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President Daniel Ortega Now Jefe Supremo of Nicaragua’s National Police
by Benjamin Witte-Lebhar
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President Daniel Ortega has added a new item to his already bulging portfolio of powers: direct command of the Policía Nacional (PN), Nicaragua’s 12,000-strong national police force.

In a pair of votes last month, the Sandinista-dominated Asamblea Nacional (AN), Nicaragua’s unicameral legislature, approved a bill that transfers control of the PN from the Ministerio de Gobernación to the president’s office. In doing so, the pliant AN made Ortega the first Nicaraguan leader since the fall of the Somoza family dictatorship (1936-1979) to enjoy immediate authority over both the police and armed forces.

The 126-article Ley de Organización, Funciones, Carrera y Régimen Especial de Seguridad Social de la Policía Nacional, as the new police law is formally known, recognizes Ortega as the PN’s jefe supremo (supreme chief) and gives him authority not only to appoint the institution’s various directors but also to extend their terms beyond the normal five-year limit. Additionally, the president can now assign police personnel to perform "external services" when he deems it to be of "national interest."

Frente Sandinista de Liberación Nacional(FSLN) lawmakers, who enjoy a two-thirds supermajority in the AN and can therefore approve any and all legislation Ortega sends their way, defend the bill as a necessary step toward "modernizing" the PN and making it more "professional."

Critics disagree, saying the changes undermine the PN’s professionalism by removing whatever little bit of autonomy it still enjoyed. "The new law turns the police into a party institution," Deputy Pedro Joaquín Chamorro Barrios of the Bancada Partido Liberal Independiente (BAPLI), the AN’s vocal but toothless opposition bloc, said June 11, when the AN first voted (63 to 26) to approve the bill. "Instead of answering to the law, [the PN] now answers to the president. It must be obedient."

Chamorro Barrios and his opposition colleagues see the new law as another blatant power play by a leader whose grip on the country’s various institutions and organs of government seems to be growing tighter by the day. Already this year Ortega pushed through a partial rewrite of the Constitution that, among other things, allows him to seek re-election indefinitely (NotiCen, Feb. 27, 2014). The Sandinista strongman is currently in his second consecutive term and third overall—not counting the five years he served as head of his party’s post-revolutionary governing junta (1979-1984). The AN also passed legislation in recent months giving Ortega full control of Nicaragua’s forestry resources (NotiCen, April 3, 2014).

"Not long ago, the Somoza family followed this same path. Now it’s the Ortega-Murillo family’s turn," said Deputy Víctor Hugo Tinoco. Murillo is the surname of Rosario Murillo, Ortega’s wife and lead spokesperson, who heads the governmental Consejo de Comunicación y Ciudadanía del Poder Ciudadano.
Following the party line?

Perhaps the most troubling aspect of the police law, opponents argue, is that it institutionalizes what rights groups claims is an already clear pro-Sandinista bias within the PN. Examples abound. In the wake of Nicaragua’s last municipal elections (NotiCen, Nov. 15, 2012), anti-riot police in the southeastern municipality of Nueva Guinea jailed a group of opposition supporters following a raid on the local campaign office of the conservative Partido Liberal Constitucionalista (PLC). Several of the people detained say they were beaten and even sexually abused. More recently, police broke up an International Women’s Day (March 8) demonstration in Managua but allowed pro-government activists gathered at the same spot to remain.

"[The PN] has now become a partisan, controlling police force that defends the interests of one party," Luisa Molina of Red Managua, a civil-society organization, told the opposition daily La Prensa last month. "It’s a shame that this institution is losing its professionalism. It’s become very biased in favor of Sandinismo, as evidenced by the March 8 protest, when police blocked the opposition demonstration in favor of government supporters."

In some cases, police partisanship has impinged on press freedoms. In May 2013, a Chilean photographer working for the Agence France-Presse (AFP) news agency spent several days in jail and was then expelled from the country for trying to cover a meeting between President Ortega and Palestine Foreign Minister Riad al Malki (NotiCen, June 20, 2013). Later that same month, police dragged another photographer out of a Managua courthouse prior to an event involving the president’s estranged stepdaughter, Zoilamérica Narváez Murillo, who claims Ortega sexually molested her during the course of 20 years, beginning when she was just 11 (NotiCen, March 19, 1998).

Waiting for answers

Worse still, rights groups complain, is that the victims of such police abuse have little legal recourse. Last year’s police crackdown on a group carrying out a sit-in at the Instituto Nicaragüense de Seguridad Social (INSS) in Managua is a case in point (NotiCen, July 11, 2013). Members of a movement that came to be known as Ocupa INSS were attacked during the course of several days not just by police but also, early on the morning of June 22, 2013, by a large pro-Sandinista mob that was trucked to the site, according to witnesses, in municipal vehicles. Police refused to intervene while the estimated 300-person mob beat and robbed the activists, who for several days prior had been protesting the state’s system of pension benefits.

The Centro Nicaragüense de Derechos Humanos (CENIDH) and other human rights organizations called on authorities to investigate the well-documented abuses that took place. A year later, they are still waiting for answers. Late last month, Nicaragua’s prosecutor general, Ana Julia Guido, described her office’s inquiries into the matter as "complicated."

"We’ve looked at videos but can’t make out any faces," Guido said. "All we see are young people running. … I can’t accuse anyone I haven’t seen. We can’t accuse institutions."

Earlier that week, on the one-year anniversary of the melee, a dozen Ocupa INSS activists gathered outside the cathedral in Managua to recall the episode of "state terrorism" and to protest the impunity that perpetrators of the attack continue to enjoy. "What we have here is a system of
violence and repression, and the idea is to continue raising our voices until [the authorities] react a little bit," Ariana McGuire, one of the victims, told the independent news site Confidencial.

The gathering also prompted comments by Auxiliary Bishop Silvio Báez, one of several church officials who rushed to the scene last year shortly after the June 22 mob attack. Silvio Báez praised the protestors, calling them "noble Nicaraguan youth," and lamented that "after 12 months [authorities] still haven’t provided them with in answers."

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