



**NAVAL
POSTGRADUATE
SCHOOL**

MONTEREY, CALIFORNIA

THESIS

**CRISIS IN HONDURAS: THE SEARCH FOR ANSWERS
TO THE REMOVAL OF PRESIDENT MANUEL ZELAYA**

by

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September 2013

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REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington DC 20503.			
1. AGENCY USE ONLY (Leave blank)	2. REPORT DATE September 2013	3. REPORT TYPE AND DATES COVERED Master's Thesis	
4. TITLE AND SUBTITLE CRISIS IN HONDURAS: THE SEARCH FOR ANSWERS TO THE REMOVAL OF PRESIDENT MANUEL ZELAYA		5. FUNDING NUMBERS	
6. AUTHOR(S) Jason Moody			
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000		8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING /MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A		10. SPONSORING/MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government. IRB Protocol number ___N/A___.			
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release; distribution is unlimited		12b. DISTRIBUTION CODE A	
13. ABSTRACT (maximum 200 words) The removal of presidents from office in Latin America has generally occurred under delineated constitutional procedures since the military governments of the mid-twentieth century returned to their barracks. Many theories on presidential removal have been tested among numerous cases, yet none alone can explain the Honduran political crisis of 2009 that led to the ouster of constitutionally elected President Manuel Zelaya. The situation harkened back to the days when military coups were prevalent as the armed forces, acting under the authority of a court order, arrested the president, and illegally expatriated him to Costa Rica. Honduran elites feared Zelaya's shift to the new "radical" left in Latin America and his alleged desire for reelection through his proposal for a referendum calling for the election of a constituent assembly. Responding to this fear, the Congress and Supreme Court acted to remove the president while the military's decision to expatriate Zelaya stemmed from a legacy of leftist hatred. This thesis tests several elements of presidential removal theories against the Zelaya incident and argues that not one theory on its own can thoroughly answer the question; rather, it is necessary to incorporate several elements of each theory while examining the actions of the military and the courts to arrive at the answer. From a comparative analysis of past presidents, it argues that Zelaya's new ideology and desire for reelection ultimately were the needed factors to initiate his removal.			
14. SUBJECT TERMS Honduras, Manuel Zelaya, Reelection, New Left, Radical Left, Presidential Removal		15. NUMBER OF PAGES 111	
		16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU

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TO THE REMOVAL OF PRESIDENT MANUEL ZELAYA**

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Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(WESTERN HEMISPHERE)**

from the

**NAVAL POSTGRADUATE SCHOOL
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ABSTRACT

The removal of presidents from office in Latin America has generally occurred under delineated constitutional procedures since the military governments of the mid-twentieth century returned to their barracks. Many theories on presidential removal have been tested among numerous cases, yet none alone can explain the Honduran political crisis of 2009 that led to the ouster of constitutionally elected President Manuel Zelaya. The situation harkened back to the days when military coups were prevalent as the armed forces, acting under the authority of a court order, arrested the president, and illegally expatriated him to Costa Rica. Honduran elites feared Zelaya's shift to the new "radical" left in Latin America and his alleged desire for reelection through his proposal for a referendum calling for the election of a constituent assembly. Responding to this fear, the Congress and Supreme Court acted to remove the president while the military's decision to expatriate Zelaya stemmed from a legacy of leftist hatred. This thesis tests several elements of presidential removal theories against the Zelaya incident and argues that not one theory on its own can thoroughly answer the question; rather, it is necessary to incorporate several elements of each theory while examining the actions of the military and the courts to arrive at the answer. From a comparative analysis of past presidents, it argues that Zelaya's new ideology and desire for reelection ultimately were the needed factors to initiate his removal.

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LIST OF ACRONYMS AND ABBREVIATIONS

ALBA	Bolivarian Alliance for the Americas
BTI	Bertelsmann Stiftung's Transformation Index
CAL	Court of Administrative Litigation
INE	National Statistics Institute
IO	International Organization
LAPOP	Latin American Public Opinion Project
OAS	Organization of American States
PL	Liberal Party
TSE	Supreme Election Tribunal
U.S.	United States

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ACKNOWLEDGMENTS

There are so many people I would like to thank who helped me complete this thesis. Never before have I done anything as challenging as this and without the amazing support I had from family, NPS staff, and friends, this project would not have been possible.

First and foremost, I would like to thank the love of my life and best friend, my wife, Katherine. She is the most amazing woman a guy could ever ask for and I am so blessed that God put us together. I cannot imagine life without you. Thank you so much for your support, encouragement, love, and grace (specifically, for how many hours I spent at the library) throughout this process. I love you my darling! As well, I would like to thank our sweet newborn daughter, Abigail Tate, who waited to come into this world until the day after I completed all the first drafts of my chapters! Thanks, baby girl, you were already looking out for your daddy! I love you my precious daughter and am so honored that I get to be your father.

To my parents, Kenneth and Robin Moody, thank you for always being there for me and supporting me throughout this process, and my entire career. I truly cannot believe what I have accomplished and I hope I have made you proud! I love you both so very much!

This thesis could not have been possible without the dedication and support of my advisor, Dr. Maiah Jaskoski. Words cannot express my sincere gratitude and appreciation for your time and effort in helping me make this thesis great—it has truly been an honor to learn from and work with you throughout my time at NPS. Thank you again so much for your help and please know it has meant the world to me! To my esteemed Academic Advisor and second reader, Dr. Arturo Sotomayor: thank you so much for everything you have done for me in my 18 months at NPS. You have been an amazing instructor and advisor and you deserve so much more thanks and appreciation than what I can give you here. Thank you for suffering through countless George W. Bush impersonations to help me become the student I am today! I thank you both for nominating me to receive the

Outstanding Thesis award for my work—I know that without both of your instruction, help, and care, none of this would have been possible and for that I am forever grateful!

When I came to NPS, I thought I was a pretty good writer. Yet thinking you are a good writer and actually being a good writer are two completely different things. It was not until I met Dr. Helen Anderson that I realized this hard truth—and I firmly believe it has changed my life! Dr. Anderson, you are such an incredible teacher. You have a gift unlike any other. You are tough yet gracious, critical yet forgiving, all because you care. You care about your student's success unlike any other teacher I have ever seen. These attributes have made me the writer I am today and I truly am blessed to know you and call you friend. I only hope and pray that this thesis has done you proud and that it reflects the techniques, skills, and style you imparted to me so many months ago. I will miss you (and of course your candy basket) and I will never forget my time as your student. Thank you so much for everything!

Without the help of Greta Marlatt I am not sure that this thesis would have achieved the level it did. I like to say Greta has “magic fingers” because she can find just about any source one might need—and she did just that for me. Greta, I cannot thank you enough for helping me with my thesis. I am forever grateful for your desire to help, the advice you gave, and the time you put into researching all things Honduras, not to mention the countless Butterfingers you set aside for me! You have been such an amazing support for me throughout this whole process. I cannot imagine trying to do this thesis without your help. I have learned so much from you and am so appreciative of the friendship we developed. You truly are amazing!

Next, I want to thank my dear friend and favorite Democrat, Dora Martinez. You have become a great friend and supporter. You have brightened my day so many times and I will truly miss our conversations! My time at NPS has been so delightful in part because of you. Dora, you are a wonderful lady and the NSA Department is blessed to have such an amazing person keeping it, and all of us, in line! Thank you for always checking up on me throughout this thesis process—I truly appreciate it!

I would be remiss if I did not personally thank several professors who have impacted me in such a positive way during this process and my time at NPS: Dr. Tom Bruneau, Dr. Mike Glosny, Dr. Rodrigo Nieto Gomez, and Dr. David Anderson. To Dr. Bruneau, it has truly been a pleasure and honor to get to know you. I have appreciated our conversations and have learned so much from you. I am honored that I have gotten to experience and join in your passion for your work and I cannot thank you enough for the confidence you have had in me. It has been a pleasure to be your student! It is said that from day one you should be thinking about your thesis topic, and thanks to Dr. Glosny, albeit inadvertently at the time, I was! For one of my assignments in Dr. Glosny's class, I wrote on this very crisis, perhaps a foreshadowing of things to come. Thank you Dr. Glosny for challenging me and pushing me in my first quarter here at NPS and for who you are as a teacher; and, of course our joint passion for the Josiah Bartlett presidency! To Dr. Rodrigo Nieto Gomez, I cannot thank you enough for your flexibility and support in the early stages of my thesis process. You really helped facilitate the execution of this challenging endeavor and I am so appreciative of your willingness to do so! Last, but certainly not least, thank you to Dr. David Anderson for your support during the closing months of this process. Like your wonderful wife, Dr. Helen Anderson, you have assisted in my development as a writer and it has truly been an honor to be one of your students.

To my editor, Nancy Sharrock, thank you for taking the time to help me perfect this work and for the daunting task of formatting my thesis! I am very grateful for your assistance!

Finally, I would like to thank Irma Fink and the rest of the Dudley Knox Library staff for their dedication and commitment to helping students like me achieve success in our research process. When I needed a book through inter-library loan, Irma and the library team were there to make it happen! The research assistants and librarians were an extremely valuable asset for me throughout this process and I am so thankful for all their help!

There is no doubt that a master's thesis is a very challenging task to complete. This project has tested me in ways I never thought imaginable—and I know I am better for it. Once again, to all those mentioned above and to the countless others I forgot, I simply say thank you!

I. INTRODUCTION

In the early morning hours of June 28, 2009, President Manuel Zelaya Rosales of Honduras was forcibly removed by the Honduran military from the presidential palace and sent to exile in Costa Rica. This removal occurred after the Honduran judiciary determined that Zelaya's recent attempt to hold a referendum on a potential constituent assembly had been unconstitutional, issued an arrest warrant for the president, and ordered the military to detain him for trial. With the president out of office, and subsequently out of the country, the National Congress voted to accept an alleged letter of resignation from Zelaya, thus officially declaring him no longer the President of Honduras.¹ An apparent coup had successfully materialized in the country as members from the military, the courts, and the legislature responded in an elitist and clientilistic manner to overthrow the president. The action of deposing the president sent shock waves throughout the region and the world. Military coups, or events that resemble them, were distant memories in most of Latin America, and especially Honduras, a country that had enjoyed 27 years of continuous democratic rule.² Indeed, Aníbal Pérez-Liñán notes that there is a new period of "political instability" surging in Latin America, "one that represents a break from the past:"³ a past of authoritarianism in the form of military intervention.

Yet since the transition to democracy from the authoritarian military regimes of the 1960s through the 1980s, presidents in many Latin American countries have not finished their constitutionally mandated terms in office. Scholars have determined that while executives have fallen, democracy has not; or as Kathryn Hochstetler puts it,

¹ Peter J. Meyer, *Honduran Political Crisis, June 2009–January 2010* (Washington, DC: Congressional Research Service, 2010), 4.

² *Ibid.*, Summary Page. In some Latin American countries, the military has participated in coup behavior since democratization across the region in the 1980s–90s; although, the coups have not resulted in military rule. In particular, Ecuadorian military officers joined with indigenous movement leaders to remove elected president Jamil Mahuad in January 2000, and in April 2002, a faction of the Venezuelan armed forces successfully replaced President Hugo Chávez with another civilian leader, before Chávez returned to power days later.

³ Aníbal Pérez-Liñán, *Presidential Impeachment and the New Political Instability in Latin America* (Cambridge: Cambridge University Press, 2010), 2–3.

“Presidents fail, democracy continues.”⁴ The reason that democracy has survived changes in executive leadership by means other than the ballot box is simple: Latin American democracies have delineated legal means by which a chief executive may not complete a mandated term in office. These methods include impeachment proceedings, resignation, or declarations of incapacity.⁵ Academics have discovered differing causal chains leading to these presidential removals; yet, their findings cannot properly explain why the military, courts, and congress in Honduras acted to remove the constitutionally elected president, where, notably, no institution has a constitutionally mandated function to prematurely end a president’s term. Furthermore, at the time of the crisis, the Honduran constitution provided no legal or procedural means to impeach a sitting president.⁶ This study seeks to answer one major question: What explains the removal of President Manuel Zelaya? Answering this question is of crucial import, as doing so can shed light on presidential crises and how to avoid them in the future.

A. BACKGROUND ON THE HONDURAN CRISIS OF 2009: A REFERENDUM

In March 2009, Zelaya issued a decree that “called on the National Statistics Institute (INE) to hold a popular referendum on June 28, 2009, to determine if the country should include a fourth ballot box during the general elections in November 2009.”⁷ This fourth ballot box would have been for the referendum and located next to the other three ballot boxes designated for the election of the president, congress, and municipal offices.⁸ Initially, the referendum was deemed “illegal and unconstitutional” by a contingent of political players that included the “Liberal [Party] attorney-general, the TSE [Supreme Electoral Tribunal], the National Congress, and the Supreme Court of

⁴ Kathryn Hochstetler, “The Fates of Presidents in Post-Transition Latin America: From Democratic Breakdown to Impeachment to Presidential Breakdown,” *Journal of Politics in Latin America* 3, no. 1 (2011): 138.

⁵ All the sources cited within this proposal refer to one or more of these processes and are annotated throughout the paper in other footnotes.

⁶ Norma C. Gutiérrez, *Honduras: Constitutional Law Issues* (Washington, DC: The Law Library of Congress, 2009), 1.

⁷ Meyer, *Honduran Political Crisis*, 2.

⁸ *Ibid.*

Justice.”⁹ As a result of the rulings, “in May 2009, Zelaya repealed the March decree and issued a new decree—not published until June 25, 2009—that made the referendum non-binding and removed the reference to a new constitution.”¹⁰ The wording was revised to read “do you agree that in the general elections of 2009, a fourth ballot box should be installed in which the people decide on the convocation of a National Constituent Assembly?”¹¹

While Zelaya’s opponents hurled accusations of unconstitutionality and illegality at him, it does at least appear he might have had a legal case for initiating the poll: the Law of Citizen Participation.¹² This law was the first legislative accomplishment of Zelaya’s term that “provided the mechanism for popular consultation on important issues.”¹³ Furthermore, “Zelaya also noted that the referendum did not propose specific constitutional changes, and any changes arising from an eventual assembly would take place after he left office.”¹⁴ These justifications, however, were not enough to stop Honduras from hurtling towards a crisis.

Zelaya grew defiant in the face of his opposition and refused to obey the rulings of the Supreme Court that such a referendum was unconstitutional. As a result, the referendum “was interpreted by Zelaya’s opponents as a first step toward his continuing in power, which would be a violation of the constitution.”¹⁵ The articles prohibiting reelection are said in Honduras to be “carved in stone,” and are strictly prohibited from being reformed for any reason whatsoever.¹⁶ Regardless of the political and legal force

⁹ J. Mark Ruhl, “Honduras Unravels,” *Journal of Democracy* 21, no. 2 (2010): 100.

¹⁰ Meyer, *Honduran Political Crisis*, 2.

¹¹ *Ibid.*

¹² *Ibid.*, 3.

¹³ Rodolfo Pastor Fasquelle, “The 2009 Coup and the Struggle for Democracy in Honduras,” *NACLA Report on the Americas* 44, no. 1 (2011).

¹⁴ Meyer, *Honduran Political Crisis*, 3.

¹⁵ Michelle M. Taylor-Robinson and Joseph Ura, “From Strengthening Institutions to a Coup: Explaining the Ouster of President Zelaya as an Outcome of a Game of Institutional Emergence,” (Paper presented at the Coloquio Centroamericano, San José, Costa Rica, June 3–4, 2010), 13.

¹⁶ Ismael Moreno, “Honduras: What’s Behind the Fourth Ballot Box,” *Revista Envío*, May 2009, <http://www.envio.org.ni/articulo/3999/>.

stacked against him, Zelaya vowed to press on. Days before his removal, Zelaya ordered the military to execute the referendum but was met with resistance by the chief military commander, General Romeo Vásquez Velásquez, who refused to obey the President. Zelaya fired the general, and subsequently, the other branch heads along with the Minister of Defense resigned in solidarity. Immediately, the Supreme Court reinstated Vásquez and ordered Zelaya's arrest. Thus, in the early morning hours of June 28, 2009, Zelaya was deposed as president. Acting on a court order, the military arrested Zelaya, and then on their own volition, sent him into exile in Costa Rica. Later that morning, "in an emergency session at 9:30 a.m., Congress accepted a forged letter from Zelaya in which he resigned for supposed health reasons;" and, "at about 11 a.m., [National Congress President Roberto Micheletti] was proclaimed the nation's constitutional president."¹⁷ At the time, Micheletti was next in line in presidential succession. As political scientist and Honduran scholar J. Mark Ruhl writes, Honduras had thus unraveled.¹⁸

B. LITERATURE REVIEW

Breakdowns to government in Latin America were typical during the period when militaries left the barracks and occupied presidential palaces across the region. Yet with the transition to democracy in the mid twentieth century, military rule and intervention in politics began to be a thing of the past. Arturo Valenzuela declares, "in what has been a sea of change since the Cold War, Latin American militaries no longer mix openly in politics."¹⁹ Since the armed forces have returned to their posts, scholars are still interested in why so many presidents in Latin America still experience a breakdown to their term in office. The overarching positive element to this phenomenon is that "in no case, however, was the demise of the president followed by the establishment of an authoritarian regime."²⁰ Despite the resilience of democracy, governments still face

¹⁷ Fasquelle, "The 2009 Coup."

¹⁸ Ruhl, "Honduras Unravels."

¹⁹ Arturo Valenzuela, "Latin America Presidencies Interrupted," *Journal of Democracy* 15, no. 4 (2004): 6.

²⁰ Pérez-Liñán, *Presidential Impeachment*, 176.

interruptions in the executive.²¹ Impeachment is the most recognizable form of presidential removal. Understanding the impeachment process is critically important to Latin America, where “newer and more fragile democracies” experience tension between the presidency and congress.²² Impeachment serves as a legal mechanism to constitutionally diffuse these conflicts instead of the temptation to revert back to the old ways of military coups that brought about democratic crisis in the region.²³ Yet, as the case of Honduras demonstrates, impeachment was not a viable option.

1. Executive—Legislative Relationships, Party Politics, and Presidential Scandals

The study of presidential removal in Latin America has evolved from the discussion of impeachment by legislatures to the broader topic of presidential breakdown by other means that include, but is not limited to, resignations and declarations of incapacity. Scott Morgenstern and Benito Nacif represent the most well known work on legislatures in Latin America in the edited volume *Legislative Politics in Latin America*. Although this literature has produced impressive findings regarding “executive-legislative relations, the legislative structure, and the policy making process,”²⁴ it mainly stems from and supports the widely accepted perception that Latin American legislatures are “reactive” relative to the “proactive” executives.²⁵ In contrast, as this thesis focuses on a case in which the Honduran Congress played a key role in the removal of a president, clearly it must move beyond the research on legislatures.

Authors Jody C. Baumgartner and Naoko Kada noted, “impeachment is the ultimate check on the power of a chief executive in a presidential system, and therefore a

²¹ Valenzuela, “Presidencies Interrupted.”

²² Jody C. Baumgartner, “Introduction: Comparative Presidential Impeachment,” in *Checking Executive Power: Presidential Impeachment in Comparative Perspective*, ed. Jody C. Baumgartner and Naoko Kada (Westport: Praeger, 2003), 3.

²³ Ibid.

²⁴ Scott Morgenstern, “Explaining Legislative Politics in Latin America,” in *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif (Cambridge: Cambridge University Press, 2002), 444.

²⁵ Gary W. Cox and Scott Morgenstern, “Epilogue: Latin America’s Reactive Assemblies and Proactive Presidents,” in *Legislative Politics in Latin America*, ed. Scott Morgenstern and Benito Nacif (West Nyack: Cambridge University Press, 2002).

fundamental democratic element.”²⁶ Their edited volume *Checking Executive Power: Presidential Impeachment in Comparative Perspective* focuses on the politics of presidential impeachments by referring to the process as primarily a political, rather than legal, proceeding.²⁷ While not solely focused on Latin America, their work is the premier volume that illustrates “the sequential unfolding of how scholars have characterized the many recent presidents who did not complete their terms,”²⁸ and thus, serves as a solid theoretical starting point in search of answers to the Zelaya question.

The book centers on executive-legislative relationships surrounding impeachment and notes that the process may not occur on the occasion of a chief executive breaking the law, but rather when the other branches, specifically the legislature, take the stance that impeachment is warranted based on five causal factors: the strength of the president in relation to the legislature, the constitutional process for legal impeachment, “the structure of party politics”—including, for example—the type of party system, “how institutionalized the party system is,” how strictly members vote on party lines, and the degree of closeness the president has with certain parties—how popular the president was prior to alleged misconduct, and other factors that include “the media environment, economic conditions, and international pressures.”²⁹ The volume concludes that impeachment is highly driven by the legislature’s relationship to the president and the latter’s ability to form a “legislative shield” whereby the congress would choose to protect the president from such proceedings or let him or her take the fall to protect

²⁶ Baumgartner, “Introduction,” 3.

²⁷ *Ibid.*, 2.

²⁸ Hochstetler, “The Fates of Presidents,” 126.

