-19 vaccine Sputnik V and development ministry authorities for fraudulent contracts. According to data compiled by the Guatemalan NGO Acción Ciudadana, only

15% of the denunciations received by the Prosecutor for Administrative Crimes during Giammattei's term were under active investigation by the end of 2023 (Pérez 2023).

By its final year, the incumbent government had largely erased the gains of the previous anti-corruption crusade, which was abruptly curtailed with the CICIG's 2019 ouster. By criminalizing dissident voices, shelving prior human rights and corruption cases, and shielding top officials from investigation, Guatemala's ruling "*Pacto de Corruptos*" ["Pact of the Corrupt"] appeared resurgent throughout much of 2023.

III. ATTEMPTED AUTHORITARIAN CONSOLIDATION THROUGH ELECTORAL MEANS

As an election year, 2023 presented the increasingly authoritarian ruling coalition with new obstacles and opportunities. On the one hand, the presidential, legislative, and municipal contests slated for late June offered opposition actors the chance to remake the political landscape, especially given Giammattei's rock-bottom approval rating, which stood at less than 12% ahead of the first-round vote.² Yet, on the other hand, with the MP, judiciary, and other state institutions firmly on its side, the electoral moment also offered the incumbent regime an opportunity to cement its control and secure its stream of corrupt rents by ensuring the election of its allies locally and nationally.

With a vast authoritarian machinery at its disposal, the regime got to work manipulating the electoral contest to preserve its interests. Already controlling much of the judicial system, the ruling coalition sought to coopt electoral authorities as well. According to a bombshell report by *The New York Times*, Supreme Electoral Tribunal (TSE) magistrate Blanca Alfaro approached the US Embassy in Guatemala to report receiving bribes from Miguel Martínez, Giammattei's close confidant and key political operator (Romero et al. 2023). Though Alfaro and Martínez denied the claims, many observers suspect that the alleged payments were meant to ensure that electoral authorities favored regime allies and acted against its challengers.

The next step was disqualifying those anti-establishment candidates seen as threats to the ruling coalition. Efforts to cull the slate of challengers took aim at candidates on both the left and the right. In mid-February, before the official campaign period began, the TSE scrapped the candidacy of leftist indigenous farmworker Thelma Cabrera, the surprise fourth-place finisher in the 2019 elections. The disqualification came after authorities ruled that Cabrera's running mate, now-exiled former Human Rights Ombudsman Jordán Rodas, lacked the

² This figure comes from an America Elects survey fielded in May 2023. See <https://twitter.com/AmericaElege/status/1663030694510034949>

necessary documentation certifying he was free from pending criminal charges (Guatemala Protest Ban 2023). Shortly thereafter, electoral authorities tossed right-wing populist challenger Roberto Arzú from the contest, alleging that he engaged in campaign activities prior to the legal start date (Guatemala Sets Lineup 2023).

A third disqualification, that of conservative businessman Carlos Pineda just five weeks before the vote, left little doubt that the moves were politically motivated and intended to ensure that the next president would favor the pro-impunity establishment. Though far less of an outsider than he claimed (Papadovassilakis and Gutiérrez 2023), Pineda was booted from the ballot less than a week after polls revealed him to be the surprise frontrunner (Guatemala Court Keeps 2023). In classic competitive authoritarian fashion, the incumbent regime appeared to have effectively tilted the electoral playing field in its favor, using spurious legal claims to oust genuine opponents while preserving the façade of democratic contestation (See Levitsky and Way 2010).

Heading into the June 25 contest, most domestic and international observers were convinced that the results of the vote mattered little for the direction of future governance. Though the outcome remained uncertain, the top three contenders left standing in the race were all emblematic of the traditional political class.

Sandra Torres, the former first lady and loser in the last two presidential runoffs, had previously built her brand through clientelist welfare programs in rural, predominantly indigenous areas; however, in the 2023 elections, she lurched to the right, adopting a staunch social conservative platform that appeared out of step with her once social democratic Union of National Hope (UNE) party.

A second contender was former UN diplomat and ambassador to the United States and European Union Edmond Mulet. Brandishing his statesman-like image, Mulet vowed to bring clean government to Guatemala; however, he was also tainted by allegations of involvement in wartime illegal adoption schemes (See Crespo and Escalón 2015). Moreover, as MP attacks on regime opposition accelerated, Mulet's previous defense of anti-corruption efforts and civil liberties softened (Menchú 2023a).

