ELECTORAL DEMOCRACY Under International Pressure

The Report of

The Latin American Studies Association Commission to Observe the 1990 Nicaraguan Election

March 15, 1990



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— Bill Becker —

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LIST OF ACRONYMS

Parties

FSLN Frente Sandinista de Liberación Nacional

MAP-ML Movimiento de Acción Popular - Marxista Leninista

MUR Movimiento Unido Revolucionario

PCDN Partido Conservador Demócrata de Nicaragua PLIUN Partido Liberal Independiente de Unión Nacional

PRT Partido Revolucionario de Trabajadores

PSC Partido Social Cristiano

PSOC Partido Social Conservatismo

PUCA Partido Unionista de Centro América

UNO Unión Nacional Opositora

YATAMA Yapti Tasba Masraka nanih Aslatakanka (Miskitu Association)

Parties Affiliated with UNO

ANC Acción Nacional Conservadora

MDN Movimiento Democrático Nicaragüense

PALI Partido Neo-Liberal
PAN Partido Acción Nacional

PAPC Partido Alianza Popular Conservadora

PC de N Partido Comunista de Nicaragua

PDCN Partido Democrático de Confianza Nacional PICA Partido Integracionista de Centro América

PLC Partido Liberal Constitucionalista
PLI Partido Liberal Independiente
PNC Partido Nacional Conservador
PPSC Partido Popular Social Cristiano

PSD Partido Social Demócrata

PSN Partido Socialista Nicaragüense

Observer Groups and International Organizations

CAPEL Centro de Asesoría y Promoción (OAS)

CIVS Comisión Internacional de Verificación y Seguimiento

LASA Latin American Studies Association OAS Organization of American States

ONUVEN Organización de Naciones Unidas Misión de Verificación

para las Elecciones de Nicaragua UN United Nations

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Nicaraguan Government and Regions

CAS Cooperativas Agrarias Sandinistas INE Instituto Nacional de Energía JMR Junta Municipal de Reconstrucción

RAAN Región Autónoma del Atlántico Norte (Region VII) RAAS Región Autónoma del Atlántico Sur (Region VIII)

National and Party Electoral Organizations

CAE Comité de Acción Electoral (FSLN)

CRE Consejo Regional Electoral CSE Consejo Supremo Electoral

IPCE Instituto de Promoción y Capacitación Electoral (UNO)

JRV Junta Receptora de Votos

Nicaraguan Organizations

CEPAD Comité Evangélica Pro-Ayuda al Desarrollo COSEP Consejo Superior de la Empresa Privada

United States Organizations

CIA Central Intelligence Agency

NDI National Democratic Institute for International Affairs

NED National Endowment for Democracy

NRI National Republican Institute for Republican Affairs USAID United States Agency for International Development

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I

INTRODUCTION

Nicaragua conducted elections, on February 25, 1990, that were possibly more important for the future of Central America than any other elections in the region's history. They may have set a series of precedents for future elections worldwide. They involved extensive preliminary negotiations to set the ground rules, they incorporated unprecedented levels of international observer presence, and they appear to be leading to a peaceful change of government with a military institution under civilian control. The entire electoral process stands a good chance of bringing an end to the destructive contra war and the elections have provided an opportunity for Nicaraguans of all persuasions to participate in a critical decision about the future of their country.

But these elections were also developed in an historical context of foreign intervention that cannot be separated from the outcome. A coalition strongly supported by the United States government soundly defeated the incumbent party, the Frente Sandinista de Liberación Nacional (FSLN). The electoral defeat of the FSLN has been hailed by many as a victory for democracy. This interpretation, however, obscures the context of war in which these elections took place and the role of the U.S. in shaping their outcome. Any assessment of the Nicaraguan elections must weigh their general internal openness and procedural correctness against the distorting impact of external influences.

The principal technical characteristics of the elections, including successful negotiation by all parties over electoral rules, highly competent and evenhanded administration of the election by the Consejo Supremo Electoral (CSE), a low degree of systematic coercion by any of the contending parties, a basic level of human rights protection, the broad ability of the parties to participate in the process, albeit with unequal resources, has led the Latin American Studies Association (LASA) Commission to a judgment that the process, although occasionally problematic, was fundamentally democratic.

¹The LASA Commission gratefully acknowledges the generous support of the John D. and Catherine T. MacArthur Foundation's Program on Peace and International Cooperation.

However, the role of the United States in sustaining the contra war and in crippling the Nicaraguan economy, together with its strong symbolic, political and financial signals of support for Unión Nacional Opositora (UNO), continued a long-standing pattern of U.S. interference in Nicaraguan affairs. It made the process less purely a measure of Nicaraguan preferences, and more a reaction to U.S. policies.

The international observation of this election constituted a unique element. For the first time, international organizations, principally the United Nations (UN), the Organization of American States (OAS), and the Commission of Freely Elected Heads of Government (Carter Commission), as well as many other groups, including LASA, were invited to observe the entire election process of an independent nation, from the forming of the rules to the counting of ballots and the inauguration.² The OAS and the UN observed early negotiations and sent full, well-equipped teams six months prior to the election. The Carter Commission established a permanent staff, and the former president made several visits.

The thoroughness and effectiveness of international observation recommend such involvement for other elections. For example, in situations with high levels of conflict, even violence, and disagreement over basic structures, comparable international presence could be important; in elections under those conditions, observation during just the final days of a campaign and during the actual voting procedures and ballot counting are not sufficient. The Nicaraguan election has set a new standard that, hopefully, will structure future election observation.

This report by the LASA Commission to Observe the 1990 Nicaraguan Election has been designed to provide a comprehensive overview of the electoral process, the context within which the elections were held, and the controversies that emerged. LASA reported similarly on the 1984 Nicaraguan elections.³ The LASA Commission for 1990 was comprised of 13 experts on Central America and Nicaragua; members of the commission traveled to Nicaragua to obtain information for this report during three periods: November 17-24, January 14-21 and February 17 - March 1.⁵ Several members had seen earlier phases of the election, and five members had been part of the 1984 LASA

²The United Nations has observed elections as part of the decolonization process, as in the 1989 Namibia election, and the OAS has sent observers (either directly or through CAPEL, the Centro de Asesoría y Promoción Electoral) to most elections in Latin America in recent years. But neither the UN nor the OAS have ever been invited by a member state to observe the entire election process with the scope and magnitude of the involvement in Nicaragua.

³Latin American Studies Association, *The Electoral Process in Nicaragua: Domestic and International Influences*. Report of the Latin American Studies Association Delegation to Observe the Nicaraguan General Elections of November 4, 1984. (Austin, Texas: LASA, 1984)

⁴The names of commission members and their professional affiliations are listed in Appendix I. The list of principal persons interviewed across the three visits to Nicaragua is presented in Appendix II.

⁵A preliminary report was issued after the November 1989 visit; cf. "LASA Commission to Observe the February 25, 1990 Nicaraguan Election, Interim Report," *LASA Forum* (Winter 1989).

observation team.

The report first takes up the international context of the elections and the peace process which preceded them. It next provides an historical overview of Nicaragua's political parties and the complex national and international negotiations employed to set up the electoral rules. It sets forth those rules and discusses their particular implications for municipal government and for the developing political process on the ethnically complex Atlantic Coast. The report describes the main contenders, their campaigns, and the resources they used. The crucial role of observers is discussed. It concludes with details of results and the implications for the future.

It has been noted that in some cases elections can institutionalize authoritarian regimes and retard or abort the development of democracy. Elections, especially "demonstration elections," can also be the certifying events for the implementation of United States foreign policy. When an election bears the weight of beginning a new historic era, initiating democracy, or creating peace, it may labor under excessive requirements and suffer from unrealistic expectations. Precisely when so much rides on the outcome of an election, social tension may intensify and, paradoxically, contribute to destabilization.

These were the extraordinary burdens carried by the 1990 Nicaraguan election. The election had to create peace, institutionalize a democratic system, and achieve

In considering whether the 1990 Nicaraguan elections were democratic exercises, two possible pitfalls must be eliminated. To use purely relativistic criteria (e.g. simply comparing this election only with other Latin American elections) may be easily interpreted as a judgment based on lax criteria. The other danger is to assume a rigid set of standards that simply imitate one or another system believed to be the standard. The implicit condescension of the first approach and the ethnocentrism of the second make each less than useful.

