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Nicaragua's 1996 Elections and Results

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Summary

The acrimony surrounding Nicaragua's recent elections has raised new concerns for political conciliation and stability there. Nicaraguans voted for president, the legislature, and other offices on Sunday, October 20, 1996. It was more than a month later, however, before rightist Arnaldo Aleman was officially declared the winner of the presidential race. Rightist Aleman, mayor of Managua from 1990-1995, defeated leftist Daniel Ortega, head of the Sandinista National Liberation Front (FSLN) and president from 1985-1991, and 21 other candidates by a wide margin. After a highly polarized race, Ortega's refusal to concede defeat and call for annulling the vote generated enormous political tension after the elections. Other concerns about the electoral process included the effectiveness and fairness of two different registration processes, the distribution of voter identification cards, and numerous mistakes on election day. Both domestic and international observers described the elections as flawed but fair.

Background on Nicaragua and U.S.-nicaraguan Relations¹

Nicaragua was essentially ruled by the Somoza family for over four decades (1936-1979) until dictator Anastasio Somoza Debayle was ousted in July 1979 by a coalition of forces led by the FSLN guerrillas. When the pro-Soviet Sandinistas gained control of the government and pursued increasingly radical social policies, including redistribution of land and wealth, the opposition "contras," organized and financed by the United States, launched an eight year war (1982-1990) against the Sandinista government. A decade of social revolution and civil war left Nicaragua impoverished and severely polarized. Nicaragua has an agriculture-based economy, with a population of about 4.4 million people.

¹ For more on current conditions in Nicaragua, see CRS Report 96-813F, Nicaragua: Changes Since 1990 and U.S. Concerns, (name redacted) and Nina Serafino, October 7, 1996.

In 1990, Violeta Chamorro, heading a broad-ranging coalition, defeated Ortega in internationally monitored democratic elections. President Chamorro pursued a policy of national reconciliation, ending the civil war and promoting coexistence with the Sandinistas, who, despite their loss of the presidency, still retained significant bases of power. In the last two years of her term, Chamorro's economic reform program stabilized the economy, transforming it from a state-run to a free market system, and spurring growth for the first time in a decade. Nonetheless, Nicaragua remains one of the poorest countries in Latin America.

Nicaragua-U.S. Relations. In the last few decades, U.S. policy toward Nicaragua has been heatedly debated. In the 1970s, the controversy was primarily over how much assistance the United States should provide to the Somoza dictatorship. In the 1980s, the controversy focused on whether the United States should provide aid to the "contras" attacking the Sandinista government. In the early 1990s, the controversy centered on the extent to which the United States should support President Chamorro's "national reconciliation" policy which sought cooperative relations with the defeated Sandinistas. In the last couple of years, Congress has restricted U.S. aid to Nicaragua, pushing for greater progress to be made in areas such as prominent human rights cases, resolution of property claims, and military and judicial reform.

Many observers believe that U.S. aid to Nicaragua will face fewer obstacles from the U.S. Congress than if a Sandinista-led government were in place. Nonetheless, both Democratic and Republican politicians have urged Aleman to drop his plan to seek \$500 million in foreign aid to pay off landowners whose land was confiscated by the Sandinistas.

Previous Nicaraguan Elections

The 1996 elections were the third held since the 43-year dictatorship of the Somoza family was overthrown by the Sandinista revolutionaries in 1979. Although debate over electoral schedules and procedures began soon after the revolution, a political parties law was not passed until 1983, and an electoral law was not passed until mid-1984.

The first elections were held on November 4, 1984, due in part to international pressure through the Central American peace plan. After five years of Sandinista rule, Nicaragua was in turmoil. The economy was in dire straits because of Sandinista policies and the U.S. economic boycott, and the country was torn by civil war, with U.S.-backed "contras" fighting the Sandinista government. Some opposition groups refused to file candidates and urged a boycott of the elections. These groups believed that FSLN domination of the government and media made a truly fair election impossible at that time, and the Reagan Administration agreed. Nonetheless, other foreign observers generally characterized those elections as fair. FSLN leader Daniel Ortega was elected president.

The second elections took place on February 25, 1990, under the watchful eyes of the Organization of American States (OAS), the United Nations (U.N.), and a group headed by former U.S. President Jimmy Carter. Despite a less well organized campaign, Violeta Chamorro resoundingly defeated the incumbent Daniel Ortega, in what were generally considered the fairest elections in Nicaraguan history. The National Opposition Union (UNO) she led was a coalition of 14 parties ranging from conservative to communist. To many Nicaraguans, her election represented a chance to end Nicaragua's civil conflict and revive the nation's economy.