The third candidate at the top of the polls was conservative Zury Ríos, the daughter of former dictator Efraín Ríos Montt (1982-1983). A favorite among wealthy, urban sectors, Ríos sought to project a tough-on-crime image in the style of El Salvador's Nayib Bukele, whose two-year state of exception has led to the arbitrary detention of more than 70,000 Salvadorans and rampant allegations of human rights abuses (Coronado 2023).

Though all three top candidates railed against the incumbent government, there was little question that they represented more of the same. This is why Guatemalan and international onlookers were stunned when Bernardo Arévalo, a former diplomat, academic, and leader of the small Semilla opposition in Congress, squeaked out a second-place finish in the first round, launching him

into the August runoff (See Table 1 for first-round election results). According to a *Prensa Libre*/ProDatos poll published the week before the first round, Arévalo was polling at less than 3%, putting him in eighth out of 22 candidates (Contreras Corzantes 2023). Meanwhile, two months before the vote, only 15.3% of Guatemalans indicated that they knew who Arévalo was (Morales 2023). According to analysis by Manuel Meléndez-Sánchez and Lucas Perelló (2023), the Semilla leader outperformed electoral projections more than almost any other presidential candidate in Latin America since 2015.

Table 1. Top Finishers in First-Round Presidential Election Results, June 25, 2023

Presidential Candidate	Political Party	Percentage of total votes
Sandra Torres	Union of National Hope (UNE)	15.86%
Bernardo Arévalo	Movimiento Semilla	11.78%
Manuel Conde	Vamos	7.84%
Armando Castillo	Visión con Valores	7.27%
Edmond Mulet	Cabal	6.69%
Zury Ríos	Valor-Unionista	6.57%
Manuel Villacorta	Vos	4.3%

Data: Supreme Electoral Tribunal, TREP, available at: <https://primeraeleccion.trep.gt/#!/tc1/ENT>.

Notes: Null votes, which accounted for 17.39% of all votes, exceeded the vote-share of any single candidate in the first-round.

Once in the August 20 second round, there were few doubts that Arévalo would prevail. His opponent, the UNE's Sandra Torres, had lost the two previous presidential runoffs, in large part due to the strong negative vote she elicits. This is especially the case in urban areas like Guatemala City and the surrounding province, where Arévalo and Herrera won roughly three-quarters of total second-round votes. Nationwide, the Semilla ticket triumphed with 58% to Torres' 37.2% of total votes cast.³ A majority of voters opted for Arévalo and Herrera in an overwhelming 17 of Guatemala's 22 departments.

How did Arévalo and Movimiento Semilla breakthrough in an election meant to consolidate authoritarianism? Part of the answer can be found in the combination of the sitting government's missteps and widespread anti-incumbent sentiment—a phenomenon shared throughout most of Latin America in recent years (Congressional Research Service 2024). Deep disillusionment with the traditional political class, which Guatemalans increasingly framed as part of a vast corrupt conspiracy (the *Pacto de Corruptos*), left citizens clamoring for a different kind of leadership. With their own parties having voted in lockstep with Giammattei's Vamos bloc, challengers Torres and Ríos lacked credibility as anti-incumbent figures. Meanwhile, the shady establishment politicians that

³ To examine the second-round vote at the national, departmental, and municipal levels, visit the Supreme Electoral Tribunal's TREP site available here: <https://segundaeleccion.trep.gt/#!/tc1/ENT>.

surrounded Mulet, along with his flagging opposition to the MP's anti-democratic actions, fueled doubts that his presidency would bring genuine change. In short, voters saw through the flimsy promises of the purported frontrunners.

But at the same time, the ruling coalition miscalculated. Legal efforts to disqualify the more credible outsider candidates like Cabrera, Arzú, and Pineda unwittingly pushed voters to coalesce around the one anti-establishment candidate left standing: Semilla's Bernardo Arévalo. Had Arévalo enjoyed a meteoric rise in the polls like Pineda, there is little doubt that MP and judicial authorities would have moved to bar his candidacy as well. Yet, in flying under the radar, Arévalo dodged the legal persecution faced by the more well-known candidates.

Attributing the surprise victory solely to the perfect storm of anti-incumbent clamor and ruling coalition blunders, however, overlooks deeper processes of political organization that allowed Arévalo's party to seize the political moment. Movimiento Semilla emerged on the national political scene amid the landmark 2015 demonstrations against the government of Otto Pérez Molina (2012-2015), channeling the widespread discontent and burgeoning anti-corruption consciousness within Guatemalan society. While its base remained mostly confined to young, urban professionals, Semilla amassed the support it needed to become a political party and compete in the 2019 general elections (Pradilla 2018). In its first Congressional period, Semilla held only a handful of seats and found few legislative allies; however, it remained a loyal opposition force, using social media to broadcast the ruling coalition's inaction and malfeasance as it pushed for popular policies. The nascent party-building efforts and resonant anti-corruption appeals allowed Arévalo and Semilla to seize the opening created by the ruling coalition's strategic lapses, in turn accomplishing the unthinkable.