Alternatively, a set of standards may be expressed in a variety of ways. It is indispensable that a minimum level of human rights be enjoyed by the population in order to make the election meaningful. The rules and procedures need to be established through an open process of compromise which includes all parties, however diverse, that want to participate. Further, the contending parties must be free from systematic coercion and have access to the media and to the electorate to propagate their message. The electorate must likewise be free to decide its preference based solely on the merits of each candidate. A democratic election must operate under a legal electoral administration whose rules are fair and do not favor one party.

The internationally accepted human rights compliance of a country might determine how the first condition is assessed. But the other four conditions must be observed and studied within the specific national political context. This direct analysis was the approach used by the LASA Commission.

⁶Description and analysis of this sort inevitably lead to a discussion of the relationship of elections to democracy, i.e., what is free and fair in electoral processes. Although there is no iron rule for determining the relationship of elections to democracy, it is clear that elections are necessary but not sufficient conditions for democracy.

⁷Edward S. Herman and Frank Brodhead, Demonstration Elections: U.S.-Staged Elections in the Dominican Republic, Vietnam, and El Salvador. (Boston: South End Press, 1984)

⁸John A. Booth and Mitchell A. Seligson, eds., *Elections and Democracy in Central America*. (Chapel Hill: University of North Carolina Press, 1989), pp. 8-11.

international ratification of its national sovereignty. For a country riven by conflict and war for the past nine years, the first two outcomes would be difficult to achieve. The third was largely in the hands of the United States, since it has consistently referred to Sandinista Nicaragua as an "outlaw regime."

This election, then, has taken place within a larger context that both expected too much from it and systematically exerted pressure against it. The United States, apparently believing that the FSLN would win, mounted a steady campaign to discredit the results and periodically complained about aspects of the process.¹⁰ Owing to the presence of so many international observers, however, the United States was forced to accept the validity of the election, in contrast to its behavior in 1984, when in the view of the LASA delegation,

..."in the six month period leading up to the election, the Reagan administration used a combination of diplomatic, economic, and military instruments in a systematic attempt to undermine the Nicaraguan electoral process and to destroy its credibility in the eyes of the world."¹¹

II

THE INTERNATIONAL CONTEXT

For most observers throughout the electoral campaign and for most Nicaraguans polled during the months preceding the election, the two critical issues were the continuing contra war and the economic conditions that prevailed during the last years of the Sandinista incumbency. Both of these issues had domestic roots, and both were intimately tied to U.S. policy. Latin American diplomatic participation in negotiations about the elections was in response to the international context created largely by United States policy.

The United States

The policies of the United States government played a central role in creating the conditions for the 1990 Nicaraguan election. Its major thrust was the financing and organizing of the contra war. This policy was meant to so damage the Nicaraguan economy that the FSLN would lose its attractiveness to the Nicaraguan people. In the period immediately before the election, the U.S. acted through the various opposition parties and four other states of Central America to change already quite liberal electoral laws to include unprecedented concessions such as the legalization of foreign funding of

⁹Given the outcome of this election, the third condition has been achieved: the United States has already extended ample support to the coalition that won.

¹⁰ Quayle Calls Nicaragua's Plan for Elections in 1990 Just a 'Sham,' New York Times, June 13, 1989.

¹¹LASA, The Electoral Process in Nicaragua..., op.cit., p. 30.

campaigns.

Begun little over a month after President Reagan's 1981 inauguration, the contra war policy led to a peak force of 15,000 contra troops in 1985-86. By the end of the Reagan presidency in 1988, overt military aid had given way to "humanitarian" aid. That left the bulk of the contras in Honduran camps from where there has been steady infiltration into Nicaraguan territory and an increase in the level of contra violence since September 1989. The United States refused repeated Central American requests to support contra demobilization. Indeed, U.S. aid to the contras continued through February 28, 1990.

The contra war was a frighteningly effective instrument of economic aggression. The displacement of farmers by contra attacks reduced agricultural production significantly. Attacks on granaries, schools, health clinics, bridges and electrical plants forced public funds away from productive activities. Investment by producers was discouraged by contra threats against the fundamentally private sector of the Nicaraguan export economy. And the U.S. blocked loans in private and multilateral lending agencies, restricted foreign assistance and embargoed trade between Nicaragua and the U.S. The International Court of Justice ruled that the U.S. military actions violated international law, but the U.S. ignored the decision.

Latin American Diplomacy

The January 1983 initiative of Mexico, Venezuela, Colombia and Panama, known as the Contadora process, was the first collective effort by Latin American nations to prevent direct U.S. intervention and the specter of a regional war in Central America. Its negotiations set the stage for a regional peace agreement which included provisions for internationally-observed democratic elections in all the Central American countries.

Long, intensive negotiations through the Contadora group by the Central American nations produced a draft treaty, verbally agreed upon by all the countries but Nicaragua. The draft called for limiting arms purchases, forbade the backing of insurgent groups, eliminated foreign military personnel and bases and called for open electoral processes. By September 1984, the Nicaraguan government announced it would accept the draft Contadora treaty "in its totality and sign it immediately, without any modifications." The Reagan administration, caught off guard, quickly pressured its allies, Honduras, Costa Rica and El Salvador, to find fault with the draft.

¹²In March 1981, the U.S. media began reporting that Nicaraguan exiles were undergoing paramilitary training at several private camps in Florida and other parts of the United States. (Eddie Adams, "Exiles Rehearse for the Day They Hope Will Come," *Parade Magazine*, March 15, 1981, pp. 4-6). In November 1981 President Reagan formally authorized the creation of a small contra army. The CIA then also carried out direct military actions against Nicaragua that received international condemnation.

¹³The Contadora effort was eventually joined in August 1985 by four other nations, Peru, Argentina, Brazil and Uruguay, which became known as the Support Group. The eight nations together formed the Group of Eight.

The Iran-contra scandal provided the opening for further regional negotiations. Costa Rican president Oscar Arias, who won a Nobel Prize for his efforts, engineered the breakthrough Guatemala Peace Accord (Esquipulas II) in August 1987. It prohibited outside support for insurgent forces, provided for the release of political prisoners and called for restoration of full civil rights and open electoral processes in all countries. The accord called for a Comisión Internacional de Verificación y Seguimiento (CIVS) comprised of representatives of the UN, the OAS, and representatives of the Group of Eight countries. When it was found that Nicaragua had complied more fully than its neighbors, the verification group's composition was changed to include only the foreign ministers of the five Central American countries.¹⁴

In a dramatic reversal of previous policy, the Nicaraguan government opened negotiations with the contras in March 1988 at the village of Sapoá. The talks reached agreement on a 60-day cease-fire, acceptance of interim non-military aid to the contras and, if the contras relocated into designated zones, the release of half of the contra prisoners held by the government. The location and operating rules were to be decided upon by both parties, and humanitarian aid to the contras was to be channeled through neutral organizations. ¹⁵

By June 1988, under pressure from the U.S., the civilian contra leadership which had signed the March 1988 accord was replaced by military leaders under the direction of Col. Enrique Bermúdez. When the new contra leadership raised new demands the cease-fire negotiations collapsed.¹⁶

But the Esquipulas Accords had recognized the legality of the Nicaraguan government. The contras and other Central American insurgent groups were given no formal recognition. This strengthened the hand of the Nicaraguan government and, over time, limited the opposition political parties' option to abstain from the 1990 elections. However, the subsequent meetings of the Central American presidents in February and August 1989 helped the opposition parties obtain election rules to their liking, in exchange for continued calls for the demobilization of the contras.

¹⁴LASA reported on compliance with the peace process in a report prepared in early 1988; cf. LASA, Extraordinary Opportunities... And New Risks, Report of the LASA Commission on Compliance with the Central American Peace Accord. (Pittsburgh, PA: LASA, March 15, 1988)

¹⁵ Sapoá--A New Benchmark," *Envio*, June 1988, p. 2. Just prior to Sapoá the U.S. House of Representatives defeated an administration request for military aid, and the administration refused a compromise non-military aid package. With external assistance cut off, the contras signed at Sapoá. After Sapoá the U.S. Congress voted for non-military aid.

