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Panama: President Ricardo Martinelli Faces Criticism From Business Elite For Concentration Of Power

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Members of the business-backed Cruzada Civilista who spearheaded opposition to the 1980s military dictatorship of Gen. Manuel Antonio Noriega have become surprisingly vocal critics of President Ricardo Martinelli's administration. Spurred into new protests in February following Martinelli's replacement of the attorney general with a political ally, former Civilista leaders have said the president is exerting strong influence on the Asamblea Nacional (AN), Corte Suprema de Justicia (CSJ), and the Contraloría General de la República (CGR). Martinelli's administration has also criminalized street protests with possible sentences of up to two years in jail, while launching an as-yet-unsuccessful mano-dura (iron-fist) crackdown on crime by the Policía Nacional (PN) led by a controversial former soldier from Panama's long-disbanded Army.

"What is worrying is that society has fear and cedes in the defense of its rights," said Aurelio Barria, a Civilista leader and executive vice president of Motta Internacional, a major duty-free company. Martinelli's administration has said it remains committed to the separation of powers. But critics from both sides of the political spectrum and independent analysts believe that Martinelli appears bent on micromanaging Panama. The president has even "defended his right to name the new coach" of the national soccer team, according to news wire service ACAN-EFE. "Definitely it does seem to be a concern," said Heather Berkman, a Washington-based analyst at Eurasia Group, a firm specializing in global risk. "This is a president who is certainly making some decisions that would indicate he is meaning to consolidate and centralize his power."

Defending democracy
Barria said that the Cruzada Civilista has not been reactivated despite media characterizations to the contrary but that Civilistas have returned to the public stage because of fears Panama's young democracy might have hit a development snag. "What we have maintained individually as citizens is the responsibility...to express our questions, our criticisms, when there are actions that put our democratic process at risk," said Barria, who, like many in the private sector, voted for Martinelli last year. Martinelli won a landslide victory in May 2009 (NotiCen, March 07, 2009), taking 60% of the vote on promises to radically change public administration in Panama.

He promised a crackdown on corruption and crime and quick, decisive action on social problems and infrastructure shortfalls. Martinelli moved quickly on tax reforms to boost government coffers, keeping the government books in order during the global recession and helping Panama become, in early 2010, Central America's first nation to obtain an investment-grade rating on its debt. Boosted by the ongoing expansion of the Panama Canal, Panama's economy was one of the few in the region to grow in 2009. With plans for a US$2 billion overhaul of public transit including a new bus system and a subway in the works, Martinelli appears decisively headed toward fulfilling what was probably his most expensive campaign promise.
But critics say the supermarket magnate's fiscal successes and ambitious infrastructure plans have overshadowed slower progress on social issues of crime, education, health care, and poverty, and perhaps come at the cost of governing by consensus. "(Martinelli) has the desire to get things done, to solve [issues], and to have a different style of governing," said Barria. "But he has to understand that there are rules, norms, and limits that must be respected." Along with the fear that people will not defend their rights, Barria said, there is concern that Martinelli is not strengthening the justice system or legal guarantees. A third major concern is that because political opposition is not well-represented in government, the void could be filled by a radical political movement. "There is a lack of democratic opposition to do checks and balances on the government," said Barria, adding that the business community's concern is that this "polarizes [political] forces or gives hope to populist leftist groups."

But if Martinelli is consolidating power, Barria noted that many of Panama's ostensibly independent institutions are still geared toward putting themselves at the president's service. "Here we have a democratically elected government but it has to govern democratically. They forget that it's not enough to come to power through the democratic route," said Barria, adding that Martinelli's First World aspirations for Panama require more than just a solid economy. "To play in this club you must have more than just economic growth," said Barria. "This club requires demands behaving with adequate tolerance."

**Appointment of police chief questioned**

So far there has been no widespread condemnation of Martinelli's strong governing strategies. His popularity ratings remain high, and the expectation is he will use a united government to make good on promises to crack down on crime and corruption. "There is a certain case that can be made....Martinelli certainly promised during his campaign to crack down on corruption within the government," said Berkman. "But what we're going to have to see is if he not only goes after corrupt individuals that are linked to the opposition PRD [Partido Revolucionario Democrático] but if he also will go after people who are corrupt from his allied Panamenista party or within his own Cambio Democrático party. If these are one-sided investigations, it will be a clear indicator that he is not using it in a very egalitarian manner and that it is more for his own political purposes."

Marco Gandásegui, a sociologist at the Universidad de Panamá (UP), said there has been little social backlash to Martinelli's mano-dura policies because of the growing concern about security problems. "The population is not so much concerned about Martinelli's anti-popular position as it is about its position in the face of the problems of criminality," said Gandásegui. Murder rates are rising as drug running increases through Panama. Run-of-the-mill crime and gang activity are growing problems that the sociologist blames on deteriorating social conditions in neglected areas of Panama City and other urban areas. Civilistas and others have voiced concern about newspaper allegations that Martinelli's head of the Policía Nacional – former high-ranking soldier Gustavo Pérez – was kicked out of the armed forces two decades ago for allegedly participating in a plot to kidnap US citizens during the 1989 US invasion that overthrew Noriega. "With that past, it wasn't a convenient [appointment]," said Barria.

A number of allegedly maligned former soldiers from Panama's since-disbanded Army have also appeared in positions of power, according to an investigation by newspaper La Prensa. The
newspaper reported that Martinelli is only the most recent president to tap former soldiers for positions of power but the investigation noted that the other presidents who did so were from the PRD, which was formed during the dictatorship and has struggled to shake its shady ties to the military. Gandásegui said the Panamanian press has overplayed the allegations against former soldiers in law enforcement because of the simmering dislike of the Army as a result of media repression during the dictatorship. "I don't see anything dark or covered up in the history of Mr. Pérez," said Gandásegui. "Pérez has done a poor job as police chief for a simple reason, precisely because he's military. The police cannot be guided by a soldier. It needs a person familiar with policing techniques. Policing techniques are not repressive...they are [about] containing and preventing crime."

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