IV. THE SLOW-MOTION COUP: PROSPECTS OF SUCCESS?

After the stunning first-round outcome, the Giammattei regime and its allies wielded the same legal and judicial instruments it had used to persecute anti-corruption advocates and disqualify electoral challengers, this time in a bid to overturn the election results (See Table 2 for a full timeline of the electoral process and election interference). A week after the first-round contest, Guatemala's regime-allied Constitutional Court (CC) accepted a legal challenge from the establishment parties alleging fraud and ordered a vote audit—this despite declarations by international and domestic observation missions affirming the integrity of the vote. When the results were upheld, the MP, in alliance with criminal court judge Fredy Orellana, sought to provisionally suspend Movimiento Semilla's legal status, alleging money laundering and irregularities in the party's formation six years prior. Electoral law, which states that parties cannot be suspended while an election process is underway, ultimately torpedoed this initial attempt to prevent Arévalo from becoming president.

But efforts only accelerated after his triumph in the second-round vote. MP authorities took aim at the electoral officials who backed Semilla’s right to compete and certified Arévalo’s victory. They also raided ballot storage facilities and unlawfully seized boxes of vote tallies. And on November 16, a full two months before the transition, the MP unveiled a criminal case that accused the president-elect, vice president-elect, and several of their allies of illicit association, influence-peddling, and the destruction of cultural patrimony for backing mobilizations against the regime-imposed rector of the University of San Carlos in 2021 (García 2023d).

Table 2. Timeline of Guatemala’s 2023 Elections and Electoral Interference

Date	Event
January 21, 2023	Beginning of inscription process for electoral candidates
January 28, 2023	TSE rejects inscription of presidential candidate Thelma Cabrera and vice-presidential candidate Jordán Rodas (Movimiento para la Liberación de los Pueblos, MLP)
February 6, 2023	TSE rejects inscription of presidential candidate Roberto Arzú and his vice-presidential candidate David Pineda (Podemos)
May 2, 2023	Presidential candidate Carlos Pineda (Prosperidad Ciudadana) is found to be leading the polls, according to a <i>Prensa Libre</i> /ProDatos survey
May 19, 2023	An administrative court suspends Pineda’s candidacy
June 22, 2023	<i>The New York Times</i> publishes allegations of bribes paid by Giammattei confidante Miguel Martínez to TSE magistrates
June 25, 2023	General election; Torres (UNE) and Arévalo (Movimiento Semilla) advance to runoff; Movimiento Semilla wins 23 legislative seats
July 1, 2023	Constitutional Court orders audit of the vote tally following allegations of fraud lodged by several political parties
July 12, 2023	A criminal court judge, at the behest of MP prosecutors, orders the temporary suspension of Movimiento Semilla’s legal status
July 12, 2023	TSE certifies the results of June 25 vote following the audit
July 14, 2023	Constitutional Court issues a temporary injunction blocking the attempted suspension of Movimiento Semilla
July 19, 2023	US State Department revokes the visas of several MP and judicial officials involved in electoral interference by adding them to the “Engel List”
August 10, 2023	OAS Secretary General Luis Almagro announces that the OAS electoral observation mission will remain in Guatemala until the next administration takes office
August 20, 2023	Presidential runoff; Arévalo wins with 58% of votes cast
August 28, 2023	TSE certifies the results of the presidential runoff
September 12, 2023	MP officials raid ballot storage facilities opening and reviewing boxes of votes, violating the chain of custody stipulated by election law
September 30, 2023	MP officials raid TSE offices, sequestering vote tallies and coming into direct confrontation with TSE magistrates
October 2, 2023	Indigenous authorities and communities lead mass nationwide protests to demand Porras’ resignation and the end of electoral interference; the encampment outside of MP headquarters would last more than 100 days
November 2, 2023	The Citizen’s Registry within the TSE issues the temporary suspension of Movimiento Semilla following the official end of the electoral process on October 31