¹⁶Hemisphere Initiatives, "Principal Events in the Central American Peace Process," in *Nicaragua's Elections:* A Media Guide. (Boston: Hemisphere Initiatives, 1990)

ELECTORAL POLITICS IN NICARAGUA

Traditional Party Politics

For most of the period from independence through the mid-twentieth century, two elite parties, the Liberal and the Conservative, vied with each other for control of the government. Liberals favored the curtailment of privileges for the Catholic Church, the modernization of the economy through laissez-faire approaches turned toward international trade, and representative government, at least for the elite. The conservatives supported church privileges, retention of traditional economic patterns and laws, and a centralized authoritarian government. These differences blurred with the passage of time. Conservatives, in the second half of the nineteenth century, brought to Nicaragua the famous elite-oriented economic "modernization" legislation known elsewhere in the region as the reformas liberales. Liberals in office often forgot their philosophy of representative democracy.

The twentieth century brought new challengers. The first Soviet-oriented communist party, the Partido Socialista de Nicaragua, was born in 1944. In the 1960s, the Partido Social Cristiano (PSC), Nicaragua's only truly modern party in terms of organization, leadership training and tactics, began to emerge. Given the lack of democracy under the Somozas, no opposition party, however, had any real chance of coming to power through elections.

Under Somoza, the opposition parties responded erratically to their lack of real power. The socialists on occasion entered into pacts with the Somozas. Other parties formed weak opposition alliances such as the mid-1960s Unión Nacional Opositora (UNO) forged by members of the PSC and conservative factions. Conservatives later divided in two, one derided as the *zancudos* (mosquitos) who traded jobs and benefits from Somoza for "legitimating" participation in elections, and the purists who would then denounce both the election and the "traitorous" behavior of the zancudos. In all, the Somoza-era parties were weak, discredited and fragmented when the FSLN came to power in 1979.

The 1984 Election

Prior to the overthrow of the Somozas, no truly free elections had ever been held in Nicaragua; the tradition of electoral democracy was thin and discredited. Somoza's elections featured translucent ballots, the buying of votes, intimidation, and, when all else failed, stuffed ballot boxes. Though U.S. diplomats would admit in private that democratic forms in Nicaragua were a sham, the United States put little pressure on the dictatorship to implement free elections. After the FSLN victory in 1979, however, U.S. interest in the cause of democracy in its former client state blossomed quickly.

Before defeating Somoza, the FSLN had promised electoral democracy. In August 1980, the FSLN scheduled the first election for 1985. The FSLN argued that priority needed to be given to improving social conditions, especially education. Unconvinced, the U.S.

government and several opposition parties complained that the Sandinistas were betraying their promise by delaying so long.

After three years of investigation and debate, the Consejo de Estado (the interim legislative body with an FSLN majority, but with independent parties and other social groups represented) produced legislation on political parties and elections. Modeled largely after Western European institutions, the electoral law tended to encourage and over-represent small parties (i.e. the ten or so opposition parties then extant). In early 1984 the elections were scheduled for November 4, 1984, two days ahead of the U.S. election, and a year earlier than had originally been promised. 18

In July 1984, five months in advance of the actual vote, President Reagan called the Nicaraguan electoral process a "Soviet-style sham." The United States then used Arturo Cruz, a prominent Nicaraguan residing in Washington, to act as an electoral teaser. He attracted considerable U.S. media attention as the possible leading opposition candidate. Then, at the eleventh hour, he withdrew, claiming that conditions were not right for a free election. A senior administration official in Washington later said, "The administration never contemplated letting Cruz stay in the race because then the Sandinistas could justifiably claim that the elections were legitimate..." However, six political parties, three on the left and three on the right, ran candidates against the Sandinistas. The FSLN ticket of Daniel Ortega and Sergio Ramírez won 67 percent of the vote, and the Sandinistas gained 61 of the 96 seats in the Asamblea Nacional Constituyente.²¹

The LASA observer delegation to the 1984 elections concluded that "the range of options available to the Nicaraguan voter on most issues was broad, but it would have been broader if the U.S. government had not succeeded in persuading or pressuring key opposition leaders to boycott [Arturo Cruz] or withdraw from the election [Virgilio

¹⁷This kind of proportional representation, through its system of slate-making and vote counting, made it possible for very small parties to gain a voice in the National Assembly. A U.S.-style winner-take-all system would have given the FSLN 90 of the 96 seats in the 1984 election. Losing presidential candidates were also awarded assembly seats after the 1984 election.

¹⁸Late in 1983, with the contra war in full swing, the U.S. leaked a bogus but detailed plan, "Operation Pegasus," for the imminent invasion of Nicaragua. Part of a broader program of psychological warfare, the apparent purpose of this leak was to so frighten the Nicaraguan government that it would further crack down on civil liberties, thus confirming the U.S. characterization of it as totalitarian. An unexpected by-product of these leaks seems to have been a quick FSLN decision to move elections ahead.

¹⁹Arturo Cruz, in a formal presentation with Thomas Walker, Sonoma State University, April 1989.

²⁰Dennis Gilbert, "Nicaragua," in Confronting Revolution: Security Through Diplomacy in Central America. (New York: Pantheon Books, 1986) p. 111.

²¹The rest of the assembly seats went to the Partido Conservador Demócrata de Nicaragua (14), the Partido Liberal Independiente (9), the Partido Popular Social Cristiano (6), the Partido Comunista de Nicaragua (2), the Partido Socialista Nicaragüense (2), and the Movimiento de Acción Popular - Marxista Leninista (2).

Godoy of the Partido Liberal Independiente]." Other international groups concurred.²²

The elected Asamblea Nacional drafted a constitution in 1985. The draft document was examined and debated by the public in more than 20 open town meetings (cabildos abiertos), carried to the U.S. and Europe for examination by large gatherings of constitutional lawyers, human rights specialists and Latin Americanists, then thoroughly modified, and enacted in January 1987.²³

IV

NEGOTIATING THE RULES FOR 1990

Nicaragua's electoral developments have been shaped by both the international accords and by Nicaragua's search for internal reconciliation and democratization. The original intent of the international accords has been narrowed and reshaped by United States pressure to focus heavily on Nicaragua alone. Nicaragua has repeatedly pushed at the international level for the demobilization of the contras, but it had not achieved this by the time of the 1990 election.

None of the nations which the U.S. considers its democratic allies in Central America has complied as thoroughly with the spirit and the letter of the Esquipulas Accord as has Nicaragua. Yet at every turn, the United States was able to minimize the concessions made by Nicaragua and to keep the focus of world attention on Nicaragua instead of on Central America as a whole. In the U.S. view, El Salvador, Honduras, Guatemala and Costa Rica were "democracies" while Nicaragua was an outlaw state. It should be clear that this strategy on the part of the U.S. obviates the original intent of the Central American Peace Accord to promote peace and reconciliation in all the nations of Central America.

The Opposition

Parties which chose to abstain in 1984 faced a difficult, confusing period. For all opposition groups the contra war and military mobilization brought restrictions on civil

²²LASA, *The Electoral Process in Nicaragua... op.cit.* Observer teams from the British Houses of Commons and Lords, the Irish Parliament, the Dutch Government, the Socialist International, and LASA generally agreed that the elections had been clean, competitive, and meaningful. Thom Kerstiens and Piet Nelissen (official Dutch Government Observers), "Report on the Elections in Nicaragua, 4 November, 1984" (photocopy); Irish Inter-Party Parliamentary Delegation, *The Elections in Nicaragua*, November, 1984, (Dublin: Irish Parliament, 1984); Parliamentary Human Rights Group, "Report of a British Parliamentary Delegation to Nicaragua to Observe the Presidential and National Assembly Elections, 4 November, 1984" (photocopy); Willy Brandt and Thorvald Stoltenberg, "Statement [on the Nicaraguan elections in behalf of the Socialist International]", Bonn, November 7, 1984.

²³Jules Lobel, "The Meaning of Democracy: Representative Parliamentary Democracy in the New Nicaraguan Constitution," *University of Pittsburgh Law Review*, Vol. 49, No. 3, 1988; and Andrew Reding, "Nicaragua's New Constitution: A Close Reading," *World Policy Journal*, Vol. 4, No. 2 (Spring, 1987), pp. 257-294.

liberties which combined to restrict communication with actual or potential adherents. Few had had a broad grassroots base anyway, so they remained small. The abstentionist parties were also weakened by the loss of leaders who went into exile, some into the contras' civilian leadership.

Domestic opposition parties agreed on little except disapproval of the FSLN, and squabbled over what should be the opposition's proper role in the newly defined political system. The abstainers were silent on the contra excesses, blamed the war on the FSLN, and rejected the legitimacy of the government. Other parties, however, actively participated in the formation of the constitution and openly stated their opposition to the armed rebellion.

