



Constitutional Reforms Designed to Perpetuate Power

On July 31, 2025, legislators from the Nuevas Ideas party in El Salvador's Legislative Assembly submitted a constitutional reform initiative aimed at enabling immediate presidential reelection, extending the presidential term to six years, and consolidating presidential, legislative, and municipal elections. The proposal was approved without significant discussion by 60 deputies through a fast-track process and now only requires ratification by the same Assembly to take effect.

This move was anticipated following a January 2025 amendment to Article 248 of the Constitution, which allowed the same legislature to both approve and ratify constitutional reforms, undermining the original safeguard requiring two separate legislatures. This paved the way for authoritarian manipulation of the Constitution.

This reform signals President Bukele's intent to stay in power indefinitely, further darkening an already alarming human rights crisis in the country. Contrary to its stated goal of strengthening democracy, the reform undermines the people's right to self-determination and expands state control over freedoms and rights.

Contents of the Reform

- The proposal modifies Articles 75, 80, 152, and 154 of the Constitution:
- Allows immediate and indefinite presidential reelection by eliminating prior prohibitions.
- Extends the presidential term from five to six years.
- Eliminates the requirement for a runoff election, allowing a president to win by simple majority.
- Shortens the current presidential term to synchronize elections with those for legislators and mayors.

Analysis

Indefinite Presidential Reelection Is Unconstitutional

Article 248 (4th paragraph) of the Constitution explicitly prohibits any reform allowing reelection or indefinite reelection of the president. This ban includes several constitutional articles that safeguard democratic governance and cannot be reformed.

Time limits on the presidency are foundational to democratic governance. Weakening these limits endangers citizens' rights and allows for power abuse—a scenario El Salvador

has already faced historically. Article 154 clearly states the presidency lasts five years, and no one may remain in office “not even one more day.”

Legislators May Have Violated the Constitution

By voting for the reform, legislators may have violated Article 75(4) by promoting reelection, an act penalized with the loss of citizenship rights. These votes were cast while this constitutional provision was still in force. According to Article 245, they may be held accountable for unconstitutional decisions once constitutional order is restored.

Violates International Human Rights Standards

The Inter-American Court of Human Rights stated in Advisory Opinion OC-28/21 (2021) that indefinite presidential reelection contradicts representative democracy and obligations under the American Convention on Human Rights. It creates unfair electoral advantages, erodes checks and balances, and weakens democratic institutions. The court warned that the main threat to democracy in the region is not coups but gradual erosion of democratic safeguards.

By promoting a reform that violates international treaties, El Salvador is breaching international obligations. It risks being grouped with authoritarian regimes like Venezuela and Nicaragua, where leaders similarly undermined constitutional limits to remain in power.

Consequences of Unlimited Power

Authoritarianism brings damaging outcomes:

Human rights violations: Extended power allows leaders to suppress freedoms, restrict dissent, and appoint loyalists to key institutions.

Corruption: Lack of alternation fosters unchecked corruption and mismanagement.

Political persecution: Critics and opposition can be criminalized, harassed, or exiled.

Civic space closure: NGOs and civil society face repression, weakening protections for vulnerable populations.

Other harms: Economic stagnation, rising inequality, and declining foreign investment can follow authoritarian consolidation.

Constitutional Reform Could Lead to Economic Collapse

El Salvador’s constitutional order has been disrupted before—historically through military coups, now via judicial manipulation. Today’s erosion of judicial independence and

imposition of a permanent state of emergency have triggered systemic human rights abuses reminiscent of 20th-century dictatorships.

This reform represents a move away from a democratic, pluralistic system toward full authoritarianism. It could also worsen the country's economic outlook, scaring off already dwindling foreign investment and breaching commitments made to the IMF on governance and transparency.

Conclusions

- The Legislative Assembly lacks the authority to approve a constitutional reform enabling presidential reelection, as this is explicitly forbidden by Article 248.
- Indefinite reelection undermines democratic checks and balances, risking widespread abuses of power and human rights violations.
- The lawmakers who approved this reform have violated the Constitution.
- El Salvador is regressing toward a history of dictatorship and impunity. This reform is designed not to serve the people but to keep the current president in power, in direct contradiction to democratic principles enshrined in the Constitution.