²⁹ Baumgartner, “Introduction,” 11, 7. The status of the economy in Honduras at the time of the removal does not appear to have been a causal factor in the Zelaya incident. Jose Antonio Cordero of the Center for Economic and Policy Research concluded in a November 2009 report titled “Honduras: Recent Economic Performance” that “during the Zelaya administration, the Honduran economy performed well.” Furthermore, he notes that “inflation was kept under control . . . the economy grew more than during the previous administrations, and the levels of international monetary reserves allowed the country to maintain a stable foreign exchange rate.” Jose Antonio Cordero, *Honduras: Recent Economic Performance* (Washington, DC: Center for Economic and Policy Research, 2009), 21.

itself.³⁰ Regarding these relations, Kada emphasizes the “importance of the voting threshold for impeachment, partisan competition, presidential patronage, and public opinion of the president” in leading to impeachment proceedings.”³¹ Kathryn Hochstetler notes, however, that the sum of the author’s findings “does not carry forward,” as only the elements of partisanship and public opinion seem to be relevant to more recent theories/cases.³²

While the Honduran constitution has no specified process for impeachment of the president, Baumgartner and Kada’s work is still relevant to the Zelaya case because it provides pieces of a framework by which it is possible to understand legislative actions to remove the Honduran executive. The two factors most relevant to the case at hand concern executive-legislative relations and party politics, which are tested against empirical evidence presented in Chapter II. Zelaya’s attempt at a referendum was believed by many in the governmental and broader political spheres in Honduras to be an attempt to remain in office or seek reelection that gave credence to Baumgartner and Kada’s overall statement that impeachments are a political process.³³ The executive-legislative relationship in Honduras was clearly tense at the time given that after the Supreme Court deemed the move unconstitutional, the “National Congress created an additional legal obstacle to the referendum, passing a law preventing referenda from occurring 180 days before or after general elections.”³⁴ Furthermore, the relational divide grew from just a division among the executive and the legislature to encompass the entire political spectrum as “the legislature, the judiciary . . . and four of the five political parties represented in the National Congress—including Zelaya’s own Liberal Party

³⁰ Naoko Kada, “Comparative Presidential Impeachment: Conclusions,” in *Checking Executive Power: Presidential Impeachment in Comparative Perspective*, ed. Jody C. Baumgartner and Naoko Kada (Westport: Praeger, 2003), 145. It is important to note that the term “legislative shield” is not attributed to Naoko Kada, but rather to Anibal Pérez-Liñán and will be discussed later in the review of his work.

³¹ Hochstetler, “The Fates of Presidents,” 130.

³² Ibid.

³³ Meyer, “Honduran Political Crisis,” 3.

³⁴ Ibid.

(PL)—opposed the referendum.”³⁵ It is clear that political division and conflict were occurring between branches—even in and between political parties.

The problem with totally relying on Baumgartner and Kada’s argument to answer the Honduran question is that first and foremost, Zelaya was not impeached.³⁶ In addition, their emphasis on public opinion motivating a congress to pursue impeachment of a president loses explanatory value in Honduras. While Zelaya’s approval rating in the beginning of 2009 was in the 30 percent range, “the year before the coup, only 24 percent of Hondurans expressed satisfaction with democracy, and only 44 percent said that they favored democracy over any other type of government.”³⁷ Although public opinion of Zelaya was low, the Honduran public was clearly demonstrating high levels of apathy towards politicians and governments in general, even to the point of agreeing in 2008 that they “need a strong leader who does not need to be elected.”³⁸ Thus, the low support for the president alone is unlikely to have caused the sudden removal of Zelaya—if low public opinion is the answer, then why was he not removed prior to June 2009? The other factors of their argument, specifically the media environment and international pressures, were arguably also not relevant in Honduras. Even though the referendum was questioned and consumed by media outlets,³⁹ it appears media involvement in the form of “investigative journalism” was not a major causal factor in the removal; and international pressure was not evident in trying to get Zelaya to stand down from his pursuit of a referendum.⁴⁰

³⁵ Meyer, “Honduran Political Crisis,” 3.

³⁶ “The concept of the political procedure known as impeachment, previously contained in Article 205, Section 15 of the Honduran Constitution, was repealed by Decree 175-2003.” Gutiérrez, “Honduras: Constitutional Law Issues,” 1.

³⁷ Ruhl, “Honduras Unravels,” 97.

³⁸ Ibid.

³⁹ Leticia Salomón, “Honduras: The Protagonists of a Coup Foretold,” *Revista Envío*, July 2009, <http://www.envio.org.ni/articulo/4032>.

⁴⁰ Baumgartner, “Introduction,” 13. While international pressure was not a factor in forcing Zelaya out, it was ever present in trying to return him to power as the United States, United Nations, Organization of American States (OAS), and the European Union all condemned the actions of the Honduran government. The OAS and Costa Rica attempted to facilitate Zelaya’s negotiated reinstatement, but both failed in their efforts.

In contrast to Baumgartner and Kada, this thesis shows that the relational problems between the executive, legislature, and political parties in Honduras were not necessarily on an institutional scale as Baumgartner and Kada posit. The 1993 book, *Honduras: A Country Study* notes that “Honduran politicians emphasize competition and power, not national problem-solving, and governing in Honduras is determined by personal authority and power instead of institutions.”⁴¹ Given this reality, this thesis argues that this incident escalated because of the actions the congress, courts, and the military took in direct response to the sentiments of the Honduran elite within these institutions, which emphasized the particularly sensitive issue of reelection in Honduras in the context of Zelaya’s shift to the radical left.

Continuing with the impeachment theories, Aníbal Pérez-Liñán’s well-known research on early removals of presidents helps to explain cases in which Latin American legislatures have proven powerful vis-à-vis executives. In his book, *Presidential Impeachment and the New Political Instability in Latin America*, Pérez-Liñán expands on Baumgartner and Kada’s aforementioned work by assessing six cases of presidential removal of Latin American presidents who were impeached, resigned, or declared incapable of remaining president. He posits, “in all six cases military intervention was hardly a viable option and that media coverage of presidential scandals was powerful. Where the president failed to command support in congress, he was easily impeached.”⁴² Furthermore, the author stresses that the larger the social protest against the president, the greater the probability exists of removal.⁴³ Pérez-Liñán’s causal chain places presidential scandal accompanied by mass street protests at the beginning of the removal process,

⁴¹ Mark P. Sullivan, “Chapter 4. Government and Politics,” in *Honduras: A Country Study*, ed. Tim L. Merrill, 3rd ed. (Washington, DC: Library of Congress, Federal Research Division, 1995), 174.

⁴² Pérez-Liñán, *Presidential Impeachment*, 11. The term “presidential scandal” refers “to a process by which citizens learn (and deliberate) about questionable acts carried out by the president or his/her close collaborators.” Aníbal Pérez-Liñán, “Presidential Crises and Democratic Accountability in Latin America, 1990–1999,” in *What Justice? Whose Justice?: Fighting for Fairness in Latin America* eds. Susan Eckstein and Timothy P. Wickham-Crowley (Ewing: University of California Press, 2003). The overarching theme of “presidential crisis” that the author describes fits the Honduran case because “the operational definition of ‘presidential crisis’ . . . includes any situation . . . in which congress legitimizes a military or civilian uprising against the executive by accepting his ‘resignation’ or by appointing a successor.” Pérez-Liñán, *Presidential Impeachment*, 44–45. Both these terms are evidenced by events that happened in Honduras.

⁴³ *Ibid.*, 11.

while the legislature's involvement, including the inability of a president to form the aforementioned "legislative shield" within the congress, occur as a result of the preceding social unrest.⁴⁴

While the author is right to highlight the power of some Latin American congresses in relation to the executive—unlike traditional research on legislatures in Latin America—and his emphasis on the need for a presidential scandal, his work alone does not completely explain what happened in Honduras. The primary concern of this thesis with Pérez-Liñán's argument is that he determines militaries will not become involved, which is obviously a glaring contrast to the events in Honduras. Furthermore, the Honduran case is missing the key element of his argument in predicting the early removal of presidents, that of mass mobilizations, "while scandals and legislative politics are key to explaining the impeachment process, mass mobilization constitutes the main factor driving the actual removal of presidents from office—irrespective of the specific procedure employed."⁴⁵ Evidence provided by subsequent authors notes that "the Honduran presidential ouster took place in the absence of social protest . . . or without the participation of the 'the street.'"⁴⁶ Pérez-Liñán notes as well, "scandals were not present in all episodes of presidential removal, and the evidence suggests that [media] exposés were not strictly necessary for the emergence of public outrage against the president."⁴⁷ This supports the aforementioned evidence that, even though it was present, media involvement did not appear to be a factor in the removal. Even so, the author's emphasis on presidential scandal does appear to exist in the Honduran case, as Chapter II argues that the issue of reelection represents a scandal that fits his definition. Ultimately though, the author's argument alone does not provide a clear answer to the Honduran question because of military involvement and the lack of social unrest.

⁴⁴ Hochstetler, "The Fates of Presidents," 132.

⁴⁵ Pérez-Liñán, *Presidential Impeachment*, 12.

⁴⁶ Mariana Llanos and Leiv Marsteintredet, ed., *Presidential Breakdowns in Latin America: Causes and Outcomes of Executive Instability in Developing Democracies* (New York: Palgrave Macmillan, 2010), 233.

⁴⁷ *Ibid.*, 188.

In research conducted since the Pérez Liñán analysis, Mariana Llanos and Leiv Marsteintredet's edited volume focuses on the overall phenomenon of presidential breakdown and the many ways it materializes. These authors, and most of the chapters within their work, hypothesize the opposite of Pérez-Liñán, in that they argue that it is only after division and conflict between the executive and legislature that popular uprisings ultimately lead to the removal of the president.⁴⁸ Furthermore, they posit that isolated or weak presidents, as Valenzuela similarly argued, "are a common denominator of presidential breakdowns."⁴⁹ Overall, the authors surmise, "presidential breakdowns seem to be caused by the combined effect of a set or a conjunction of causal factors that intersect at a particular moment in time, creating a 'perfect storm' that hits a president."⁵⁰ Within this "perfect storm" of executive-legislative relations, popular uprisings motivated by presidential scandals, and poor economic conditions is the other, less-studied element of "intra-governmental factors," specifically referring to conflicts among those closest to the president.⁵¹ When these factors come to together, they indicate the early termination of a presidency is forthcoming.

While the other factors in the authors' causal chain have already been examined above, their emphasis on the effect of intra-governmental conflict in the casual chain will be shown to carry varying weights in the Honduran case. This element centers on relations between presidents and their vice presidents, as well as the coalition of support that surrounds the president during the crisis specifically regarding the presidential cabinet.⁵² Regarding the former, the relationship between the two leaders can determine whether or not in times of presidential crisis a vice president will stand with or against the president, knowing that one route could lead to his or her administration while the other to downfall with the president.⁵³ Concerning the latter, ensuring that the coalition surrounding a president is intact and secure can be the saving grace for presidencies,

⁴⁸ Hochstetler, "The Fates of Presidents," 132.

⁴⁹ Llanos and Marsteintredet, *Presidential Breakdowns*, 6.

⁵⁰ *Ibid.*, 213.

⁵¹ *Ibid.*, 7.

⁵² *Ibid.*, 217–219.

⁵³ *Ibid.*, 218.

because “coalition breakdowns and splits in the ruling party and administration . . . weaken a president’s position in Congress, as well as his popularity and his credibility in various sectors . . . by exposing the internal disputes and difficulties that the president has handling them.”⁵⁴ In Honduras, Zelaya’s vice president, Elvin Santos, had resigned to run for the presidency in 2009. It is understood that the two leaders clashed with each other,⁵⁵ yet, as Chapter II demonstrates, the conditions for his leaving office are not influential in the manner that Llanos and Marsteintredet posit for removal. Furthermore, considering Zelaya’s inner circle of political advisors, which is discussed at length in Chapter II, the resignation of his defense minister before the coup, and that one of the leaders of the movement against Zelaya was his Attorney General, it is clear that conflict was occurring among people surrounding the president, and thus, this aspect of the author’s causal chain is relevant to the removal question.

Unlike the other authors introduced in this thesis, Llanos and Marsteintredet were able to partially test their hypothesis against the crisis in Honduras, given how recent their book was published. The authors note that while the case was still unfolding at the time of their writing, they do find that parts of their theory help to explain the case of Zelaya. First, they note that while militaries generally do not remove presidents anymore for the sake of taking over governing, they are still involved in the process of presidential removal as “in some cases the role of the armed forces was simply to persuade a president that ‘the game is over’ . . . or safely to escort a head of state from the presidential palace.”⁵⁶ Additionally they note, “in the case of Honduras the military did not seek to take power,” as they immediately handed over authority to the next in the line of the succession.⁵⁷ Regarding other factors in their “perfect storm,” the authors note that “the ouster of Zelaya follows a pattern of a creative reading of the constitution to

⁵⁴ Llanos and Marsteintredet, *Presidential Breakdowns*, 219.

⁵⁵ Ruhl, “Honduras Unravels,” 104.

⁵⁶ Llanos and Marsteintredet, *Presidential Breakdowns*, 232.

⁵⁷ *Ibid.*

facilitate actions to remove presidents from office” by pointing out that in their volume of case studies, only three of those presented were actual cases of presidential impeachment.⁵⁸

They also demonstrate how Zelaya was an isolated president; further leading to his downfall from the presidency by noting that he alienated both his own party and caused frictions with the military by the firing of the commander of the armed forces.⁵⁹ Finally, and in contrast to Pérez-Liñán’s aforementioned argument, the authors found “there was no presidential scandal or economic crisis with sufficient dimensions to generate the public uproar.”⁶⁰ Yet as stated above, it will be argued that the issue of reelection was a presidential scandal that, while not enough to upset the populace, did upset the governmental elites who matter more in the Honduran case than the general public. Furthermore, although the overall elements of their theory apply to the Honduran case, the theory alone does not offer a thorough explanation for the ouster of Zelaya; namely because they omit the reasons as to why the military and the judiciary acted to remove the president.

Research conducted into this case revealed an argument presented by Michelle M. Taylor-Robinson and Joseph Ura. In a paper presented at the Coloquio Centroamericano in San José, Costa Rica, in 2010, the authors argue that this incident represents a strategic interaction among self-interested institutions that occurred when a game of checks and balances played out between the executive, the court, and congress. The authors use their paper on the Honduran crisis to demonstrate “inter-branch relations in 2008–9 to expand upon existing studies of institutional emergence.”⁶¹ They utilize a game theoretical model to show how in a political system not prone to checks and balances, the Honduran crisis exhibited a situation in which both actors and institutions were attempting to check the other; yet, once the game started, “both actors were in a situation where they lost if they

⁵⁸ Llanos and Marsteintredet, *Presidential Breakdowns*, 232.

⁵⁹ *Ibid.*, 234.

⁶⁰ *Ibid.*, 233.

⁶¹ Taylor-Robinson and Ura, “From Strengthening Institutions,” 1.

backed down” to the other.⁶² Backing down would have decreased relative institutional strength but could have “defined the right and power of the congress and court to check the executive.”⁶³ Taylor-Robinson and Ura group the congress and courts together as one entity in conflict with the executive branch. They describe how the executive in Honduras is not used to be checked by the other branches, and thus, naturally it did not posit that the courts and congress would attempt to check its power concerning the referendum.⁶⁴

Likewise, the courts and congress did not stop checking the executive despite repeated refusals by the latter to obey the orders of the former.⁶⁵ As a result, all branches collided into a conflict that could have been avoided. While this paper, and another similar to it written by the same authors, is heavily relied upon for evidentiary support in this thesis, the author’s answer to the same Zelaya question is not complete. While not necessarily wrong, the author’s argument has several flaws. First, they negate the impact the military had on the incident, almost neglecting to mention the highly politicized actions that the military undertook. Secondly, they lump the courts and congress together as one unit when, as this research will show, the incident was more about elite sentiments and the institutional response that followed rather than solely institutions battling against each other. Finally, the argument is not complete because it lacks a deeper understanding of the institution of reelection in Honduras—the key to answering the timing of Zelaya’s removal. Thus, the argument of their paper does not complete the puzzle regarding the removal question.

2. The Issue of Reelection

As previously mentioned, the actors aligning against Zelaya made the argument that the President’s proposed referendum was an attempt to try and “perpetuate himself in power,”⁶⁶ which arguably posed a threat to democratic order. After Zelaya’s refusal to obey the court order to halt the referendum, critics even went so far as to claim, “he was

⁶² Taylor-Robinson and Ura, “From Strengthening Institutions,” 18.

⁶³ *Ibid.*, 20.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*

⁶⁶ Meyer, “Honduran Political Crisis,” 3.

planning an institutional coup that would dissolve Congress and immediately call a constitutional assembly.”⁶⁷ Furthermore, it has already been demonstrated that the laws protecting reelection are extremely respected in Honduras given their *stone clad* nature. These factors support Pérez-Liñan’s claim that scandals threatening the regime precede removals. Even though “the referendum did not propose specific constitutional changes, and any changes arising from an eventual assembly would take place after [Zelaya] left office,”⁶⁸ the explanatory power of the scandal element is shown to carry significant weight regarding this case.

3. Judicial Behavior in Politics

Considering the involvement of the judiciary in Zelaya’s removal, it is necessary to examine arguments surrounding courts in politics. Of the theories regarding judicial politics in Latin America, focusing on those that speak of the court’s relations with other branches is clearly most relevant to the Honduran case. Specifically, this area of research “relates to the conditions under which courts will exercise power by challenging the other branches of government when they deem that elected leaders have overstepped their constitutional or legal bounds.”⁶⁹ The literature observes three main categories by which national judiciaries can be placed: a powerful court that plays a strong role in policy making, a court with strong “formal power, but for different reasons are reluctant or unable to assert it consistently,” and finally, a court limited in executing its power and randomly involves itself in political matters.⁷⁰ The degree of power a court demonstrates does not depend on what influences the decisions of courts to engage the other branches; rather, the “overall political environment and institutional factors within courts” serve as

⁶⁷ Meyer, “Honduran Political Crisis,” 3.

⁶⁸ Ibid.

⁶⁹ Diana Kapiszewski and Matthew M. Taylor, “Doing Courts Justice? Studying Judicial Politics in Latin America,” *Perspectives on Politics* 6, no. 4 (2008): 745.

⁷⁰ Ibid., 746.

the dependent variables to political action.⁷¹ Three theories of judicial politics have emerged from within this literature that help to explain judicial involvement in political matters.

The first approach is that of Gretchen Helmke who, focusing on the Argentine courts, posits that as executives near the end of their first terms in office, judges who fear the weakness of their institution is too great to stand against the incoming government will increase their rulings against the current administration, and engage in what she calls “strategic defection,” even if the judges were appointed under that administration.⁷² Her theory stems from the aforementioned political environment and institutional weaknesses that motivate judicial behavior.⁷³ This theory logically aligns with the Honduran case as just over five months prior to Zelaya’s removal, the new Supreme Court was appointed, which lends credence to Helmke’s instability element—a newly appointed court lacked the security blanket of tenure and arguably allowed them to oppose Zelaya knowing his term was ending soon. Since Honduras had no vice president, and the next in line to the presidency was the President of Congress Roberto Micheletti, who supported Zelaya’s ouster, it is not hard to imagine the court would have no fear in opposing Zelaya knowing that the incoming administration already supported them. However, Chapter III demonstrates that Helmke’s argument cannot be ruled either in or out in the Zelaya case given the circumstances surrounding the court’s appointment and their ruling in favor of Zelaya’s decree of a minimum wage increase.

Another theory supported by the work of Jeffrey Staton, also originating from a study of the Argentine system, takes the position that “courts may feel empowered to challenge elected leaders in high-stakes cases (even when facing opposition from a hostile executive branch) if sufficient societal support exists for a challenging decision.”⁷⁴ He posits that the degree to which the public favors the court’s ruling against

⁷¹ Kapiszewski and Taylor, “Doing Courts Justice?,” 746.

⁷² Gretchen Helmke, “The Logic of Strategic Defection: Court-Executive Relations in Argentina Under Dictatorship and Democracy,” *American Political Science Review* 96, no. 2 (2002).

⁷³ Kapiszewski and Taylor, “Doing Courts Justice?,” 746.

⁷⁴ *Ibid.*

a major political issue can factor into the “strategic calculations” that judges make to determine if their involvement will benefit them or not and the potential retaliation of other branches.⁷⁵ While it has been previously demonstrated that Zelaya’s public opinion was low along with the government as a whole, Chapter III presents evidence that Stanton’s public opinion argument cannot be ruled out.

A final approach to judicial theories is generated by Lisa Hilbink who examines the role of the Chilean judiciary in response to the Pinochet regime in her 2007 book, *Judges Beyond Politics in Democracy and Dictatorship*. Starting from a basic understanding that one of the main functions of the judicial system is to guarantee human rights in accordance with the law, Hilbink argues that because of the ideological structure of the courts system, judges did not counter the dictatorial regime of Pinochet in the face of egregious human rights violations.⁷⁶ The Chilean court system was focused on internal promotions and not antagonizing the upper echelons of the hierarchy by challenging the regime, a move that could render the antagonizers unable to promote.⁷⁷ She argues that an “apolitical” culture—meaning judges who took “principled stands in defense of those who *challenged* the traditional order”—along with “incentives operating on judges . . . encouraged conformity and reproduced conservatism within the institution.”⁷⁸ Yet Hilbink also found in her research that “when left-wing presidents sought to exercise (longstanding legal) executive prerogatives to advance their reform agendas, the courts proved cognizant and capable of invoking constitutionalist principles to check government excesses.”⁷⁹ While this finding resembles the Honduran case, Hilbink’s overall argument that the institutional structure of the court system stifled political involvement does not completely answer the Zelaya question. Instead, this thesis posits that her argument must be worked in reverse; thereby, predicting a politicized court that

⁷⁵ Kapiszewski and Taylor, “Doing Courts Justice?,” 746.

⁷⁶ Lisa Hilbink, *Judges Beyond Politics in Democracy and Dictatorship: Lessons from Chile* (Cambridge: Cambridge University Press, 2011).

⁷⁷ *Ibid.*, 36.

⁷⁸ *Ibid.*, 33, 36.

⁷⁹ *Ibid.*, 37.

became involved in the incident. All the aforementioned associated theories of judicial behavior, while not necessarily identical to the Honduran case, are relevant and the results of research testing are discussed further in Chapter III.

4. The Military's Role

Given that the military played an influential role in the ouster of Zelaya, an examination of civil-military relations is necessary. Theories regarding military coups in Latin America in the 1960s and 1970s are seemingly no longer plausible to civil-military relations in modern times. Many scholars have made it known that since the shift to democracy, coups are virtually a thing of the past. Consuelo Cruz and Rut Diamint note, “the tanks that not too long ago roamed the streets have vanished from sight, military uniforms seem passé and coups obsolete, and the era of generals appears finally to have been consigned to the archives.”⁸⁰ Since military rule is no longer an option in the region, civil-military relations are improving as politicians and generals adapt to a new chapter in their relationship.⁸¹ Out of this new relationship, two arguments theorize the importance of civilian control of the military.

