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## **Sandinistas Win Big, but Nicaragua's Municipal Election Results Are Heartily Distrusted**

by LADB Staff

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Early returns in Nicaragua's countrywide municipal elections on Nov. 9 showed substantial leads for candidates of the Frente Sandinista de Liberacion Nacional (FSLN) over their traditional rivals, the Partido Liberal Constitucionalista (PLC). But there is very little confidence in the honesty of those returns.

The elections took place without international observers, irregularities have been reported, and post-election violence between partisans had by the next day already produced deaths and injuries. Some of the irregularities are actually built into the process, not least being an electoral law that requires both of the major parties to field a candidate in every one of the country's municipal jurisdictions and prohibits candidates of any other party or movement from doing so. This and other electoral laws and rules that have drawn the criticism of the Organization of American States (OAS) is the result of years of jockeying for control between the two majors and their leaders, President Daniel Ortega for the Sandinistas and ex-President Arnoldo Aleman (1997-2002) for the Liberals (see NotiCen, 2008-03-06).

The gold ring in the present go-round is the mayoralty of Managua, the second-most-powerful position after the presidency. The broadly distrusted Consejo Supremo Electoral (CSE) called the election early for FSLN candidate Alexis Arguello, to the vociferous outrage of PLC candidate Eduardo Montealegre. Montealegre is back in the PLC after splitting off and forming his own party to distance and distinguish himself from the discredited PLC and its leader Aleman, a felon convicted of an impressive list of crimes including embezzlement, money laundering, and corruption. He ran and lost against Ortega for president in 2006. This time, a PLC candidacy was Montealegre's only option, and he took it.

### *The wider meaning of mayoralties*

The 145 other elections were not without meaning at the national level and beyond. There are a total of 153 municipalities, but voting is postponed in seven of them because of storm damage. Ortega's rule since his election has been heavy handed and, in the opinion of many critics, less than democratic. A good showing for the party in these elections throughout the country would reaffirm, if not relegitimize, his mandate.

Ortega won the presidency with less than 40% of the vote. He avoided a runoff through changes in the electoral laws that the FSLN was only able to ram through with PLC complicity (see NotiCen, 2006-11-09). The decisive change notched down the runoff requirement to 35% of the total vote. Conversely, big gains for the PLC would indicate a return from disgrace for a party led by a criminal, while a win for Montealegre without commensurate performance in the interior might indicate his

continued viability as a challenger to the Arnoldistas and also his return to the good graces of the public at large after being endorsed by the US administration in his presidential bid (see NotiCen, 2006-04-06).

On the other side of the coin for the FSLN, it is widely held that Managua mayoral candidate Alexis Arguello is a weak candidate, his main claim to fame being that he is a former world boxing champion in three weight divisions, holding titles continuously from 1974 to 1983. He is thought to have been an Ortega hand-pick, and has campaigned in the president's shadow. Today, the reigning champ is clearly Ortega, dictating candidates and keeping the opposition on the ropes, forcing his only serious challenger, Montealegre, back into the PLC corner.

In the presidential campaign, Montealegre was able to salvage his honor, and even make it an issue, by declining to join his split-off Alianza Liberal Nicaraguense (ALN) with the conspiring, criminal-led PLC. Now Montealegre has to hope that the disfavor into which the Sandinistas and their perennial leader have fallen is worse than that of Aleman's Liberals.

The CSE wasted little time in releasing partial results strongly suggesting that the election had been called for Arguello. Montealegre swiftly charged fraud. "These data are based on a minimum sample, are malicious, and are rigged," he told the media just after the CSE reported the FSLN was leading in cases where less than 1% of the vote had been counted. That first report said Arguello had a 14% lead, even though just over 7% of the vote had been counted. Montealegre charged this was intimidation and a setup for a fraudulent result to come. PLC spokespeople followed on with the charge that the CSE results did not tally with the copies of the same results that party officials had obtained. It went on like that, report after report.

By the time the provisional preliminary reports got to 38% of the total vote from the more than 11,000 stations countrywide, Sandinistas were talking landslide. Arguello, no stranger to victory, stepped forward to claim it with a 7% lead with 21% of Managua's votes counted. It was, he said, "an irreversible trend." The problem was that, without independent observers, there was no way to verify any of this. The local chapter of Transparency International (TI) called the proceedings thus far "the least transparent with the greatest intimidation in recent years, since 1996." True to Arguello's prediction, his lead persisted into Tuesday, Nov. 11. With more than half the votes counted, he still had that 7% edge.

