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Nicaragua Heads Into Brewing Political Storm

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Bold power plays by Nicaragua's ambitious, if not particularly popular, President Daniel Ortega of the Frente Sandinista de Liberación Nacional (FSLN) are pushing the country toward a full-blown political crisis that has begun to draw worried glances from abroad.

The latest episode in the escalating political drama occurred in late April, when a pro-government mob some armed with homemade mortars descended on the Asamblea Nacional (AN) in Managua to prevent opposition lawmakers from challenging a controversial decree Ortega issued in January.

The decree extended the mandate of numerous state officials loyal to the government, including members of the Consejo Electoral and two Sandinista-affiliated Corte Suprema de Justicia (CSJ) judges: Rafael Solís and Armengol Cuadra. Opposition parties characterize it as "a coup against the country's governmental institutions" and insist the decree is part of Ortega's overall plan to sidestep the Constitution and run for an unprecedented and illegal third term as president. Ortega claims he had no choice but to rule by decree since opposition members, up in arms at Ortega's power push, have more or less paralyzed the Asamblea in recent months.

"[The opposition deputies] aren't hurting the government but rather the people," Ortega said last November. "By refusing to work, they forced me to govern by decree."

The opposition – which seldom agrees yet, in theory at least, has a majority in the 92-seat unicameral legislature – spent months gathering the necessary 47 votes needed to overturn the decree. The deputies planned to vote on the matter April 20. The Sandinista-mobilized protestors, however, blocked opposition legislators from entering the Asamblea, forcing them to instead meet in a nearby Holiday Inn.

Upon learning about the alternative meeting place, CSJ justices Solís and Cuadra led the violent mob several kilometers to the hotel, attacking the building with rocks and explosives. Three deputies sustained injuries while the Holiday Inn, according to its general manager, suffered some US$20,000 worth of damages.

Violence continued the next day when Sandinista "protestors" attacked the headquarters of Eduardo Montealegre, an opposition deputy and former presidential candidate who now heads a faction called the Movimiento Vamos con Eduardo (MVE). Montealegre later issued a statement calling the violence "state terrorism imposed by President Daniel Ortega through his gangs."

Montealegre, who finished second in 2006 presidential election with 29% of the vote, was originally part of Nicaragua's largest opposition party, the conservative Partido Liberal Constitucionalista (PLC), which has 25 seats in the Asamblea. He split off to found the Alianza Liberal Nicaragüense (ALN), which has 23 seats. Ortega's FSLN controls 38 seats. Five deputies represent the Sandinista spinoff group Movimiento Renovador Sandinista (MRS). The final seat in the Asamblea is occupied by ex-President Enrique Bolaños (2002-2007), a one-time member of the PLC who is now an independent.
Sharing power, dividing the spoils

As bizarre as the April events may appear, government-sponsored mob violence, entrenched political discord, and institutional jury rigging have become par for the course in Nicaragua, particularly since Ortega took office three years ago.

A key figure in the 1979 Sandinista revolution, Ortega served as president between 1985 and 1990, leading Nicaragua through the final years of war against the CIA-sponsored contras. Undeterred by his surprising loss to former President Violeta Barrios de Chamorro (1990-1997) in the 1990 election, Ortega continued to seek a second term, participating in every presidential contest until finally eking out a win (with just 38% of the vote) in 2006 (NotiCen, November 09, 2006).

Observers say the 64-year-old Ortega owed his less-than-convincing victory to the "pacto," a secretive power-sharing agreement he reportedly struck more than a decade ago with former President Arnoldo Alemán (1997-2002) of the PLC (EcoCentral, August 27, 1998). Under the pact, Alemán's PLC and Ortega's FSLN agreed to lower the cutoff for an electoral win from 45% to 35%.

The pact is thought to have benefited Alemán as well. In late 2003, the former president was convicted on widespread corruption charges and sentenced to 20 years in jail. Last year, however, the CSJ absolved Alemán, not only restoring his freedom but also granting him permission to compete in the upcoming 2011 election (NotiCen, January 22, 2009). "El Gordo" (the fat man), as the corpulent ex-convict is sometimes called, formally announced his candidacy in late March (NotiCen, April 04, 2010).

Under the shadow of the pact, according to Greg Weeks, an associate professor of political science with the University of North Carolina at Charlotte, Nicaraguan politics have become increasingly "nonideological," dominated by two party bosses – Alemán and Ortega – who try to hold on to power for power's sake.