First and foremost, it is necessary to demonstrate that the Honduran military was indeed politically involved in this situation. The limitations of this literature for present purposes are obvious, given that in the Honduran case, the military was a protagonist in the political arena that took the initiative to remove Zelaya from the country. In fact, the Honduran military involved itself in politics prior to Zelaya's removal. Before the incident, Zelaya's opposition was courting the military to disobey the president's orders to hold/oversee the referendum; thus, “the dismissal of the head of the Joint Chiefs (General Romero Vásquez Velásquez) and the resignation of Defense Secretary Edmundo Orellana [along with the heads of the army, navy, and air force] was a logical consequence of the political and juridical pressure exerted on the military for several

⁸⁰ Consuelo Cruz and Rut Diamint, “The New Military Autonomy in Latin America,” *Journal of Democracy* 9, no. 4 (1998): 115.

⁸¹ Samuel P. Huntington, “Reforming Civil-Military Relations,” *Journal of Democracy* 6, no. 4 (1995).

days.”⁸² Arguably, this political pressure on the armed forces was not the fault of the military; yet, once the Supreme Court reinstated Vásquez to his post, “he started joining in marches and street protests and giving interviews to the opposition media, clearly placing himself on the side of the political-economic-media alliance” arrayed against Zelaya.⁸³ Moreover, knowing that obeying the orders to execute the referendum would have “strengthened the president’s hand by showing that he had won the soldiers to his side,” General Vásquez refused to obey the order by citing a constitutional article that prohibited him from following illegal instructions.⁸⁴

David Pion-Berlin posits that without a substantial knowledge of defense matters, civilian leaders could have a hard time leading the military unless they are able to manage the forces in such a way that extensive defense knowledge becomes a negligible condition.⁸⁵ He presents J. Samuel Fitch’s argument that civilians must delineate specific security missions and applicable threats, provide a “sensible budget . . . set defense policy,” and “exert oversight on military education and socialization.”⁸⁶ If these elements of civil-military relations are missing, military subordination could be called into question and conflict could arise.⁸⁷ Absent extensive defense knowledge, politicians must still manage the military, and the military must realize its “firm constitutional obligation to fulfill policy in a subordinate manner.”⁸⁸ While the author’s argument seems logical, some of the successes he describes in civil-military relations stand in stark contrast to the Honduran situation.

Pion-Berlin notes, “The balance of power has moved decisively in favor of democratic governments in . . . Honduras.”⁸⁹ He describes how successes in civil-military

⁸² Salomón, “Honduras: The Protagonists.”

⁸³ Ibid.

⁸⁴ Ruhl, “Honduras Unravels,” 101.

⁸⁵ David S. Pion-Berlin, “Political Management of the Military in Latin America,” *Military Review* 85, (2005): 19.

⁸⁶ Ibid., 22.

⁸⁷ Ibid.

⁸⁸ Ibid., 28.

⁸⁹ Ibid., 26.

affairs have included the reduction and disappearance of even the threat of coups, the lack of political influence the military has in government, which has previously been determined to be false in Honduras, and that “presidents have legal command over their forces, and militaries honor that command.”⁹⁰ Even though President Zelaya had an outstanding relationship with the military when he came into office, primarily because he increased the organization’s budget, the presidential crisis in Honduras did not demonstrate the picture of civil-military relations that the author posits. As well, Ruhl notes that the political opposition to Zelaya began to court the military to join them in the “conspiracy to oust Zelaya” prior to the political events described above.⁹¹ In addition, although the military legally disobeyed Zelaya’s referendum order, they disobeyed the Supreme Court by deposing the president from the country—a clearly insubordinate act against the civilians who ordered their involvement. In short, the Honduran military’s behavior clearly defies theories that argue that militaries no longer engage in politics.

More relevant to the Honduran case is a post-authoritarian civil-military argument that focuses on rational military decision making and allows militaries to disobey the executive to the point where they contribute to the early removal of the president. Pion-Berlin and Harold Trinkunas posit that when governments are faced with mass mobilization, presidents can order the military to suppress protesters; thus, forcing the military into a cost-benefit analysis of whether or not to obey the order.⁹² By pointing out that militaries in Latin America “are more prone to respect political leaders as legitimate principals and accept their own subordinate agent status,” militaries that decide to

⁹⁰ Pion-Berlin, “Political Management of the Military in Latin America,” 19.

⁹¹ Ruhl, “Honduras Unravels,” 101. This type of political posturing for military influence resembles Samuel Huntington’s idea of “subjective civilian control.” Huntington argues that subjective control exists when civilian entities fight over control of the military, which thus results in “the maximizing of the power of some particular civilian group or groups.” Subjective civilian control exists when militaries “become progressively involved in institutional, class, and constitutional politics” that thus provides the link to the Honduran military. Yet, Huntington’s idea of subjective civilian control encounters two problems when applied to the Honduran military in the Zelaya case. The author notes that subjective control is not possible given the presence of a professionalized and independent military. This thesis shows how both of these aforementioned elements are characteristics of the Honduran military. Huntington’s argument is not completely irrelevant to the Honduran case, but its weight is significantly diminished by its restricting elements. Samuel Huntington, *The Soldier and the State: The Theory and Politics of Civil-Military Relations* (Cambridge: Belknap Press of Harvard University Press, 1957).

⁹² David Pion-Berlin and Harold Trinkunas, “Civilian Praetorianism and Military Shirking During Constitutional Crises in Latin America,” *Comparative Politics* 42, no. 4 (2010).

disobey their principals should do so by “quartering” themselves rather than inciting rebellion or repression.⁹³ In doing so, militaries incite a “constitutional crisis, not a military takeover” whereby civilian actors are left to formulate a conclusion to the event.⁹⁴ That is, whether or not the president survives the ordeal is up to the civilians, as the military has excused itself from the conflict.⁹⁵ For the authors, “there is a compounding of risks associated with either rebellion or repression. By contrast, military quartering—even in defiance of the president—appears to be the safest of the three strategies.”⁹⁶ In contrast to Pion-Berlin and Trinkunas’ argument, the expatriation of Zelaya by the military is evidence of military initiative to push back against and even remove the president. Even though Zelaya’s weak status may have made the military’s risk assessment easier, consistent with Pion-Berlin and Trinkunas, given that it was unlikely that the incoming government would exercise reprisal, this rational-actor approach to civil-military relations still does not project that the armed forces would break the law by illegally deposing the president from the country.

Since these two relevant modern day theories on civil-military relations do not provide a clear explanation for the military’s behavior in the Zelaya case, this thesis posits that a return to the theories of old is necessary. Chapter IV discusses how Alfred Stepan’s 1973 “new professionalism” argument best explains the military’s intervention and provides justification for their illegal actions of expatriating the president. In addition, the evidence shows support for Brian Loveman’s 1999 book, *For La Patria: Politics and the Armed Forces in Latin America*, in that “the military acts when the judgment is made that governments have put *la patria* at risk.”⁹⁷ Finally, Samuel Huntington’s argument that coups occur as a result of weak state and party institutions in his 1968 book, *Political Order in Changing Societies*, is shown to hold explanatory value

⁹³ Pion-Berlin and Trinkunas, “Civilian Praetorianism,” 397.

⁹⁴ *Ibid.*, 398.

⁹⁵ *Ibid.*

⁹⁶ *Ibid.*, 400.

⁹⁷ Brian Loveman, *For la Patria: Politics and the Armed Forces in Latin America* (Wilmington: Scholarly Resources, 1999), xiv.

regarding the military's involvement. These theories, as research in Chapter IV shows, are reinforced by the longstanding hatred of leftist Honduran leaders by the military.

5. Policy Diffusion and Political Contagion

Two final theoretical subjects considered in testing whether Zelaya's shift to the political left was a cause of his removal are that of policy diffusion and the idea of political contagion. Relevant for present purposes is the idea that Zelaya's shift to the "radical" left, aligning with the highly polarizing figure of Venezuelan President Hugo Chávez, is what triggered opposition to and removal of Zelaya. Theories of diffusion and contagion stem from the idea that "a bold reform adopted in one nation soon attracts attention from other countries, which come to adopt the novel policy approach."⁹⁸ For Kurt Weyland, policy diffusion—or the spread and emulation of policy ideas that start in one country and filter to others—is primarily seen in regional geographic zones; "proceed[s] in waves—starting slowly, then gathering speed, and eventually taper[s] off;" and sees similar policies adopted in "diverse settings."⁹⁹ These fundamental elements of policy diffusion are potentially achieved through four separate causal analyses: the external pressure framework, the normative imitation approach, the rational learning approach, and the cognitive heuristics framework.¹⁰⁰ The external pressure framework centers on the idea that "powerful external actors—especially international organizations (IOs)—promote an innovation and use the carrot and stick to induce countries to adopt the reform."¹⁰¹ No evidence was found that organizations, such as ALBA (Bolivarian Alliance of the Americas) and Petrocaribe, were pressuring Zelaya to join their ranks; thus, this theory can be discarded for present purposes. The normative imitation approach is a process in which "decision makers attempt to gain international legitimacy by importing advanced innovations and thus demonstrating the emulating country's

⁹⁸ Kurt Weyland, "Theories of Policy Diffusion: Lessons from Latin American Pension Reform," *World Politics* 57, no. 2 (2005): 262.

⁹⁹ *Ibid.*, 265–267.

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*, 269.

modernity and compliance with new international norms.”¹⁰² In essence, the imitators view the new ideas of other countries as potentially beneficial to their nation; thus, the former seeks the policies and processes of the latter. This argument, however, does not apply to the spread of the *new* left in Latin America because Weyland posits in his article, “The Rise of Latin America’s Two Lefts: Insights from Rentier State Theory,” that the new left was “largely reviving the traditional rentier model” of the 1970s.¹⁰³ Thus, the spread of this ideology, while arguably innovative, was not necessarily advanced or one that established new international norms.

The last two approaches to explaining policy diffusion are similar in that they are focused primarily on the motives of decision makers.¹⁰⁴ The rational learning model posits that as a country encounters a problem, it searches for a solution that other nations have implemented that it thinks could help solve its issue. Furthermore, the decision to adopt the new policy is based off a “thorough cost-benefit analysis” that has determined the policy will be successful based off empirical evidence from the country of the policy origin.¹⁰⁵ The cognitive heuristics framework is similar to the rational learning method yet differs in that the success of the policy is not determined prior to adoption.¹⁰⁶ No evidence was found that Zelaya made a calculated cost-benefit analysis regarding his shift to Chávez’s left; thus, the former model is ruled out. The latter model, however, as Chapter II demonstrates, best explains Zelaya’s blossoming relationship with Hugo Chávez that grew steadily throughout his presidency, right up until his ousting.

Similar to policy diffusion, Stephen M. Walt surmises that “political contagion” exists when “countries emulate improvements perceived to have served other nations well.”¹⁰⁷ For Walt, this behavior occurs when countries need to fix a domestic problem

¹⁰² Weyland, “Theories of Policy Diffusion,” 270.

¹⁰³ Kurt Weyland, “The Rise of Latin America’s Two Lefts: Insights from Rentier State Theory,” *Comparative Politics* 41, no. 2 (2009): 146.

¹⁰⁴ Weyland, “Theories of Policy Diffusion,” 270.

¹⁰⁵ *Ibid.*, 271.

¹⁰⁶ *Ibid.*

¹⁰⁷ Stephen M. Walt, “Fads, Fevers, Firestorms,” *Foreign Policy*, no. 121 (November/December, 2000): 35.

and seek the guidance and example set forth by other countries; however, “these dynamics can fuel a sudden outbreak of revolutionary activity . . . or cause an alliance to collapse if a single, visible defection induces the other members to back out as well.”¹⁰⁸ The author notes that the spread of political ideas results from “universal appeal . . . connectivity,” and “similarity” among the countries involved.¹⁰⁹ Along with the cognitive heuristics explanation of policy diffusion, the idea of political contagion is evidenced in the empirics of the Honduran case and is explained more in depth in Chapter II. These theories alone, however, do not answer the main question about Zelaya’s ouster. What is perhaps most relevant to keep in mind for present purposes is that Zelaya’s shift to the “radical” left—regardless of its causes—happened well before elites mobilized against him, and, thus was not sufficient to remove him from power.

C. METHODS AND SOURCES

This thesis utilizes the case study approach in examining the removal of President Zelaya in Honduras. The aspects of the relationship between the Honduran elites in the legislature, military, and courts specifically during the months leading up to the coup are analyzed and how these institutions responded as a result of this relationship. Furthermore, an examination of the histories of each actor, specifically regarding the military, uncovered similar instances to that of the Zelaya case in the past. Special attention is given to the time frame that Zelaya indicated a shift in political ideology to the left and how this move was viewed by the aforementioned elites, institutions, and the public in general. The thesis also contains a crucial comparative element that reviews multiple political crises across time triggered by the efforts of presidents—at different locations along the left-right ideological spectrum—to introduce reelection into the presidency. Analysis and research was drawn and collected mostly from secondary sources, such as books, scholarly articles, government reports, country specific studies on Honduras, and analytical works explicitly discussing the overall situation and the legality of the incident. Moreover, an in depth study of primary sources, such as newspaper

¹⁰⁸ Walt, “Fads, Fevers, Firestorms,” 36.

¹⁰⁹ *Ibid.*, 38–40.

articles and editorials written around the time of the coup, provided a clear picture of what was happening on the ground in Honduras and the reaction to it by the people watching it unfold in real time.

D. THESIS OVERVIEW

This thesis relies on a case study approach to investigate the circumstances behind the removal of President Zelaya. Chapter II, “Honduran Politics, Intra-Governmental Relationships, Party Politics, Zelaya’s Ideology, and the Institution of Reelection,” first examines the political history of Honduras. It then provides an in-depth look at the landscape of party politics and intra-governmental conflicts occurring prior to Zelaya’s removal. The chapter concludes with the demonstration of evidence indicating Zelaya’s shift to the ideological new left and reveals what this thesis posits is the true reason behind the President’s removal: those in the elite thought he was attempting to change the institution of reelection, a threat they would not stand for. Chapter III, “The Political Honduran Supreme Court,” discusses the appointment process of the new court and sheds light on the extreme politicization of the institution. The chapter concludes with an explanation of the aforementioned theories that explain the court’s involvement. Chapter IV, “The Political Honduran Military,” opens with a discussion of the extremely politicized nature of the Honduran military, which stems from its time in command of the government during the mid-twentieth century. The military’s ideological hatred of leftist ideology is explained and Alfred Stepan’s “new professionalism” argument, along with those of Loveman and Huntington, is shown to provide an answer that explains the actions of the military. The chapter concludes with a brief discussion of the possibility that the Honduran military could have been concerned with subsequent actions by the United States (U.S.) in response to their involvement with Zelaya’s ouster by invoking Kirk S. Bowman’s theory of militarization and democracy. Chapter V provides an overview of the thesis findings, a brief summary of what happened in the aftermath of Zelaya’s removal, and a look at how this issue was not about institutions battling one another, but, rather, it was about institutions responding to elite sentiments that resulted in the disruption of democratic order.

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II. HONDURAN POLITICS, INTRA-GOVERNMENTAL RELATIONSHIPS, PARTY POLITICS, ZELAYA'S IDEOLOGY, AND THE INSTITUTION OF REELECTION

A. INTRODUCTION

This chapter brings together three distinct theoretical links in varying theories on presidential removal to begin the process of formulating an answer to the removal question. Yet, before examining the presidential crisis of 2009 in Honduras, it is first important to understand the nation's political history and background. In doing so, the first section of this chapter reveals the elitist and clientilistic nature of Honduran politics. The following section discusses Llanos and Marsteintredet's intra-governmental conflict perspective (introduced in Chapter I) and establishes how the departure of Vice President Elvin Santos was not a reason for Zelaya's removal. The subsequent section on party politics will clearly demonstrate a divide between both political parties and an internal split in Zelaya's Liberal party itself, which provides evidence that the party politics piece of Baumgartner and Kada's causal chain is applicable to the Honduran case. Additionally, the chapter reviews Zelaya's shift to the political left and shows that the cognitive heuristics model of policy diffusion and elements of political contagion account for this ideological shift. Finally, the concluding sections show how Zelaya's leftward swing alone was not the reason he was removed. Rather, his downfall can only be understood by analyzing the combination of the threat of changing the institution of reelection, which constitutes a presidential scandal similar to that of Pérez-Liñán, with his newfound leftist ideology. This argument is the central finding of this thesis.

B. POLITICAL HISTORY OF HONDURAS: ELITISM, CLIENTILISM, AND THE CAUDILLOS IN CONTROL

Like many other countries in Latin America, Honduras experienced military rule for much of the mid-twentieth century until the 1980s. After nearly 16 years of military rule, the Honduran people elected a constituent assembly in 1980 that led to elections for

the first democratically elected government in modern history.¹¹⁰ After two years of structuring a constitution for the new democracy, the new constitution came into effect on January 20, 1982.¹¹¹ Even though it is considered by some to be the most “advanced” in the history of the nation, the document is “generally held to have little bearing on Honduran political reality” and contains “aspirations of ideals rather than legal instruments of a working government.”¹¹² In addition to delineating the powers of each branch of government, the constitution specifically defines several provisions that may not be amended including “the amendment process itself, as well as provisions covering the form of government, national territory, and several articles covering the presidency.”¹¹³ Of critical relevance to the case at hand, and as mentioned in Chapter I, the length of a presidential term and the prohibition of reelection may not be amended either.¹¹⁴ The 1982 Constitution notes that each branch is “complementary, independent, and not subordinate to each other;”¹¹⁵ however, the executive has “traditionally dominated” the other branches because of the nature of its centralized power.¹¹⁶

Honduras is a presidential system whereby a president is elected to one four-year term in office without the chance of reelection. Throughout its history “the Honduran state’s formal and informal center of authority [has been] the executive;” thus, yielding a political climate dominated by the president regardless whether that person is a civilian or military general.¹¹⁷ Even though the constitution did give the other branches of government some forms of checks and balances, “during the first 25 years of the regime neither branch exercised their rights.”¹¹⁸ Instead, this reality has fostered high degrees of clientilism and *caudillo* politics run by the elites of each institutional branch of

¹¹⁰ Rachel Sieder, “Elections and Democratization in Honduras Since 1980,” *Democratization* 3, no. 2 (1996): 19.

¹¹¹ Sullivan, “Chapter 4,” 149.

¹¹² *Ibid.*, 149–150.

¹¹³ *Ibid.*, 153.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*, 151.

¹¹⁶ *Ibid.*, 147.

¹¹⁷ *Ibid.*, 155.

¹¹⁸ Taylor-Robinson and Ura, “From Strengthening Institutions,” 2.

government. Rachel Sieder notes how these aforementioned methods create politicians who “tend to be responsive to specific clientele rather than the electorate.”¹¹⁹ The president has served as the “chief caudillo” because “throughout the [twentieth] century the president was accustomed to having autonomy to make policy unhindered by the Congress or Court.”¹²⁰ The clientilistic and elitist nature of the Honduran political landscape has saturated the electoral process and incited corruption, as those elected appoint persons who have demonstrated political and party loyalty to government jobs rather than “having anything to do with the public trust.”¹²¹ These practices have thus “become a permanent characteristic not only of the political system, but also of private enterprise.”¹²² Due to the vast corruption that has grown from clientilism, “bribery is an almost institutionalized practice”¹²³—a practice evident in the lead up to the crisis in 2009. In general, “clientilism, patrimonialism and other informal practices are persistent within the political system and the political parties,”¹²⁴ which are both run by the economic, social, and political elites.

Like the branches of government discussed above, an elite group composed of “a small network of about 10 families that together controls most of the economy” runs the political parties.¹²⁵ Elitism is most prevalent in Honduras’ two main political parties, the Liberals and Nationals. Within these institutions, “powerful party oligarchs with strong economic interest define the parties’ objectives and policies.”¹²⁶ Both parties are not ideologically different from each other compared to other countries in the region, as

¹¹⁹ Sieder, “Elections and Democratization,” 20.

¹²⁰ Taylor-Robinson and Ura, “From Strengthening Institutions,” 2, 9.

¹²¹ *Ibid.*, 10; Sullivan, “Chapter 4,” 174.

¹²² Sullivan, “Chapter 4,” 174.

¹²³ *Ibid.*, 148.

¹²⁴ Caroline Boussard, *Crafting Democracy: Civil Society in Post-Transition Honduras* (Lund, Sweden: Lund University, 2003), 188.

¹²⁵ Rosemary A. Joyce, “Legitimizing the Illegitimate: The Honduran Show Elections and the Challenge Ahead,” *NACLA Report on the Americas* 43, no. 2 (2010): 12.

¹²⁶ Bertelsmann Stiftung, *BTI 2010—Honduras Country Report* (Gütersloh: Bertelsmann Stiftung, 2009), 12.

both are center-right.¹²⁷ It is commonly accepted in Honduras among scholars that both parties espouse elitism through their support and defense of “the interest of the business elite” and serve as “patron-client networks more interested in amassing political patronage than in offering effective programs.”¹²⁸ Evidence of such activities has been found by Michelle Taylor-Robinson whose research in Honduras showed that while in office, “both parties have been accused of corruption and political favoritism, as state resources (such as jobs, contracts, infrastructure projects) have been distributed to supporters, and opposition supporters have been excluded from the spoils.”¹²⁹ This modus operandi has had negative consequences for the parties themselves, given that public opinion polls demonstrate that they are “the least trusted institutions within the political system.”¹³⁰ Yet, this elitist nature did not stop political reforms from occurring.

Throughout the 1990s and early 2000s, “institutional reforms were carried out in the military, police, judicial system, and the electoral process.”¹³¹ Specifically, in 1997, several reforms “provided the political system with more openness and resulted in greater legislative independence from the executive.”¹³² Even so, the level of democratic consolidation that Honduras had achieved was still in question until the appointment of the first civilian head of the military in the late 1990s.¹³³ As a result, “Honduras’s democratic regime finally merited scores of ‘free’ and ‘fully democratic’ from

¹²⁷ Fasquelle, “The 2009 Coup.”

¹²⁸ Taylor-Robinson and Ura, “From Strengthening Institutions,” 10; Sullivan, “Chapter 4,” 174. It is interesting to note as that regarding economic policies, “both major parties are effectively pro-business; making the ‘choice’ between Liberal and National candidates almost always a matter of one’s family history or party loyalty.” Joyce, “Legitimizing the Illegitimate,” 13.