Date	Event
November 7, 2023	Supreme Court accepts MP's request to remove the TSE magistrates' prosecutorial immunity, alleging irregularities in the purchase of the electronic vote-reporting system
November 16, 2023	MP officials announce they will seek to strip President-elect Arévalo, Vice President-elect Herrera, and several others of their prosecutorial immunity for supporting student resistance against the regime-imposed rector of the University of San Carlos
November 30, 2023	Congress votes to lift the immunity of four TSE magistrates; all four abandon the country
December 1, 2023	US Treasury Department announces Global Magnitsky Act sanctions against Giammattei political broker Miguel Martínez
December 11, 2023	US State Department issues visa restrictions for over 300 Guatemalan lawmakers, political officials, and members of the private sector for undermining democratic institutions
January 14, 2024	After hours of delays and confrontations between outgoing and incoming lawmakers, Guatemala's new Congress is sworn in; a slate headed by Semilla deputy Samuel Pérez wins Congressional leadership and moves to reinstate Movimiento Semilla's legal status
January 15, 2024	In the wee hours of the morning, President Bernardo Arévalo and Vice President Karin Herrera are sworn in
January 16, 2024	Constitutional Court forces another Congressional leadership vote, arguing that because Movimiento Semilla's legal status is suspended, its deputies are independent and thus ineligible for leadership positions

Ultimately, the campaign to prevent Guatemala's once-marginal political opposition from assuming power failed when, after hours of delays, the new legislature was sworn in on January 14, 2024 and, in the wee hours of January 15, Arévalo and Herrera were inaugurated as well. But the alarm bells sounded by domestic and international observers had not been overstated. There were plenty of reasons to believe that the ruling coalition's bid to subvert the popular will and block the alternation of power would, in fact, succeed. In the remainder of this section, I detail these factors before turning to the reasons why democracy prevailed.

A Reinvigorated Pro-Impunity Coalition

The first factor in favor of the slow-motion coup was the elite consensus forged in the wake of mounting human rights trials and anti-corruption investigations in the mid-2010s. Contrary to the 1993 *Serranazo*, in which political, economic, and military elites, alongside civil society organizations, closed ranks to defend the constitutional order, Guatemala's most powerful actors had recently unified around a different cause: maintaining impunity. Though Guatemalan elites are far from monolithic, the mid-2010s anti-corruption campaign targeted top political officials, security sector leaders, and high-profile private sector representatives alike, prompting them to coalesce around ousting the CICIG, persecuting CICIG allies, and backing an attorney general and high-court judge-

es that would defend their interests. Going into the 2023 elections, the political grip of this alliance appeared unbreakable (for more on the coalitional nature of the Guatemalan regime, see Sánchez-Sibony 2023).

The resurgent pro-impunity coalition also had new tool at its disposal. Paradoxically, the successful institutional strengthening efforts that helped catalyze Guatemala's anti-corruption campaign provided the MP new legal instruments and practices that could be appropriated to criminalize political opposition. For example, under Attorney General Consuelo Porras, who was installed in 2018, far-right groups like the Foundation against Terrorism [*Fundación contra el Terrorismo*, FCT] filed legal complaints known as *querellas*, which allowed them "to play an active role in the prosecution with full access to the investigation" (Dudley et al. 2024). This legal measure—which was previously used to authorize the CICIG's direct role in criminal cases—was thus turned against those who were fighting corruption. By mid-2021, dozens of FCT denunciations were at the top of the MP's docket, sending some former prosecutors behind bars and others into exile (Agencia Ocote and Guatemala Leaks 2022).

The ruling coalition weaponized other legal instruments created to fight corruption as well. In 2006, Guatemala's Congress passed the Law Against Organized Crime to combat criminal groups involved in drug and arms trafficking, money-laundering, and political corruption. Under Porras' tenure, this law became the key mechanism to persecute critics and political rivals (Sas 2023). For instance, *el Periódico* director José Rubén Zamora was convicted under the law when the MP charged that he had laundered money from an ex-banker. It was also used to allege that journalists covering the case had engaged in obstruction of justice and formed part of an illicit structure under Zamora's command.

A similar distorted legal rationale was used in the bid to suspend Arévalo's party Movimiento Semilla. Semilla organizers had allegedly paid for signatures collected to create the party using funds that were of unknown origins, according to MP officials. As a result, the Special Prosecutor against Impunity deployed the Law Against Organized Crime, arguing that this money had been laundered and that Semilla itself was a criminal organization. In short, not only had the dominant coalition ramped up its counteroffensive, but it also possessed a broader arsenal of legal weapons to attack its opponents, including Arévalo and his Semilla party.