Many in the domestic opposition argued that fundamental legal changes (especially depoliticization of the armed forces, suspension of the military draft, and permission for a private television channel run by the political opposition) would have to be implemented before they would be willing to take part in another election. Internal divisions and personal maneuvering for future electoral advantage led several factions to split off from established opposition parties.

National and International Interplay

In January 1988, Nicaragua accepted an amendment to the Central American accords that lifted media censorship, further reduced restrictions on political party activities, and led to the Sapoá negotiations with the contras (see above). Laws governing the creation of political parties and organization of elections were debated in the Asamblea Nacional and were eventually passed in October, including opposition provisions easing the requirements for establishing and registering political parties.

In February 1989, President Ortega agreed with the Central American presidents to move the 1990 elections ahead by ten months, from November--as provided in the constitution-to February, and to enter into dialogue with the opposition on reforms to the 1988 electoral law. Bilateral talks with opposition parties led to additional reforms of the election law, but some opposition parties continued to denounce the results as inadequate.²⁴

²⁴In March and April 1989, the government established bilateral negotiations with political parties and proposed 19 amendments to the law in order to incorporate the opposition parties' suggestions. The National Assembly adopted 17. However, a number of parties, generally those which had abstained in 1984, had wanted multilateral negotiations. Failing this, they submitted a package of amendments to the assembly, too late for consideration, according to FSLN leaders in the assembly. Their most intense objection in addition to calling for an opposition-controlled TV channel, was over the method of selection of the Consejo Supremo Electoral (CSE). President Ortega presented slates of candidates to the National Assembly for each of the five CSE positions. Two of the slates were composed of Sandinistas, one from members of parties belonging to the then forming UNO coalition (called at that point the Group of 14), one from members of parties that had participated in 1984 (as called for by the law), and one comprised of notable neutrals, people who had no formal party affiliation. But numerous objections remained, including the composition of the CSE which UNO and the U.S. government claimed was controlled 4-1 by the FSLN.

By this point, invited teams from Venezuela and Costa Rica, the OAS and the UN had arrived to begin observing the process. The UN issued a favorable report on the juridical framework, but suggested that the remaining issues be subjected to further negotiations.

In early August 1989, the president called for a national dialogue to seek accords which would be submitted to the Asamblea Nacional and the Consejo Supremo Electoral. All parties participated in a marathon 36-hour, televised negotiation, in the presence of international observers. The FSLN agreed to suspend military recruitment until after the elections and to support a one-time modification in the constitution in order to advance the new government's inauguration to April 25, 1990. A framework establishing equal time for political programming and advertising emerged from the negotiations, as did rules for electoral police, and a cessation of the wartime law of internal security.²⁵

In exchange, all parties agreed to participate in the elections and all signed an accord which called for the demobilization of the contras by December 5, the day of the formal beginning of the campaign period. The Nicaraguan government took this Acuerdo Político Nacional to a scheduled meeting of the Central American presidents, the next day, as evidence of increasing democratization. The presidents then called for demobilization by December 5, supervised by the United Nations.

V

THE GOVERNMENT AND ELECTORAL APPARATUS

The 1987 Nicaraguan constitution provides for the election of a president and vice president, a national assembly, 131 municipal councils, and two 45-member regional councils for the two Atlantic Coast autonomous regions. All elections are direct and for simultaneous six-year terms. A simple plurality elects the president and vice president, without a runoff. The unicameral Asamblea Nacional consists of 90 seats, elected by region on a proportional representation basis, plus the losing presidential candidates of parties winning approximately one percent of the national vote. Regions receive seats in the Asamblea in proportion to their population; the electoral regions are shown in the accompanying map. Representation is based on the list system. Thus, for example, if a region has ten seats and a party wins 30 percent of the vote, the first three candidates on its list of ten will win. Municipalities with population over 20,000 have

²⁵The agreements were to be submitted to the Asamblea Nacional, the CSE, or other appropriate governing bodies for rule changes or implementation.

²⁶The precise number of votes required for a losing presidential candidate to win an assembly seat is determined by a complex formula involving the actual number of votes cast in all nine regions.

²⁷The apportionment system tends to somewhat benefit the larger and mid-sized parties through the distribution of left-over fractional seats to them, but benefits smaller losing parties (with roughly one percent of the total national legislative vote) with bonus seats for their losing presidential candidates.

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ten-member councils; smaller ones have five. Managua has 20.²⁸ Members of the two Atlantic Coast autonomous regional councils of 45 members each are elected from fifteen three-member districts called *circunscripciones populares*.

The new constitution established an electoral structure similar to that used in 1984. The Consejo Supremo Electoral (CSE), virtually a fourth branch of government at election times, supervises, administers, adjudicates and mediates the entire process, including registration. The CSE consists of five members and alternates elected by the Asamblea Nacional from lists of names submitted by the president. The CSE in turn selected nine three-person Consejos Regionales Electorales (CREs) which were responsible, in turn, for setting up the 4,394 local voting places, or Juntas Receptoras de Votos (JRVs), to conduct the voter registration and the actual balloting in the election. Opposition party members were provided membership on each level of electoral institution: the CSE, CREs, and JRVs. In the CSE the FSLN had two of five members, the opposition parties two; and there was one "neutral" person selected. The FSLN, by virtue of its majority vote in the 1984 election, had two of the three members in each CRE and JRV. Each party (or alliance) was entitled to official poll watchers (fiscales) with full legal access to monitor registration, balloting, and vote counting.²⁹

Local Level Elections

The municipal elections were designed with the hope of advancing democracy at local levels. This aspect of electoral politics, new to Nicaragua with these elections, is part of the process of decentralizing government planning and decision-making that began in 1979.

Municipal governments were first established during the colonial period, as political-administrative bodies, with León and Granada being the most important. Following independence, municipal governments elected by the limited enfranchised portion of the population continued to function. However, Somoza in the 1930s annulled municipal elections and appointed municipal governments. Although this decision was reversed in 1950, the municipal governments basically functioned as extensions of the central government.

After Somoza's fall, the Sandinista government in 1979 initiated local popular elections for Juntas Municipales de Reconstrucción (JMRs), and granted broad powers in planning, provisioning and basic services; broader, in fact, than their limited human and material resources could manage. The JMRs coordinated their activities directly with the national

²⁸The party with the most votes gets half (or 3 of 5 seats) on the council. It also gets a share of the remainder which is divided according to proportional representation. Councils elect a mayor from their members.

²⁹An Advisory Board with one FSLN member and six opposition members was appointed to monitor the CSE. There was also an Asamblea de Partidos Políticos, consisting of one member chosen by each political party (or alliance), that selected five members for a Consejo de Partidos Políticos which, in turn, has the functions of registering parties and resolving intraparty and interparty disputes outside the campaign.

government.

In 1982, the president appointed heads of nine regional governments to coordinate and accelerate the decentralization of decision-making. But, paradoxically, the move resulted in the JMRs losing some of their functions and autonomy.

In 1985 the central government took steps to replace the JMRs with Comités Consultativas Municipales, with representatives of the Comités Sandinistas de Defensa, the Juventud Sandinista, other mass organizations, delegates from the Instituto Nacional de Energía (INE), and other public agencies.

By 1986 there was no single pattern. For example, in the city of Corinto, Nicaragua's most important port, the JMR ceased to function in 1981 and the central government appointed a mayor in its place. As of February 1990, Corinto's municipal government consisted of an appointed mayor and two employees. In contrast, in León, the country's second largest city, the original JMR owned and managed businesses, including a cement block factory, and collected a one percent sales tax.

In 1986, the central government and opposition parties independently concluded that the municipal level governments needed to be strengthened. The resulting 1988 Ley de Municipalidades gave local governments authority over urban and rural development; hygiene, sanitation and environmental protection; construction of roads, parks, plazas, bridges, drainage systems, market places, and slaughterhouses; and supervision over libraries and museums. They will receive a percentage of local taxes and have access to bank loans and foreign donations. However, given the lack of clarity about their level of financing, it is difficult to predict whether the newly elected councils will have real power.

Atlantic Coast Elections

The Atlantic Coast region, especially the north, has been the scene of ethnic conflict since just after the Sandinistas took power; and it still remains, after the election, an area of high tensions.