¹²⁹ Michelle M. Taylor-Robinson, “The Difficult Road from Caudillismo to Democracy: The Impact of Clientelism in Honduras,” in *Informal Institutions and Democracy: Lessons from Latin America* (Baltimore: Johns Hopkins University Press, 2006), 11.

¹³⁰ Bertelsmann Stiftung, *BTI 2010—Honduras Country Report*, 12.

¹³¹ Leticia Salomón, “Honduras: A History that Repeats Itself,” *NACLA Report on the Americas* 45, no. 1 (2012).

¹³² Bertelsmann Stiftung, *BTI 2010—Honduras Country Report*, 8.

¹³³ Taylor-Robinson and Ura, “From Strengthening Institutions,” 6.

organizations like Freedom House, and scholars using systematic scoring systems to evaluate the democratic nature of regimes.”¹³⁴

It is hard to argue to the contrary that this brand of consolidated democracy in Honduras has been “built on the anti-democratic bipartite model and on the dichotomy between formal democracy and social and economic democracy;” thus, providing a “fertile breeding ground for authoritarianism and the remilitarization of the state.”¹³⁵ Look no further than to the events of June 2009 to verify the aforementioned statement. Writing in 2003, Caroline Boussard stated, “overall, the Honduran political society is best described as weak, with little routinization or institutionalization.”¹³⁶ As a result of this finding, she posits that the principal worry for the stability of democracy in Honduras does not appear to be the threat of a military coup, “but rather the weaknesses of political institutions and civilian politicians’ disrespect of democratic rules.”¹³⁷ Yet, what transpired with the 2009 Honduran crisis not only showed a politician’s disrespect for democratic rule, it also resembled a military coup.

C. INTRA-GOVERNMENTAL AFFAIRS

Chapter I noted that the conflict between President Zelaya and his Liberal Vice President Elvin Santos was not part of the causal chain that led to Zelaya’s removal. Yet, research has revealed that an influential conflict—but not between the president and his deputy. Rather, it appears to have been between Santos and the Liberal President of Congress, Roberto Micheletti. By the time major opposition among Honduran political elites towards Zelaya emerged in early 2009, Santos was no longer vice president. Therefore, Llanos and Marsteintredet’s argument that tension between the executive and his deputy push out presidents does not hold for this case. Before examining the conflict

¹³⁴ Taylor-Robinson and Ura, “From Strengthening Institutions,” 6. Data from the Freedom House website indicates that Honduras was a “free” democracy in 1998. Since 1999, however, every year the analysis was conducted, Honduras has received a grade of “partially free.” Freedom House, “Freedom of the World Report,” (n.d.), <http://www.freedomhouse.org/report-types/freedom-world/>.

¹³⁵ Ismael Moreno, “After 25 Years: Formal Democracy But More Social Tragedy,” *Revista Envío*, April 2007, <http://www.envio.org.ni/articulo/3529/>.

¹³⁶ Boussard, *Crafting Democracy*, 184.

¹³⁷ *Ibid.*

further, a quick explanation of the articles in the constitution that speak to the issue of president and vice president conflict is needed. “In 1998, the Honduran Congress modified article 239 . . . of the Constitution to include the Vice President among the list of those who cannot run for President.”¹³⁸ Furthermore, in 2002, the Congress voted to remove the restriction, in article 240, barring the president of Congress from running as a candidate for the presidency.¹³⁹ Perhaps unaware of the law, in 2008, Elvin Santos, then the sitting vice president of Honduras, was declared a candidate for the presidency for which elections were to be held in November 2009. Yet, “on August 24, 2008, the Supreme Election Tribunal (TSE) voted overwhelmingly to reject placing [his] name as a Candidate for President in the Primary of the Liberal Party of Honduras.”¹⁴⁰ As a result, Santos had to find an alternate to run in his place.¹⁴¹

“On November 7, the Supreme Court determined that the constitutional reforms to article 239 and 240 [which in current form is the article that lists those persons who are not eligible to become president] of the constitution were unconstitutional;” thus, they should return to their original reading.¹⁴² Therefore, the vice president was allowed to seek election to the presidency. Thus, “on November 18, 2008, Elvin Santos submitted his irrevocable resignation to Congress, which then considered and rejected it.”¹⁴³ Given that “being President of Honduras was Micheletti’s obsession or addiction,”¹⁴⁴ it is no surprise that the Congress he presided over voted to reject Santos’ resignation, and subsequently, barred him from running for president. Micheletti would have been Santos’ main challenger in the primary. He accused Santos of “lying to the people,” and claimed

¹³⁸ Honduras Coup 2009, “Modifying Articles 239 and 240 or How Elvin Santos Became a Presidential Candidate,” August 2, 2009, <http://hondurascoup2009.blogspot.com/2009/08/modifying-articles-239-and-240-or-how.html/>.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Ibid.

¹⁴² Ibid.

¹⁴³ Ibid.

¹⁴⁴ Ismael Moreno, “Honduras: There Are No Ideal Solutions to This Coup d’état,” *Revista Envío*, August 2009, <http://www.envio.org.ni/articulo/4047/>.

“he is not a candidate, he cannot be a candidate.”¹⁴⁵ Even so, Santos’s stand-in, Mauricio Villeda Bermudez, won the primary and became the Liberal candidate for president.

In a strange twist of events, perhaps accepting his obvious defeat, Micheletti’s Congress “reconsidered, and accepted the resignation of Elvin Santos as Vice President” in December 2008.¹⁴⁶ Furthermore, the Congress decreed that so long as the vice president resigned “at least 6 months before the election,” he could legally run for president.¹⁴⁷ Bermudez resigned his stand-in position, which cleared the way for Santos to take his place and “at midnight on [December] 18, the [TSE] met and inscribed him as the Liberal Party candidate for President.”¹⁴⁸ Given this sequence of events, it does not seem that intra-governmental rifts occurred between Santos and Zelaya that resulted in the former’s resignation. Even though “some senior figures in his own party [were] losing patience with Zelaya,”¹⁴⁹ Santos did not appear to be one of them.

The only potential evidence of strife between the president and his deputy is demonstrated in the Zelaya-Micheletti relationship surrounding Congress’s approval of Honduras joining Venezuelan President Hugo Chávez’s ALBA. Micheletti initially did not support ALBA, but decided to support it “in exchange for joint efforts with Zelaya to impede [Santos] . . . from registering as a candidate.”¹⁵⁰ Considering this situation in the context of the events above, it appears only that Zelaya entered this alliance with Micheletti to secure approval for ALBA and was not able, or did not try, to hold up his end of the deal in preventing Santos’s registration. Given that, no significant evidence appears to exist of a conflict between the president and his vice president, Llanos and Marsteintredet’s claim of intra-governmental conflict leading to presidential removal loses explanatory value in the Honduran case. More importantly, the situation with Elvin Santos and Roberto Micheletti points to a primary theme in the discussion of the causal

¹⁴⁵ Honduras Coup 2009, “Modifying Articles.”

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ *Honduras: Zelaya Runs Chaotic Administration* (Oxford: Oxford Analytica Ltd., 2006).

¹⁵⁰ Ismael Moreno, “Now in ALBA, Always in Impunity,” *Revista Envío*, September 2008, <http://www.envio.org.ni/articulo/3882/>.

chain that brought down Zelaya. The situation amplifies Baumgartner and Kada's argument that the dynamics and relationships of party politics can lead to presidential removal as the conflict strains relations between the executive and the legislature. This element of the causal chain is examined in a subsequent section.

D. THE RISE OF THE LEFT

Before examining the rifts Zelaya created amongst the political parties, including intra-party conflicts, which the previous section has already eluded to given that those involved were members of the Liberal Party, it is necessary to examine the ideas of policy diffusion, political contagion, and the new left in Latin America in the causal chain discussed in Chapter I. The severity of the conflict surrounding intra-party politics cannot be understood fully regarding the Zelaya case without a thorough comprehension of what ideological changes the President was undergoing in his first years in office. Writing in 2007, Mitchell Seligson, analyzing Latin American Public Opinion Project (LAPOP) surveys from 2004 and 2006, found that it “appears that there has been a recent shift to the left” in ideology among the populace in Latin America.¹⁵¹ Furthermore, Steven Levitsky and Kenneth M. Roberts note, “by 2009, nearly two-thirds of Latin Americans lived under some form of left-leaning national government.”¹⁵² Even so, it is still important to understand that overall, the average ideological trend of the populace in the region continues to remain slightly to the right of center.¹⁵³

What is the new left in Latin America and who leads it? It is widely accepted among scholars of Latin American politics that the rise of the new left in Latin America began in response to the neoliberal economic reforms of the mid-to-late twentieth century in the region. According to Kurt Weyland, the new left conflicted with neoliberalism, “the right-wing advocacy of thorough-going market reform,” because the idea imposed limitations on economic practices by espousing, “the market is there to stay, it has global

¹⁵¹ Mitchell A. Seligson, “The Rise of Populism and the Left in Latin America,” *Journal of Democracy* 18, no. 3 (2007): 84.

¹⁵² Steven Levitsky and Kenneth M. Roberts ed., *The Resurgence of the Latin American Left* (Baltimore: Johns Hopkins University Press, 2011), 1.

¹⁵³ *Ibid.*

dimensions, and it imposes significant constraints of sovereign countries, especially in the Third World.”¹⁵⁴ The new left’s response was not unified; it developed into a radical sect and a more moderate sect. “In Venezuela, Bolivia, and Ecuador . . . a radical left emerged out of popular rejection of the market model, nationalist skepticism about globalization, fierce repudiation of the established political class, and a questioning of pluralist, representative democracy.”¹⁵⁵ In contrast, the more moderate left evidence in countries, such as Chile, Brazil, and Uruguay recognizes “a basic claim of the political right, namely, the need to respect constraints, especially limitations arising from global capitalism and domestic market reform and form (sic) liberal, representative democracy.”¹⁵⁶ The left that Zelaya grew enamored with was the radical left led by Venezuela’s Chávez. This sect of leftism is a threat to centrists and those on the right because, according to Weyland, “it has pursued a hegemonic project and invoked popular sovereignty to revamp the institutional framework through new constitutions” through the use of “a majoritarian, plebiscitarian discourse to dismantle checks and balances and concentrate power in charismatic leaders.”¹⁵⁷ This type of response is arguably what the elites in Honduras feared the most by Zelaya’s budding relationship with Chávez, and they claimed it was evidenced by his referendum.

The fact that Manuel Zelaya was gradually moving toward the ideological left during his presidency will be shown as undeniable. Furthermore, finding an answer as to why he chose to shift his ideology is perhaps not as puzzling or shocking as might be thought. “In the Latinobarometer survey for 2006 the average ideological score for Hondurans was 6.17 on a 0–10 scale where 0=left and 10=right, while the average for all 18 Latin American countries in the survey was 5.35.”¹⁵⁸ Yet, in 2007, the score for Honduras was 5.72, and in 2008, it was 5.64, a drop of 0.53 in the two years preceding

¹⁵⁴ Weyland, “The Rise of Latin America’s Two Lefts,” 147.

¹⁵⁵ *Ibid.*, 148.

¹⁵⁶ *Ibid.*, 146.

¹⁵⁷ *Ibid.*, 150.

¹⁵⁸ Taylor-Robinson and Ura, “From Strengthening Institutions,” 9.

the coup¹⁵⁹—a clear indication, albeit a small one, that the ideology of the country was slowly sliding to the left. Perhaps Zelaya was following the lead of the nation that elected him to office. It appears that Zelaya demonstrated the cognitive heuristics explanation of policy diffusion regarding his shift to the left. This model amplifies one of the main features of policy diffusion: geographic “proximity prompts imitation.”¹⁶⁰ The model claims that “a bold innovation attracts disproportionate attention from neighboring countries; it is then widely adopted on the basis of its apparent promise, not its demonstrated success.”¹⁶¹ Given that radical leftism spread to Bolivia, Ecuador, and Honduran neighboring Nicaragua, the geographical proximity element of this type of policy diffusion is evident. Furthermore, Weyland notes in an article published in January 2009, that, “the prototype of leftist radicalism in contemporary Latin America [had] not had an impressive performance.”¹⁶² Even though the radical leftist model was not successful, cognitive heuristics predicts that leaders will still move to implement it.

Zelaya’s view of the radical left supports the cognitive heuristics model of policy diffusion. On October 30, 2009, the Council on Foreign Relations published an interview with Christopher Sabatini, Senior Director of Policy and Editor-in-Chief of *Americas Quarterly*, in which he stated his belief as to why Zelaya attempted to imitate Chávez: “It was pure . . . opportunism . . . he is in many ways an opportunistic demagogue and what Chávez represented to him was a plan for sustaining himself in power.”¹⁶³ Sabatini explained that Zelaya hoped to benefit from Chávez’s wealth of oil revenue; thus, giving him “a potential plan to be able to consolidate his own authority and extend himself in power.”¹⁶⁴ Ultimately, Sabatini says, “the truth is he was really just an opportunist and

¹⁵⁹ Taylor-Robinson and Ura, “From Strengthening Institutions,” 9–10.

¹⁶⁰ Weyland, “Theories of Policy Diffusion,” 270.

¹⁶¹ *Ibid.*, 271.

¹⁶² Weyland, “The Rise of Latin America’s Two Lefts,” 159.

¹⁶³ Christopher Sabatini, interview by Bernard Gwertzman, “Honduran Politics and the Chavez Factor,” *Council on Foreign Relations*, October 30, 2009, <http://www.cfr.org/honduras/honduran-politics-chavez-factor/p20583/>.

¹⁶⁴ *Ibid.*

was really using this for his own self-promotion.”¹⁶⁵ Weyland’s cognitive heuristics explanation of policy diffusion arguably explains Zelaya’s shift to the radical left in Latin America.

Stephen M. Walt’s argument regarding political contagion is also evidenced by Zelaya’s imitation of Chávez. As Chapter I noted, Walt’s theory claims that the “causes of contagion” are influenced by universal appeal, connectivity, and similarity.¹⁶⁶ Regarding universal appeal, Walt notes, “certain political movements are more likely to spread simply because they possess features that make them broadly appealing.”¹⁶⁷ The previous paragraph clearly shows that Zelaya viewed Chávez’s radical left as appealing, despite its lack of apparent success; thus, supporting the first element of Walt’s theory. Second, concerning connectivity, Walt says, “the more extensive the connections between different groups, the greater the potential for contagion.”¹⁶⁸ His connectivity element specifically speaks to how readily ideas can move across borders.¹⁶⁹ “Improved global communications have made it easier for like-minded individuals and groups to coordinate their actions across national borders and to create more enduring and powerful transnational networks.”¹⁷⁰ Zelaya, Chávez, Bolivia’s President Evo Morales, and Nicaragua’s President Daniel Ortega, undoubtedly communicated with one another; also, as shown later in this chapter, they had face-to-face meetings, specifically during a celebration of the Sandinista movement in Managua, Nicaragua. Furthermore, Chávez made official visits to Honduras in January and August 2008, which clearly put the two leaders in communication with each other. The final element, similarity, indicates that “when two societies are roughly similar, a development that is popular in one of them is more likely to seem relevant and desirable in the other.”¹⁷¹ Given that both Venezuela and Honduras were arguably Third World countries at the time, they can be classified as

¹⁶⁵ Sabatini, “Honduran Politics and the Chavez Factor.”

¹⁶⁶ Walt, “Fads, Fevers, and Firestorms,” 38.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*, 39.

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*, 40.

roughly similar. Furthermore, the ALBA initiative, which is examined later in this chapter, was attractive to Zelaya, and was one of the relevant and desirable policy initiative factors of the similarity element. Clearly, Walt’s political contagion argument allows for Zelaya’s shift to the radical left and alliance with Hugo Chávez.

Regardless, Zelaya’s leftward shift still seems puzzling given that “when [he] was the Liberal Party’s candidate for president in 2005, he was not known to diverge notably from his party . . . and his campaign platform in 2005 did not appear to have a left-leaning bent.”¹⁷² The ultimate problem however, as Taylor-Robinson and Ura point out, is that he was moving away “from the ideological preference of the median member of the congress or the Court, and from the conservative ideology of the major political parties.”¹⁷³ Furthermore, Ruhl notes, “Zelaya knew that his shift to the left would alienate the traditional political class and private business sectors, but he hoped to build a new political movement among the majority of Hondurans who had become disillusioned with traditional party elites and democratic institutions.”¹⁷⁴ Having arguably established the reasoning why Zelaya shifted left, the focus must shift to the effects that his newfound ideology had on his own political party and party politics in general—a critical issue in the causal chain.

E. POLITICAL PARTY CONFLICT

So far, this chapter has examined elements of the causal chain leading to the removal of President Zelaya. Yet, one such element, the movement to the left—even Chávez’s radical left—is not sufficient enough by itself to explain Zelaya’s removal. This section demonstrates Baumgartner and Kada’s emphasis on political party conflict, both among and between, in the removal causal chain in that the conflict escalated due to his leftward shift. When Mel Zelaya was sworn in as president in January 2006, he was a “traditional law-and-order, pro-business president oriented toward continued association

¹⁷² Taylor-Robinson and Ura, “From Strengthening Institutions,” 11.

¹⁷³ *Ibid.*, 9.

¹⁷⁴ Ruhl, “Honduras Unravels,” 99.

with the United States.”¹⁷⁵ Throughout the initial weeks and months of his term, Zelaya acted in accordance with the boundaries of the Honduran political system: practicing elitism and continuing clientilistic policies. “The first year he apparently tried to establish alliances within the Liberal Party, as well as with the economic and political groups that control the reins of power.”¹⁷⁶ In fact, he “relied for political support on a wide range of Liberal factions represented in his cabinet and ignored the leftist popular organizations that would later rally around him.”¹⁷⁷ Furthermore, he displayed the norms of the Honduran political system by aligning with the Liberal President of Congress, Micheletti. A deal was brokered between the two that if Micheletti supported the passage of Zelaya’s initial policies in the legislature, the President would guarantee Micheletti’s election as President of Congress.¹⁷⁸ Yet, despite his best efforts, Zelaya appears to have made a fundamental mistake: he developed a “reputation as impulsive, confrontational leader,”¹⁷⁹ arguably overlooking a critical dynamic between that of the party system and political history in general—both parties have preferred to coexist without confrontation.

Zelaya created a politically confrontational environment because he chose to “govern from within the Liberal Party’s closed circle.”¹⁸⁰ The Bertelsmann Stiftung’s Transformation Index (BTI) 2012 noted that because of the elitist nature of the political parties and their economic, political, and family connections “the political culture is marked by an avoidance of direct confrontation among leaders, and by an exaggerated inclination toward consensus building.”¹⁸¹ The Liberal party is highly factionalized with different groups acting as small parties themselves that engage in constant party infighting.¹⁸² To his fault, “Zelaya opened the door to all these factions and shared out

¹⁷⁵ Joyce, “Legitimizing the Illegitimate,” 13.

¹⁷⁶ Ismael Moreno, “Honduras: Zelaya’s Final Year is off to a Bad Start,” *Revista Envío*, March 2009, <http://www.envio.org.ni/articulo/3954/>.

¹⁷⁷ Ruhl, “Honduras Unravels,” 98.

¹⁷⁸ Moreno, “No Ideal Solutions.”

¹⁷⁹ Ruhl, “Honduras Unravels,” 98.

¹⁸⁰ Ismael Moreno, “A New Government from Which Nothing is Expected,” *Revista Envío*, June 2006, <http://www.envio.org.ni/articulo/3314/>.

¹⁸¹ Bertelsmann Stiftung, *BTI 2010—Honduras Country Report*, 11.

¹⁸² Moreno, “A New Government.”

the ministries amongst them. The result [was] that each group [had] turned its ministries into a power base for its members and a launching pad for the next elections.”¹⁸³ In doing so, Zelaya harbored an administration with no clear objectives or guidance that allowed those closest to him to demonstrate “demagogic, improvised and almost provisional reactions” to politics and governing.¹⁸⁴ Ultimately, a confrontational intra-party political environment was bred that did not function in Honduras. The largest of these factions that created political conflict was that of the populist left led by Liberal Party executive and Zelaya confidant, Patricia Rodas.

Rodas, the leader of the Liberal Party during the first years of the Zelaya Administration, was clearly the center of gravity for Zelaya’s growing leftist rhetoric and ideology.¹⁸⁵ She “had embraced Marxism and Central America’s revolutionary movements in her student days in the 1980s, but later had moderated her ideological stance in order to rise within the Liberal Party.”¹⁸⁶ Now that her candidate was in office, she returned to her leftist ideological roots and advanced her initiatives through Zelaya’s presidency. Her followers, known as “the Patricians,” were instrumental in Zelaya’s election and after he had won, they “assumed the reins (sic) of the government.”¹⁸⁷ As has been shown, Zelaya was not initially overtly leftist, yet the influence of the Patricians began to take effect in 2007, the year he began his move to the left,¹⁸⁸ with his first public and emphatic embrace of Latin America’s new left. “Only two of Central America’s Presidents accepted the invitation to go to Managua to celebrate the 28th anniversary of the overthrow of the Somoza dictatorship” in July of 2007 in Nicaragua—and Mel Zelaya was surprisingly one of them.¹⁸⁹ Zelaya, accompanied by Rodas, stood alongside Nicaraguan President Daniel Ortega, Venezuela’s Chávez, and Panama’s

¹⁸³ Moreno, “A New Government.”

¹⁸⁴ Ibid.

¹⁸⁵ Ismael Moreno, “The President in His Thicket,” *Revista Envío*, August 2007, <http://www.envio.org.ni/articulo/3632/>.

¹⁸⁶ Ruhl, “Honduras Unravels,” 98.

¹⁸⁷ Ibid.

¹⁸⁸ Ibid.

¹⁸⁹ Moreno, “The President in His Thicket.”

President Martín Torrijos, and espoused at the ceremony that he was “here to vehemently salute Central American unity . . . and the ideals of Simón Bolívar’s Pan-Americanism,”¹⁹⁰ the ideological roots of the new left. Zelaya’s left turn was not in ceremonial appearances alone; rather, he followed up his participation in Managua by pursuing Honduras’ admittance into Petrocaribe in December of 2007.

