

## Early Elections in Nicaragua with Ortega Still in Power?

By Enrique Saenz (Confidencial)

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Graffiti against Daniel Ortega during a march in Managua. Photo: Carlos Herrera / Confidencial

While Daniel Ortega remains in power, with each passing day we sink ever deeper into the abyss. At the same time, Ortega himself is incapable of resolving the country's socio-political crisis.

HAVANA TIMES – One of the issues generating the widest range of conflicting opinions among Nicaraguans on all levels is the holding of early elections while Ortega remains in power. Other options are also being proposed, of course; and under the current circumstances, no one should claim to have all the answers. With that in mind, I would like to share some reflections that might help to illuminate our path.

The demand for early elections is supported by three solid arguments – the first being that the vast majority of Nicaraguans desire, and are struggling to bring about, Ortega's exit from power, the sooner the better.

The desire to see Ortega leave office is not limited in scope to a rejection of his regime. Every day, the personal safety and assets of Nicaraguans are subject to arbitrary actions and abuses by the police, and paid paramilitary and civilian thugs.

Ortega no longer has the capacity to reverse the grave socio-economic crisis that is overwhelming the population, including large and small business owners, labor, the unemployed, and even State workers. With each day that Ortega remains in power, we fall deeper into the abyss.

The second argument for early elections is the conviction, held by the vast majority of Nicaraguans, that we must find a way to rid ourselves of Ortega through peaceful means; and the electoral process is an inherently peaceful means.

Finally, the overwhelming majority of Nicaraguans fully believe that through free, honest and safe elections, we will deal the Ortega machine a crushing defeat.

Up to now, the demand for early elections has been accompanied by the demand for electoral law reforms, and the electoral system.

But that won't be enough.

For early elections to be viable, common sense dictates that we consider the following factors:

First. Elections in Nicaragua have been fraudulent, and not only as a result of machinations by the electoral apparatus. The PLI party was decimated by Ortega's lackeys in the Supreme Court. It is there within the Supreme Court that petitions submitted by political parties, unjustly stripped of their legal standing, lie in limbo.

Supreme Court lackeys also demolished the foundations of political representation by arbitrarily stripping dozens of representatives of their seats (on the National Assembly). At the same time, the Office of the Comptroller General of the Republic played a hand in the electoral process by inhibiting candidacies, at its sole and absolute discretion, without any rights of recourse.

Therefore, institutional guarantees that go beyond the electoral structure will be required.

Second. Ortega is a *de facto* ruler. He doesn't recognize the Constitution, nor laws, nor rights, nor liberties. He controls all State apparatuses. During its General Assembly, the OAS recognized that Ortega is responsible for a break-down in constitutional order. As a result, the indispensable, essential condition for holding elections, and not an electoral farce, is the reestablishment of full constitutional rights and liberties.

Tell me, who could feel safe with paramilitaries intimidating, threatening and committing atrocities that go unpunished? How could political campaigning be carried out when the communications media has been shut down, journalists have been persecuted, and there is no freedom of the press? Who among national and local candidates could feel safe under the constant threat of being subject to farcical

judicial processes? Who could provide economic support to political candidates when there exists the threat that their properties might be seized? What political campaign could be carried out while the police are out in full force, preventing the right to assembly and the right to free movement?

### **Elections amid uncontrolled paramilitary and repressive forces?**

Third. If we are proposing early elections, why aren't we working arduously to organize an alternative power capable of defeating the Ortega machine and then govern the country? We must defeat Ortega at the polls. But that's not enough. We must defeat the Ortega machine in all sectors and then govern.

If the Civic Alliance is to become that political option, it must pull itself together; and efforts in that direction must begin now. If it is to be the Blue and White Union, now is the time to define itself as an alternative political power. We must have a structure that is expressly and openly political in order to defeat Ortega and bring about democratic change. And if the two entities are to ultimately become one, what are they waiting for? Later will be too late. And if this is not the case, then say so, in order to move forward and begin organizing within other sectors.

Anyone who has worked to build political organizations, and has participated in the electoral process, knows that it is hard work; and under the present circumstances, even more of an uphill battle. And anyone who states that building an electoral political apparatus is unimportant, simply doesn't know what he or she is talking about.

One more thing. The decision to hold early elections within the framework of the current Constitution would require swallowing a particularly big and ugly frog. The Constitution establishes the so-called "gifted representative seat" for those who held the position of President during the prior period. This is an inheritance of the Ortega-Aleman pact. Consequently, unless there is a reform of the Constitution, Ortega, or Rosario Murillo, will be assured a seat as a (National Assembly) representative.

### **In conclusion, legitimate, safe and early elections require:**

- Full reestablishment of citizens' rights, liberties and guarantees, including fettering the paramilitaries and police.
- Reforming the electoral law and electoral structure, and the designation of independent, capable and honest electoral council magistrates.
- Guarantees of no arbitrary meddling on the part of the judicial system, the Office of the Comptroller General of the Republic, the Financial Analysis Unit and other institutions.
- The building of an alternative option that is broad and inclusive, with a minimum consensus program, transparent rules of the game for electing ones candidates and efficient decision-making processes.

If any one of these conditions is left out of the game plan, we might as well gather up our bats, gloves and balls, turn out the lights, and go home.