1996 Elections

The 1996 elections were seen by many as an important, if shaky, step in Nicaragua's continuing transition to a democratic state from its lengthy authoritarian past. Nicaraguans elected a new president, all 90 members of the National Assembly, the mayors of all 143 municipalities, representatives to the Central American Parliament, and all members of the Regional Councils of the two autonomous regions on the Atlantic coast. President Aleman took office on January 10, 1997, and will serve a five-year term.

Presidential Race. Twenty-three candidates were on the presidential ballot. Aleman, former mayor of Managua and leader of the conservative Liberal Constitutionalist Party, defeated Ortega, former president and leader of the FSLN by a margin of 51% to 37.8%. The other 21 presidential candidates split the rest of the votes, with none getting as much as 5%. The winner needed at least 45% of the vote to avoid a runoff election.

During the campaign, the two leading candidates portrayed each other as a polarizing force in Nicaraguan politics. Ortega was painted as the revolutionary leftist whose government confiscated property, pursued socialist policies, instituted a hated military draft, and whose contentious relations with the United States brought about U.S. support for the contras and a civil war (1982-1990), and a U.S. trade embargo (1984-1990). Aleman was portrayed as a militant supporter of the Somoza dictatorship, who would reverse the advances in agrarian reform made under the Sandinistas, and rule as an authoritarian in favor of the wealthy.

Three centrist candidates were disqualified on July 5, two of whom, Alvaro Robelo and Antonio Lacayo, had placed third and fourth, respectively, in the polls². Their disqualification had the effect of polarizing the race into a two-man contest, with Ortega on the left, and Aleman on the right. Many Nicaraguans praised the electoral tribunal's disqualification process because constitutional law was obeyed, rather than deals being struck among politicians, as has been common in the past. Nonetheless, many also predicted that the polarization of the process would lead to increased political tension after the elections, instead of further national reconciliation, which a more centrist candidate might have promoted. Perhaps in response to such concerns, or to capture the votes of the centrist candidates' followers, both Aleman and Ortega moderated their positions.

Aleman, an ardent anti-Sandinista, no longer suggested that all property expropriated in the Sandinista land reform initiatives would be returned. He is, however, still talking about modifications to the current laws, passed under both the Ortega and the Chamorro administrations, to allow more land to be returned to past owners than is currently provided for. His supporters point to his record of completing public works as mayor, and contend that his conservative economic approach will attract the investment needed to reverse Nicaragua's economic decline. Since his election, Aleman has called for an era of reconciliation and economic renewal in Nicaragua.

² Robelo, a millionaire banker, was disqualified because he had acquired Italian citizenship. Lacayo, Chamorro's son-in-law, and until recently presidency minister, was disqualified because the constitution prohibits close relatives of the president from running for president. The third disqualified centrist candidate was Eden Pastora, former Sandinista hero-turned-opponent, who had acquired Costa Rican citizenship while in exile there.

Ortega and the Sandinistas especially softened their image and their rhetoric on the campaign trail. Ortega's running mate was Juan Manuel Caldera, a wealthy, conservative cattle rancher whose property was expropriated by the Sandinista government. Hard-line Sandinista leaders such as Tomas Borge and Ortega's brother Humberto, the former chief of the Sandinista Army, were virtually unseen in the campaign. Assuring his audiences that the problems of the past Sandinista government would not return, Ortega pledged to promote a free market rather than a socialist economy, and to cultivate good relations with any U.S. administration. The Sandinistas' infamous anthem, which sang of the "Yankee" United States as "the enemy of humanity," was replaced by Beethoven's "Ode to Joy." Ortega has said he respects the "legality" but not the "legitimacy" of the Aleman government, and will lead the Sandinistas as an opposition force. Because Nicaraguan law allots seats in the legislature to presidential candidates winning a certain percentage of votes, Ortega will retain the seat in the National Assembly which he garnered after losing the previous presidential election.

Legislative Race. No party gained an outright majority of the 93 seats in the unicameral National Assembly. Aleman's Liberal Alliance won 42 seats, five short of a majority, followed by the Sandinistas, with 36 seats. Nine minor parties won one to three seats each. In the new legislature's first session in January, Aleman's choice, Ivan Escobar, was elected head of the Assembly, but only after members of Aleman's own party were thwarted in an attempt to ally themselves with the Sandinistas to seize control of the Assembly. Escobar will face the challenge of trying to push through the Assembly controversial economic reforms that Aleman is expected to propose. The settlement of land disputes also promises to be a controversial issue facing the new government, with Aleman pushing for more land to be returned to its previous owners, and Ortega (whose current home was expropriated from Aleman's top advisor) seeking to protect advances made in agrarian reform under the Sandinista and Chamorro governments.