Prior to the revolution, the Atlantic Coast was a culturally diverse backwater of

³⁰In 1986-87, government attempts to push this effort focused on the municipalities' fiscal functions. Discussion of the issue of municipal governments also reached the broader population through the *cabildos abiertos* that were held to discuss the constitution.

³¹The municipal governments will also share responsibilities in education, health, housing, water, and public lighting. For Managua, because of its size, the law established six districts, each with an Assistant Mayor (alcaldito) and its own Consejo Distrital. The Managua Consejo Municipal may select the alcalditos or it can choose to have them elected by a popular assembly. The composition of the sub-councils will be elected by a local popular assembly.

³²In order to insure further popular participation in municipal government decision-making, the Ley de Municipalidades also specifies that cabildos municipales (public assemblies) must be held at least twice a year.

Nicaragua. With foreign presence, mostly in the form of transnational companies, often stronger than national presence, it looked outward toward the Caribbean and the United States rather than toward Managua for its future. The revolution initiated a period of high expectations of a new autonomous status, especially in the Miskitu community. These expectations, and the Sandinista government's response to Indian organizations, quickly gave way to tension and armed confrontation that lasted for at least three years. In 1985, the government initiated a process that reduced tensions and fostered dialogue with Indian insurgents. This contributed to the development of a constitutional statute on coastal autonomy. As a result, the 1990 election includes, for the first time, the election of two regional autonomous assemblies, one in the Región Autónoma del Atlántico Norte (RAAN) and one in the Región Autónoma del Atlántico Sur (RAAS). These areas correspond to administrative regions VII and VIII.

VI

THE CONTENDERS

The FSLN

As Nicaragua's dominant political party, the FSLN has traditionally been a tight political organization of party militants grounded in a core of 30,000 members plus an equal number of activists who are not formally members of the party.³³ Although this number is augmented by the hundreds of thousands of people who are members of the Sandinista mass organizations, formal party membership has remained relatively exclusive.

Most analysts agree that liberation theology, Marxist-Leninism, and Latin American populism contribute to *Sandinismo*, though the relative weight of each has been assessed differently by different analysts. FSLN policies have had a clearly redistributive thrust, but this has been coupled with an acute pragmatism that complicates the evaluation of its ideology. Some argue that the Sandinista program is more nationalist and developmental than socialist.³⁴

The FSLN has made a transition, in recent years, from a more elitist style to a more inclusionary one. The rigid, insular structure the FSLN adopted through the mid-1980s was, at least in part, required by the reality of war. But four top leaders of the party observed to the LASA Commission that the party has been in the process of restructur-

³³Interview, Virginia Cordero, January 15, 1990; Dennis Gilbert notes that published estimates of party membership range from 16,000 to 50,000; cf. Dennis Gilbert, *Sandinistas* (New York: Basil Blackwell, 1988), p. 52.

³⁴See, for example, Carlos M. Vilas, *The Sandinista Revolution*, translated by Judy Butler. (New York: Monthly Review Press, 1986)

ing since the start of the electoral process.³⁵ One indicator of this is that over 25 percent of the FSLN assembly candidates in 1990 were not party members according to Bayardo Arce.³⁶ In this view, the policy of *concertación*, i.e., the engagement of the private sector to actively collaborate in the formation and implementation of consensus policies for national development, also represents the new openness.

The UNO Coalition

In contrast to the FSLN's unity, the UNO coalition, which emerged only in mid-1989, is an eclectic grouping of 14 disparate mini-parties.³⁷ The parties cover a broad ideological span from the far right Partido Liberal Constitucionalista (PLC) to the Partido Comunista de Nicaragua (PC de N). Most are small and young, with no proven independent electoral base. An exception would be the Partido Liberal Independiente (PLI).³⁸

Before the election this unlikely coalition was held together by a series of forces: the tantalizing prospects of U.S. funding, the frustrations of prolonged and ineffectual opposition, and the pragmatic assessment of their negligible chances were they to go it alone. At various junctures the alliance came close to unraveling. The process of negotiating a platform proved difficult, and the compromise language that was worked out was a thin covering over of deep divisions. The characterization of their economic

³⁵Interviews with Sergio Ramírez, Vice President; Carlos Carrión, Presidential Delegate, Region III, Dionisio Marenco (FSLN Head of Advertising and Publicity), and Rafael Solís (FSLN National Assembly Deputy).

³⁶In the Managua-area National Assembly list, for example, Juan Diego López, a large agricultural producer and president of the dairy farmer association aligned with the Consejo Superior de la Empresa Privada (COSEP), was ranked twelfth on the FSLN list. The FSLN's Managua municipal list of the Frente included evangelical leader Benjamín Cortés (fifth of 20); Sebastiana Díaz de Tijerino (No. 18), a leader of the shopkeepers in the often anti-Sandinista Mercado Oriental; Nemesio Porras (No. 13 Suplente), a nationally famous baseball player for the top-ranked Boer's baseball team; and Andrés Franceries (No. 16 Suplente), owner of Sandy's, a popular fast food restaurant. Most non-Sandinistas were incorporated into the slate either toward the bottom of the list or as *suplentes* (alternate candidates). Given the low FSLN vote, few non-Sandinistas were elected to the assembly under the FSLN banner.

³⁷The UNO affiliates are: PLC (Partido Liberal Constitucionalista), MDN (Movimiento Democrático Nicaragüense), PAN (Partido Acción Nacional), PPSC (Partido Popular Social Cristiano--the PPSC is represented by some prominent members even though the leadership formally renounced its participation in UNO); PSN (Partido Socialista Nicaragüense), PNC (Partido Nacional Conservador), ANC (Acción Nacional Conservadora), PDCN (Partido Democrático de Confianza Nacional), PC de N (Partido Comunista de Nicaragua), PALI (Partido Neo-Liberal), PSD (Partido Social Demócrata), PAPC (Partido Alianza Popular Conservadora), PLI (Partido Liberal Independiente), and the PICA (Partido Integracionista de Centro América). Of these parties, the ANC and PICA did not attain legal status in time to participate formally in the election.

³⁸Some UNO affiliates, such as the Nicaraguan Socialist Party and the Independent Liberal Party, were founded relatively early (1944), but five emerged as off-shoots of other parties in the last few years. PAN split from the PSC in 1987; PALI from the remains of the PLI in 1985; PDC from the PSC in 1988; PNC from the PCDN in 1984; and PAPC from the PCDN in 1984.

model as a "social market" project splits the difference between economic policies oriented toward the less advantaged and those that reflect market criteria. How this will be operationalized remains to be seen.

Internal divisions in the Unión Nacional Opositora were again visible when the presidential and vice-presidential candidates were named. Narrowly defeated for the presidential slot, Enrique Bolaños, president of the major business association COSEP, withdrew from the campaign. Bridges were built to that sector again when his successor, Gilberto Cuadra, was named as an economic adviser to Violeta Barrios de Chamorro, the person ultimately selected, under reported U.S. embassy pressure, as the presidential candidate.

Disputes also flared when the 14 parties of the UNO alliance constructed their party slates for the assembly and municipal councils.³⁹ There were sharp divisions throughout the campaign, in style and substance, between the presidential and the vice-presidential candidates, with the former emphasizing peace and unity and the latter often resorting to inflammatory accusations. Tensions between the personal advisors of Chamorro and the 14-party Consejo Político of the UNO (created to offer representation to all the coalition members in strategic decisions) were legion. These tensions occasionally culminated in open displays of discord, such as a public shoving match between PLI representative Jaime Bonilla and Chamorro's campaign manager, Antonio Lacayo. Chamorro's insular circle of advisers, tied to her through family relationships (Lacayo is her son-in-law; Alfredo César, her next closest adviser, is married to Lacayo's sister), was deeply resented by the Consejo Político members who came to feel isolated from campaign decisions.

In spite of these difficulties, UNO defied all predictions by holding together through a rocky campaign with only minor defections. Embracing the personally popular Violeta Chamorro, a relatively inexperienced political figure, the UNO affiliates waged an uneven campaign.

Other Parties

Several parties made the decision to go it alone. The Partido Social Cristiano (PSC), regarded their earlier participation in alliances in the 1960s and their abstention in 1984 as a mistake. They decided to run their own candidate and seek "an alliance of the center" with other like-minded parties. They won over a segment of their off-shoot party, the Partido Popular Social Cristiano (PPSC), and, for a time, the indigenous association,

³⁹The 14 parties had to parcel out the assembly seats and positions on the municipal council lists, determining not only how many seats would go to each party but where they would be ranked on the party lists. The PLI (the party of UNO's vice-presidential candidate, Virgilio Godoy) received only five positions on the UNO assembly slate--equal in number to the much smaller PNC, PDCN, and the PLC--in spite of its much larger base and electoral success in 1984. Such decisions then, and the respective outcomes now, add to the tension within the coalition.