Tepid Support for Democracy in Guatemala

Mass attitudes provided another reason to fear that the slow-motion coup would be insurmountable. Disillusionment with democracy and suspicions of election integrity signaled a gloomy outlook for resisting the ruling regime's authoritarian actions. Just ahead of the 2023 election, support for democracy had reached an all-time low at 48%, placing Guatemala in a tie for last in all Latin America and the Caribbean according to the Latin American Public Opinion

Project (LAPOP) (Lupu et al. 2023, 12). Moreover, based on levels of support for the political system and tolerance of political opponents competing for power, roughly one-third of Guatemalans held views favoring authoritarian stability in 2023 (19-22).

Importantly, these attitudes may reflect more discontent with the current system than opposition to democracy itself. Moreover, we cannot infer that weak support for democracy would translate into limited efforts to defend democratic institutions once under attack. But these trends appeared to play into the hands of the ruling coalition.

Abysmal levels of confidence in elections were further cause for concern. According to LAPOP's latest survey round, which took place just months before the June 25 contest, only 27% of Guatemalans expressed trust in elections (47). In addition, nearly 30% of citizens believed that votes are never counted correctly or fairly and another 50% perceived that votes are only sometimes counted correctly or fairly.⁴ On the surface, these attitudes would appear favorable for the incumbent regime and its allies seeking to cast doubt on Arévalo's election.

Wavering International Resistance to Democratic Backsliding in Central America

Finally, the international community's tepid reaction to the Guatemalan regime's pre-election manipulation, alongside its inconsistent response to democratic backsliding in Central America more generally, offered little hope that external pressure would turn the tides of rising authoritarianism in this instance either. Under the US administration of President Joe Biden (2021-present), efforts to name, shame, and sanction those responsible for fomenting corruption and undermining democracy brought little change in their behavior. Even before the 2023 elections, US authorities had revoked the visas of dozens of government officials added to the "Engel List" of corrupt, anti-democratic actors. They had even invoked the Global Magnitsky Act to freeze the assets of several notorious political powerbrokers for manipulating the judicial selection process (Schwartz 2022, 16). But even with Attorney General Porras and her top prosecutors sanctioned, the MP's attack on dissident voices and anti-corruption figures remained unrelenting.

There was also a prevailing sense that these US efforts to arrest the MP's lawfare campaign would only go so far because of the Guatemalan government's key role in curbing the northbound flow of migrants and countering Chinese influence in Latin America—two key policy priorities for the Biden administration. The international community's lethargic response to the early authoritarian actions of Nicaraguan dictator Daniel Ortega, as well as its acquiescence to

⁴ See the Americas Barometer data by the LAPOP Lab, available at <https://www.vanderbilt.edu/lapop/>.

highly popular, “millennial authoritarian” Nayib Bukele in El Salvador further fueled skepticism that foreign pressures would have a distinct effect in Guatemala. In short, when considering the elite, mass, and international dynamics, all signs pointed to the likely triumph of Guatemala’s slow-motion coup.

V. WHAT EXPLAINS DEMOCRATIC RESURGENCE?

As one of the world’s fastest autocratizing countries, few predicted that the 2023 elections would disrupt Guatemala’s authoritarian slide. Yet, this is exactly what happened. Not only did voters coalesce around a little-known reformer trailing the leading candidates by double-digits, but they also sustained a five-month defense of the popular will, ultimately preventing the ruling coalition from blocking the transfer of power. How do we explain these stunning events? What made Guatemala’s 2023 election cycle an unexpected moment of democratic resurgence? Here, I elaborate three factors that combined to help resist autocratic deepening: (1) key defections from the establishment coalition; (2) cross-class and cross-ethnic mobilization; and (3) the robust and unified response of the international community, which bolstered the domestic pro-democracy movement.

Defections from the Establishment Coalition

First, the extreme, anti-democratic actions of the MP and its right-wing allies alienated key public and private actors, pushing them into the arms of the pro-democratic coalition defending Arévalo, Semilla, and the 2023 vote. Perhaps the most significant of these defections from the ruling coalition were the magistrates of the Supreme Electoral Tribunal (TSE), who had previously overseen the disqualifications of top presidential contenders on dubious grounds. Yet, when confronted with brazen regime-led attempt to overturn the popular will, the TSE backed the integrity of the vote, refused to unlawfully suspend Semilla while the electoral period was ongoing, and spoke out against attempted electoral manipulation. In a chaotic scene that unfolded at the Tribunal’s installations on September 30, the magistrates even sought to physically block MP authorities from hauling off boxes with first-round tallies in violation of election law (García 2023e). Lacking pliable electoral authorities, the ruling coalition had lost a key institutional partner needed to rationalize its efforts to overturn the election.