Rosemary A. Joyce of the left leaning North American Congress on Latin America stated, “the most widely cited indication of Zelaya’s supposed ‘drift to the left’ was his move in December 2007 to join the regional oil alliance known as Petrocaribe, through which Venezuela sells oil to member states on favorable terms.”¹⁹¹ Zelaya could not enter Honduras into the alliance without the approval and consent of the National Congress that initially was not in favor of joining Chávez’s group.¹⁹² Yet, it did not appear that the problem with Petrocaribe was its leftist aura; rather “the primary concern for the Congress was how the oil savings would be used and supervised—the Congress wanted to set up a program that would allow oversight. When that was arranged the Congress voted to join Petrocaribe.”¹⁹³ Moreover, Joyce notes that many of Zelaya’s “most fervent foes” were pushing for joining the group and “actually criticized [Zelaya] for being too slow to negotiate the stable, lower-cost oil supply that would fuel remarkable economic growth.”¹⁹⁴ It does not appear that the issue regarding Petrocaribe was anchored in a fear of its leftist origins; rather it seems that political parties were fighting over how to manage the spoils of the program, which further provides evidence in support of Baumgartner and Kada’s argument. Arguably though, Zelaya’s opponents could have thought that the economic benefits of joining Petrocaribe could be great enough to warrant overlooking the leftist nature of the Chávez backed organization; however, Zelaya’s next move would incite more attention from his detractors and perpetuate the divide between the Liberals and Nationals.

¹⁹⁰ Moreno, “The President in His Thicket.”

¹⁹¹ Joyce, “Legitimizing the Illegitimate,” 13.

¹⁹² Taylor-Robinson and Ura, “From Strengthening Institutions,” 12.

¹⁹³ Ibid.

¹⁹⁴ Joyce, “Legitimizing the Illegitimate,” 13.

On August 25, 2008, Chávez, Morales, Ortega, and Zelaya (newly minted by the group as the “Cowboy Commander”) met in Honduras to celebrate the ratification of the country’s entry into ALBA.¹⁹⁵ Chávez had established ALBA to “combat neoliberal economic policies and U.S. influence in Latin America.”¹⁹⁶ Perhaps, the President’s motive in joining the group was to reclaim some positive political ground among the country’s populace. Regardless, “Zelaya [believed] that ALBA [would] help him reinvent . . . himself as the bold leader facing off against the political and economic class.”¹⁹⁷ Yet, doing so with an initiative, such as ALBA, seemed risky because of the rifts it was creating in and between the political parties all the while knowing that Honduras’ membership in ALBA would not continue after he left office.¹⁹⁸ Furthermore, those on the political right in Honduras viewed joining ALBA “as contrary to the country’s international trade interests and in conflict with the country’s long time alliance with the U.S.”¹⁹⁹ At this point in his term, no doubt existed that Zelaya, influenced by Rodas, was completely set on aligning Honduras with Chávez. When the measure on admission to ALBA came before the Congress, all National Party Deputies abstained from the vote.²⁰⁰ Even so, given the aforementioned deal that Micheletti worked out with Zelaya, and the fact that the Liberals maintained a seven-seat majority in the unicameral legislature,²⁰¹ the Honduran National Congress, on a strictly party line vote, voted in favor of joining ALBA in October 2008.²⁰²

Zelaya’s overt displays of his newfound ideology and his insistence on ALBA were troublesome for him politically as covert discussions circulating among the political elite regarding the President’s future began to emerge. During the Chávez ALBA visit to Honduras, rumors that Zelaya was pondering a break with constitutional rule began to

¹⁹⁵ Moreno, “Now in ALBA.”

¹⁹⁶ Ruhl, “Honduras Unravels,” 99.

¹⁹⁷ Moreno, “Now in ALBA.”

¹⁹⁸ Ibid.

¹⁹⁹ Taylor-Robinson and Ura, “From Strengthening Institutions,” 12.

²⁰⁰ Ruhl, “Honduras Unravels,” 99.

²⁰¹ Thomas M. Leonard, *The History of Honduras* (Santa Barbara: Greenwood, 2011), 173.

²⁰² Meyer, “Honduran Political Crisis,” 2.

grow stronger as “rightwing sectors . . . argu[ed] that Zelaya [had] wanted to replace the National Congress with a Constituent Assembly all along;” he simply needed to solidify his leftist support before he could execute his alleged plan.²⁰³ In sum, the ALBA issue, more so than joining Petrocaribe, signified that Zelaya and his allies were challenging the elites of the political establishment and political parties. Although these initiatives did not necessarily “represent a drastic change for the country” as they presented “a small opening up to other markets that [did not] compromise the stronger business sectors,” the elites made it seem like a drastic change that would harm the polity and economy.²⁰⁴ This environment of political party conflict, as Baumgartner and Kada posit, thus became an early factor that would soon contribute to Zelaya’s ouster. Yet, the degree of separation and abandon between the two parties, while an interesting link in the chain, does not appear to be the most influential part. A closer examination of the actions of previous Honduran presidents leads to the discovery that the coup may not have been solely about the dynamics of party politics and Zelaya’s rejection of political norms in favor of the new left, or *chavismo*; rather, the entire issue rests on the institution of reelection itself.

F. THE REELECTION ISSUE

Most of the research conducted into the Honduran crisis posits that Zelaya’s shift to the new radical left in Latin America was the catalyst that prompted his removal. Yet, what this research has uncovered is that while the aforementioned factor is critical to the causal chain, it is not the last link. The issue that must accompany the ideological shift is that of reelection—an issue that fits Pérez-Liñán’s definition of presidential scandal. This section demonstrates how both the shift to the left and the desire for reelection must be present in the causal chain to yield the outcome of removal. Alexander Farr notes that after the turn away from the authoritarian military dictatorships of the mid-twentieth century in Latin America, many “legislatures often adopted the principle of ‘no reelection’ with the intention of limiting ‘the advantages of presidential incumbency in

²⁰³ Moreno, “Now in ALBA.”

²⁰⁴ Moreno, “No Ideal Solutions.”

countries where other forms of political accountability were weak.”²⁰⁵ Noting how the degree of reelection varies from country to country in the region, Farr notes, “Honduras seems to embrace the strictest form by prohibiting reelection.”²⁰⁶ Furthermore, it is important to remember that the articles prohibiting reelection in Honduras have already been shown to be impenetrable. Even so, this fact alone does not appear to have prevented attempts at changing the statute.

While examining the histories of former Honduran president, it was discovered that President Manuel Zelaya was not the first president in the history of the newly democratized Honduras to ever (allegedly) suggest, publicly or privately, reforming the constitution to allow for reelection.²⁰⁷ A closer look into the administrations of several former and acting presidents shows it was not a new phenomenon Zelaya originated. In 1984, President Roberto Suazo Córdova, the first President of the newly democratic Honduras and member of the Liberal party, attempted to “change Congress into a constituent assembly to reform the Constitution.”²⁰⁸ After this attempt failed, the president “misused his influence over the Supreme Court of Justice and the TSE to manipulate the electoral process in hopes of staying in office beyond the single four-year term allowed.”²⁰⁹ President “Suazo’s attempts at *continuismo* [a widely used term in Latin America that signifies are president continuing in power] precipitated a constitutional crisis” that almost mirrored the case with Zelaya; it involved the President of Congress, the Supreme Court, and ultimately, led to mediation by the military.²¹⁰ While Suazo did not directly call for a vote on a constituent assembly, he clearly was in

²⁰⁵ Alexander S. Farr, “Honduras: A Democracy Gone Awry The Forceful Ouster of a President,” *Law and Business Review of the Americas* 16 (2010): 317.

²⁰⁶ *Ibid.*

²⁰⁷ The word allegedly is used only because the referendum did not reference reelection. President Zelaya had indicated in March 2009 that he desired to stay in power, although, this desire was only rumored to have been referring to reforming the reelection article. Taylor-Robinson and Ura, “From Strengthening Institutions,” 13. No evidence was uncovered that Zelaya ever publicly advocated specifically changing the reelection provision in the constitution; however, it is arguably clear that Zelaya had every intention of using the referendum to facilitate remaining in power in the future.

²⁰⁸ Sieder, “Elections and Democratization,” 26–27.

²⁰⁹ Ruhl, “Honduras Unravels,” 95.

²¹⁰ Sieder, “Elections and Democratization,” 27.

favor of removing the restrictions on reelection. Furthermore, no evidence was found in any sources that Suazo had leftist leanings. Even after all his confrontations with the other branches of government, Suazo Córdova was not removed from office.

This research also revealed that it does not appear that being a member of the Liberal Party presumes the desire for reelection. Before the military coups of the 1950s and 1960s, President Juan Manuel Gálvez, of the National Party, “attempted to push reforms permitting reelection through the congress, but the measure lost.”²¹¹ President Rafael Callejas, another member of the National Party, served as President of Honduras from 1990–1994. In 2005, as the president of the National Soccer Federation, he thought “that taking the soccer team to the final tournament would have raised [his] prestige significantly, helping pave the way to one of his most cherished dreams: a constitutional reform that would enable him to run for President again.”²¹² Joining Callejas was former Liberal President Carlos Roberto Flores Facussé, President of Honduras from 1998–2002. “Changing the Constitution’s untouchable, ‘stone-clad’ articles was a political aim that Flores Facussé and Callejas had been promoting since 1992.”²¹³ In fact, both former presidents “discretely raised the issue in public” while “their circle of followers, who wanted to smash the stone tablets impeding their President’s reelection, pushed the issue much more zealously.”²¹⁴ Neither Gálvez, Facussé, nor Callejas, were removed from office or ever expatriated from the country. Furthermore, no research indicated that any of them favored a leftist ideology. Yet, perhaps the most fascinating champion of reelection was none other than chief Zelaya opponent Roberto Micheletti.

Research indicates that Micheletti had long been a fan of continuing the terms of presidencies. In fact, in 1985, when he was simply a Deputy of Congress, not its

²¹¹ Kirk S. Bowman, *Militarization, Democracy, and Development: The Perils of Praetorianism in Latin America* (University Park, PA: The Pennsylvania State University Press, 2002), 158.

²¹² Ismael Moreno, “A Year Full of Disappointments,” *Revista Envío*, January 2005, <http://www.envio.org.ni/articulo/2783/>.

²¹³ Moreno, “No Ideal Solutions.”

²¹⁴ Moreno, “Fourth Ballot Box.”

President, he “attempted to prolong the presidency” of Suazo Córdova.²¹⁵ Furthermore, articles from *Revista Envío* in 2007 indicate than an attempt by the elites to give the “bipartite model a face-lift” included Micheletti suggesting, “eliminating the provision barring presidential reelection.”²¹⁶ Additionally, “a group of legal scholars in the Honduran Bar Association [had] similarly urged the government to consider calling a constituent assembly to draft a new Constitution that would allow reelection.”²¹⁷ In the tradition of clientilism, Micheletti was also working behind the scenes with Flores Facussé and Callejas. After Zelaya and Micheletti worked the previously mentioned deal to get the latter elected president of Congress in exchange for passage of the former’s laws, specifically the citizen’s participation law, Micheletti promised Facussé that his daughter would be elected vice president of Congress in exchange for Facussé’s and Callejas support for the Liberal Party’s presidential nomination.²¹⁸ The one condition the former presidents placed on Micheletti was that once he was elected, he would “reform the Constitution to remove a number of untouchable . . . ‘stone-clad’ articles;”²¹⁹ one of which concerned the issue of reelection. This research clearly demonstrates that the desires, whether public or private, of four former presidents matched that of Zelaya’s. Thus, if the issue of reelection has been raised before and none of these four presidents are known to have leftist ideologies, then why was it that the elites and establishment went after Zelaya and not the others?

The answer is simple: Zelaya was the only president who acted on his desire to change the reelection law with ties to the new left in Latin America. President Zelaya was removed not simply because of an institutional crisis of checks and balances; and, not just because he was aligning with Hugo Chávez. The recipe for crisis in Honduras was clearly a mixture of the new left coupled with the reelection issue that spurred the ouster. Further

²¹⁵ Belen Fernandez, “‘Friendship Ends Where Duty Begins:’ An Interview with Honduran Coup General Romeo Vásquez Velásquez,” *Counterpunch*, November 25, 2009, <http://www.counterpunch.org/2009/11/25/an-interview-with-honduran-coup-general-romeo-v-aacute-squez-vel-aacute-squez/>.

²¹⁶ Moreno, “After 25 Years.”

²¹⁷ Ibid.

²¹⁸ Moreno, “No Ideal Solutions.”

²¹⁹ Ibid.

proof of this necessary connection is that in April 2009, Micheletti proposed “that President Zelaya grant the working class what is referred to as the ‘fifteenth salary’ on May Day in exchange for [Congress’] full backing of the fourth ballot box;”²²⁰ which would indicate that Micheletti himself, as has clearly been demonstrated, was now publicly offering support of the referendum—yet his removal was not pursued precisely because he was not associated with the threatening new left. Micheletti said the “coup saved Honduras from further influence by Venezuelan-style socialism or ‘Chavismo.’”²²¹ Thus, this ideology imposed by Zelaya sparked fears among the Honduran elite—fears to which Micheletti was responding.²²²

“Zelaya’s simple proposal . . . was so threatening to the power elite that they could not wait the seven months remaining in Zelaya’s term and moved to have him deposed immediately.”²²³ Yet, this urgency would not necessarily have been present without the leftist rhetoric—and more importantly vice versa. For example, Liberal President Carlos Roberto Reina “came to office as a long-standing human rights advocate, owing to his treatment by the earlier Honduran military regimes, and with sympathy towards the social programs pursued by Cuba’s Fidel Castro.”²²⁴ Reina’s background suggests to some degree that he was influenced by Castro’s leftist ideology, which is widely accredited with influencing Hugo Chávez; yet, Reina was not removed from office because no evidence is available that he suggested reforming the reelection prohibition. Similarly, in 2007, when Zelaya and his cohorts of Patricians were beginning to align themselves with Chávez, “both Liberal and National party leaders [said] the easiest solution politically would be just [to] overthrow the government.”²²⁵ Despite considering the idea, the powers that be never acted until Zelaya coupled his leftist ideology with the desire for reelection—an equation that has shown itself necessary to

²²⁰ Moreno, “Fourth Ballot Box.”

²²¹ Ian T. Brown, “Many in Honduras Saw Political Situation as Unstable,” *Gallup Poll*, June 30, 2009, <http://www.gallup.com/poll/121316/honduras-saw-political-situation-unstable.aspx/>.

²²² Sabatini, “Honduran Politics and the Chavez Factor.”

²²³ Joyce, “Legitimizing the Illegitimate,” 13.

²²⁴ Leonard, *History of Honduras*, 169.

²²⁵ Moreno, “The President in His Thicket.”

explain Zelaya's removal. Simply espousing leftist rhetoric may be threatening, but if that were enough to remove him, then he would have been gone much earlier. Furthermore, as was shown above, the National Congress, even if on strict party lines at times, supported Zelaya's leftist policies. Clearly, the issue of reelection could be defined as a presidential scandal like Pérez-Liñán posits; and, the omission of the significance of reelection from Llanos and Marsteintredt's argument further weakens their overall theory tested against the Honduran case. It was only when his newly acquired ideology invoked changing the institution of reelection that he became too much of a problem that had to be dealt with in any way necessary.

G. CONCLUSION

This chapter has demonstrated that combining Baumgartner and Kada's party politics link, Pérez-Liñán's presidential scandal link, and Llanos and Marsteintredt's intra-governmental affairs link provides one portion of the answer to the question regarding the removal of President Zelaya. Given the backdrop of the Honduran political system and the lack of intra-governmental conflict between Zelaya and Santos, it is clear that more was in play regarding the ouster of the president. Zelaya's shift to the left caused great rifts between the political parties, including his own; thus, strengthening the coalition of political elites arrayed against him. "As a result of internalized power structures, a nonconfrontational political culture and external pressures, there was little political polarization before President Zelaya turned to left-wing populist rhetoric in 2007–2008."²²⁶ When the president did shift leftwards, however, "almost the entire political establishment harshly rejected Zelaya's polarizing discourse."²²⁷ The BTI 2012 report indicates that this shift was the ultimate cause of Zelaya's downfall; yet, this thesis has demonstrated that this shift was not the sole reason: it had to be accompanied by the desire to change the institution of reelection to say that ideological differences were the root cause of the crisis. Still, the aforementioned links in the causal chain do not account for the Supreme Court's actions, which are examined in the next chapter.

²²⁶ Bertelsmann Stiftung, *BTI 2010—Honduras Country Report*, 23.

²²⁷ *Ibid.*

III. THE POLITICAL HONDURAN SUPREME COURT

A. INTRODUCTION

The Honduran judicial system is far from a model of legal excellence. It is widely considered the weakest branch of government “sensitive to . . . politicization and absen[t] of horizontal accountability.”²²⁸ As such, “political considerations have traditionally been more important than merit-based appointments for promotions within the judiciary.”²²⁹ Aníbal Pérez-Liñán found that Honduras had one of the “most unstable” Supreme Courts in Latin America over the time period of 1904 to 2006.²³⁰ Clearly, politics and instability surround the high court, and these two elements shown brightly during the crisis in 2009. This chapter explains the political nature of the Supreme Court, analyzes the theoretical concepts of Helmke, Hilbink, and Stanton from Chapter I, and demonstrates how the minimum wage issue of 2009 suggests that the institution was simply responding to the elite’s fear of Zelaya’s attempt at reelection.

B. THE NEW COURT

Given the instability and corrupt nature of the judicial system, the government changed the way in which Supreme Court justices came into office. “Until 2000, Supreme Court justices were directly named by the party leaders represented in Congress, with the sole requisite of defending their interests.”²³¹ In 2001, an amendment to the constitution changed the length of terms in office for justices from four years to seven years, which removed the coterminous nature of the three branches of government.²³² The change “created a *Junta Nominadora* made up of delegates from the National Human Rights Commission, Supreme Court, College of Lawyers, the Private Business Council,

²²⁸ Boussard, *Crafting Democracy*, 185.

²²⁹ *Ibid.*, 186.

²³⁰ Aníbal Pérez-Liñán and Andrea Castagnola, “Presidential Control of High Courts in Latin America: A Long-Term View (1904–2006),” *Journal of Politics in Latin America* 1, no. 2 (2009): 96.

²³¹ Ismael Moreno, “Honduras: Honduras’ Prison Massacres Reflect a Social and Political Crisis,” *Revista Envío*, January 2006, <http://www.envio.org.ni/articulo/3201/>.

²³² Taylor-Robinson and Ura, “From Strengthening Institutions,” 8.

the law faculty of the University of Honduras, civil society, and the Confederation of Workers.”²³³ This group was tasked with presenting a list of 45 nominees to the National Congress that would then vote on the election of 15 new justices with a simple two-thirds majority.²³⁴ “These new appointment rules were first implemented in 2002, and in January 2009 the second court appointed under these rules took office,”²³⁵ although this second court was composed of eight Liberal Party justices and seven National Party justices. The goal of the reform was to create an autonomous and independent judiciary free from former executive domination, yet given that the political legislature was voting on the candidates, “it is unimaginable that the bipartite political system ha[d] ceased interfering in the judicial branch.”²³⁶ This situation was no more evident than when the voting for the new court occurred in January 2009.

The tension evident between the new court and President Zelaya in June 2009 was present before the former was even sworn into office. The President was not pleased that none of his nominees had made the final list of 45, one of whom was the wife of a minister in his cabinet; thus, he attempted to influence their decision.²³⁷ “On the day of the vote [Zelaya] militarized the area around the Congress and press reports [said] a group of the president’s men, including the minister of defense, went to the Congress uninvited to turn up the heat.”²³⁸ This incident was clearly a demonstration by Zelaya that he was willing to challenge the elites to get his way—even using force if necessary.²³⁹ Given the highly volatile nature of the judicial election process in congress, the President of the body, Roberto Micheletti noted that the constitution allowed congress to reelect the same judges to a new term but that the legislature had chosen not to “for the

²³³ Taylor-Robinson and Ura, “From Strengthening Institutions,” 8.

²³⁴ Ibid.

²³⁵ Ibid.

²³⁶ Moreno, “Honduras’ Prison Massacres.”

²³⁷ Mary Anastasia O’Grady, “Why Honduras Sent Zelaya Away,” *The Wall Street Journal*, July 13, 2009, <http://www.wsj.com/>.

²³⁸ Ibid.

²³⁹ Ibid.

sake of preserving peace and love of country.”²⁴⁰ This incident arguably set the new Supreme Court at odds from the beginning with Zelaya, which would not help his cause in the coming months; but, as demonstrated below, this confrontation might not have been as influential as it may seem.

C. POLITICS AS USUAL

Given the way in which the justices were appointed, politicization of the court thus was, and is, a logical consequence. “At the end of each seven-year term the justices are up for reelection by the Congress. Though the new justices may represent a fresh start in terms of a break from former justices, the court . . . still maintains its party ties.”²⁴¹ In fact, the magistrates in Honduras “have very close ties to the party leaders who appoint them and go on to pursue partisan loyalty in the judges they appoint . . . Judges identify themselves in conversation with other judges at international meetings as, for example . . . ‘Liberal party judges.’”²⁴² Furthermore, “in 2003, two-thirds of Honduran judges identified membership in a political party as a paramount qualification for becoming a judge.”²⁴³ This heavy politicization created justices “less politically independent and more subject to pressure and integration with the policies and ideologies of the PN and the PL, including the respective internal factions within them.”²⁴⁴ This pressure, however, was not evident in the first major Supreme Court decision of the new court’s tenure.

D. MINIMUM WAGE AND THE REELECTION BANDWAGON

The actions of the new Supreme Court reinforce the idea that the leftist shift was not the solitary catalyst; rather, it was the reelection threat that set the wheels in motion.

²⁴⁰ El Heraldo, “Ganó la justicia y democracia en Honduras,” January 26, 2009, <http://archivo.elheraldo.hn/A1%20Frente/Ediciones/2009/01/26/Noticias/Gano-la-justicia-y-democracia-en-Honduras/>. Source reviewed with Google Translate.