YATAMA.⁴⁰ Edén Pastora, the former Sandinista guerrilla leader, then former contra leader, also joined their cause. This alliance fizzled, and in the final month YATAMA deserted the coalition at the presidential level, throwing its weight behind the presidential campaign of Violeta Chamorro.

The remaining parties are all small, micro-organizations. The Partido Conservador Democrático de Nicaragua (PCDN), which was the second largest party in 1984, winning 14 seats, suffered two divisions since then and came into the 1990 contest with limited prospects. The Partido Unionista de Centro América (PUCA), building on themes of Central American unity, pacifism, ecology, and humanism, was able to field a large number of candidates (a full slate of 90 Assembly candidates and over 800 municipal candidates out of a potential 895), but without much institutional backing and a decided lack of success. The Partido Liberal Independiente de Unidad Nacional (PLIUN), an off-shoot of the PLI, separated from Godoy's "authoritarian" style of leadership, and the Partido Social Conservatismo [sic] (PSOC), which resurrected the presidential campaign of Fernando Agüero, a failed political leader from the 1960s, offered little challenge to the major parties.

Finally, three small left-wing parties also presented their own candidates: the Movimiento de Unidad Revolucionaria (MUR), which claimed to represent the real spirit of the Sandinista revolution, shorn of bureaucratism and corruption, and led by Moisés Hassán, a former Sandinista and ex-mayor of Managua; the Partido Revolucionario de los Trabajadores (PRT), a Trotskyist organization; and the more orthodox Marxist-Leninist Movimiento de Acción Popular - Marxista Leninista (MAP-ML).⁴¹ None of these parties has a demonstrably large base, but all of them challenged the FSLN from the left.

While there was a considerable and broad spectrum of political options during the period of jockeying for position prior to the election, the results suggested that the pro-Sandinista or anti-Sandinista nature of the vote narrowed the field of effective political parties to two, UNO and the FSLN.

⁴⁰YATAMA (Yapti Tasba Masraka nanih Aslatakanka, or the Organization of the Nations of the Motherland) is the most recent organization embracing indigenous peoples of the northern Atlantic Coast, including many who had taken up arms against the Sandinistas. YATAMA regarded its link with the PSC as a mere convenience that implied no commitment at all to the party, although crucial to enable it to run five National Assembly candidates from the Atlantic Coast region.

⁴¹MUR was one of the few opposition groups other than UNO that published political advertisements in the pages of *La Prensa*, Chamorro's paper, during the last weeks of the campaign. *La Prensa*'s willingness to accept the ads represented a clever, and successful, strategy to undercut FSLN votes in Managua, where Moisés Hassán was an especially popular figure.

VII

THE CAMPAIGNS

Three major issues confronted the contenders: war, the economy and national reconciliation. The nine-year contra war that plagued Nicaragua influenced every aspect of public and private life. Without an end to the war no progress could be made on the damaged economy. But the economic decline, palpable in daily life, was probably the pivotal issue. Reconciliation had been underway since the onset of the Central American Peace Accord; and it remained important during the election. But it could not be completed until the hostilities stopped. However, the very fact that elections were proceeding and that the campaign was underway (reflecting successful negotiations that underlay it) raised hopes that reconciliation might be possible. Nevertheless, once the campaign began in earnest, accompanied by bitter rhetoric, national tensions were definitely heightened. Whether the contras or the U.S. could reconcile themselves to the FSLN winning power or retaining a share of it remained highly problematic, given statements that came from both UNO and Washington.

The Economy as a Factor

Economic deterioration since the 1984 elections, as measured by falling urban wage levels, scarcities of basic commodities, unemployment, reduced government services, and a continually falling value of the córdoba, undoubtedly hurt FSLN re-election chances, despite FSLN claims that the war was largely to blame. Urban wages in 1988 had fallen, according to some statistics, to only 10 percent of 1980 levels.⁴² Income per capita fell in virtually every year between 1984 and 1990; and in 1988 inflation topped 30,000 percent.

Severe (and distinctly orthodox) austerity measures, introduced in 1989, produced notable, highly visible relative improvements that might have benefited the FSLN. In 1989, income still declined, but at a slower rate (three percent). Inflation fell to a more manageable 10 percent per month in the latter half of the year. And there was a dramatic increase in the presence of goods in the marketplace--new cars and trucks, other imported goods, fruits and vegetables, and medicines.

But this "abundance" of goods in part reflected the fact that few could afford to buy. The new policies returned Nicaragua to pre-revolutionary conditions under which access to goods was rationed strictly by income rather than being mitigated by government subsidy and redistribution programs. And austerity imposed to control inflation also meant massive layoffs from the government and expanded unemployment.

The FSLN recognized the importance of the economic conditions to the electorate, and

⁴²Shifts of families into informal sector activities, additional members of the household in the labor force, and the return of large numbers of persons (at least part-time) to agricultural roots in the countryside probably mitigated this decline. But the conditions were undeniably drastically more difficult than they were in 1980.

admitted during the campaign (both implicitly in the principal slogan--"Todo Será Mejor," or, "Everything Will Get Better"--and explicitly in campaign appearances) that the economic situation had deteriorated disastrously. Their apparent campaign strategy was to focus on the war and the embargo as the causes of the decline and to assert that an electoral victory would end both.

The FSLN sought to benefit from the remembrance of its past successes. In the first four years of the revolution the standard of living of the poor majority increased dramatically. Programs of agrarian reform, universal free health care, subsidized foodstuffs, expanded literacy and education, and other improvements in the workplace brought historically new benefits to many. And the FSLN slogan could be linked to the promise of more European and other non-U.S. aid, as well as to a definitive end to the contra war. But the austerity program eliminated most of the subsidies to basic necessities and forced a reduction in the provision of health services and agrarian reform efforts.

UNO promised dramatic improvements, extensive U.S. financial support, an end to the U.S. blocking of multilateral loans, and cessation of the U.S. trade embargo. President Bush pledged an end to the embargo if Chamorro won, signalling that, even if the FSLN should win fairly, the United States might well maintain hostile economic policies. On the other hand, the advantage of UNO's economic promises might have been diminished by its extraordinary ideological heterogeneity. Some Nicaraguans questioned the ability of an UNO government to create coherent, improved economic policy and to maintain political order, under continued austerity, in the face of a well-organized and determined FSLN opposition.

FSLN Strategy

The campaign was divided into three unequal parts: the campaign for the presidency which attracted by far the most attention and resource allocation; the regional campaign for the 90 seats in the Asamblea Nacional; and the local campaigns for the 131 municipal councils. The national assembly and municipal campaigns were poorly funded. The LASA Commission's regional visits indicated that neither assembly nor municipal council elections involved systematic campaign efforts. In effect, the national assembly and municipal campaigns were appendages to the national focus on the presidential campaign.

The presidential campaign was highly personalistic, focusing on the characteristics and attributes of the candidates. While this is a familiar pattern in many societies, the emphasis in the 1984 FSLN election campaign was on the party. Collective responsibility for decision-making and the presentation of a party platform were emphasized. In contrast, in 1990, the FSLN made an explicit decision to divorce the presidential campaign from the party campaign (which was, however, emphasized in national assembly and municipal races) and to focus attention on the personality and attributes of President Ortega. They focused upon his experience, close relationship to the people, family bonds, and broad support from a wide range of people, including sports figures and other personalities. They depicted him as a man of peace.

President Ortega did not deal with issues in specific terms in campaign appearances. Other party spokespersons and candidates for lesser offices were expected to do this. The intent was to isolate the presidential candidate from negative opinions associated with specific problems and represent him as a warm but commanding figure, with roots among the people, but tested, experienced and capable of leading the nation to a better future. An implicit, and, at times, explicit comparison was drawn between Ortega and Violeta Chamorro, who was pictured in FSLN rhetoric as patrician, inexperienced in governing, and incapable of providing the leadership necessary for the nation.

