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Surprises and Runoff Votes: The Apparent New Rules in Costa Rica's Elections

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Once again in Costa Rica, an underdog candidate, scoring below the margin of error in early surveys, surprisingly surfaced to take the lead in a presidential election, triggering a runoff to determine who will take the country's top job for the next four years.

Costa Rica's two traditional parties are out of the second race, displaced by two relatively new political organizations—a rightist Christian group and the center-left organization now in power. The outcome of the first round, which took place on Feb. 4, left two candidates at opposing poles regarding the divisive issues of gender identity and same-sex marriage.

The 2014 contest saw a similar phenomenon when current president Luis Guillermo Solís, of the center-left Partido Acción Ciudadana (Citizen Action Party, PAC) rose from the depths of the opinion polls ([NotiCen, April 17, 2014](#), and [Sept. 4, 2014](#)).

PAC had been founded 14 years before, and first took part in an election in 2002, when it came in third to the traditional Partido Unidad Social Cristiana (Social Christian Unity Party, PUSC) and its historic rival, the social democratic Partido Liberación Nacional (PLN).

In the next vote, in 2006, PAC went up one step, to position itself second after the PLN, displacing the PUSC, which had been devastated by major corruption scandals that landed two of its top leaders and former Costa Rican presidents in jail ([NotiCen, Sept. 4, 2003](#), [Oct. 7, 2004](#), [Nov. 4, 2004](#)).

In the Feb. 4 elections, Fabricio Alvarado, the only member of Congress from the Partido Restauración Nacional (National Restoration Party, PRN), who started the campaign as an unlikely prospect, came in first and has shot at the presidency. Carlos Alvarado of the PAC, a former Labor Minister in Solís' Cabinet, came in second and will be in the runoff, which is scheduled for April 1.

The two Alvarados, who despite their deep ideological differences share not only a last name but also a profession—both are journalists—respectively reaped a major election benefit from two sensitive issues that have divided Costa Rican society along inflexible ideological and religious lines: gender identity and same-sex marriage ([NotiCen, Aug. 3, 2017](#)).

The detonator for this was an advisory opinion on both topics issued in November by the Inter-American Court of Human Rights, based in San José, and released in early January, less than a month before the first election round. Based on the 1978 American Convention of Human Rights, the court unanimously agreed, in the first case, that “the change of name and the general adjustment of public registers and identity documents so they are in accordance with the identity of the self-perceived gender is a right protected” by the convention. The court added that states are “required to recognize, regulate and establish the proper procedures to that effect.”

Surprising opinion

Also based on the convention, the continental tribunal weighed in on same-sex marriages.

“The state must recognize and guarantee all rights derived from a family link among people of the same sex,” it said, “It is necessary that states guarantee access to all the concepts in the legal internal systems, including the right to matrimony, to ensure the rights of families made up of same-sex couples, without discrimination with regard to those made up of heterosexual couples.”

The opinion, requested last year by the present Costa Rican government, is surprisingly broad, because it applies not only to Costa Rica but to states in general, this coming as a double shock to local conservative opponents of same-sex marriage and a relief to progressive supporters.

Costa Rica’s Christian political parties, including the PRN, as well as other conservative civil society sectors and the Catholic church, are radically against same-sex marriage, with Fabricio Alvarado taking a particularly active role in the opposition.

Carlos Alvarado and the ruling PAC, along with progressive sectors, strongly support this and other rights for the LGBT community.

During the campaign, the PRN’s Fabricio Alvarado said that if the court’s opinion had come in during his administration, he would have withdrawn Costa Rica from the tribunal. With that, he saw his Christian following strengthened by voters who saw in him a guarantee for protection of what they unanimously define as Costa Rica’s traditional family values.

‘Don’t mess with the family’

In his first-round victory speech the night of the election, Fabricio Alvarado, addressing tens of cheering followers at his campaign headquarters, said that with the vote, “Costa Rica today made something very clear to traditional politicians ... don’t ever mess again with the family!”

The PAC’s Carlos Alvarado also benefitted from the court’s opinion, with party militants and other sectors seeing it as an anti-hate message.

“We have to understand the situation and the historic moment we’re living in,” he said in a speech at PAC headquarters immediately after the votes come in, stressing that the next administration must be “a government of national unity ... for all Costa Ricans, a government involved in dialogue, that respects differences.” And he defined “the Costa Rica of the 21st century” as one of “dignity for all, where all of us fit.”

Congresswoman Patricia Mora of the leftist Frente Amplio (Broad Front, FA) warned that Fabricio Alvarado “is a threat to the way in which we coexist.” With the PRN candidate as one of the two runoff options, she said, “We’re really facing a return to the 18th century, we’re at the threshold of our country returning to the Middle Ages.”

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