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Benjamin Witte-Lebhar

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President Daniel Ortega Primed for Controversial Sixth Run at Nicaragua's Presidency

by Benjamin Witte-Lebhar

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The Frente Sandinista de Liberación Nacional (FSLN) has made it all but official that President Daniel Ortega, who has competed in every Nicaraguan presidential contest since 1984, will once again lead the party into electoral battle. Nicaragua's upcoming general election is scheduled for Nov. 6.

Although a formal announcement is not expected until Feb. 12, the FSLN—in a communiqué presented Jan. 24 by Ortega's wife Rosario Murillo—made it clear the one-time revolutionary party remains loyal to its perennial candidate, who will likely be making his sixth consecutive run at the presidency.

"We are preparing with optimism and strength to call on our people to continue deepening the transformations of conscience in an electoral campaign that proposes that the people, with the Frente and with Daniel, continue to be the president," Murillo, the FSLN's top media manager, told reporters. "With energy, good will, enthusiasm, serenity, confidence, and above all humility, the FSLN will guarantee that the great majority of Nicaraguans vote their conscience to continue governing Nicaragua with the Frente and with Daniel."

Laying the groundwork

The announcement, while certainly controversial, was hardly a shocker. In recent years, Ortega and the FSLN have made no secret of their plans to retain control of the government despite a constitutional term limit that blocks presidents from serving consecutive terms. The same article, Article 147, caps at two the total number of times a person can hold the top office. Ortega, who held the presidency from 1985-1990 before winning a second term in 2006 ([NotiCen, Nov. 9, 2006](#)), is limited by the law on both counts.

The president's backers insist otherwise, pointing to a pair of Corte Suprema de Justicia (CSJ) rulings to argue that the term laws do not apply in Ortega's case. The Sandinista-controlled high court ruled Sept. 30 that Article 147 is "inapplicable" ([NotiCen, Nov. 11, 2010](#)). The decision upheld an earlier ruling by the CSJ's Sala Constitucional ([NotiCen, Nov. 19, 2009](#)).

"What's done is done," Vice President Jaime Morales said in a Jan. 28 press conference. "The opposition parties have accepted this resolution, because they didn't [formally] contest it. Everyone is participating in the electoral game, which legitimizes the court's ruling."

Critics say the court rulings are a sham—the product of blatant manipulation by Ortega and the FSLN. Judges loyal to Ortega handed down the original Sala Constitucional ruling, in October 2009, in a reportedly secret session, behind the backs of their opposition-affiliated counterparts. Even more legitimacy questions surround September's "full" CSJ decision upholding Ortega's right to run.

Among those ruling in the president's favor were Rafael Solís and Armengol Cuadra, pro-Sandinista judges whose terms had expired the previous April but who continue to show up to work thanks to a polemical January 2010 presidential decree. Joining Solís and Cuadra in ratifying the Sala Constitucional decision were a handful of "substitute" justices, brought in to replace pro-opposition judges who—unwilling to work with colleagues they considered illegitimate (Solís and Cuadra)—refused for several months last year to participate in court sessions ([NotiCen, Sept. 16, 2010](#)).

For Ortega's many opponents, the high court judgment was completely illegal, not only because the CSJ lacks the authority to modify the Constitution (something that can only be done by the Asamblea Nacional) but also because some of the ruling judges were themselves illegitimate.

"The central problem is that we have a government that during the past four years has flagrantly disrespected the Constitution and [Nicaragua's] laws," Violeta de Granera, executive director of the group Movimiento por Nicaragua (MpN) explained in a recent interview with Radio Nederland. "We're also facing presidential elections on Nov. 6 with conditions that are very fragile when it comes to transparency of the electoral process."

Failing to find a formula

Members of Nicaragua's political opposition will no doubt continue to question the legitimacy of Ortega's likely run for the presidency. At this point, however, they have little chance of preventing him from competing. Not only does Ortega hold sway in the CSJ, he also has significant support within the Consejo Superior Electoral (CSE), whose president Roberto Rivas is an outspoken ally. To thwart Ortega's presidential ambitions, opposition leaders will have to figure out a way to beat him come November.