²⁴¹ Heather Berkman, “The Politicization of the Judicial System of Honduras and the Proliferation of *Las Maras*,” *Journal of International Policy Studies* 4 (Winter 2006): 10.

²⁴² Rachel E. Bowen, “Judicial Autonomy in Central America: A Typological Approach,” *Political Research Quarterly*, pre-published (2013): 9, DOI:10.1177/1065912913477734.

²⁴³ *Ibid.*

²⁴⁴ Berkman, “The Politicization of the Judicial System,” 10.

Both the court and Zelaya got off to a bad start, but the former did not always disagree or rule against the latter. In fact, they even refused the appeals of the economic elite in favor of Zelaya several months before the ouster when Zelaya decreed an increase in the minimum wage. In response to the 2008 global financial crisis, Zelaya, in December of that same year, “decreed, among other measures, a 60 percent increase in the minimum wage, reaching \$290 per month, a sum that barely covered the basic cost of living for a family.”²⁴⁵ The economic and business elite in Honduras who, “already feeling threatened by unanticipated political and social steps being taken by the formerly mainstream president,”²⁴⁶ were furious at the move claiming that the economy would collapse under the weight of the new minimum wage.²⁴⁷ After the decree went into effect, “the business sector filed numerous appeals to the Supreme Court, on the grounds that the wage increase violated their constitutional rights.”²⁴⁸ This move by the Zelaya administration gave the court a prime opportunity to demonstrate where it stood regarding the President’s ideological stance. Perhaps surprisingly, the court did not perform to the liking of the elites.

In April 2009, just two short months prior to the ouster of President Zelaya, the Public Ministry, which is “the legal office of the Honduran government,” recommended the court “reject the appeals submitted by employers on the grounds that the wage increase did not imply a violation of constitutional rights.”²⁴⁹ Later the same month, the Supreme Court “ruled that the increase in the minimum wage ‘is consistent with constitutional rights and therefore stands.’”²⁵⁰ The court sided with Zelaya and reaffirmed his legal ability to raise the rate “and that the government must guarantee fair remuneration.”²⁵¹ Rodolfo Pastor Fasquelle of the left leaning *NACLA Report on the*

²⁴⁵ Fasquelle, “The 2009 Coup.”

²⁴⁶ Joyce, “Legitimizing the Illegitimate,” 13.

²⁴⁷ Fasquelle, “The 2009 Coup.”

²⁴⁸ Cordero, *Honduras: Recent Economic Performance*, 18.

²⁴⁹ *Ibid.*

²⁵⁰ *Ibid.*, 19.

²⁵¹ *Ibid.*

Americas claimed the minimum wage move by Zelaya was “the straw that broke the camel’s back,”²⁵² which led to his ouster; maybe to the economic elites, but not the Supreme Court. Furthermore, it appears that congress was waiting for the court’s decision on the minimum wage prior to any action on the issue. After the court voted in favor of Zelaya, Micheletti introduced into the congress a decree “aimed at instituting the fifteenth month’s wages for the working class, which [would] be paid in the month of March each year.”²⁵³ Zelaya described the measure as a populist policy and further “asserted that his decision to raise the minimum wage truly benefit[ed] the poor because the poorest sectors earn the minimum wage.”²⁵⁴ Even so, the newly proposed salary would not have gone into effect until March 2010.²⁵⁵ Given these facts, the analysis of the minimum wage issue is based on partial evidence, as it is not known how the congress felt about the minimum wage issue from December 2008 to April 2009. Although, it does not appear that they had an issue with it since they made no rebuttal.

Certainly, no doubt exists that the Honduran Supreme Court was highly politicized. Yet, given all the aforementioned research, it does seem that ultimately the court was responding in kind with the other branches to the elite’s fears of Zelaya’s alleged attempt at reelection. As Chapter II stated, Zelaya was undoubtedly moving his ideology and policies toward alignment with Chávez and the new left in Latin America. For the court, their “straw” did not come until the “Chief Prosecutor asked the Supreme Court to arrest Zelaya, accusing him of multiple crimes. The Court appointed one of its justices to hear the process in its preparatory and intermediate phases; that justice issued

²⁵² Fasquelle, “The 2009 Coup.”

²⁵³ El Heraldo, “Viene decimoquinto mes de salario en Honduras,” April 22, 2009, <http://archivo.elheraldo.hn/A1%20Frente/listado-nota/Ediciones/2009/04/22/Noticias/Viene-decimoquinto-mes-de-salario-en-Honduras/>. Source reviewed with Google Translate.

²⁵⁴ Channel 3 Television, “Program Summary: Tegucigalpa Channel 3 Television Spanish 0100 GMT,” LAP20090422026001, April 22, 2009, <https://www.opensource.gov/>.

²⁵⁵ El Heraldo, “Decimoquinto será compensado con el ISV,” April 24, 2009, <http://archivo.elheraldo.hn/A1%20Frente/obj-relacionados/Ediciones/2009/04/24/Noticias/Decimoquinto-sera-compensado-con-el-ISV/>. Source reviewed with Google Translate.

an arrest warrant.”²⁵⁶ Zelaya’s alleged reelection referendum was ruled unconstitutional and the President was ordered detained for his illegal actions—the courts had thus claimed their seat on the bandwagon.

E. THE COURT’S TIMELINE AND RULINGS

The court’s involvement in the incident began in May 2009, almost two months after Zelaya’s decree ordering the referendum was issued. The Law Library of Congress issued a report detailing the events and legal proceedings that followed the court’s involvement. This section summarizes the findings of the report. “On May 8, 2009, the Chief Prosecutor, acting as guarantor of the Constitution, filed a law suit before the Court of Administrative Litigation [CAL] requesting that the Court declare the illegality and nullity of the administrative act carried out by the Executive Branch under the Executive Decree.”²⁵⁷ Realizing that resistance was mounting, Zelaya changed the order, rescinded the previous decree, and ordered the nonbinding poll on May 26, 2009.²⁵⁸ One day later, the CAL “ordered the president to suspend the public consultation.”²⁵⁹ On May 29, 2009, Zelaya “issued Executive Accord No. 027-2009, by which he ordered that a national public opinion poll be carried out by the National Institute of Statistics [INE]” with the assistance of the military.²⁶⁰ “On June 3, the [CAL] issued the first judicial communication . . . asking the President to abide by the Court’s ruling.”²⁶¹ Zelaya rejected the request and filed an appeal that was ruled inadmissible by the Court of Appeals for Administrative Disputes on June 16, 2009.²⁶² “On June 19, the [CAL] issued a second judicial notification . . . requesting that [Zelaya] abstain from conducting any kind of public consultation that might violate the Court’s rulings of May 27 and May

²⁵⁶ Michelle M. Taylor-Robinson and Joseph Daniel Ura, “Public Opinion and Conflict in the Separation of Powers: Understanding the Honduran Coup of 2009,” *Journal of Theoretical Politics* 25, no. 1 (2012): 115.

²⁵⁷ Gutiérrez, “Honduras: Constitutional Law Issues,” 3.

²⁵⁸ *Ibid.*

²⁵⁹ Taylor-Robinson and Ura, “Public Opinion,” 115.

²⁶⁰ Gutiérrez, “Honduras: Constitutional Law Issues,” 3.

²⁶¹ *Ibid.*

²⁶² *Ibid.*, 4.

29.”²⁶³ Furthermore, the CAL informed Zelaya through judicial notification that he had five days to notify the court of what actions he intended to take or comply with the court’s order: “No answer was received.”²⁶⁴

The charges filed against Zelaya by the Chief Prosecutor on June 26, 2009, listed “crimes of acting against the established form of government, treason against the country, abuse of authority, and usurpation of functions.”²⁶⁵ At that point, the Supreme Court “unanimously voted to appoint one of its Justices to hear the process in its preparatory and intermediate phases; that Justice carried out the request, issuing an arrest and raid warrant. Two days later . . . Zelaya was arrested.”²⁶⁶ The Supreme Court had the constitutional authority to order the armed forces to act on the arrest warrant; yet, the military had no constitutional or legal authority to expatriate Zelaya because “under the Honduran Constitution, ‘[n]o Honduran may be expatriated nor handed over to the authorities of a foreign State.’”²⁶⁷ According to the Law Library of Congress, the judicial branch “applied constitutional and statutory law in the case against President Zelaya in a manner that was judged by the Honduran authorities from both branches of the government to be in accordance with the Honduran legal system.”²⁶⁸

Responding to a question from a journalist in a report published on July 16, 2009 by *La Tribuna Online*, Honduran Supreme Court Chief Justice Jorge Alberto Rivera Aviles would not indicate whether the military’s actions were illegal. The journalist asked, “What the Armed Forces did, when they expelled [Zelaya], was it illegal?”²⁶⁹ The Chief Justice responded by saying:

²⁶³ Gutiérrez, “Honduras: Constitutional Law Issues,” 4.

²⁶⁴ *Ibid.*

²⁶⁵ *Ibid.*

²⁶⁶ *Ibid.*

²⁶⁷ *Ibid.*, 4–5.

²⁶⁸ *Ibid.*, 9.

²⁶⁹ *La Tribuna Online*, “Honduras: Supreme Court Chief Justice Explains Zelaya’s Expulsion from Country,” LAP20090716026002, July 16, 2009, <https://www.opensource.gov/>.

It will be necessary to establish the state of need from that point of view; states of need involve protecting the life of the citizen who is being arrested and preventing bloodshed among the citizens of a country; all this will have to be assessed later on, once the courts of the republic investigate the case. Personally, I cannot issue a statement in this concern because, as head of a State Branch, I am sure that I will have to investigate those actions in the future.²⁷⁰

The Chief Justice claimed that the state of need can be invoked “when it is determined that an action is advisable for the nation’s interests” but that ultimately the issue would have to be “analyzed in due time.”²⁷¹ This justification by the court mirrored the military’s reasoning for their actions that is further discussed in Chapter IV. The Bertelsmann Stiftung’s Transformation Index 2012 report noted, “the political crisis of 2009 was an important test for the ability of the judiciary to prosecute abuse of public office, with mixed results,” by stating that “the courts were able to prosecute abuses of authority allegedly perpetrated by Zelaya and other officials.”²⁷² Yet, the study then points out that “those public officials (i.e., military officials and perhaps also top politicians and judges) guilty of sending Zelaya into exile—a clear violation of the constitution—were acquitted by the courts”²⁷³ once the aforementioned “due time” had elapsed. Furthermore, it cites “the government’s explanation for such inconsistency is that political offenses that occurred during the crisis (i.e., violations of constitutional provisions) are covered under a political amnesty granted by Congress, but criminal offenses (i.e., Zelaya’s corruption charges) are not.”²⁷⁴ Overall, it is clear that while the court’s actions were legal, they were undoubtedly protecting the elites at the center of the crisis.

²⁷⁰ La Tribuna Online, “Honduras: Supreme Court Chief Justice.”

²⁷¹ Ibid.

²⁷² Bertelsmann Stiftung, *BTI 2010—Honduras Country Report*, 9.

²⁷³ Ibid.

²⁷⁴ Ibid.

F. THEORETICAL SUPPORT

Given the information above, the question regarding theoretical framework application can be answered. Do Helmke, Hilbink, or Stanton provide any theoretical framework or guidance that would point to an explanation behind the court's actions? Overall, Helmke's argument does not apply to the Honduran incident; however, the evidence uncovered neither rules her argument applicable or not applicable to this case. If Helmke's argument applies to the Honduran incident, then the newly instituted Supreme Court that arguably lacked security and institutional strength should have ruled against Zelaya in the minimum wage incident—a ruling that could have been in favor of the congress that appointed them, albeit its stance on the issue during the ruling is not known. Or, a ruling in favor of the economic and business elite combined with the alignment against him in June would speak volumes to her argument: the newly appointed and weak court saw the end was near for Zelaya, and thus, a decision to rule against him in favor of the incoming government could help them keep their jobs in the new administration. Considering the research presented above, the June decision was simply a move in conjunction with the rest of the elites in Honduras, which strengthens their standing among the powerful. Even so, given this information, a claim cannot be made on Helmke's theory because of the inability to determine either way how her theory would explain the court's involvement.

Lisa Hilbink's theoretical framework does not answer the question either, although her argument does predict that the court would be politicized. Hilbink says that the structural hierarchy of the judicial system that promoted from within yielded conservative judges independent and *apolitical* from exogenous forces, which is clearly not the case in Honduras. Therefore, given that Honduras's Supreme Court stands in complete contrast to Hilbink's argument, this thesis posits that she predicts this type of political court. The Supreme Court was institutionally weak and highly politicized with no hierarchical structure in place to protect it. Therefore, the court did not have the insulation that Hilbink says prevents politicization. The court was politicized because of its actual and admitted influence of the political parties and congress. The Honduran Supreme Court, however, does resemble the Chilean Supreme Court of the late 1890s to

mid-1920s. Hilbink notes that during this period, Chile was a “parliamentary republic,” which means “constitutional practices and interpretations produced the hegemony of the Congress, rendering constitutional amendment unnecessary.”²⁷⁵ Under this system, which was similar to that of Honduras in 2009, the “allegiance of judges was given to the political parties to which they owed their appointments, just as it had formerly been given to the chief executive in the preceding period.”²⁷⁶ Even though this allegiance is not Hilbink’s complete argument, her framework still applies because essentially, if judges do not have the structural insulation to protect them from politicization, then they will become political—and no doubt exists that this statement describes the nature of the Honduran Supreme Court.

Finally, besides general political alliances the justices had with the political parties, some evidence does appear to be available that Jeffrey Staton’s public opinion theory is applicable to the court’s involvement. “In the two months preceding June 28 . . . support for the fourth ballot box dropped from 80 percent to 60 percent.”²⁷⁷ Even though each of these numbers represents a majority, it does nonetheless appear that public opinion was declining, and therefore, the courts could have seen their involvement in some way as beneficial and potentially supported by the public. The Latin American Public Opinion Project, however, conducted a survey of the Honduran people in 2010 in which it found that 58.3 percent of the populace did not favor the removal of President Zelaya from office.²⁷⁸ Perhaps more strikingly, 61.1 percent of Hondurans felt the removal was in fact a coup d’état.²⁷⁹ Given these numbers, it is conceivable that Staton’s argument has some weight in the Honduran case, but the high numbers are still encompass a majority, and thus, should not be relied on as the sole reason the court became involved.

²⁷⁵ Hilbink, *Judges Beyond Politics*, 54.

²⁷⁶ *Ibid.*, 55.

²⁷⁷ Fasquelle, “The 2009 Coup.”

²⁷⁸ Orlando J. Pérez, José René Argueta, and Mitchell A. Seligson, *Political Culture of Democracy in Honduras, 2010* (Nashville, TN: Vanderbilt University, 2011), 156, <http://www.vanderbilt.edu/lapop/honduras/2010-Honduras-Political-Culture.pdf/>.

²⁷⁹ *Ibid.*, 157.

G. CONCLUSION

“Honduras’s constitution is less than 30 years old. Reforms to enhance representation in Congress and create judicial independence are less than a decade old.”²⁸⁰ Thus, it is no surprise that this politicized and weak Court joined the anti-Zelaya chorus in June 2009. Once again, it seems that reelection was the real problem as the ruling in favor of the minimum wage decree indicated. Once the reelection infection hit the marble steps of the Court’s front door, it fiercely fought against Zelaya and supported the illegal actions of the military, which is evidenced by the Courts’ actions regarding the firing of General Vásquez by Zelaya: After immediately reinstating the former to his post, the Supreme Court justified its actions by “arguing that a 2001 law governing the armed forces barred the president from dismissing the military chief without legal cause despite the chief executive’s apparent constitutional authority . . . to replace the top officer ‘freely.’”²⁸¹ Furthermore, Supreme Court Justice Rosalinda Cruz “said the removal was not a coup because the military was acting under court orders that were the result of a unanimous decision by the fifteen justices on the court” and that “the military’s decision to send Mr. Zelaya out of the country was a safety measure to prevent the spread of violence and riots that would result had he been detained for trial.”²⁸² As the Honduran political scene hurtled towards June 28, the Court was clearly responding to elitist fears of Zelaya’s alleged “continuismo”—even to the point of defending the illegal actions of a military that thrived on its ability to protect its homeland from the threat of the left.

²⁸⁰ Taylor-Robinson and Ura, “Public Opinion,” 119.

²⁸¹ Ruhl, “Honduras Unravels,” 101.

²⁸² Farr, “Honduras: A Democracy Gone Awry,” 313–314.

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IV. THE POLITICAL HONDURAN MILITARY

A. INTRODUCTION

Like so many other Latin American nations, Honduras was not immune to the military coups and governments of the mid-twentieth century. Between the 1960s and early 1980s, generals or a group of army personnel in a military junta governed Honduras. Obviously, military governments are political; although, as was demonstrated in Chapter I, the theme in Latin America from the 1980s onward was that militaries, once they returned to the barracks, no longer engaged in politics as they did in the past. This chapter, however, provides evidence into the modern legacy of the politicized Honduran military. The armed forces in Honduras have been a dominant power in politics since the 1950s. Specifically, the military ruled the government from 1963 to 1982, until the transfer back to democratic rule.²⁸³ This chapter reveals a deep-seated hatred of leftist political ideology that contributed to motive for involvement by the armed forces, and provides insight into the military's decision-making process to expatriate Zelaya. The main factor that contributed to the military's decision resembled not modern day theories of civil-military relations; rather, the military exemplifies Alfred Stepan's 1973 theory of new professionalism because the coup leaders felt Zelaya and his leftist allies and supporters posed, to some degree, an insurgent threat to the security of the state. Also, the evidence is supported by Loveman's 1996 and Huntington's 1968 arguments previously mentioned in Chapter I. This chapter also demonstrates that because of the United States' historical involvement in supporting the Honduran military, the coup leaders could have considered possible American responses, such as economic reprisals or military intervention, to their actions, as evidenced by Kirk S. Bowman's militarization argument. In arresting Zelaya and expatriating him from the country fueled by their hatred of the left and fear of an insurgent threat to the state, the Honduran military was acting not in accordance with the more modern theories of Pion-Berlin and Trinkunas, but rather the Stepan, Loveman, and Huntington's arguments of the past.

²⁸³ Sullivan, "Chapter 4," 147.

B. HISTORY OF THE POLITICAL HONDURAN MILITARY

Understanding the history of the Honduran military is necessary before explaining their role in the events of June 2009. Bowman notes, “Honduras did not have institutionalized and professional armed forces until the 1950s.”²⁸⁴ Furthermore, he points out, “in Honduran newspapers before 1954, it is difficult to find any mention whatsoever of the military.”²⁸⁵ The professionalization of Honduras’ military began with the establishment of the Escuela Militar Francisco Morazán in 1952, with the help of the United States.²⁸⁶ The school offered “diverse courses of information and capacitation [that] were organized in which the officers received many teachings on modern war, unifying doctrines and knowledge.”²⁸⁷ Two years later, Honduras had a “strong military institution”²⁸⁸ and “declared its first organic law, which defined its mission as the defense of national sovereignty and public order.”²⁸⁹ The military’s first foray into national politics came in a situation strikingly similar to that of its involvement in the Zelaya case. In 1956, after the widely disliked and authoritarian Vice President Julio Lozano came to power, he shut down the National Congress and formed his own political party—actions that resulted in his ouster by the military.²⁹⁰ The armed forces governed in a *junta* and for 15 months controlled the country until elections were held in 1957 to return civilian rule back to Tegucigalpa.²⁹¹

The Honduran military handed back the reigns of the executive under several conditions, one of which was that the “constitution expanded their mission by officially designating the military as guarantors of the electoral process and executive

²⁸⁴ Bowman, *Militarization, Democracy, and Development*, 145.

²⁸⁵ *Ibid.*, 144–145.

²⁸⁶ J. Mark Ruhl, “Redefining Civil-Military Relations in Honduras,” *Journal of Interamerican Studies and World Affairs* 38, no. 1 (1996): 35; Bowman, *Militarization, Democracy, and Development*, 149.

²⁸⁷ Bowman, *Militarization, Democracy, and Development*, 153.

²⁸⁸ *Ibid.*, 154.

²⁸⁹ Ruhl, “Redefining Civil-Military,” 35.

²⁹⁰ *Ibid.*, 35–36.

²⁹¹ *Ibid.*, 36.

succession.”²⁹² This prerogative arguably strengthened the military’s strong foothold in the national political arena. The armed forces invoked this new constitutional privilege in 1963 when they prevented the election of the left leaning Liberal candidate Modesto Rodas Alvarado. Rodas claimed that if he were elected “he would terminate the autonomy of the armed forces.”²⁹³ Taylor-Robinson and Ura note that because of the “heated era of the Cold War in the midst of the Central American crisis, the Honduran military could credibly claim that national security necessitated a powerful and autonomous military.”²⁹⁴ Rodas’ threats of terminating the military’s autonomy were only one element of its hatred for him. Author Marcos Cáceres di Iorio claimed that Mr. Rodas’ threats “scared the military so much that some of its brass felt they had to act” because “he was considered to be far too much of a political leftist at a time when there was elevated fear of communism in Latin America.”²⁹⁵ Thus, the military had to prevent him from coming to power—a clearly political move.

The coup that prevented the election of Rodas placed the military in the presidential palace for decades. No longer could it allow civilian leaders to threaten the state or themselves as an institution. Bowman states, “the 1963 coup finalized the ascent of the Honduran armed forces as the dominant political actor in the country.”²⁹⁶ From 1963 to the late 1970s, different leaders within the Honduran armed forces ruled the country. Their reign, however, would begin to falter in 1978 because “the military had lost much of its popular following, including that of its private sector allies, who were disillusioned by its economic mismanagement and corruption.”²⁹⁷ Furthermore, “in 1979, the United States intensified its efforts to persuade the armed forces to leave power

²⁹² Ruhl, “Redefining Civil-Military,” 36.

²⁹³ Ibid.

²⁹⁴ Taylor-Robinson and Ura, “From Strengthening Institutions,” 6.

²⁹⁵ Marco Cáceres Di Iorio, *The Good Coup: The Overthrow of Manuel Zelaya in Honduras* (British Columbia: CCB Publishing, 2010), 196.

