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President Morales Accused of Reneging on Promise to Stamp Out Corruption in Guatemala

by Louisa Reynolds
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President Jimmy Morales, a former comedian, came to power in 2015 with the slogan “neither corrupt nor a thief,” promising to clean up Guatemalan politics after President Otto Pérez Molina was forced to step down in the midst of a massive corruption scandal known as “La Línea” (NotiCen, Sept. 24, 2015, and Nov. 5, 2015). However, only two months after taking office, his administration has come under fire for its controversial cabinet appointments and for reneging on his promise not to accept deputies from other parties.

On Jan. 14, the day of his inauguration, Morales announced who his cabinet members would be. His more controversial choices included a government contractor as well as business representatives and civil servants with little political experience. One of the most highly criticized appointments was that of Sherry Ordoñez Castro, whose construction company was awarded state contracts totaling US$2 million from 2006 to 2014.

Ordoñez’s appointment to be minister of communications became even more controversial after the Guatemalan media revealed that her company, Ingeniería y Servicios Viales (Insevi) fell into tax arrears in 2011, which led a judge to freeze the company’s assets as well as Ordoñez’s own.

Ordoñez told the press that Insevi owed US$9,000 to the Superintendencia de Administración Tributaria (Taxation Superintendency, SAT) but media reports indicated that the real amount owed was US$37,000. Following the scandal, Ordoñez resigned on Jan. 25 “for personal reasons.”

When Morales was elected, he promised his party, the Frente de Convergencia Nacional (FCN), would never accept defectors from other parties, especially since most other parties had been tainted by corruption scandals.

Pragmatism wins out

However, pragmatism appears to have triumphed over Morales’ desire to preserve his image as the anti-corruption candidate. The FCN’s congressional faction has grown from 11 to 27 deputies after 16 deputies from various parties—including Libertad Democrática Renovada (LIDER), Todos, Partido Patriota (PP) and Unidad Nacional de la Esperanza (UNE)—defected to the FCN. Accepting the defectors has allowed the FCN to become the second largest party in Congress, after UNE, with 31 deputies. LIDER, which was the largest faction in Congress, with 45 deputies, has been left with just seven.

The defectors include a number of deputies with dubious track records, such as Congressman Julio Juárez, elected by the LIDER party, who is being investigated for his possible involvement in the murder of two local reporters in January 2015. Another defector is Congressman Julián Tesucún, also elected by the LIDER party. He’s a former mayor who granted lucrative construction companies to members of a notorious drug trafficking family, the Mendozas, whose leader, Haroldo Mendoza, was extradited to the US on drug trafficking charges and is pending trial. Other defectors with
tainted pasts include Congressman Milton Guerra, formerly of the Unión del Cambio Nacional (UCN), who was mentioned in a diplomatic cable published by WikiLeaks as having ties to local drug traffickers.

When questioned by the press about his decision to renege on his pledge not to accept defectors from other parties, Morales said he disliked transfugismo but could not prevent it, as it is the FCN’s leader in Congress, Javier Hernández, who has the last word on the issue.

**New law prevents deputies from switching parties**

One of the key reasons behind these deputies’ sudden defection to the FCN was their desire to switch to the ruling party before Congress voted on an amendment to its internal law (Ley Orgánica del Congreso) that would penalize transfugismo. On Feb. 3, under intense pressure from civil society, a majority of deputies in Congress (120 out of 158) approved the amendment.

Under the new law, deputies can still abandon their party, but if they do so, they must remain independent and cannot join a different party. Added to this, if a deputy presiding a congressional commission decides to abandon his or her party, he or she must resign as president of the commission and must be replaced by a party member. Independent deputies cannot join Congress’ junta directiva, or board of directors.

Other important changes will make it compulsory for all congressional advisers to undergo annual evaluations and to be selected following a public competition. Each party in Congress will be allowed to hire two advisers and an extra adviser for every four deputies in the party, who will be hired under a temporary contract. Party secretaries and under-secretaries will also be allowed to hire advisers. This measure seeks to prevent parties from hiring large number of advisers (often with family connections to congressional deputies) with inflated salaries and often unsuited for the position.

The reform also establishes that if congressional inquiries last for longer than two sessions, an extraordinary session must be called to continue the inquiry, in order to prevent long inquiries from creating legislative paralysis. Congressional inquiries have often been used by opposition parties to stall the legislative agenda and force the ruling party to compromise on certain political issues.