The brazenness of the assault on basic democratic rights not only alienated key public authorities; it also sowed discord amongst powerful private actors like economic elites—most of whom had been loath to confront the Giammattei regime over its anti-democratic maneuvers in the run-up to the election. Though the organized private sector in Guatemala has never fully walked in lockstep, the 2010s anti-corruption campaign provided a unifying moment following

several high-profile corruption probes against prominent business leaders. With some exceptions, private sector leaders stood silent as Attorney General Porras' MP amassed power, bolstered impunity, and dismantled democratic institutions.

Yet the ruling regime's dogged attempts to overturn the election results and block the transfer of power proved a bridge too far. At several junctures in the electoral process, the main chambers of the Coordinating Committee of Agricultural, Commercial, Industrial, and Financial Associations (CACIF) released pointed statements affirming the election results and demanding that the new government take office (Laz 2023; Motta 2023). These declarations—likely driven by mounting international pressures, as well as the negative economic consequences of continued turmoil—bolstered the broad-based movement that took the defense of democracy to the streets.

Broad-Based Mobilization

Another key part of the explanation is Guatemala's recent history of anti-corruption mobilization, specifically the mass movement that brought down former president Otto Pérez Molina, Vice President Roxana Baldetti, and dozens of officials from their inner circle in mid- and late 2015. Prior to the most recent elections, this civic awakening had no doubt been the most significant in Guatemala since the 1986 transition to democracy.

Its importance for the 2023 electoral moment was three-fold. First, the 2015 anti-corruption investigations, which continued in the ensuing years, put on full display the co-optation of the Guatemalan political system by powerful criminal and economic interests embedded within the state, cultivating greater awareness of the so-called "*Pacto de Corruptos*" (Schwartz 2021).

Relatedly, the mid-2010s anti-corruption movement illustrated to Guatemalans the possibilities of collective action, developing a greater propensity to mobilize politically. According to the 2016 LAPOP survey, nearly one-in-six people (16.2%) participated in the 2015 anti-corruption protests, a figure far above the 2.4% in 2014 that stated they had participated in a protest during the previous year (Azpuru et al. 2018, 94-6). The movement was also associated with increasing acceptance of protests. After the 2015 mass mobilization, some 58.6% of respondents approved of participation in protests permitted under the law—roughly double the 28.2% that expressed the same view in 2014 (100).

Finally, this earlier anti-corruption mobilization built a nascent, pro-democratic counter-coalition to challenge the ruling elite's stranglehold on power. While lacking defined political leadership, the mid-2010s movement brought together a broad range of civil society groups. These included students from the country's historically divided public and private universities, moderate business leaders, women's and human rights organizations, and rural communities,

who together rallied around the domestic and international officials seeking to combat corruption. With the beginning of Porras' tenure and the ouster of the CICIG, this counter-coalition was severely debilitated. Oppositional civil society was again cowed into silence and fear. Yet the legacies of 2015 anti-corruption demonstrations were never completely erased and were reactivated when the 2023 vote came under attack.

In contrast to this prior movement, however, the 2023 electoral mobilization included an element that strengthened the counter-coalition's hand: the protagonism of indigenous authorities and communities. Guatemala's Mayan communities, which comprise nearly half of the country, certainly supported the 2015 anti-corruption protests, with many streaming into the capital city to partake in demonstrations or mobilizing in their own municipal squares. However, metropolitan areas and Guatemalans with secondary and post-secondary education were much more represented among the 2015 protest participants (Azpuru et al. 2018, 96-8).

Within the post-election mobilizations of 2023, however, indigenous authorities catalyzed the most significant protest actions, illustrating their moral weight, political consciousness, and ability to build bridges across civil society. After months of conversations and coordination, indigenous groups, led by the historically organized 48 Cantons of Totonicapán, called for a national strike to begin on October 2 in response to Attorney General Porras' refusal to step down and the MP's new efforts to seize ballots (Meléndez-Sánchez and Gamboa 2023). In addition to marches in the capital, protestors erected roadblocks at some 140 strategic points across the country (Abbott 2023). In their demand for Porras' resignation, indigenous leaders also set up an encampment outside of the MP, which remained in place until Arévalo's inauguration.⁵

Despite Constitutional Court orders to disband the protests and sit-in—and the implicit authorization of violence to accomplish this—Minister of the Interior Napoleón Barrientos and police leadership refused to resort to repression.⁶ Instead, they used dialogue and mediation to convince protestors to allow traffic to pass periodically, diffusing some of the tensions and preserving the movement's broad support and non-violent character. In fact, the only episodes of violence were caused by gang infiltrators of the protests, possibly encouraged by the ruling regime and by others seeking to intimidate protestors (Barreno Castell 2023; Boche Ventura 2023; Patzán and Jumique 2023).

