

## The Costa Rican Elections: The Fight for Continuity (ARI)

Constantino Urcuyo \*

**Theme:** President Oscar Arias' party is seeking to stay in power, despite being weakened by the intensive and combative approach of its rivals.

**Summary:** Projections regarding the elections scheduled for February 2010 in Costa Rica point to a victory for the ruling *Partido Liberación Nacional* (PLN) and its candidate Laura Chinchilla. However, President Arias' popularity has shown signs of a decline that could undermine his party's performance at the polls. A few months ago, the official candidate had a wider advantage over the rest of the field, but the gap has been closed by a combination of a negative campaign by rivals and the decline of a government that has been active in pursuing controversial objectives, such as the Free Trade Agreement with the US.

The campaign has not focused on ideological or economic issues, but on the breakdown of law and order that has been plaguing Costa Rica, an issue in which even Arias has admitted that he owes the country better. This situation has been tapped most notably by the libertarian candidate Otto Guevara, who by offering a tough line and 'zero tolerance' has gained considerable ground in opinion polls and is now expected to attain between 23% and 30% of the vote, while Chinchilla remains at 45%. *Acción Ciudadana* and *Partido de Unidad Socialcristiana* have not managed to break through the 20% barrier. Guevara's surprising progress has been driven by a skilful ability to articulate voters' unease, using a populist strategy of identifying with their fears and anxieties.

The other major phenomenon in these polls is the likely continuation of the multi-party system, in view of the trend among voters (38%) to vote for different parties in the presidential election and parliamentary polls. Once again, Costa Rica will have to tackle its problems with a split government.

**Analysis:** The election process which will culminate on 7 February is now underway. On that day, Costa Ricans will choose their President, two Vice-presidents, 57 deputies and councillors in 81 cantons. The winner must obtain at least 40% of votes in the first round. Otherwise a run-off will be held in April, in which the two leading candidates would go head-to-head.

The main parties are the governing *Partido Liberación Nacional* (PLN, centre, social-democrats), *Partido Acción Ciudadana* (PAC, centre-left), *Partido Unidad Social Cristiana* (PUSC, centre-right) and *Movimiento Libertario* (ML, right). Two left-wing parties are also involved: *Frente Amplio* (traditional left) and *Alianza Patriótica* (renewed left).

---

\* Academic Director of the Centro de Investigación y Adiestramiento Político Administrativo (CIAPA).

The country has a majority system for the presidential election and proportional representation for parliamentary (Legislative Assembly) polls. Deputies are elected by province, from closed lists proposed by the parties. The President of the Republic may only be re-elected once and not consecutively. Costa Rica's electoral process is overseen by the Supreme Electoral Tribunal (*Tribunal Supremo Electoral*, TSE), which is apolitical, appointed by the Supreme Court. This body has considerable technical competence and enjoys credibility among the electorate.

According to a CID-Gallup poll, seven out of 10 people surveyed say they have 'a lot' or 'some' trust in the TSE to ensure that the elections are honest and impartial. This backing for the Tribunal is also evident among the followers of the various parties; however, it is considerably lower among PAC supporters.

In view of the predominance of the governing party, the electoral outlook initially looked set to be a lack-lustre affair and everyone augured an easy victory for the PLN candidate, Laura Chinchilla, buoyed by the general approval of President Óscar Arias' performance in office.

#### *Opinion Polls and Surprises*

However, recent opinion polls (CID-Gallup poll on 4-10 December) have revealed that the gap is closing: the official candidate has lost points since October. The gap on her closest rival, Otto Guevara, has narrowed to 22%.

At the same time, the President's approval ratings have also diminished, down from 67% in October to 58% in December. Similarly, and for that same period, favourable personal opinions of the leader have slipped from 73% to 66%.

Guevara sprang a surprise by managing to break through the 15% barrier, having appeared to be in the doldrums for a number of months; he is the *Movimiento Libertario* candidate, a movement defined by its 'Hayekian' faith in the market and its proposed tough stance on security.

Guevara has made unexpected gains by running a populist campaign promising zero tolerance on crime and offering 'change now'. He has managed to harness popular sentiment, as the people are tired of insecurity and empty promises, and Guevara has taken on the role of representing this widespread unease. According to a CID-Gallup poll, Guevara has clinched 23% of intended vote among voters who have decided to participate in the election, while Chinchilla is holding onto a solid 45%. However, Guevara scores 36% in favourable opinions and 44% of voters disapprove of him, and this would appear to hamper his chances of making further gains. The government's candidate meanwhile has a 55% favourable opinion rating, while 36% disapprove of her.