On paper at least, that is a feasible goal. While Ortega may be increasingly powerful, he is not overwhelmingly popular—although an ongoing border conflict with Costa Rica ([NotiCen, Nov. 18, 2010](#)) appears to be helping somewhat. A CID-Gallup poll carried out last month found that 86% of Nicaraguans approve of Ortega's handling of the controversy. Still, the president's overall approval rating is just 40%. The poll, conducted Jan. 10-16, also found that 59% view Ortega's possible re-election as a "bad" or "very bad" thing.

Within political circles as well, President Ortega and the FSLN have no shortage of detractors. Countering the Sandinistas (who control 38 of 92 seats) are half a dozen opposition parties of varying size and sway. The list includes the conservative Partido Liberal Constitucionalista (PLC), the Alianza Liberal Nicaragüense (ALN), formed by PLC dissidents, and the leftist Movimiento de Renovación Sandinista (MRS), a Sandinista spinoff group.

Nicaragua's Catholic Church has also raised its voice recently against Ortega's political ambitions. In a Jan. 23 sermon, Managua's Auxiliary Bishop Silvio José Báez characterized the president's sidestepping of the Constitution as a "sin." While the CSJ rulings have a "legal facade," he explained, "we all know down deep that they are illegal, dirty, and murky manipulations made to appear legal."

Managua Archbishop Leopoldo José Brenes, president of the Conferencia Episcopal de Nicaragua (CEN), made his own defense of the Constitution in a recent interview, calling Article 147 a "beautiful article."

"We are not against a party serving one, two, three, or four periods," the archbishop said. "What we see as being important is a change in personnel, that everything not be focused on a single person."

Opposition to Ortega may be widespread, but it is far from cohesive—a political Achilles' heel on which the president continues to capitalize. Political divisions on the right allowed Ortega to eke out a 38% victory in the 2006 elections. Dep. Eduardo Montealegre (28%), representing the ALN, and José Rizo (27%) of the PLC split the conservative vote between them, handing the presidency to Ortega, who benefited as well from changes he had helped broker to Nicaragua's election law that reduced the cutoff for a first-round victory from 45% to 35%.

January's CID-Gallup poll forecasts a similar scenario for the November election. Just as it did five years ago, the opposition has so far failed to agree on a single challenger. Instead, two men are looking to face the incumbent: ex-President Arnaldo Alemán (1997-2002) of the PLC and Fabio Gadea Mantilla, a 79-year-old radio personality and station owner who serves as a PLC deputy for the Parlamento Centroamericano, a Guatemala-based regional legislative body. The situation clearly favors Ortega, who, according to the poll, would squeeze out a win with 36% of the vote over Alemán (23%) and Gadea (17%).

Montealegre, the 2006 runner-up, had originally expressed his own interest in the presidency. Unable to negotiate a single-candidate formula with his former boss Alemán (Montealegre held ministerial posts during the Alemán presidency), the influential deputy decided to back a "compromise" candidate—Gadea, a political moderate who is hoping to oust the Sandinistas by reaching across party lines. Leading what he calls the Unidad Nicaragüense por la Esperanza (UNE), a still-evolving coalition of civil-society groups and small political parties, Gadea is promising "an honesty revolution."

So far the compromise candidate, who is related to Alemán through marriage, has yet to convince the later to back out of race. Having made a public show of their "friendship," the two sat down for a closed-door meeting in mid-January but failed to come up with a single-candidate formula.

The conservative daily La Prensa told readers in a recent editorial not to hold their breath, arguing that there is "no possibility" of a Gadea-Alemán alliance. The newspaper offered Gadea an early endorsement, suggesting that an opposition unified behind Alemán "would offer the public even more corruption than there was [during the candidate's first presidency] from 1997 to 2002."

During his term in office, "El Gordo" (the fat man), as Alemán is sometimes referred to, was long suspected of pilfering the government treasury for his own personal enrichment. In late 2002, those suspicions took the form of formal charges, and, in December 2003, Alemán was convicted on multiple corruption counts and sentenced to a 20-year prison term. He spent the next six years under house arrest. Two years ago, however, the CSJ absolved the ex-president ([NotiCen, Jan. 22, 2009](#)).

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