In short, the organizational capacity and strategic acumen of indigenous leaders and communities allowed for the expansion of pro-democratic resistance well beyond the young, urban, professional base of Movimiento Semilla. In so

⁵ This encampment was, in fact, one of the first places Arévalo and vice president Karin Herrera visited after being sworn in.

⁶ The MP later issued an arrest warrant for Barrientos, charging him with refusing to comply with court orders to dislodge the protests. The charges were subsequently dropped. See Guatemala Arrests 2024; Loarca Oliva 2024.

doing, the 2023 election mobilizations cultivated unprecedented cross-ethnic solidarities, which coalesced in defense of the popular will.

Decisive International Pressure

This broad societal resistance also ratcheted up the pressure exerted by the international community, which took a strong and unified stand against the authoritarian ruling coalition and leveraged its own political and diplomatic tools to ensure the alternation of power. Though pre-election maneuvers to manipulate the slate of candidates drew limited outcry, international condemnation and action reached new levels once the incumbent regime threatened the popular vote and political transition.

The Organization of American States (OAS)- and European Union (EU)-backed election observation missions, alongside a similar domestic civil society effort, made the 2023 contest the most highly scrutinized election in Guatemalan history. When establishment political forces alleged irregularities and the Constitutional Court ordered a vote audit, the international observer missions asserted the integrity of the vote and remained in Guatemala to monitor the post-election process.

The OAS, which has long been criticized for its weak and selective objections to anti-democratic actions in the Western Hemisphere, also played a crucial role in keeping Guatemala in the international spotlight. It rallied Latin American governments around Guatemala's pro-democratic movement and oversaw the transition process. Between August and December 2023, the OAS Permanent Council met seven times to discuss the constitutional crisis in Guatemala. In mid-November, the Permanent Council adopted a resolution calling on Guatemalan authorities to "stop or prevent... any act of intimidation of electoral officials, the *Movimiento Semilla* party, and those who have been elected, and to respect the integrity of electoral materials" (OAS Permanent Council 2023a). Subsequently, its mid-December resolution "strongly [condemned] the ongoing abusive exercise of power by the Public Prosecutor's Office and other public authorities in Guatemala" (OAS Permanent Council 2023b). Support for Guatemala's fragile democracy provided a rare show of unity from the region's ideologically diverse leaders. And in addition to the work of the Permanent Council, OAS Secretary General Luis Almagro played a central role in mediating the transition between Giammattei's and Arévalo's teams, making several trips to Guatemala and appointing a mission to oversee dialogue at the height of the October protests (OAS 2023).

The United States government also played a crucial role in bolstering pro-democratic forces in Guatemala, despite its own checkered past and previous timidity in confronting the Giammattei administration. From the MP's earliest attempts to question the validity of the vote and the legality of *Movimiento Semilla*, US authorities, including bipartisan Congressional lawmakers, made

clear that the popular will must be respected. Almost immediately after the MP sought to prevent Arévalo from advancing to the presidential runoff, the United States expanded its Engel List sanctions to 11 more individuals, including the judge that signed off on Semilla’s temporary suspension and the prosecutor leading the electoral challenge (Bureau of Western Hemisphere Affairs 2023). In December, after Guatemala’s Congress voted to remove the immunity of the electoral magistrates that certified the vote, the Biden administration imposed visa restrictions on roughly 300 people, including legislators, Giammattei officials, and business leaders (Salomon 2023).

But importantly, the United States government demonstrated that it was willing to go beyond taking away visas. Invoking the Global Magnitsky Act, the US Treasury issued targeted financial sanctions against Giammattei’s top political broker Miguel Martínez—a sign that the US government was prepared to use even greater economic and diplomatic muscle to ensure Arévalo take office (US Department of the Treasury 2024). Top State Department officials, including Deputy Assistant Secretary of State for Central America Eric Jacobstein and Assistant Secretary of State for Western Hemisphere Affairs Brian Nichols, repeatedly expressed that all options remained on the table, including wider economic sanctions (Chay 2023; Menchú 2023b).

Combined, this robust international support and the broad pro-democratic movement within Guatemala had the effect of fracturing the authoritarian ruling coalition. Guatemala’s democratic resurgence was thus bolstered by the inability of the ruling coalition to recover from its political missteps and maintain a united front as opposition forces fought back.

