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Nearly Tied Vote in Costa Rica a Blow to Major Parties, a Threat to CAFTA

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Costa Ricans went to the polls Feb. 5 to elect a new president, but this reputedly most democratic and technologically advanced of Central American countries still has no president-elect, and experts say it will be weeks before it has. The fault here is not with the electoral authorities, as it seems to have been weeks ago in Honduras (see NotiCen, 2005-12-01 and 2005-12-15). If there is any blame to go round, it lies with the polling companies that failed to project just how close the contest would be and with the major parties whose scandals during the past presidential term so turned off the electorate that 35% of the 2.5 million eligible did not vote (see NotiCen, 2006-01-26).

Poll-driven predictions going into the contest were that 1987 Nobel Peace Prize winner and former President Oscar Arias (1986-1990) would win handily with more than 40% of the vote, meaning that, according to law, there would be no need for a runoff. But that is not what happened. Arias got his 40% plus, but so did his strongest adversary, Otton Solis of the center-left Partido Accion Ciudadana (PAC). On Feb. 7, with 88.44% of the national vote counted electronically, Arias had garnered 40.51% (591,769), but Solis chalked up an unexpected 40.28% (588,519), a numerical difference of just 3,250 ballots. That meant that either candidate could be a first-round winner. It also meant that Solis was entitled to a hand count of all the paper ballots.

Recognizing this, the Tribunal Supremo de Elecciones (TSE) stopped the electronic process and started the arduous vote-by-vote count. Officials first announced it would take at least a couple of weeks to complete. Later, they amended that to the end of February. There are 6,163 voting stations throughout the country. The manual count began with the 11.56% of the total votes as-yet uncounted, to arrive at a preliminary result in the shortest time. But after Solis complained, the TSE dropped plans to announce a tentative outcome. The uncounted votes belong to the 712 voting stations that could not send their totals electronically for one reason or another, mostly remoteness. Also included in these are some results labeled "inconsistent." Those have some error in the electronic report and must be corroborated by hand.

Several organizations, including Transparency International, have called for the presence of observers to guarantee the process. Social groups have gathered for a vigil in front of the TSE building, promising close scrutiny of the goings-on inside. Arias was clearly surprised by the outcome. He told reporters, "The result is unexpected. Otton got more than everyone projected." The polls had prepared Arias for a margin over Solis of at least ten points. He had several explanations.

One was, "Those who oppose me, those who don't want a president to return to become president again, decided to support the one with the greatest possibility of beating me." Another was that ex-President Rafael Angel Calderon (1990-1994) "visited leaders" of his Partido Unidad Social Cristiana

(PUSC), traditional opponent of Arias' Partido Liberal Nacional (PLN), and lobbied them to vote for the PAC. He said voters made these decisions "possibly in the last 48 hours" before the election, hence the surprise.

Arias' first analysis was not groundless. His eligibility for a second term, although not consecutive, had to be decided in court, the Sala Constitucional, rather than in the legislature. This alienated many voters who thought his candidacy unconstitutional anyway.

Election day in Costa Rica has in the past been a celebratory affair, playing to Costa Rican's view of themselves as the most advanced society in Central, if not Latin America. These results, or lack of results, have taken some of the luster off that notion. Many Costa Ricans appeared to the media to be in a somber mood.

Arias, however, pointed out, "In any other country there could have been great social confusion, great agitation, people drawn to the streets. But here everybody has returned to work. This speaks very well of our political culture; I feel very proud as a Costa Rican."

Voters alter the traditional structure

Arias has reason to be pleased that his country did not fall into the destructive confusion that neighboring Honduras endured just weeks ago when election results were delayed, but he may be misreading what his orderly workaday compatriots have wrought with this election. For starters, they have broken the traditional hold that a conservative de facto two-party system has had on the country. The PUSC, the ruling party for eight consecutive years, is kaput (see NotiCen, 2004-11-04). Its presidential aspirant, Ricardo Toledo, will come out of this contest with scarcely 3.4% of the vote, way behind even the tiny Movimiento Libertario (ML), whose candidate Otto Guevara will end up with about 8.4%, and just a hairsbreadth ahead of the 2.4% won by Antonio Alvarez of Union para el Cambio.

Nor can these results be taken to mean that Arias' PLN is in any great shape, say analysts. Arias took over the party when it was at the point of collapse, a former president who stepped into the breach because there was no vital new leadership at hand to extricate the organization from two successive electoral losses and the disastrous effects of a corruption scandal involving its last president, Jose Maria Figueres (1994-1998).

Another PLN ex-president, Luis Alberto Monge (1982-1986), left the party over the Arias candidacy. He called the Sala Constitucional decision that opened the door to Arias a "barbaric and unprecedented assault on the institutional system."

Another PLN defector was Antonio Alvarez, who, when he joined the new Union para el Cambio, took a number of PLN insiders with him. All this led Edgar Morales, adjunct secretary of the Asociacion Nacional de Empleados Publicos (ANEP), to observe, "Here the big losers are the PLN and the PUSC....Thus, hope is opened for the country to achieve a model of development where all sectors are accommodated."

The ANEP is the largest union in the country. Morales speaks for a significant number of voters when he calls Arias a "worn out and finished leader," who, upon succeeding to the presidency, "will arrive socially and politically delegitimized." CAFTA in trouble Costa Ricans at the polls have also dealt a blow to those who hoped that prospects for passage of the Central America Free Trade Agreement (CAFTA) would improve significantly with this election. Arias is outspokenly pro-CAFTA, Solis only nominally so. Solis campaigned on the position that he would support the agreement only if it were renegotiated.

Most problematic for Solis are the agricultural provisions that would put the country at a disadvantage in competition with a heavily subsidized and efficient US industry and those that would allow private competition with the state electricity and telecommunications monopoly, considered by many to be a national heritage. These issues have been the subjects of numerous protests around the country.

Costa Rica is the only country not to have ratified CAFTA; this election was seen as a referendum on ratification. The big edge given Arias was thought to mean that inclusion in the deal was secured. Now, even with a win, Arias is in no position to make that happen. The PLN did not win a legislative majority. In the US, Michael Lettieri of the Council on Hemispheric Affairs (COHA) in Washington, said, "Even if Arias wins, it is still bad news for CAFTA because Costa Ricans said, 'Hold on, this is something we have to look at.'"

The poor Arias showing, regardless of outcome, is worrisome for the US administration, which had put CAFTA at the center of a grand scheme for hemispheric free trade. The agreement was scheduled to come into effect Jan. 1, but not a single one of the countries involved was prepared. This led US Trade Representative Rob Portman to suggest a startup in February.

Now Portman is reduced to telling the media, "I hope we'll have at least two countries ready on March 1 [Nicaragua and El Salvador]." For Alberto Canas, a founder of the PLN and one of those who migrated away to join Solis in the PAC, the CAFTA issue hits close to what this election means for citizens. "This was a country of small property owners, small farmers, and small businesses. By opting for big industries and big banks, the government has abandoned the small entrepreneurs, and they are the ones who protested [in the election] on Sunday."

Echoing this analysis was Rodolfo Cerdas of the Centro de Investigacion y Adiestramiento Politico Administrativo (CIAPA). "It was a vote against the model inspired by the Washington consensus. It's a model that has promoted growth of exports and the enrichment of those in the export sector and the impoverishment of middle-class sectors," he said.

On the afternoon of Feb. 9, unofficial reports indicated that the TSE had finished the manual count of the remaining ballots, and Arias' lead had widened to about 13,000 votes. The TSE made it clear, however, that no candidate could claim victory, and there would be no official notice until the entire recount is completed.

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