²⁹⁶ Bowman, *Militarization, Democracy, and Development*, 176.

²⁹⁷ Ruhl, “Redefining Civil-Military,” 37.

peacefully by offering to increase military aid as an inducement.”²⁹⁸ Thus, the 1980s brought about the end of the military governments.

Elections for a constituent assembly were held in 1980, and won by the Liberal party.²⁹⁹ The military was not prepared, however, to completely relinquish all control over the government, as its second handoff to civilian rule was once again conditional in that “military officials made certain that the new constitution would continue to guarantee their political and institutional autonomy.”³⁰⁰ Finally, in 1982, Hondurans elected Roberto Suazo Córdova as the new president. Even so, the military remained heavily involved in politics, and ultimately, dominated the scene.³⁰¹ Ruhl notes that “although civilians were allowed to take charge of most non-security-related policymaking, in many ways the armed forces grew even stronger under the new [democratic] regime.”³⁰² This fact can be attributed to the accelerated influence of the United States on the Honduran military. “Under the Reagan administration, military aid from the United States soared—from \$3.9 million in 1980 to \$77.5 million in 1984—in exchange for Honduran cooperation during the *Contra* war against Nicaragua and the counterinsurgency effort in El Salvador.”³⁰³

Throughout the 1980s, financial aid from America to Honduras would only increase, rising to \$81.1 million in 1986 as the armed forces grew to 26,000 in personnel and “continued to improve their professional capabilities *via* intensive U.S. training and dozens of joint exercises.”³⁰⁴ Growing in strength both financially and materially, the military continued to exert its political arm in government as policies were basically formulated and instituted by whatever agreement military leaders and the U.S. embassy came to, which was leaving the democratically elected executive and legislative branches

²⁹⁸ Ruhl, “Redefining Civil-Military,” 37.

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid.*, 38.

³⁰¹ *Ibid.*

³⁰² *Ibid.*

³⁰³ *Ibid.*

³⁰⁴ *Ibid.*, 39.

to play only a minor role in policy making.³⁰⁵ At the end of the 1980s, “Honduras ha[d] become . . . a government that [was] nominally democratic but actually [was] under military domination.”³⁰⁶ The 1990s, however, would not be so kind to the Honduran armed forces.

The landscape of government and politics vis-à-vis the military in Honduras changed with the new global political climate of the 1990s: the end of the Cold War. Its termination left the Honduran military in a weakened state that allowed civilian politicians to seize political and institutional control. “The end of the Cold War and the collapse of communism removed the principal threats to national security, internal and external, which had served to justify the military’s power and existence.”³⁰⁷ Furthermore, given that the threat of the spread of communism no longer existed in Central America, the United States began to change its view of the Honduran armed forces, and began to see them “as little more than a corrupt, expensive obstacle to the consolidation of democracy.”³⁰⁸ As a result, the military began to lose influence within the two traditional political parties.³⁰⁹ All these factors combined began to strengthen civil-military relations, and ultimately, civilian control of the military in Honduras while eroding the military’s political influence.

Despite the loss in political influence among the parties, President Rafael Leonardo Callejas of the National Party, which historically aligned with the military, did not attempt to subordinate the armed forces or its influence.³¹⁰ Rather, America exerted the most force on the military’s decline. “Beginning in 1990, the United States began to make drastic cuts in its aid to the Honduran military, which caused its resources to drop precipitously: from a still sizable \$41.1 million in 1989 to a bare \$2.7 million by

³⁰⁵ Ruhl, “Redefining Civil-Military,” 40.

³⁰⁶ *Ibid.*

³⁰⁷ *Ibid.*, 41–42.

³⁰⁸ *Ibid.*, 42.

³⁰⁹ Sullivan, “Chapter 4,” 174.

³¹⁰ Ruhl, “Redefining Civil-Military,” 44.

1993.”³¹¹ Civil society and the media began to put pressure on government officials to hold the armed forces accountable for past human rights abuses, which further erodes the influence of the military.³¹² The first major move to place the military totally under civilian rule because of its declining influence came under Liberal President Carlos Roberto Reina. In 1994 and 1995, over the objection of the military, “the constitution was amended and the military was brought under civilian control [insofar as civilian leaders exercised greater control over the military than before], mandatory military service was ended, and the police were removed from the military.”³¹³ Yet perhaps, more damning was that “military aid from the United States dwindled to a paltry \$500,000 in 1994 and then dropped further, to only \$325,000, in 1995.”³¹⁴ The descent of the military’s influential power would intensify under Reina’s successor.

Along with President Reina, Liberal President Carlos Flores Facussé “shrank the military by more than half and took away most of its powers and prerogatives.”³¹⁵ President Facussé’s greatest achievement was “a landmark constitutional reform in 1999 [that] legally established civilian supremacy over the military for the first time since the 1950s.”³¹⁶ One critical change in this reform was the establishment of a civilian defense minister with complete legitimate legality.³¹⁷ President Facussé “demonstrated his authority . . . when in 1999 he dismissed [the] uniformed commander and most of the army’s top echelon after senior officers clashed with the new civilian defense minister over personnel issues.”³¹⁸ The action caused the military to threaten rebellion but

³¹¹ Ruhl, “Redefining Civil-Military,” 44.

³¹² *Ibid.*, 46.

³¹³ Taylor-Robinson and Ura, “From Strengthening Institutions,” 6. Regarding this constitutional change, J. Mark Ruhl notes, “the armed forces suspect[ed] that the president [had] been pleased to see their decline since a smaller military carri[ed] less political weight.” J. Mark Ruhl, “Doubting Democracy in Honduras,” *Current History* 96, no. 607 (1997): 82.

³¹⁴ Ruhl, “Redefining Civil-Military,” 50.

³¹⁵ Ruhl, “Honduras Unravels,” 96.

³¹⁶ *Ibid.*

³¹⁷ Richard L. Millett and Orlando J. Pérez, “New Threats and Old Dilemmas: Central America’s Armed Forces in the 21st Century,” *Journal of Political and Military Sociology* 33, no. 1 (2005): 73.

³¹⁸ J. Mark Ruhl, “Curbing Central America’s Militaries,” *Journal of Democracy* 15, no. 3 (2004): 143.

ultimately, “divisions within the officer corps combined with strong support from . . . the United States and the business community enabled [Facussé] to dismiss the recalcitrant elements and significantly strengthened civilian authority over the military.”³¹⁹ As a result, in the years of National President Ricardo Rodolfo Maduro, 2002 to 2006, civilian control of the military in Honduras rapidly strengthened and the country was “developing a relatively stable model of civil-military relations.”³²⁰ This model, however, would be shaken to the core over the coming years.

As Chapter I mentioned, President Zelaya had very cozy relations with the Honduran military. Furthermore, he seemed to esteem future coup leader General Romeo Vásquez Velásquez and demonstrated it by “reappointing him to an unusual second three-year term as chief of the Joint General Staff.”³²¹ Relations between Zelaya and the military establishment were so good that one author noted in a column for *Revista Envío*, “since the return to civilian rule in 1980, no Honduran leader has helped elevate the military’s profile as much as Mel Zelaya during his three years in office.”³²² Even though Di Iorio notes that the military had spent “much time, effort and financial capital” over the transition to democracy in branding themselves as apolitical and neutral from the political sphere,³²³ it appears that President Zelaya may have encouraged a break from this supposed political indifference for his own personal gain. The most important element of Zelaya’s support of the military was apparently politically motivated: Zelaya “encouraged the army’s hierarchy to abandon its neutrality—which had cost so much to achieve—so it would express partisan opinions in favor of the [Law of Citizen Participation],”³²⁴ the first major legislative achievement of his presidency. This political encouraging backfired on Zelaya as is evidenced by the military’s political role in the

³¹⁹ Millett and Pérez, “New Threats and Old Dilemmas,” 73.

³²⁰ *Ibid.*, 74.

³²¹ Ruhl, “Honduras Unravels,” 101

³²² Alejandro Fernández, “Another Month Living with the Coup: ‘I Hear Something Rumbling...’” *Revista Envío*, September 2009, <http://www.envio.org.ni/articulo/4064/>.

³²³ Di Iorio, *The Good Coup*, 20.

³²⁴ Fernández, “Another Month Living with the Coup.”

coup. By encouraging their reengagement in politics, Zelaya, perhaps unintentionally, permitted the military's return to its days of political influence.

C. THE IDEOLOGICAL HATRED OF THE LEFT

As Chapter II demonstrated, Honduran politics has no taste for leftist, particularly the new left, ideology. In this regard, the military is no different. The military coup leadership did not just suddenly despise Zelaya's leftist political ideology. In fact, it appears that the military institution has detested the left since before the return to democracy. It is imperative to point out that Modesto Rodas, the aforementioned leftist candidate that the military would not allow to be elected, was the father of Patricia Rodas, the leftist ideological leader for Zelaya, and one of his closest confidants,³²⁵ which the research indicates is the first instance of outward leftist hatred by the Honduran military. Furthermore, Ruhl, Taylor-Robinson, and Ura all indicate that senior military officers had been "politically socialized" by and "steeped in Cold War ideology" that certainly was evident in the 1960s regarding their actions towards Rodas.³²⁶ Following the Rodas incident, the country was ruled by "General of the Air Force Oswaldo López Arellano in collaboration with the National party."³²⁷ López, however, came under great "pressure from a combination of organized labor and progressive business groups" that eventually led him to depose his corrupt government in favor of a more "populist, nationalist program that expanded the role of the state and instituted an important agrarian reform" that catered to "reformist labor, private sector, and peasant" groups.³²⁸ This shift represents a move to the new populist left and did not marry with his fellow generals. López was deposed by the conservative Colonel (soon to be General) Juan Melgar Castro in 1975. The conservative military elites would not tolerate any inkling of leftist ideologies infiltrating their ranks.

³²⁵ Moreno, "The President in His Thicket," *Revista Envío*. While this scenario mirrors the Zelaya incident and lends further credence to the argument of Chapter II, Rodas had not been elected president nor is it known if he suggested reforming the constitution to allow for reelection.

³²⁶ Ruhl, "Honduras Unravels," 101; Taylor-Robinson and Ura, "From Strengthening Institutions," 17.

³²⁷ Ruhl, "Redefining Civil-Military," 36.

³²⁸ *Ibid.*, 35–36.

Research indicates that this trend continued in the 1980s with then Commander-in-Chief of the Armed Forces General Gustavo Alvarez Martínez. The General, who had fought in the Argentine *Dirty War* in which he battled to purge the country of communists during the 1980s under the presidency of Suazo Córdova, used this experience “to ferret out all left leaning, real or imagined, individuals and groups in Honduras” during the Central American conflicts.³²⁹ Author Thomas Leonard posits, “the perception of a genuine leftist threat to Honduran stability enhanced Alvarez’s political image at home and with U.S. policymakers.”³³⁰ Perhaps, the Honduran general saw political capital in standing against leftist ideology.

The leftist hatred did not die when General Alvarez was no longer in power. Rather, during the presidency of Liberal José Azcona (1986–1990), the military pushed against supposed leftist leaders. Under the leadership of General Humberto Regalado Hernández, “the military high command demonstrated its influence over Azcona by vetoing his choice for foreign minister, [future President Reina], on the grounds of his suspected Leftist leanings.”³³¹ Furthermore, as with many other Latin American countries under military rule, the Honduran military was accused of human rights violations, specifically towards left leaning groups.³³² These examples of foundational leftist hatred point to the reason why when Zelaya aligned himself with the younger Rodas, and as a result, Chávez, the depth of the military’s fear of the left resurfaced as vehemently as it did. Even so, it seems unlikely that the military would go so far as to break the law by expatriating Zelaya based solely on his leftist ideology. For a complete explanation, this thesis posits that a return to Alfred Stepan’s new professionalism is necessary.

³²⁹ Leonard, *History of Honduras*, 158.

³³⁰ Ibid.

³³¹ Ruhl, “Redefining Civil-Military,” 39–40.

³³² Taylor-Robinson and Ura, “From Strengthening Institutions,” 5.

D. ENDURING NEW PROFESSIONALISM WITHIN THE HONDURAN MILITARY

Chapter I discussed relevant arguments in modern day civil-military relations. Yet those arguments failed to predict or explain the military's behavior in the Zelaya incident; thus, this section argues that the explanation of the military's involvement is found in an older theory of civil-military relations. In his 1973 work entitled, "The New Professionalism of Internal Warfare and Military Role Expansion," Alfred Stepan argued that changing economic and political factors in Latin America were viewed by the military as an internal threat to the state, and therefore, focusing on politics and economics was a means to neutralize the threat; thus, creating a "new professionalism."³³³ He noted the "process by which the military came to define its mission primarily in terms of dealing with threats to internal security was accelerated by the defeat and destruction of the conventional army in Cuba by Castro's guerilla force."³³⁴ Thus, "military institutions began to study such questions as the social and political conditions facilitating the growth of revolutionary protest and to develop doctrines and training techniques to prevent or crush insurgent movements."³³⁵ As a result, the military became highly political as its educational institutions began to "train their officers to acquire expertise in internal security matters that were defined as embracing all aspects of social, economic, and political life."³³⁶

In his empirical cases of Brazil and Peru, Stepan noted that both countries' war colleges focused their studies on the "process of military role expansion" because "staff and students at the war colleges attempted to systematically diagnose their nation's security-development situation."³³⁷ Thus, in Brazil, "the new professionalism of internal warfare and national development contributed to the expansion of the military's role,"

³³³ Alfred Stepan, "The New Professionalism of Internal Warfare and Military Role Expansion," in *Authoritarian Brazil: Origins, Policies, and Future*, ed. Alfred Stepan (New Haven: Yale University Press, 1973), 49.

³³⁴ *Ibid.*, 50.

³³⁵ *Ibid.*

³³⁶ *Ibid.*, 51.

³³⁷ *Ibid.*, 59.

and ultimately led “to the military’s assumption of power in 1964.”³³⁸ In Peru, “officers feared that the country could evolve into a dangerous state of insecurity if fundamental changes in the polity and economy were not brought about,” and believed their “training in the new professionalism gave them the trained cadres and correct ideology for the task of restructuring the country.”³³⁹ In both cases, the militaries viewed the political and economic situations in their countries as posing a serious internal security threat that they felt responsible for handling, and thus, were motivated to engage and neutralize the threat by taking power of the government. Ultimately, Stepan argues that militaries viewed the dismal political and economic situations along with a rising threat of insurgency as posing a serious internal security threat that they felt responsible for handling, and thus, were motivated to engage and neutralize the threat by taking control of the government. The argument highlights the military’s motive in deciding to intervene—combating threats and protecting the homeland. In Honduras, scholars have noted, “the military essentially confines its spheres of influence to national security and internal stability.”³⁴⁰ Thus, while the Honduran military did not take over the government in the Zelaya case, in the present Latin American and global context that favors democracy, Stepan’s argument was clearly empirically evidenced by the actions and reasoning of the Honduran generals as shown in the rest of this section.

One example of a brewing insurgency that posed a threat to the state occurred in the weeks prior to the coup. After the Honduran Attorney General declared he would enforce the illegality of Zelaya’s proposed referenda, “some 100 agitators, wielding machetes, descended on the attorney general’s office. ‘We have come to defend this country’s second founding,’ the group’s leader reportedly said. ‘If we are denied it, we will resort to national insurrection.’”³⁴¹ This type of insurgent activity is similar to what Stepan argued the military would use as a catalyst for political intervention and a response to this threat is consistent with the military’s aforementioned mission. Thus, an

³³⁸ Stepan, “The New Professionalism of Internal Warfare and Military Role Expansion,” 62.

³³⁹ Ibid.

³⁴⁰ Sullivan, *Honduras: A Country Study*, 157.

³⁴¹ O’Grady, “Why Honduras Sent Zelaya Away.”

apparent insurgency was growing out of an assault on the justice system to an eventual confrontation with the military itself as Zelaya along with his supporters took matters into their own hands.

Even though President Zelaya was perfectly within his constitutional right, under Article 277, to order the military to provide for the security and facilitation of the referenda,³⁴² the Honduran military “[had] a constitutional obligation under Articles 272 and 278 to disobey illegal or unconstitutional orders.”³⁴³ The referenda materials, produced and paid for by Chávez’s government, were being held at a facility at an air base in the capitol of Tegucigalpa. To ensure his referendum would proceed as scheduled, Zelaya led a group of supporters to the airbase to retrieve the materials. “They were met at the gate by General Luis Prince, who commanded the base. Mr. Zelaya told General Prince that he had come to retrieve the thousands of boxes of ballots for the scheduled opinion poll that Sunday.”³⁴⁴ The general was placed in a precarious position. The military had orders to “guard the warehouse and block access to the boxes” because the supplies had been “ordered impounded by the Supreme Electoral Tribunal.”³⁴⁵ Yet face to face with his Commander in Chief backed by a mob of supporters, the general allowed Zelaya and his crowd to take possession of the election materials.³⁴⁶ Using his supporters as “human shields,” Zelaya exclaimed to TV cameras that he was “simply carrying out the will of the people and that no mere magistrate was going to prevent him from completing his mission.”³⁴⁷ This incident, along with those above, indicate that at least in the military’s mind, evidence of some degree of insurgency was brewing that could pose a threat to the state, which further supported Stepan’s argument.

As a result of the President and his supporter’s actions, the political elites along with the military were “worried that if [Zelaya] stayed in the country after his arrest his

³⁴² Ruhl, “Honduras Unravels,” 100–101.

³⁴³ *Ibid.*, 101.

³⁴⁴ Di Iorio, *The Good Coup*, 31.

³⁴⁵ *Ibid.*, 32.

³⁴⁶ *Ibid.*

³⁴⁷ *Ibid.*

supporters would foment violence to try to bring down the interim government and restore him to power.”³⁴⁸ Arresting Zelaya was not enough; the military determined that it had to break the law willfully by expatriating Zelaya; thus, “the soldiers exceeded judicial instructions and violated Zelaya’s constitutional rights under Article 102 by exiling him instead of bringing him before a judge as required by law.”³⁴⁹ The military was not naïve; they were fully aware that their decision to send Zelaya to Costa Rica was illegal.³⁵⁰ Unashamed of their actions, numerous members of the military gave similar answers as to why they disobeyed the court’s order—answers that point to Stepan’s 1973 argument. “A military spokesman claimed that the armed forces took this step to prevent a [future] violent confrontation with Zelaya’s supporters.”³⁵¹ The Army’s attorney, Colonel Herberth Bayardo Inestroza, said, “had Zelaya been jailed, throngs of loyal followers would have erupted into chaos and demanded his release with violence.”³⁵² He added that had they not expatriated Zelaya, the army would have been “burying a pile of people.”³⁵³ As well, Inestroza admitted that “after 34 years in the military . . . he’d have a hard time taking orders from a leftist,” adding further that having previously fought insurgent movements in the past, Honduras was “the only country that did not have a fratricidal war like the others;” thus, Inestroza mentioned, “it would be difficult for us, with our training, to have a relationship with a leftist government.”³⁵⁴ Furthermore, the military knew it would be exonerated for any illegal involvement as Article 24 of Honduras’ penal code “allows for making tough decisions based on the good of the state.”³⁵⁵ In this reasoning, the military arguably communicated a fear of an insurgent threat.

³⁴⁸ O’Grady, “Why Honduras Sent Zelaya Away.”

³⁴⁹ Ruhl, “Honduras Unravels,” 102.

³⁵⁰ Frances Robles, “Top Honduran Military Lawyer: We Broke the Law,” *The Miami Herald*, July 3, 2009, News Bank: Access World News.

³⁵¹ Ruhl, “Honduras Unravels,” 102.

³⁵² Robles, “Top Honduran Military.”

³⁵³ *Ibid.*

³⁵⁴ *Ibid.*

³⁵⁵ *Ibid.*

The Honduran generals did not need a lawyer to justify their actions—they were pleased to do it publicly themselves. Belen Fernandez of the publication *Counterpunch* conducted an interview with General Vásquez in November 2009 in which the General revealed his rationale behind the decision. Arguably giving the politically and legally correct answer, the General stated, “the refusal of the military to follow Zelaya’s orders . . . was ‘not because the armed forces didn’t want to carry out the mission but rather that we simply couldn’t because we had to uphold the rule of law.’”³⁵⁶ Yet, Ruhl stated that “after seeking the advice of military and civilian legal experts, General Vásquez warned Zelaya in late April that he should refrain from instructing the military to provide logistical support to the disputed referendum,”³⁵⁷ rather than telling Zelaya out right that it would be illegal for him to do so. Providing insight into the expatriation decision, the General stated further on in the interview that if the they had not expatriated the president “he would have been taken to a military facility . . . and his followers would have gone to take him out of there just as they did at the Air Force base . . . which could have caused a lot of deaths, including [Zelaya’s] own.”³⁵⁸ Additionally, in August 2009, an army commander was quoted by CNN as having “announced that the Honduran military had succeeded in halting the spread of socialism” with Zelaya’s ouster.³⁵⁹

The generals, along with Vásquez, took to the media to explain their involvement later in August 2009 on the Honduran program “Face to Face.” On national television, the generals explained “in language that often veered into confessional . . . that they did not act to take sides in the political fights that had polarized the country, but out of obedience to the law,” a clear contradiction of previous statements and actions made by the leaders.³⁶⁰ “The more they spoke, however, the more they showed how concerned they were that their image had been damaged by their actions, and the clearer it became

³⁵⁶ Fernandez, “Friendship Ends.”

³⁵⁷ Ruhl, “Honduras Unravels,” 101.

³⁵⁸ Fernandez, “Friendship Ends.” “As for why Costa Rica was the traditional destination for victims of Honduran military coups, de facto Honduran Defense Minister Adolfo Lionel Sevilla had opined that Zelaya had simply wanted to go there.” Ibid.

³⁵⁹ Ibid.