"It's just really all about political power, and the economic gains you get for being in power," Weeks told NotiCen. "To understand the current situation you really go back to the end of the 1980s, the end of the original Sandinista government, when Ortega was also president. Despite their stated purpose of redistribution and equality, by the end of that government in 1990, there was just this enormous grab for resources, a naked grab for riches. That's what really set things in motion."

Unfazed by his approval rating of less than 30%, Ortega has made no secret of his hopes to stay on as president, even if it means bypassing the nation's constitutionally encoded election laws, which forbid presidents from serving consecutive periods and limits at two the total number of allowable terms.

Lacking enough support in the Asamblea to change the law, Ortega turned instead to his allies in the CSJ. Last October, Sandinista-affiliated justices in the Court's Sala Constitucional determined the Constitution's term limits to be "inapplicable." Among those involved in the decision, reportedly made after judges loyal to the opposition had gone home for the day, were Justices Solís and Cuadra, who, thanks to Ortega's January decree, remain in the CSJ even though their terms expired in early April (NotiCen, November 19, 2009).

"The different state institutions operate along strict party lines, meaning they respond to the political interests of the PLC and FSLN, which submit completely to the will of their respective
caudillos, Arnoldo Alemán and Daniel Ortega, through what we Nicaraguans call the 'pacto,'" said
Cesar Castillo of the Movimiento por Nicaragua (MpN), a civil-society organization demanding
depolitical reform.

"That party control has resulted in repeated violations of our laws and Constitution, like what
occurred last October, when judges allied with President Ortega filed a resolution allowing Ortega
to run for president again, even though that's a clear violation of the Constitution. If the electoral
and judicial authorities followed the law strictly, they wouldn't have allowed such a clear violation."

OAS "deeply concerned"
Nor, say critics, should they have led an armed Sandinista mob to attack the Asamblea Nacional,
Holiday Inn, and later MVE party headquarters. Yet last month, Justices Solís and Cuadra did just
that, with the support of the president and, according to news reports, against hardly any police
resistance.

The Ortega government defended the violence as a "legitimate expression of the people" and
blamed biased media coverage for blowing the episode out of proportion. The government denied
reports that it organized and literally bussed in the angry mob of "thugs," as the US magazine Time
called the pro-Sandinista demonstrators.

"The media, which are great at distorting things, create scandals. One never knows what they're
trying to communicate with so much distortion. The absurd thing is that in the end they don't
communicate anything, and the people end up confused," said Manuel Coronel, Nicaragua's deputy
foreign minister.

The government's assurances, however, have done little to allay concerns from abroad. Observers
point to Nicaragua's 2008 allegedly fraudulent municipal elections (NotiCen, November 13, 2008),
the CSJ's controversial ruling last October, Ortega's questionable January decree, and now the April
violence as evidence that Nicaragua's political order is simply unraveling.

José Miguel Insulza, secretary-general of the Organization of American States (OAS), expressed
his "deep concern" regarding the violence in Nicaragua and emphasized "the need to preserve
institutionalization, respect the constituted authorities, and resolve political differences, particularly
among the powers of the state, through dialogue and in accordance with the procedures set out in
the national legislation."

Jimmy Carter, US president at the time of the Nicaraguan revolution, urged the OAS to convene
a general assembly to discuss the crisis, while the administration of US President Barak Obama,
through State Department spokesperson P.J. Crowley, said the violence is threatening "institutions
of government and the checks and balances that you need within any democratic system."

"We urge the government of Nicaragua to take steps to end mob violence, and we urge the police
to ensure the safety and security of all Nicaraguans," Crowley said. "Harassment and disruption of
the National Assembly and its members only serve to weaken the functioning of institutions that are
vital to Nicaraguan democracy."

Following the April incident, the Asamblea did finally go back to work, passing a few minor
pieces of legislation. The FSLN claimed political victory, saying the protests had forced opposition
deputies to take their seats. Opposition parties countered by saying they returned out of conviction,
not because of fear. This may be a proverbial calm before the storm. In the short term, Ortega's opponents will no doubt try again to challenge his January decree. But the real test will come as the 2011 election nears, bringing with it an inevitable national debate on President Ortega's questionable bid for yet another term.

"No matter how this resolves itself in the short term, there has to be a decision over whether Ortega can try to run again. And so maybe this will simmer down for a while, but this will have to come back up. And when it comes back up, then we might see another round of violence, or we might see just a horribly contested, possibly violent, election," said Weeks.

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