The ML is the big surprise of this campaign, since following the electoral results of 2006 and the referendum on the Free Trade Agreement with the US (2007), when the left-wing parties obtained 48% of votes and the government 51%, there was every indication that the shift to the left would gain pace. In contrast, the libertarians' progress reveals a possible shift in the political system's axis from the centre-left towards the centre-right.

Discussions concerning the Treaty generated a broad social opposition movement, encompassing ecologists, intellectuals, members of the religious community, students and traditional left-wing groups. Due to pressure from those opposing the Treaty, the debate

led the government to call a referendum in which people were asked whether or not they agreed with a treaty to remove state telecommunications and insurance monopolies and to create new laws governing intellectual property.

During the first two years of the Arias government, public debate shifted towards the question of how Costa Rica would fit into the global economy. Anti-globalisation groups launched a nationalistic campaign against the party's vision of intelligent insertion in the world economy. Demonstrations, parliamentary discussions and media debates gripped the country's attention until the issue was finally laid to rest with a national poll (the first referendum in the country's history) on 7 October 2007, won by the Yes vote, in favour of the FTA.

The current PAC candidate, Ottón Solís, who lost the 2006 election to Oscar Arias by 1%, was part of this movement and there was every indication that this opposition to the government and the treaty would be expressed in his favour in electoral terms. However, the social mobilisation faded with the infighting in Solís' party and its confrontation with groups to its left, causing some of the most prominent leaders of the movement to split from the PAC and to present their own mini-party candidacies at the election. These splits are not significant in terms of voter numbers, but they do appear to have deprived the PAC of some strategically significant resources, as well as ideas and proposals.

#### *The End to Representing Dissatisfaction, the Residues from the Two-Party System and 'Video Politics'*

According to all the opinion polls, the position of Ottón Solís, to the left of the PLN, who obtained 40% of the votes in the last election, has been undermined, and he is expected to attain just 15% this time around. The PAC candidate has an approval rating of 32% and a disapproval rating of 59%. After two presidential bids (2002 and 2006), Solís is no longer the challenger and his claim to represent dissatisfaction with politics, focused on an ethics-driven discourse against corruption, has given way to another claim (Guevara): that of representing those who demand the restoration of law and order amid the relative increase in crime.

Meanwhile, the main player in the two-party era (1983-2002), the PUSC, has continued to decline and its candidate, Luis Fishman, is expected to win just 11% of the vote, when last time around he won support from up to 48% of the electorate. Favourable opinions for the social Christian leader are 30%, while 49% are unfavourable. The immediate causes of this decline are linked to the accusations of corruption against former Presidents Rafael Ángel Calderón and Miguel Ángel Rodríguez and in Calderón's recent sentencing to a five-year prison term.

The 'video politics' in Costa Rica has made campaigns person-oriented and candidates tend to have greater support than their parties, which was not the case in periods of strong identification along party lines. According to CID-Gallup, the PLN has 40% of popular support, the PUSC 10%, the ML 10% and the PAC 8%, with all candidates exceeding the degree of support afforded to their parties. However, the strong membership of the PLN gives the official candidate a major platform, and this is an advantage which her rivals do not share. For Chinchilla, the challenge is to transcend this initial grassroots support and project her message to other sectors that did not support her party in the last elections.

#### *Split-Ticket Voting and Governability*

A pivotal factor for the country's future governability is the phenomenon of 'split-ticket voting'. In fact, voters do not appear willing to vote homogeneously, affording any winner a parliamentary majority. Quite the contrary, according to CID-Gallup, when asked 'Would you vote for a President, deputies and legislators from the same party?', 40% of those surveyed answered 'no'. Split-ticket voting is most widespread among PAC supporters (39%), a little less so among the libertarians and social Christians (32%) and still less common in the governing party (29%), but the fact remains that almost one-third of voters surveyed will not vote for the same party in presidential and parliamentary elections.

According to another survey, conducted by the statistics faculty of the University of Costa Rica, 40% said that they will vote for the same party on all ballots; by party, in the PLN those planning to vote for Chinchilla (50.6%) say they will not split their ticket and 41.4% do plan to split their vote for other parties; in the PAC, the respective percentages are 52.1% and 37.2% and in the ML they are 48.4% and 35.7%. This survey did not cover Social Christian supporters.

The company UNIMER asserts that 38% of the electorate tend to split their ticket in a general election. The figure is 31% for the PLN and the PAC, 20% for the PUSC and 42% for the libertarians.