Montealegre, to whom polls had given the advantage, was at this point seeking a count of the vote totals recorded on the bundles of ballots from the precincts, but by this time the streets were filled with celebrating Sandinistas under the watchful eyes of thousands of police and soldiers deployed to keep order. Ortega justified the difference between the polls and the Sandinista leads with the charge that the media, which have been generally against him, had run an "open campaign" against Arguello and had attempted to destabilize the government, but his charges just drew countercharges of intimidation and vote suppression. The suppression was by way of Ortega's electoral police, who had been demanding to see voters' identification cards, which is not a legal requirement.

The punching and counterpunching between the adversaries eventually triggered the electorate, and before long fighting broke out. In Leon, 33 people were arrested in a riot outside a polling station, and two were injured when police used tear gas to disperse crowds. In Managua, thousands were involved in a melee when, it was reported, Sandinistas attacked some 3,000 Liberals marching to protest at a counting center. The Sandinistas set upon them with sticks and stones. Three people were reported shot, and there were conflicting accounts of deaths.

### *Critics converge, evidence mounts, credibility tanks*

The US, an avid nonfan of Ortega, his party, and his government, issued a statement viewing these reports with concern. The Ortega government pretty much handed the US its rationale for criticism, which read, in part, "As we have noted, the Supreme Electoral Council's decision not to accredit credible international election observers undercut observation efforts. This circumstance, combined with instances of intimidation, violence, and harassment of opposition political party members and NGO representatives, created conditions that were not conducive to free and fair elections." The statement ended, "Article 23 of the Inter-American Democratic Charter holds member states responsible for 'ensuring free and fair electoral processes.' This is a standard that we expect the Government of Nicaragua to uphold."

The Catholic Church in Nicaragua also issued a statement of displeasure with the way the election was going. The Conferencia Episcopal de Nicaragua (CEN) recounted all the foregoing, from the elimination of parties from contention to the politicized and manipulated preliminary result announcements, as matters that "delegitimize and put in doubt the electoral process in many municipalities and departmental capitals, placing at risk the institutionality of the country." To remedy the situation, the church called for a comparison of the data in the hands of the parties with that officially counted by the CSE. The statement detailed that the comparison and count should utilize signed official vote-tally documents and be done under the supervision of officials of the parties and of national and international observers. The statement included an admonition to "Nicaraguans, especially electoral authorities, and political, military, police, and social leaders, to avoid any violent action."

OAS Secretary General Jose Miguel Insulza seized upon the fraud accusations to get his organization's election-observing apparatus back into the game. He urged resolution of the allegations through dialogue, something that the OAS might be able to facilitate. Ortega's reason for barring international observers in the first place was that "they are financed by outside powers" and that they are associated with "groups that have identified themselves with anti-government forces in Nicaragua." Despite not being accredited, Transparency International was reported to have managed to deploy observers and recorded some 32 violations of procedure.

The only accredited observer was the Consejo de Expertos Electorales de America Latina. (CEELA), which the opposition rejects as being biased toward the government and about which the Nicaraguan media have been writing critically for months prior to the election. The thrust of the criticism is that CEELA is a leftist organization, a Venezuelan President Hugo Chavez creation that has been used to give a stamp of legitimacy to government electoral shenanigans, including the dissolution and decertification of splinter parties. Sandinistas readily admit the

leftist orientation of CEELA and counter that it is needed to balance the conventional biases of the dominant international political forces.

At the July 2007 meeting in Managua of member parties of the Foro de Sao Paulo, CSE magistrate Jose Luis Villavicencio explained, "The idea was to create an international organism that would permit us to develop our own strategy of struggle to support and participate in the organization of political parties of the Latin American left in their struggle to assume power through this system." The strategy seemed to have developed successfully, as measured by this election. In the end, the official result was that the FSLN had won 94 of the 146 mayoral contests. But the strategy has failed a legitimacy test in that the PLC refused to accept the results. "We agreed not to accept the electoral results because of so many anomalies and irregularities," said PLC spokesman Leonel Teller. "We" meant the political opposition, the business community, the Catholic Church, and civil-society organizations.

The opposition party of the left, the Movimiento de Renovacion Sandinista (MRS), one of those that had been disenfranchised in these elections, called for a nationwide mobilization "in defense of democracy," for firing the CSE magistrates, and for an investigation to fix responsibility for "this gigantic electoral crime." In the event that the CSE does not correct the perceived errors, the MRS demanded this election be annulled. Other organizations made similar demands. The Consejo Superior de la Empresa Privada (COSEP) demanded that the CSE not declare winners before a recount "to guarantee political, economic, and social stability."

Meanwhile, tension and questions mounted as ballots by the thousands and other materials used in the tabulating process were found in garbage dumps and in the streets of Leon, Nagarote, and Tipitapa. Also found were citizens' identification documents, official electoral credentials, and official electoral lists. The materials were all in suitcases. Some of the materials had been burned or otherwise destroyed. According to reports, these were all PLC materials, suggesting that some malfeasance was directed against them, but none of that has been verified.

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