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Daniel Ortega Settles In for Controversial Third Term as Nicaraguan President

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If the thin turnout at last month’s inauguration ceremony is any indication, Nicaragua’s recently re-elected president, Daniel Ortega, is running low these days on foreign friends. But at home, the one-time Marxist revolutionary remains popular—and arguably more powerful than at any previous point in his decades-long political career.

When Ortega squeezed his way back into the presidency in 2007—17 years after his first term (1985-1990) ended—his inauguration attracted a who’s who of Latin American heads of state (NotiCen, Jan. 11, 2007). As is customary on the isthmus, all of Ortega’s Central American counterparts showed up, as did Hugo Chávez, Evo Morales, and Rafael Correa, the leftist presidents of Venezuela, Bolivia, and Ecuador, respectively. There were some right-wingers, too: then Colombian President Álvaro Uribe made the trip, as did Mexico’s Felipe Calderón. Then US President George W. Bush did not travel to Managua. But he did call Ortega on the telephone to offer his personal—and reportedly cordial—congratulations.

Bush’s more centrist successor, US President Barack Obama, made no such overture for this year’s swearing-in ceremony, which took place Jan. 10. Except for Venezuela’s Chávez, South America’s leaders kept their distance as well. There were even some no-shows from among Central America’s presidents: breaking from tradition, Presidents Laura Chinchilla of Costa Rica and Ricardo Martinelli of Panama stayed away.

The whole thing might have gone mostly unnoticed if it were not for the presence of Iranian President Mahmoud Ahmadinejad, who is involved in a high-stakes standoff with the US, Israel, and their European allies regarding his country’s nuclear plans. Ortega is one of just a handful of Western leaders who support Ahmadinejad.

During his inauguration speech, the Nicaraguan president defended Iran’s right to pursue a "peaceful" nuclear program. Ortega also urged Israel—which Ahmadinejad has said should be wiped from the map—to dismantle the nuclear weapons it presumably possesses. "Christ never said, 'Arm yourself, Israel.' Christ taught peace, reconciliation, and love. And that’s why they assassinated him," said Ortega.

Troubling track record

Ortega’s "odd" choice of friends may have something to do with the poor attendance for this year’s inauguration. Ahmadinejad, and to a lesser degree Chávez, are viewed suspiciously by many governments in Europe and the Americas. Washington was no doubt dismayed, too, to learn Ortega had invited Rubén Berrios Martínez, head of the Partido Independentista Puertorriqueño (PIP), Puerto Rico’s independence movement. Officially speaking, Puerto Rico is an unincorporated US territory. During his Jan. 10 address, Ortega referred to the Caribbean island as a US "colony." Anti-US jabs of that sort are nothing new for Ortega, who has jostled with leaders in Washington since he first emerged as the leader of the then revolutionary Frente Sandinista de Liberación.
Nacional (FSLN) in the late 1970s. His close ties to both Ahmadinejad and Chávez also go back a ways, and both figures attended his previous swearing-in ceremony (NotiCen, Jan. 18, 2007).

What seems to really be costing the Nicaraguan leader international support is the long list of democratically questionable power plays he executed in the past several years to extend political control and stay on in power—in open violation of the country’s still-valid term-limit laws.

Nicaragua’s Constitution bars presidents from serving consecutive terms and caps at two the total number of times a person can hold the top office. Not counting his years in the FSLN’s post-revolution ruling junta (1979-1985), Ortega has already served two full presidential terms, first from 1985 to 1990 and again from 2007 to 2012. For the president’s many critics, there is no question that the five-year term he has just begun—his third—is unconstitutional and therefore illegal.

To sidestep the pesky election laws, Ortega turned to his allies in the Corte Suprema de Justicia (CSJ), Nicaragua’s high court, which ruled in late 2010 that the constitutional term limits were "inapplicable" in his case (NotiCen, Nov. 11, 2010). The FSLN also dominates the Consejo Superior Electoral (CSE), the national election committee, which later "ratified" the CSJ ruling by officially accepting Ortega’s candidacy for president (NotiCen, May 26, 2011).

Opposition leaders cried foul, but—realizing the only way to oust Ortega would be to beat him at the polls—decided to compete regardless. It proved to be a lost cause. Buoyed by unusually positive economic figures and the split in the conservative vote between two candidates—ex-President Arnoldo Alemán (1997-2002) and Fabio Gadea—the incumbent went on to win the November election in a landslide (NotiCen, Nov. 17, 2011).