The Ortega rallies reflected the personal emphasis in the campaign. Bands played; popular songs (including several emphasizing the president's virtues) were sung; local children and dance groups performed; fireworks announced the candidate's appearance and departure; and the speeches delivered were general. Thousands of instant photos were taken of supporters with the president; beauty queens were crowned; the traditional comandante's clothing was shunned in favor of livelier, more youthful-looking civilian dress; and the candidate led those assembled in cheering. While none of these things are unusual in many political campaigns, this U.S.-style campaign appeared strikingly out of place in the austere, impoverished Nicaragua at the time of the election. The presidential campaign involved international media and public relations specialists from other Latin American countries, West Germany and France, and a private market consulting firm, Publigrupo, in Managua.

UNO Strategy

The opposition candidate and her coalition attempted much the same approach. UNO's campaign rallies, while increasing in attendance during the closing weeks of the campaign, normally attracted fewer supporters than the FSLN rallies. Rallies held by UNO were less well organized, and were rudimentary, in comparison with the FSLN rallies, concentrating on speeches by local candidates and top campaign advisers, followed by a brief statement read by the candidate herself.

The UNO presidential campaign focused extensively on Chamorro herself. It was handicapped by her absence for several weeks in January when she was hospitalized in the United States to undergo treatment for a leg injury and by her limited mobility on returning to Nicaragua. Chamorro campaigned sitting in the back of a pick-up truck with a cloth top to protect her from the sun. Her entourage would circle through cities prior to the main rally, with Chamorro gesturing to the crowd and sometimes throwing roses to her supporters lining the route. She had to be lifted onto and off the stage and, in a seated position, was often barely visible to the crowd. Her brief remarks at the end of the rallies addressed only broad campaign themes, emphasizing the need for unity and reconciliation in the Nicaraguan "family."

Media Access and Use in Campaigns

Throughout the 1989 negotiations the opposition bitterly complained about FSLN media dominance, in particular on television. The FSLN had a record of press censorship; further, it controlled numerous radio stations and all TV stations. The parties negotiated

and the CSE established a series of rules to provide more equal access.

Beginning in September, Channel 2 (the weaker of the country's two channels) had a half hour of political programming per day, divided into three ten-minute slots. Opposition parties complained that this channel was too weak to reach outlying regions, and that the time provided was insufficient. In late November, Channel 6 (with the stronger transmitter) began one hour per day of political programming. On three days a week, two parties were each provided 30 minutes of free television time. The format was relatively consistent: representatives of the party would make an opening statement, and they would then be interviewed by a panel of journalists, supplemented by telephone callins or by a mobile unit with questioners on the street. The other two days a week involved a one hour formal debate between candidates of two parties. Air time for this programming was free, but parties had to produce their own videotapes. A similar format was available on state radio.

After the formal campaign began on December 5, 1989, parties could also purchase up to 21 minutes of time per week on each channel. The rates were very low: \$60-65 per minute on Channel 2 and \$80-85 on Channel 6. Ad space could also be purchased on any radio station at market rates (\$8 to \$26 per 30 second spot). All radio stations were required to provide at least five minutes per day to any party requesting it, and if they sold more than that to any one party, other parties could also purchase up to that limit. Newspapers were free to sell or reject ads at market rates.

While these measures improved access, the opposition continued to complain about FSLN dominance of television, and, in particular, the slanting of the FSLN-controlled evening news. From November to January, the nightly Noticiero Sandinista expanded greatly its coverage of the UNO campaign, following criticism in a UN report. A late January report by the UN found, ironically, that parties were not making full use of access to the media available to them. In part this was because small parties could not afford the production costs for television. But even free or very inexpensive radio programming was not being fully utilized. In part this was because small parties could not afford the

It is quite likely that radio is the most important medium of communication in Nicaragua. Less than half of the population has a television and those households that do are mostly centered in Managua. Newspapers likely reach less than one sixth of the population, but radio is universally heard.

UNO's radio ads were skillfully done. The FSLN had the most modern, professional television ads; the high density of images was obviously expensive to produce. While UNO's television ads were occasionally expertly done, early in the campaign it had several very crude spots showing alleged victims of violence by FSLN activists.

⁴³United Nations, Third report to the Secretary General by the United Nations Observer Mission to Verify the Electoral Process in Nicaragua, January 31, 1990.

⁴⁴Under the public financing rules all parties received a minimum of approximately \$35,000, easily enough to buy many hours of radio time.

Grassroots Campaigning

The two major parties emphasized to the LASA delegation that the heart of their campaigns was in rallies and other forms of grassroots organizing as opposed to a media-oriented approach. The UN report of January 31, 1990, stated that "the most significant contribution to the campaigns is, without question, voluntary work by party militants and sympathizers;" they further noted that "in this area there are substantial differences between the parties." The FSLN organized 4500 Comités de Acción Electoral (CAE), drawing on party members and supporters, and each committee member was scheduled to visit eight to fifteen neighbors, from one to three times each, to ask them about their problems and complaints. The FSLN employed open consultations with representative sectors as a basis for candidate selection; and it employed meetings in neighborhoods, door-to-door registration, and get-out-the-vote campaigns. All of this was organized at the municipal and lower levels, divided by local voting precincts. Local CAEs were also instructed to carry out development projects such as road repairs and neighborhood clean-up campaigns to be completed before the election. The CAEs were designed to continue functioning after the election.

The Unión Nacional Opositora had local offices in most municipalities, sometimes in the house of a member. Its civic affiliate IPCE, the Instituto de Promoción y Capacitación Electoral, attempted a door-to-door verification of the voter registration lists, but latearriving funds from the U.S. and its own weak organization impeded the effort. As a result, only about 200,000 names were verified in this fashion.⁴⁷

Other parties held local assemblies. The Movimiento de Unidad Revolucionaria (MUR) organized activist brigades that went into markets and poor neighborhoods. The Partido Social Cristiano (PSC) employed similar tactics, using Edén Pastora as a drawing card while he was in the country.

Given the high general cost of these campaigns, especially for the FSLN and UNO, there seemed to be an excessive emphasis on the large candidate-focused event. Although the FSLN did much more neighborhood and constituent work, it must now be questioned how effective this was.

⁴⁵United Nations, Third Report to the Secretary-General..., op.cit., p. 7.

⁴⁶One FSLN candidate laughingly argued that this was the first Nicaraguan political campaign in which the voters were given more during the campaign than the government was able to promise after the election!

⁴⁷Initial verification had occurred at each registration location, where the lists of those registered each day were posted for all to see; anyone who wished could challenge the legitimacy of the local residence of anyone on the list. The CSE then created machine-readable copies of the lists and distributed them to any party requesting a copy. The results of the door-to-door verification by IPCE were explained in an interview with Alfredo César, a member of the IPCE Board of Directors, on February 23, 1990. They identified only about 1,400 potential duplications on the registration lists. UNO asked for prosecutions of these fraudulent registrations, but César made it clear that they did not consider them organized efforts.

VIII

CAMPAIGN RESOURCES AND ADMINISTRATION

Nicaraguan electoral law does not require campaign expenditure disclosures other than contributions from foreign sources. It was, therefore, difficult to ascertain precisely how much was received and spent by either of the principal parties. The LASA Commission invited the FSLN and UNO to produce complete and audited financial statements, ⁴⁸ but neither party accepted. Each alleged that the other would not be prepared to do so.

Official Financing

The Nicaraguan national electoral code provided for partial state financing of the 1990 elections. Funds were distributed first to all parties based on their share of the votes in the 1984 elections and, second, in equal amounts to all parties or alliances that registered candidates for the 1990 elections. Two separate allocations were distributed in December and January. The first was based on presidential and national assembly candidacies, the second was based on groups registering candidates for the municipal elections. The total amounts were small: the FSLN received approximately \$160,000; UNO received a little more than \$43,000; and the remaining parties were given from \$25,000 (PCDN) to \$1,000 (YATAMA), according to the negotiated funding formula.

International Support

Most nations, including the United States, prohibit foreign funding of political campaigns. The FSLN's willingness to permit such funding was an incentive to the opposition to remain in the race to the end.⁴⁹ This agreement also permitted the FSLN to receive foreign contributions.

The quantity of campaign resources and their origins loomed early as a potential source of controversy. *Newsweek* magazine reported on September 25, 1989, that UNO would receive \$5 million in covert assistance from the CIA, in addition to those funds then being discussed by the U.S. Congress. On October 24, the U.S. Congress voted to provide overt assistance to UNO and affiliated groups in excess of \$9 million. This funding was designed to support civic education, voter registration, poll-watcher training, a contingency fund, and funds to support some of the international observer delegations.