³⁶⁰ Ginger Thompson, “On TV, Honduran Generals Explain Their Role in Coup,” *The New York Times*, August 5, 2009, <http://www.nytimes.com/>.

that they continued to play a leading role in Honduran politics.”³⁶¹ The generals defended their actions as necessary to preserve the integrity and validity of the constitution President Zelaya was allegedly attempting to undermine.³⁶² Not surprisingly, “the generals said that . . . Mr. Zelaya . . . had become a threat to Honduran democracy, not only because he had disobeyed court orders, but also because he had allied Honduras with [Chávez].”³⁶³ Overall, the Honduran military undoubtedly felt that Zelaya’s actions, his aggressive leftist ideology, an unstable political environment, and the insurgent characteristics of his supporters were a threat to the state that had to be neutralized as Stepan predicted—even if it meant breaking the law.

In addition to Stepan’s argument, the Honduran military’s actions can also be explained by the 1999 writing of Brian Loveman. The author posits, “defending *la patria* (the nation, or fatherland) against internal and external threats is the historical mission claimed by Latin American armed forces”³⁶⁴ that has lived on to the post-Cold War, democratic context. Loveman explains that military’s and their civilian counterparts “usually justify their apparent breach of discipline and subordination to civilian authority as response to government illegitimacy and inefficacy that imperil *la patria*, not as claims that the armed forces have permanently assumed the role of sovereign.”³⁶⁵ The author’s argument is clearly demonstrated by the empirical evidence presented above because he notes, there is general consensus among military elites that defending their nation against external and internal enemies is their primordial historical mission.”³⁶⁶ This mission is “legitimated by tradition, by historical myths, and by professional education for officers in military schools and academies.”³⁶⁷

³⁶¹ Thompson, “On TV.”

³⁶² Ibid.

³⁶³ Ibid.

³⁶⁴ Loveman, *For la Patria*, xi.

³⁶⁵ Ibid., xv.

³⁶⁶ Ibid., xvii.

³⁶⁷ Ibid.

Finally, Samuel Huntington's weak institutions argument is clearly evidenced by the research presented in this and the preceding chapters. Huntington claims that military intervention into politics, specifically by way of a coup, is "only one specific manifestation of a broader phenomenon in undeveloped societies: the general politicization of social forces and institutions."³⁶⁸ These undeveloped societies are praetorian in nature where politicization originates from "the absence of effective political institutions capable of mediating, refining, and moderating group political action,"³⁶⁹ which, in turn, creates weak institutions that were clearly present in Honduras during the crisis. For Huntington, "the weakness of political institutions means that authority and office are easily acquired and easily lost."³⁷⁰ While the military did not control power once Zelaya was removed, it is not inconceivable to see how it seized on the lack of institutional strength and extreme politicization and took matters into its own hands as evidenced by its actions specifically regarding expatriation. Thus, as Huntington predicts, when weak institutions and extreme politicization abound in praetorian societies like Honduras, the military is likely to involve itself in governmental affairs—even if that leads to a coup. The Honduran military's political history, hatred of the ideological left, and actions regarding the removal and expatriation of President Zelaya thus can be explained by the theories of Alfred Stepan, Brian Loveman, and Samuel Huntington.

E. U.S. INTERVENTION?

Still, one more factor arguably remained in the military's calculus—what would be the reaction of the United States? Given the previously described historical importance of the United States to the Honduran army, and the hegemonic superiority of Central America's northern neighbor, it is not inconceivable to think that the generals would have considered what, if any, response America would have to their actions. In fact, according to officials within the administration of President Barack Obama, "U.S. officials were

³⁶⁸ Samuel P. Huntington, *Political Order in Changing Societies* (New Haven: Yale University Press, 1968), 194.

³⁶⁹ *Ibid.*, 196.

³⁷⁰ *Ibid.*, 197.

talking to the Honduran military right up to the day of the coup.”³⁷¹ Evidence suggests that the Honduran generals may not have feared any reprisal from the United States because America could thank the generals for helping it in the fight against *Chavismo*.³⁷² Army General Miguel Ángel García Padgett claimed that “socialism, communism, Chávismo,”³⁷³ which indicated the words all held the same meaning, “disguised as democracy had up until June 28 been en route to the ‘heart of the United States,’ which he declared already had enough to deal with given organized crime and narco-trafficking problems on the U.S.-Mexican border.”³⁷⁴ Arguably, the Honduran military believed that America would appreciate the disruption of the spread of Chávez’s influence regardless of whether or not laws were broken in doing so. General Vásquez, however, denied the move as one designed to help the United States.³⁷⁵ Even so, it does seem that the generals could have been weighing an American response in the course of their own decision-making process.

Furthermore, the Honduran generals could have reasoned it was unlikely that their actions would have been followed up by an U.S. military invasion of Honduras to reestablish order. American military intervention would not have been a “viable option” given the history of U.S. military involvement in the region.³⁷⁶ “Moreover, it would be illogical [for U.S. military forces] to forcibly reinstate a less than democratic leader with anti-U.S. tendencies.”³⁷⁷ Perhaps, the Honduran generals knew this would be the American response, and thus, their illegal actions would not succumb to retaliation. Following the coup, even though the United States and the greater international community condemned the events in Honduras, and supported Zelaya’s reinstatement as

³⁷¹ Mark Weisbrot, *Obama’s Latin America Policy: Continuity Without Change* (Washington, DC: Center for Economic and Policy Research, 2011), 1.

³⁷² This term is widely accepted as indicating the spread of the new left movement in Latin America led by Hugo Chávez.

³⁷³ Thompson, “On TV.”

³⁷⁴ Fernandez, “Friendship Ends.”

³⁷⁵ *Ibid.*

³⁷⁶ Lindsay Young, “The Honduran Question: The U.S. Answer to Latin America,” (Paper presented at the Pacific Coast Council on Latin American Studies Annual Conference, Fall 2009), 8.

³⁷⁷ *Ibid.*

the constitutionally elected president, America “never used its biggest stick—trade sanctions—and ultimately wavered in its commitment to Zelaya.”³⁷⁸ Given that the United States could have intervened militarily or economically, it is possible to believe that the generals may have had some form of confidence that America would not impose retribution, and thus, proceeded on with their plan.

Kirk Bowman’s 2002 book, *Militarization, Democracy, and Development: The Perils of Praetorianism in Latin America*, seems to be somewhat relevant to the Honduran generals calculus as well. The author assesses the impact of militarization, which he defines as “military size and budgets,” against “three separate indicators of development—democracy, economic growth, and equity.”³⁷⁹ Using an empirical study of the Honduran military from its professional inception in the 1950s to its time in the presidential palace in the 1960s, Bowman found that increased levels of militarization resulted in coups against democracy, and thus concluded that overall “where militarization was strong in Latin America during the Cold War era, sudden declines of democracy result[ed].”³⁸⁰ The key to militarization in Honduras was the influence of the United States, leaving Bowman to conclude that Honduras “demonstrates how a near nonexistent military institution could grow with U.S. support into the arbiter of national politics in a very short period of time.”³⁸¹ The author notes that the United States was not always an approving ally of the military as is evidenced by the reaction America had to the coup led by the aforementioned López Arellano. In response, “the United States immediately withdrew diplomatic recognition.”³⁸² The outcome of this reaction is what reveals a similarity to the case at hand.

The Honduran generals of the 1963 coup did not worry about the United States’ withdrawal of support, because they knew the “threat was hollow.”³⁸³ Latin American

³⁷⁸ Ruhl, “Honduras Unravels,” 103.

³⁷⁹ Bowman, *Militarization, Democracy, and Development*, 3.

³⁸⁰ *Ibid.*, 179–180.

³⁸¹ *Ibid.*, 178.

³⁸² *Ibid.*, 174.

³⁸³ *Ibid.*, 175.

military coups were occurring all over the region in the 1960s throughout Central and South America and the U.S. response pattern, as Bowman notes, was predictable: “the United States in every case suspended relations, publicly exclaimed support of democracy, and then quickly renewed relations with the generals.”³⁸⁴ That situation is exactly what materialized as a result of the 1963 coup on December 14, 1963. A few months after the coup, America resumed normal relations with the new military government.³⁸⁵ Perhaps, the generals of 2009 reflected on this instance and knew that despite American disdain for their actions, which is covered in Chapter V, the United States would not sustain a hostile relationship for long. Even though U.S. interest in Honduras in the 1960s was far greater than in 2009, given the context of the Cold War, it is not unreasonable to think that Vásquez and his generals posited the same as Bowman did regarding U.S. response; thus, they feared no American reprisal just as the generals of old saw none for actions much worse than expatriation and arrest.

F. CONCLUSION

This chapter has provided evidence that the military’s long-standing hatred of the ideological left and fear of an internal security threat to the state by Zelaya and his supporters ultimately led them to obey the orders of the Supreme Court, yet break the law by expatriating the President to Costa Rica. Since Pion-Berlin and Trinkunas’ arguments did not predict the military’s behavior, the arguments of Alfred Stepan, Brian Loveman, and Samuel Huntington were applied to the case. These arguments clearly support the evidence presented and correctly predict the military’s actions. Even though there was limited evidence on the lack of potential reprisal from the United States regarding the military’s activities, this factor still seems relevant to the military’s decision making despite the basis in speculation. Bowman’s militarization argument speaks to the historical importance of the U.S. relationship with the Honduran military, and how the generals could have considered this factor in 2009. Each factor does not appear to explain fully the involvement on its own. Rather, all must be combined together to provide a

³⁸⁴ Bowman, *Militarization, Democracy, and Development*, 175.

³⁸⁵ *Ibid.*

complete and clear reason as to why the generals broke the law on June 28, 2009. The military's involvement in the Honduran crisis completes the search for an answer to the reason behind the removal of President Zelaya.

V. CONCLUSION

This thesis has shown that the answer to the question of why President Manuel Zelaya was deposed as the leader of Honduras contains many different causal factors. Chapter II discussed the elements of applicable theoretical models and tested them against the evidence surrounding the crisis. It found that Llanos and Marsteinstredet's intra-governmental conflict, Pérez-Liñán's presidential scandal, and Baumgartner and Kada's party politics links in the causal chain were factors in Zelaya's removal. Yet, the main finding of Chapter II, and the thesis as a whole, was that Zelaya's shift to the new "radical" left in Latin America along with his alleged desire for reelection threatened and scared the elites so much that they triggered his ousting, in a context in which elites historically have exercised significant direct influence on the Honduran legislature and judicial system. Chapter III examined the Supreme Court's role in Zelaya's removal, and demonstrated it was not until the crisis was in its final months that the court jumped on the elite bandwagon and moved to remove Zelaya. Finally, Chapter IV analyzed the highly political Honduran military that has a legacy of leftist hatred. The chapter showed how Alfred Stepan's new professionalism argument is still relevant to military politics today and was the ultimate motivator for military intervention, even to the point of breaking the law. Furthermore, the chapter pointed to the arguments of Brian Loveman and Samuel Huntington as further theoretical support for the Honduran military's actions. The current chapter discusses what happened after Zelaya's removal, provides further discussion of the reelection plus new left equation that is the central finding of this thesis, and further reviews the institutional response to the elite sentiment in the incident.

A. THE AFTERMATH OF THE COUP

While President Zelaya was still standing in his pajamas on the tarmac in Costa Rica, Roberto Micheletti was busy being sworn in as President of Honduras. Micheletti's dream of occupying the presidential palace in Tegucigalpa had finally materialized; yet, his tenure as president would not be a stroll in the park. "The international community reacted quickly and forcefully to the events of June 28, 2009" as the European Union and

U.N. “condemned the ouster and called for Zelaya’s immediate return, as did every regional grouping in the hemisphere.”³⁸⁶ The U.S.’ response was, perhaps as the military calculated, not as forceful or immediate as that of the broader international community. “On the day of the coup, the White House did not condemn it, instead calling on ‘all political and social actors in Honduras’ to respect democracy.”³⁸⁷ Thus, “the Obama administration refused to determine that a ‘military coup’ had taken place in Honduras.”³⁸⁸ The American response was convoluted, as in some instances, it seemed the United States would support Zelaya’s return to power, yet when the former tried to do so himself, Secretary of State Hillary Clinton “denounced his actions as ‘reckless.’”³⁸⁹

Perhaps the harshest response came from the OAS, which “on July 4, 2009 . . . unanimously voted to suspend Honduras from the organization for an unconstitutional interruption of the democratic order.”³⁹⁰ Furthermore, the newly installed Micheletti government was “not recognized by a single country.”³⁹¹ The pressure was not only felt in the political sphere: The economic coffers of Honduras took a major hit as nations throughout Central America, the European Union, the United States, and Venezuela suspended financial aid to Honduras.³⁹² Even though this thesis has focused primarily on the domestic factors surrounding Zelaya’s ouster, the aforementioned involvement of the international community, despite the numerous reactions taken, is noteworthy ultimately because of the lack of influence any outside entity had on bringing about a resolution to the crisis. No foreign nation, including the United States or Brazil, arguably South America’s hegemon, or international organization, including the United Nations and the OAS, could bring about a peaceful resolution to the conflict. Perhaps what this crisis says to the world is that in political climates, such as Honduras, any effort to bring about a

³⁸⁶ Meyer, “Honduran Political Crisis,” 7.

³⁸⁷ Weisbrot, *Obama’s Latin America Policy*, 1.

³⁸⁸ *Ibid.*, 2.

³⁸⁹ *Ibid.*

³⁹⁰ Meyer, “Honduran Political Crisis,” 7.

³⁹¹ *Ibid.*

³⁹² *Ibid.* Despite the slow U.S. response, some evidence is available that America did punish the Honduran government for the ouster of Zelaya.

solution to a political crisis surrounding weak institutions and extreme elitism should be more from an advisory position rather than a leading role. It is baffling that regional and international powers were unable to solve an arguably simple crisis in such a small and relatively insignificant country like Honduras. Yet, while the effectiveness of the international community's reaction varied, the domestic response to the crisis was arguably far worse.

After Zelaya's removal, public upheaval in the form of street protests skyrocketed. "Both supporters and opponents of the deposed president regularly took to the streets by the thousands."³⁹³ Pérez-Liñán's social protest causal factor had finally materialized. The increase in protests caused violent clashes with police and military authorities trying to maintain order. "Amnesty International reported that the use of excessive force by the army and police resulted in hundreds of beatings and detentions as well as several deaths."³⁹⁴ Domestic economics took a major hit in the aftermath of the coup as "investment and tourism came to a halt, and more than 180,000 Hondurans lost their jobs."³⁹⁵ Zelaya never wavered in his attempt to return to power; he tried multiple times to reenter the country and finally found refuge in the Brazilian Embassy in Tegucigalpa. From there, Zelaya "began to direct his movement" to return to power but "he was unable to rally enough new supporters to force Micheletti out."³⁹⁶ Costa Rican President Oscar Arias was summoned to try to negotiate a settlement to the crisis between Zelaya and Micheletti but his efforts ultimately failed. As a result, "the United States stepped up pressure on Micheletti by suspending virtually all nonhumanitarian aid and canceling the visas of leading members and supporters of the interim government."³⁹⁷ Despite numerous attempts at reconciliation, no agreement was ever reached to return Zelaya to his post; thus, the regularly scheduled national elections of November 2009 proceeded on schedule. The election results returned the National Party under the

³⁹³ Ruhl, "Honduras Unravels," 102.

³⁹⁴ *Ibid.*, 102–103.

³⁹⁵ *Ibid.*, 103.

³⁹⁶ *Ibid.*

³⁹⁷ *Ibid.*

leadership of Porfirio Lobo Sosa to power in both the executive and legislature. The election of Lobo Sosa was recognized by the United States and several other nations in Latin America, which thus, ended the crisis.

B. THE CRITICAL EQUATION: REELECTION PLUS THE NEW LEFT

As Chapter II demonstrated, the central finding of this thesis surrounds the necessity of both the attempt at reelection and the influence of the new left to answer the removal question. It is important to understand, however, that these elements are two separate things altogether: one does not imply the other. It is widely accepted that reelection efforts in Latin America began under right-of-center governments in Latin America during the 1990s. Since then, many countries have implemented the policy, such as Peru, Argentina, Brazil, Ecuador, and of course, Venezuela. Yet, not all countries have bought into the idea of reelection as each case is different among the nations that have participated. The context of the political atmosphere in each country has determined whether or not the people will buy into reelection. Furthermore, while the reelection threat was associated with the new left and Chávez in the Honduran case, it is important to understand that this trend did not start under leftist governments. Thus, the new left does not presume reelection as an element in its definition.

Most analyses of the Zelaya situation conclude similar to what J. Mark Ruhl surmises:

When President Zelaya shifted sharply to the left and defied the authority of the Supreme Court, the TSE, and the National Congress, his opponents felt justified in using any means at their disposal against him. Fearing that Zelaya sought an unconstitutional second term, they persuaded the armed forces to remove the president from the office to which he had been democratically elected.³⁹⁸

This conclusion is not incorrect as these statements summarize the empirical findings of this thesis. Yet, the problem with conclusions such as this one is that the link between the reelection issue and the new left is missing. While both are separate entities, they both

³⁹⁸ Ruhl, "Honduras Unravels," 105–106. The author disagrees with Ruhl's conclusion that the military was persuaded to remove Zelaya. Chapter IV clearly demonstrates that the military needed no assistance to spur Zelaya's removal—their legacy of leftist hatred was motivation enough.

were necessary in the removal equation in Honduras. Chapter II used a comparative analysis of the ideologies and desires of numerous former presidents since the return to democracy to reveal this finding. Leftist Presidents were not removed solely because of their ideology. Similarly, those who at some point had a desire for reelection were also not removed. For Honduras, only when both elements occur in the context of the rise of the new radical left and ongoing elite power in Honduran politics does removal occur. Zelaya was that first president since the return to democracy to exhibit both of the aforementioned elements and he was the first leader ousted as a result.

C. RESPONSE OF INSTITUTIONS TO THE ELITES

Chapter II clearly demonstrated that the elites control Honduran government and politics. This elite coalition against Zelaya included members of the “traditional political class and private sector, most of the media, the security forces,” and the leadership of the Honduran Roman Catholic Church.³⁹⁹ Zelaya and “Chávez sparked new fears of revolution among the nation’s privileged political and economic elites;”⁴⁰⁰ and, along with his threatened reelection attempt, wanted him removed as president. Thus, the Honduran governmental institutions responded to these fears and ousted Zelaya. This thesis has demonstrated that, unlike the arguments of Taylor-Robinson and Ura, this case was not a clash of institutions, but rather, the influence of elites on the actions of institutions masquerading as autonomous entities separate from outside power. If this were a case of institutional conflict, then arguably, limited evidence of congressional and judicial support for any of Zelaya’s policies would exist rather than the large amounts presented in this thesis. The chapters in this thesis clearly point to several times when each of these institutions not only worked with but also supported many of Zelaya’s actions and policies—thus, a purely institutional argument is not sufficient to explain his removal. The congress and Supreme Court responded to the fears of the elites, and thus facilitated, their desire to remove Zelaya.

³⁹⁹ Ruhl, “Honduras Unravels,” 102.

⁴⁰⁰ *Ibid.*, 105.

An important note must be made about the military's involvement in the situation. To begin with, the military was following constitutional orders of the congress and courts responding to the sentiments of the elites. Yet, ultimately revealed about the Honduran military through the Zelaya case is that the military still had institutional autonomy. The military's anti-leftist hatred and fear of an insurgent uprising motivated its decision to expatriate Zelaya—an order not given by either the congress or the courts. The military stood out against the backdrop of institutional responses to the wishes of elites and demonstrated its autonomy through its decision making. As such, Pion-Berlin and Trinkunas' element of rational decision making in deciding to quarter or not appears to have some relevance in this case. The authors note that rational decisions about whether to repress, rebel, or quarter are made when "the potential for being held accountable by the government [is] greatly discounted relative to the potential for societal or legal accountability."⁴⁰¹ This thesis has shown that the Honduran generals were not only obeying the law but that they arguably were making a rational decision about potential reprisals from the incoming government and even the United States. Furthermore, since the military's previous coups were not punished, given that they maintained significant institutional strength after the return to democracy, the military arguably had not reason to quarter itself and made the decision to expatriate Zelaya. Thus, the rational decision portion of the author's argument supports the conclusion of the military's autonomy in the situation.

The Honduran political crisis of 2009 surrounding President Zelaya demonstrates potential consequences of political systems governed by elites in a clientilistic matter. Moreover, it reveals what can happen when weak institutions are unable to counter the desires of the powerful elites. Therefore, other regions of the world that house countries that exhibit these aforementioned conditions, such as the Middle East and Africa, should focus on strengthening their institutions to the point at which they could withstand elitist pressure and function on their own. Arguably, if the Honduran Congress and judiciary were stronger at the time of the coup, they would not have reacted the way they did to the event. The referendum that Zelaya wanted would not have gone into effect until after the

⁴⁰¹ Pion-Berlin and Trinkunas, "Civilian Praetorianism," 408.

next president was sworn in—his name would not have appeared on the November 2009 ballot. Any changes to the constitution would have been made after he left office and arguably the institutions knew this because Zelaya gave “repeated assurances that he would be in office only until the last day of his mandate.”⁴⁰² Arguably, the military would have feared reprisal from strong institutions and might not have illegally expatriated Zelaya. Strong institutions would have recognized that Zelaya’s referendum was a simple poll and not have allowed an actual binding referendum to occur all the while waiting for his term in office to expire; thus, the crisis would have been avoided. Counterfactuals aside, this case reveals some of the negative consequences that weak institutions can yield in clientilistic and elite political systems. Even so, weak institutions are arguably the only way these types of political systems flourish—strong institutions can breed strong governments void of significant elite influence.

The removal of President Zelaya from office was clearly motivated by fears of his leftist ideology and alleged attempt at reelection. The legality of the process did not matter to the elites who used weak government institutions, along with the illegal expatriation actions of the military, to oust a constitutionally elected president. The importance of the combination of reelection and the new left is critical to answering the removal question as the two elements alone do not provide sufficient evidence. Future Honduran leaders would be wise to take note of Zelaya’s actions. A desire to reform the constitution to seek reelection is not necessarily a problem in Honduras despite the untouchable nature of the institution as the past demonstrates. Furthermore, a radical leftist ideology is not necessarily a threat to the elites on its own. Yet, if a future leader decides to combine these two elements as Manuel Zelaya did, then perhaps prior to doing so, that person should be familiar with the Costa Rican real estate market.

⁴⁰² Salomón, “Honduras: The Protagonists.”

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