VI. WHAT THE FUTURE HOLDS

Guatemala’s 2023 election cycle was among Latin America’s most stunning and tumultuous political events of the year. With the region at the forefront of global patterns of democratic decline, Arévalo’s victory and the subsequent mobilization to fend off powerful anti-democratic forces provided a moment of hope. This seeming reversal of Guatemala’s authoritarian slide was particularly striking within its own immediate neighborhood of Central America, where Nicaragua sunk deeper into dictatorship, Honduras was paralyzed by partisan hostilities, and El Salvador was well on its way to handing self-proclaimed “world’s coolest dictator” Nayib Bukele a second electoral victory, despite the constitutional prohibition on consecutive re-election.

But amid the promise of democratic renewal, there are reasons to be circumspect about the possibilities of lasting change. The crisis that Guatemala confronted in 2023 was the kind that Italian intellectual Antonio Gramsci warned about: it “[consisted] precisely in the fact that the old is dying and the new cannot be born” (Gramsci 1971, 276). A broad pro-democratic front—led by young people and indigenous communities and with robust international backing—ruptured

Guatemala's criminal oligarchic consensus. Yet the contours of the country's political future remain uncertain. Before the Arévalo government can implement the kinds of social and economic policies needed to bring more equitable development to Guatemala, it must rewire the country's political system, which has long been rooted in state predation, impunity, and influence-buying.

Doing so also requires preserving the political backing of the diverse sectors that unified around the defense of the 2023 vote—a task much easier said than done. At the beginning of February 2024, the Constitutional Court upheld Semilla's temporary suspension, forcing its legislators to rely on a tenuous alliance with other Congressional blocs holding leadership positions (Pérez Marroquín et al. 2024). And the indigenous protagonists of the 2023 electoral moment had reason for early disillusionment when the Arévalo government named only one indigenous minister out of fourteen cabinet posts (Gressier and Sanz 2024). Developments like these have left observers concerned about the transformative potential of the new government, particularly given the short four-year window of Arévalo's term.

Moreover, Gramsci warns that it is in this period—when the old is dying and the new cannot yet be born—that “a great variety of morbid symptoms appear” (Gramsci 1971, 276). In 2023, Guatemala faced down some of those morbid symptoms, overcoming brazen attempts to overturn a democratic election, criminalize political opponents of the ruling regime, and authorize repression against peaceful protestors. But other serious challenges remain. Despite backing the transition, Guatemala's Constitutional Court (CC) has continued to side with the political establishment, as the decision about Semilla's party status indicates. The tenure of the current magistrates does not end until 2026—the second-to-last year of Arévalo's presidency—making it likely that the CC will continue to hamstring Semilla's agenda.

And despite the president's calls, Attorney General Porras has refused to resign, vowing to serve out her term, which also ends in 2026. In the first months of the new government, the MP showed no signs of slowing down its efforts to criminalize those defending the election results. In mid-February 2024, for example, four employees of the TSE were charged in connection with the case against Semilla's alleged malfeasance in the party establishment process (Román and Vargas 2024). In mid-March 2024, the four TSE magistrates who were stripped of their immunity were formally indicted for fraud (Véliz and Peña 2024).

The ability of prosecutorial and judicial actors to hamper Arévalo's ability to bring change could also bring another serious political consequence: it could foment a sense of disillusionment and distrust amongst the electorate, opening the door to outsider politicians with few democratic commitments. After all, authoritarian populism is one of the “morbid symptoms” that has surfaced throughout Latin America, and Guatemala is by no means immune. Though a personalist figure reminiscent of El Salvador's Bukele or Nicaragua's Ortega has yet to win Guatemala's highest office, the possibility remains. Before he was tossed from the race,

Carlos Pineda, the mid-2023 poll leader, exhibited the kind of populist authoritarian streak that should be cause for concern (Papadovassilakis and Gutiérrez 2023). Should Arévalo's term come to be characterized by broken promises, a Pineda-like figure could seize the political opportunity, pulling Guatemala farther in the direction of its backsliding neighbors.

It is important to note, however, that despite the challenges and risks, Guatemalan society is not the same as it was prior to the 2023 election. As with the 2015 anti-corruption protests, 2023's unprecedented mobilization to defend democracy built new bridges, cultivated new forms of political consciousness, and made new kinds of political actions thinkable and doable. In the face of future authoritarian threats, which are sure to emerge, Guatemalans will bring new tools and ideas to bear, all thanks to the epic struggle to resist democratic backsliding in 2023.

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