The figures above confirm a trend towards a multi-party system. This trend, which began in 2002 with 26% of votes for the PAC in that year's election, ended almost two decades of a two-party system in which the PLN and PUSC shared more than 90% of the votes. This transformation in the party system has implied major challenges for the Costa Rican political system, which has now experienced three multi-party administrations and five governments with no clear parliamentary majority.

The downfall of the two-party system was due to the traditional parties' unwillingness to open up to emerging social sectors and their tendency to exclude certain leaders from the party leadership who were unsatisfied with the ideological and practical transformation of the parties towards neo-liberal positions. This was the case of Ottón Solís, who left the PLN because he was unhappy with the economic policies that emerged from the Washington consensus.

The corruption allegations in 2004 against former Presidents Calderón and Rodríguez played a highly significant role in the downfall of the Social Christians and led to the re-composition of the party-political system that began as a result of the exhaustion of the political duopoly, which in turn was the result of a loss of identity in political parties that had been strongly anchored in the system's founding scenario, namely the civil war in 1948. The passage of time and the emergence of new generations for which the founding events had less significance, were also causes of the implosion of the two-party system.

The State government, which is divided between the executive and legislative powers, with a major presence of opposition party politicians, augurs a continuation of the governability problems, which will lead the new government to seek mechanisms for novel alliances with opposition forces with which it has the most affinity.

### *Run-off*

Voting intention for the governing party's candidate, who would be the country's first woman President if she maintains her advantage, ranges from 40% to 45%, leading to the possibility of a run-off election, since the Constitution requires candidates to obtain 40% of the vote to be elected in the first round.

Since 1936, there has only been one run-off in Costa Rican political history (2002), and it was won by the Social Christian candidate Abel Pacheco, following a first round in which he obtained 38%, Rolando Araya (PLN) 32% and Ottón Solís 26%. Based on the results of opinion polls, margins of error (3%) suggest that this is unlikely to happen for now, since technically with 45% Chinchilla would not face a run-off, although voting intention volatility means that a run-off in April 2010 cannot be entirely ruled out.

The campaigns itself has revolved around a single theme –law and order– since the country has an objective and subjective public safety problem. While the murder rate is not comparable to that of its neighbours (11 homicides per 100,000 inhabitants, vs up to 60 per 100,000), the fact is that crime has soared in the last few years and has generated a feeling of lawlessness that has repercussions in the political sphere.

CID-Gallup asserts that in one of every four households in Costa Rica there is a person who has been the victim of a robbery or mugging in the last four months. The same survey asserts that 52% of those surveyed consider violence and crime to be the country's main problem, 10% pinpoint drug usage and trafficking, 10% unemployment and low wages, 6% the cost of living and 5% government corruption.

Based on these perceptions it is not surprising that the election campaign is focusing entirely on this issue. All candidates are promising security, firmness and even a hard line on crime. Whoever manages to position themselves as the best candidate in this area will have a major advantage. Guevara has been the most aggressive, but Chinchilla and Fishman both exploit their experience as Public Safety Ministers. Solís, more moderate, has tried to highlight the theme of education, but without tangible results.

Some sectors of the press and some intellectuals have been calling for a campaign of ideas and serious discussions vs. the excesses of 'video politics', but the fact is that the candidates are involved daily in dozens of activities at universities and with lobbies with which they are invited to debate. There will be an opportunity in January for them to do so in the mainstream media, as has been the case in previous campaigns.

### *Ideology*

Ideology has played a role, certainly for the PLN, which has tried to position itself in the centre of the political spectrum, in contrast to the extremes of a PAC that has been labelled pro-state and an ML that has been accused of being market-fundamentalist.

The PAC has tried to position itself as the real heir of social-democratic tradition, vs a PLN that is supposedly a traitor since it has given way to neo-liberal policies, with which the ML is also aligned. The ML, traditionally an ideological party, has thrown off this costume and has ventured onto the route of electoral pragmatism, leaving behind references to Hayek and Friedman to focus on attacking a continuation of the same old policies and proposing a tough line on public safety.

2009 was a year of low inflation, and unemployment increased in some sectors of the economy (construction and tourism) contributing to the unease which could impact on the election outcome. However, in November the economy showed the first signs of a recovery. The population is divided on this point, since 49% believe that the country is going in the wrong direction, while 41%, think it is headed the right way. According to the CID-Gallup survey, most of those interviewed believe that their family's situation is the same as it was one year ago, and most people feel that it will be the same or better in a year's time.

It is impossible to perform direct extrapolations from these findings, but if things are perceived to be good, why change? This is the challenge facing the rivals of the government and its candidate. For the government's rivals, a favourable perception of the current situation undermines their call for change, while the governing party seeks to use this perception to advocate continuity.