Procedural Concerns Regarding the Elections

1) Election Day Flaws. Serious procedural mistakes occurred on election day. Nationwide, most polling places opened late, and about 30% lacked adequate ballots and other materials. In Managua, poll officials failed to appear at two-thirds of the precincts, and results from 204 precincts were disqualified because ballots or tally sheets had disappeared. Complaining of "serious irregularities," Ortega refused to concede and called for new elections in two of Nicaragua's 17 provinces. Although domestic and international observers also criticized the management of the elections, they said the flaws did not represent fraud, and that the elections were basically fair. Aleman's 13.2 point lead was also sufficient to outweigh the significance of technical errors.

2) Registration Process. Nicaragua's Supreme Electoral Council (Consejo Supremo Electoral, or CSE) carried out two different voter registration processes for the 1996 elections, which created controversy. A new process, in which voters applied for a national identity card, or cedula, to be received months later, took place in 117 municipalities in the Pacific region (including Managua) and the Atlantic Coast region. The process used in previous elections, known as ad hoc inscription, in which voters immediately receive a card good for voting but not for other purposes, took place in 26 less populous municipalities in the central and northern regions of Nicaragua. Because the ad hoc registration was to occur only over two weekends, as stipulated by electoral law,

many observers were concerned that the system discriminated against voters in those regions, many of whom had supported the Nicaraguan Resistance, or "contras".

The CSE said that because the identity card process was more time-consuming, complex, and expensive, it would be too difficult to complete in the more mountainous and isolated central regions before the elections. The identity card process had already begun in the two coastal regions as part of an effort to update the country's civil registry, and was to be undertaken elsewhere after the elections. The CSE also argued that providing security was simpler for the more limited ad hoc process. Security is a greater concern in the central and northern regions because kidnappings and attacks on government officials occur regularly there: four CSE officials were kidnapped in September 1995, candidate Aleman's entourage was attacked at gunpoint in January 1996, and 30 local election officials were taken hostage and one U.S. Agency for International Development (USAID) observer was kidnapped in June 1996, during the voter registration drive.

With financial and technical support from the United States and international election support organizations, the CSE extended the ad hoc registration process one additional weekend in June throughout the affected area, with a fourth weekend, in July, in some areas. The ad hoc registration process was generally seen as successful: between 90 and 100% of the voting age population reportedly registered to vote and received their cards.

3) Distribution of Voter Identification Cards. The identity card process proved more problematic. Over 95% of the voting age population in the coastal regions were reported to have applied for national identity cards to be used for voting. Because of the complexity involved in processing these cards for the first time, however, 11% of Nicaraguans on either coast who applied for them still did not have their cards or supplementary voting documents, which were provided if identity cards were not ready. The night before elections, the CSE authorized yet another document to give to voters whose official documents had not arrived. The problem is especially serious on the Atlantic coast. According to the State Department, as of October 11, 1996, 33% of applicants in the Northern, and 30% in the Southern Autonomous Regions still had not received identity cards or voting documents. These areas are rural, remote, and, in October, which is in the rainy season, even harder to get to than usual. In the past these areas have tended to be anti-Sandinista, and informal charges were made that voting cards were being deliberately kept from those voters. Other observers maintained that the incomplete distribution of cards was a logistical problem, not a deliberate political ploy, but a problem that nonetheless could have favored one party over another.

Election Observers. Many analysts saw the emergence of a domestic election observation group as one of the most important developments of the 1996 elections. In April 1996, a wide range of civic groups and individuals created Nicaragua's first nonpartisan election monitoring organization, Grupo Civico Etica y Transparencia 96, or Civic Group Ethics and Transparency '96 (ET). After receiving training from various international democratization organizations, the group monitored the voter registration process, and had about 3,000 domestic election observers on election day.

Some 900 international observers monitored the elections as well. International organizations sending groups included the U.N., OAS, and the European Parliament. U.S. observer groups included the Carter Center of Emory University, the Center for

Democracy, the International Foundation for Electoral Systems (IFES), the International Republican Institute (IRI), and the National Democratic Institute (NDI).

U.S. Assistance

The United States provided \$9 million to support the 1996 Nicaraguan elections, most of it since January 1996. The assistance included: \$4.5 million for the CSE, to support election logistics, including pollwatcher training and transportation; \$1.5 million for U.S. election observer groups; \$1.2 million for OAS election support and observation; \$1.0 million for the ad hoc registration process; and \$0.8 million for ongoing civic education programs.

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