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Ortega Proposes Early Elections To End Nicaragua Stalemate

by LADB Staff

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Nicaragua's governmental functions continue to be stalled, seemingly impervious to attempts by national and international parties to blow the logjam. The Sandinista-controlled legislature has had the presidency in check for many months, calling for the removal of President Enrique Bolanos or, failing that, limiting his powers through constitutional reforms.

The latest maneuver has Frente Sandinista para la Liberacion Nacional (FSLN) leader Daniel Ortega seeking to move up general elections one year to Nov. 5, 2005, while simultaneously convoking a Constitutional Assembly to redefine the country's political system. Ex-President Ortega (1979-1990) is also his party's presidential candidate. Ortega told some 5,000 Sandinistas, "If he were to resign along with his vice president, as I did in 1990, the president would be contributing to the solution of the country's problems." These remarks came on the occasion of the 26th anniversary of the FSLN Tactical Retreat in 1979.

Ortega first proposed advancing the elections during a failed attempt by an Organization of American States (OAS) delegation led by Secretary-General Miguel Insulza to solve the governmental impasse (see NotiCen, 2005-06-16). The OAS opposes cutting short the president's term. Moving up the election might facilitate the governmental flow in the long run, but it would also give Ortega a substantial short-term advantage.

The new date would hamper popular rivals Herty Lewites and Eduardo Montealegre from forming political parties to run against him from the left and keep the divided right from putting together an effective anti-Ortega coalition. Lewites, however, is not sold on a split-off party and continues to militate for an open primary election that recent polls indicate he would win (see NotiCen, 2005-03-10).

An unlikely supporter of the idea is Bolanos. The president has said, "If it's necessary and beneficial to the country, I'd be ready for those of us elected in the 2001 national election to leave our posts early and for the national elections to be moved up." But, he said, he would only accede to such a measure if the Sandinistas agree to put the constitutional reforms to a referendum.

Ortega would have none of it. "Why vote on old reforms when we can draft a new Constitution?" he said. Support for early elections also came from Roberto Courtney of the Grupo Civico Etica y Transparencia (GCET), an electoral-monitoring and democracy-advocacy group. Courtney told The Tico Times that even though the Constitution specifies election day as the first Sunday of every quinquennial November, the proposal might be the only possible solution to the current state of affairs. He said he thinks the Constitutional question can be finessed. "In Nicaragua, different

politicians have their different versions of the law, different courts, and even different versions of the Constitution," said Courtney.

A key to working around the issue is having all affected parties sign onto the early election idea. Montealegre has said he is against it, and Lewites has not yet spoken to the question. But even with universal agreement, a rare thing in contemporary Nicaragua, it would be a difficult task to accomplish in a short period. Courtney saw the prospect of a Constitutional Assembly as more likely, since both Bolanos and Ortega support it. The legislature would need to pass it, a prospect generally deemed probable. Popular elections would follow legislative passage to elect the body that would draft a new Constitution.

The current Constitution came into effect in 1987 and reforms followed in 1995, 2000, and 2005. Ortega's hopes for the new Magna Carta include greater direct democracy with broader citizen participation, strong health care, education, and workers' rights provisions, and protections for campesinos from free-trade predations.

No alternatives

No good alternatives to these proposals have yet presented themselves, while the standoff promises to deteriorate further. In the legislature, a committee looking into the impeachment of the president has begun preliminary work that might lead to lifting his immunity for alleged electoral crimes. This work followed a Partido Liberal Constitucionalista (PLC) convention held recently where the more than 600 participants of Bolanos' party voted unanimously to lift his immunity so that he could face charges regarding the use and provenance of US\$7 million during the 2001 elections.

Convention delegates also mandated their 43 elected deputies to vote for impeachment when and if the issue comes up for a vote in the Asamblea Nacional (AN), probably in early August, when the committee is scheduled to report its findings and recommendations. To carry, the vote would need 63 of the 91 votes possible in the unicameral AN.

Foreseeing disaster ahead, the Conferencia Episcopal de Nicaragua (CEN) has called upon the parties to come to some understanding in order to avoid the loss of civil liberties and the imposition of "totalitarianism." A statement from the Catholic body warned, "Totalitarianism can be the fruit of a false messianic determination [to impose] temporal salvation." The message said political liberties would be lost in a vicious circle of "saviors and avengers."

The CEN also expressed its concern that, as the politicians become ever more "closed to the possibilities of harmony, peace, justice, liberty, solidarity, and development," the population will explode. The prelates therefore exhorted the people not to fall into the temptation to support acts of violence. For its part, the population is not on board with advancing the elections.

A poll by the firm M&R involving 802 urban residents found that 82.2% do not support the measure as a solution to the problem. And 52.7% said they want the PLC and the FSLN to return to an OAS-mediated dialogue.

Although the OAS mission did admit failure and Insulza has said the outlook is not good, a mission has remained in Managua to make what it could of whatever possibilities emerge. Dante Caputo, head of the OAS rear-guard squad, has had several meetings with deputies, Bolanos, and the Corte Supremo de Justicia (CSJ), but has not been able to move the parties. He might, however, be able to make something of the show of citizen support for continued OAS efforts.

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