#### *Abstention and the Undecided*

Disaffection with the party political system first emerged in 1998, when voter abstention increased from 20% in previous elections to 30%. In 2002, this phenomenon was repeated, and in 2006 abstention increased to 34%. For pollsters, the phenomenon is likely to be repeated or even to worsen, although the Supreme Electoral Tribunal suggests that it might diminish and has undertaken a campaign to promote voting, aimed mainly at younger voters. At any event, this will depend on the degree of enthusiasm which the parties manage to arouse in the final stretch of the campaign, in January.

Disaffection with the election process and with the parties is not directly linked to disaffection with the system, since as the *Latinobarómetro* recently showed, 91% of Costa Ricans would in no case support a military government, 74% prefer democracy to any other form of government and 63% are satisfied with democracy.

Voter volatility is evidenced by the swings among undecided voters. In October, according to pollsters *Demoscopia*, there were just 16.6% undecided voters. However, in December this figure had increased to 27.5%. These variations stem from some scandals that have involved government ministers and deputies, as well as the negative campaign which has led to doubts, not just about the official candidate, but about all candidates. This is further evidenced by the percentage of people who say they do not plan to vote, ranging from 6.2% to 13.9% according to the same poll consultants.

**Conclusions:** According to all the evidence from opinion polls, the general outlook is for a victory for the governing party candidate, Laura Chinchilla. However, the party's continuity in power hinges on the perception of both the party and the President, which is still positive, although losing ground. This could close the gap between the official candidate and her rivals and perhaps even lead to a run-off.

Another important factor in this campaign has been the excessive identification of Laura Chinchilla with the figure of Arias. While rejection of the President is not significant, Chinchilla's chances could be hampered by the perception that she, a political scientist, is merely an instrument for the President to continue his own rule. This could undermine her own identity and independence in the eyes of the electorate.

Another phenomenon identified by opinion polls is linked to turnout. The bigger the turnout, the smaller Chinchilla's advantage.

Similarly, Otto Guevara, the libertarian candidate, is confirmed to be in second place, having managed to strike a chord of impatience and fear in regard to the country's public safety situation and promising an immediate change. The future of this candidacy is linked to voters seeing it as the alternative to the present government which, despite being favourably view by most voters, also has some detractors (around one-third of the electorate), which if mobilised in a single direction could boost the libertarian option considerably as a credible alternative.

This scenario reveals a notable decline of the PAC and its candidate Ottón Solís, who with 15% of the intended vote, just over a month ahead of the election, appears unlikely to close the gap on his rivals. Nevertheless, the campaign trend has played in his favour in the past. In 2002 he came out of nowhere and won 26% despite the two-party system in place at the time and in 2006, an underdog in the opinion polls throughout the run-up to the election, he managed to come neck and neck with Oscar Arias and was just 27,000 short of victory. Any change would be subject to modifications in his communication strategy, which today is disperse and lacking a central core.

The Social Christian candidate, Luis Fishman, who began the campaign late as he waited for the result of the trial of former President Calderón, has been recording opinion poll results of between 10% and 13% in the last year, evidencing a hard core of voters that remains stable and will give the party parliamentary representation. Nevertheless, there is no indication that they have any chance of a victory in the first round or of making it to a run-off.

Split-ticket voting suggests that the Legislative Assembly will be at least as fragmented as now, and this will inevitably take its toll on the manoeuvring ability of a minority President with no parliamentary support. The fragmentation and re-composition of the party system has created a very fluid scenario and suggests that the new parliament will look similar to the present one, and that the governing party will be in a minority and will need to bargain hard to push its proposals through.

It is impossible to fully understand the election process in strictly ideological terms. The migration of voters who opposed the Free Trade Treaty with the US (30%) towards the libertarians shows that the social movement generated by this opposition was determined by other factors (discontent in certain sectors and in general with the structural transformations of the last few years) rather than by rigid ideological identities. An understanding of this has enabled the ML to develop a right-wing populism which few expected. This reveals how volatile the electorate is, and also confirms the intention of ticket-splitting among voters.

The election atmosphere is calm, despite the usual negative campaigning to undermine rivals' support. The truth is that Costa Rica has now got 14 peaceful and credible election campaigns under its belt, with no kind of altercations or accusations of fraud. The monitoring body (the TSE) is respected and voters are expecting a calm transfer of power.

*Constantino Urcuyo*

*Academic Director of the Centro de Investigación y Adiestramiento Político Administrativo (CIAPA)*