The CSE said Ortega finished with more than 62% of the vote, well ahead of Gadea (30.9%) of the Partido Liberal Independiente (PLI). Alemán, the caudillo-style leader of the once-powerful Partido Liberal Constitucionalista (PLC), finished a distant third with just 6% of the vote.

**Latin America’s "most serious case"**

Gadea still refuses to concede what he considers a "fraudulent" election. The 80-year-old radio host and station owner was not alone in accusing the FSLN of election tampering. Observers from both the Organization of American States (OAS) and the European Union (EU) complained of election-day irregularities, as did the local chapter of the watchdog group Transparency International (TI), which said the CSE’s official election results "don't deserve any credibility given the systematic and intentional irregularities" (NotiCen, Dec. 15, 2011).

Predictably, Republican lawmakers in the US also teed off on Ortega, one of the conservative party’s iconic Cold War enemies. More recently, however, US Secretary of State Hillary Clinton, a moderate, raised questions about the recent elections as well, saying they "marked a setback to democracy in Nicaragua and undermined the ability of Nicaraguans to hold their government accountable." Clinton said the US will continue to give "aggressive scrutiny" to aid loans made to Nicaragua.

Clinton’s late January statements came just two days after Freedom House, a Washington-based think tank, revealed that it no longer considers Nicaragua a democratic country. Freedom House publishes an annual report in which it lists the world’s electoral democracies. Tunisia, Thailand, and Niger joined the 117-nation list. Nicaragua—which the organization called the "most serious case" in Latin America—was removed.
"Nicaragua suffered a steep decline in political rights due to irregularities in advance of and during the presidential election, which gave Sandinista leader Daniel Ortega another term in office," the report states.

**Dictator or statesman?**

Even the OAS admits, however, that the opposition never really had a chance of beating Ortega—that he would have won with or without the alleged election-day irregularities. Ortega’s victory may not have been altogether square, but it was more or less fair. "I say that if there was a winner, it was President Daniel Ortega," the new OAS representative to Nicaragua Ricardo Seitenfus of Brazil said during a Jan. 31 press conference in Managua. Based on its own "quick count," the OAS concluded that Ortega won 59.8% of the vote.

Less clear is what effect the election-day shenanigans may have had on the results of the parliamentary elections, which very much favored the FSLN. The Sandinistas made huge gains in Nicaragua’s unicameral Asamblea Nacional (AN), adding 25 seats to give it a 63-seat "supermajority." Alemán’s PLC took a huge hit, losing 23 seats to finish with just two. The conservative PLC’s two remaining deputies are Wilfredo Navarro and Jorge Castillo Quant.

Gadea’s PLI won 27 seats, including the one that Gadea, as the presidential runner-up, is entitled to hold. Out of protest, the ex-candidate chose not to accept the designated seat, leaving the PLI with 26. Against the FSLN’s two-thirds majority, it will have little ability to influence policy.

The center-right PLI saw its position weakened even further on Jan. 9, the start date of the new legislative cycle, when its deputies walked out in protest after the FSLN refused to give it three of the AN’s seven directorate posts. Voting on the matter in their absence, the remaining deputies—all but two of whom were members of the FSLN—decided to fill five of the posts with Sandinistas. The other two seats went to the PLC, which now has a preposterous 100% representation on the legislature’s leadership board.

PLC Deputy Navarro, officially the AN directorate’s third vice president, blasted the PLI boycott as being "infantile, irresponsible, and disrespectful to the population." Navarro said that, if they had really wanted to protest, they should not have agreed to be sworn in as deputies. "They’re interested in their paychecks but not interested in working for the good of the Asamblea Nacional," he said.

Critics worry that Ortega will use his supermajority in the legislature to govern at will. Among other things, they suspect he will amend the Constitution to eliminate Article 147, which contains the term-limit laws, once and for all, giving himself the option of staying in office indefinitely.

Ortega insists otherwise, promising continuity above all else. "We have to keep doing the same thing we’ve been doing for the past five years, but better, and more of it," he said during last month’s inauguration speech. The FSLN’s opponents are hardly reassured—especially if "more of the same" means another five years of strong-arming institutions like the CSJ and CSE.

Ortega "has power he never had before," former vice minister of finance René Vallecelillo told the AFP wire service. "If he was already in the habit of not respecting the laws, we can only assume he’ll keep doing the same thing. But this is also his big opportunity to decide if he wants to be a dictator or a statesman."