Parties receiving donations of material aid had an incentive to report it, because Article 128 of the Electoral Code empowered the CSE to waive import duties on campaign-related imports. Parties were required by law to report cash donations and to contribute 50 percent of the sum to the CSE's Fondo para la Democracia, used to cover some of

⁴⁸The requests were made in an interview with Chamorro at her home on November 25, 1989, and through Paul Oquist, special assistant to President Ortega, in a discussion on the evening of November 27, 1989.

⁴⁹LASA Commission interview with Vice-President Sergio Ramírez Mercado, February 23, 1990.

the administrative costs of the election. There is likely to have been some circumvention of these regulations, but it was impossible to determine how much or by whom.

The October appropriation by the U.S. Congress included a significant portion destined for UNO directly; the rest was destined for several hastily organized civic organizations, two of which were run primarlity by high level UNO personnel. The bulk of the money was channelled through U.S. organizations: from the National Endowment for Democracy (NED) to the National Democratic Institute for International Affairs (NDI) and the National Republican Institute for International Affairs (NRI). It was distributed as indicated in Table 1.

TABLE 1
U.S. Congressional Support to the Opposition (in U.S. dollars)

Unión Nacional Opositora (UNO) Reserve Funds (supplementary) ^a Instituto de Promoción y Capacitación Electoral (IPCE) Confederación de Unificación Sindical (CUS) Vía Cívica NED grant management costs	\$1,841,000 \$2,801,312 \$1,524,000 \$ 493,013 \$ 220,000 \$ 97,400
NDI/NRI grant management costs	<u>\$ 757,720</u>
GRAND TOTAL ⁵⁰	\$7,735,000

⁸These funds include monies paid to the CSE's Fondo para la Democracia to cover the 50 percent deduction for foreign contributions that is required by Nicaraguan law.

In reality, only a part of these overt funds reached UNO and its civic support groups in time to be used during the campaign. Most of the delay was due to bureaucratic slowness in the United States. National Endowment for Democracy funding was not transferred to Nicaragua until December 22, two working days before the end of the year.⁵¹ The Christmas holidays, problems with the original paperwork in the hasty incorporation of IPCE (created solely to receive U.S. funds), and normal delays in clearing checks through U.S. banks of origin, slowed disbursement. In the end, it took two months for the U.S. administrators to transfer funding to Nicaragua; and full payments were made to the different opposition groups one month after that.

As of February 21, 1990, the final day of the campaigns, only three parties had reported to the CSE that they had received contributions of cash or material aid from abroad. CSE documents showed that a total of \$7.1 million in foreign donations had been reported by all parties. More than half of that, 52 percent, consisted of \$3.7 million in

⁵⁰From Report to Congress (P.L. 101-119) of USAID grant to the National Endowment for Democracy (NED) and Summary of NED's intended subgrants, November, 1989. The remaining funds in the congressional allocation were allocated to the Carter delegation, to the Center for Democracy, and to CAPEL (Centro de Asesoría y Promoción Electoral, OAS) to support their participation as observers.

⁵¹LASA Commission interview with Dr. Mariano Fiallos Oranguyen, President of the CSE, February 28, 1990.

aid reported by the UNO alliance. Slightly less than 48 percent, \$3.4 million, was reported by the FSLN; and the PSC received less than \$2,500 (0.03 percent).

According to the CSE, reported cash contributions to UNO totaled \$3,584,350, including the principal contributions from the U.S. Congress. Half of this was turned over to the CSE Fondo para la Democracia. Reported material aid to UNO totaled approximately \$200,000. It included 25,000 campaign hats, 20,000 campaign t-shirts, megaphones, flyers, posters, and flags. The aid was listed as coming from groups such as "Guatemalan Citizens," "Conservatives of Miami," and "Friends of Nicaragua Committee" (no country specified).

The FSLN reported a total of \$3,017,085 in contributions of material aid and slightly more than \$400,000 in cash contributions from abroad. The material contributions, according to CSE records, included more than 100,000 t-shirts from Mexican, Colombian, and Spanish solidarity organizations, 190,000 posters from French political groups, and 200,000 baseball caps from Vietnam. Fifty percent of the cash contributions were recorded as passing to the Fondo para la Democracia.⁵² Thus, although the FSLN's campaign appeared to cost as much as UNO's, it received considerably less cash than UNO.

Although the IPCE's \$1.5 million was earmarked for non-partisan civic education, this contribution has been taken as indirect support for UNO. The UN reported, for example:

...[T]he fact that all [IPCE's] leaders are politicians of note in UNO and that the use of the funds is closely linked with the solution of questions raised by UNO (verification of the electoral rolls, training of poll-watchers from the opposition coalition, etc.) has the effect of transforming the question of the funds into a political issue...⁵³

Alfredo César, a principal adviser to Chamorro, and a member of the IPCE Board of Directors, confirmed to the LASA delegation that IPCE funds had been used to train poll-watchers, but only those affiliated with UNO or YATAMA.⁵⁴

⁵²Both lists of material supplies from abroad underestimated the actual cash value. The 25,000 baseball caps from Guatemala were valued at US\$0.75 each by UNO; campaign t-shirts were evaluated by the FSLN at various prices, from \$1.30 each (Italian) to \$2.50 each (from Zimbabwe).

⁵³United Nations, Third Report to the Secretary General..., op.cit., p. 8. Further, the IPCE form used to conduct the registration verification, was entitled UNO at the top of the page, suggesting that IPCE wished to make this message clear to the voters. See George Vickers, "U.S. Funding of the Nicaraguan Opposition: A Preliminary Assessment." Paper prepared for presentation at Washington Office on Latin America conference on "U.S. Electoral Assistance and Democratic Development: Chile, Nicaragua, Panama." January 19, 1990, Appendix B.

⁵⁴LASA Commission interview, February 23, 1990.

Campaign Spending Abuses

The August 1989 National Political Agreement included provisions that banned the Sandinista Party from the misuse of government resources in its campaigns. Similar proscriptions were part of the subsequent Tela Accord among the Central American presidents. However, Nicaragua has never had a clear campaign financing law. The present guidelines were only established in the context of the 1990 campaign. The FSLN faced allegations that it financed its campaigns through the use, and abuse, of government resources such as buildings, vehicles, and state-owned factories, as well as the abuse of state-owned television. The UNO Alliance was continuously charged with having received untold millions of dollars in support from the United States, far beyond the amounts that they had declared.

The origin of the material goods distributed by the FSLN was accounted for by the documentation from the CSE on material donations. With respect to busing of supporters, the LASA Commission found, first, that a significant proportion of the transportation used for FSLN rallies was provided by truck and bus cooperatives that owned their vehicles and donated or rented them to the FSLN; the proportion could not be determined more precisely. The FSLN claimed that the public transportation used at other times was fully paid for at the rates at which it had also been available to opposition parties; and the deputy chief of the UN Mission indicated that they had received numerous receipts from the FSLN for vehicle rental from the Ministry of Transport.⁵⁵

The Unión Nacional Opositora also charged that a significant proportion of FSLN campaign offices across the country (80 percent of them according to Alfredo César) were, in fact, government buildings occupied and used without rent by the party. Both FSLN officials and local sources admitted that a number of Casas Zonales, or regional offices of the FSLN, remained in the same public structures or in confiscated private structures in which they had functioned since 1979. The vast majority of the 2,000-plus campaign offices, however, were located in private homes donated for that purpose by local FSLN supporters.

Impact of the Campaign Financing

The financing and spending pattern of both campaigns had mixed consequences. United States congressional contributions clearly undercut the ability of the UNO alliance to raise funds either in Nicaragua or even among its friends in the U.S.⁵⁶ Although UNO's

⁵⁵LASA Commission interview with Horacio Boneo, February 22, 1990.

⁵⁶The United Nations noted in its January 31, 1990, report that "...the amount of local funds collected [by UNO] appears to be seriously affected by the picture of abundance created by the extensive publicity surrounding the funds approved by the United States Congress..." United Nations, *Third Report to the Secretary General...*," op.cit., p. 7.

access to the congressional funds was delayed, those funds were of symbolic importance in the political context of the elections. The frequent campaign references to those funds made by FSLN candidates (who felt that they delegimitized the opposition) may have simply reinforced the extent to which Nicaraguan voters saw concrete U.S. support for UNO.

Furthermore, some post-election observers suggest that the more visible campaign spending by the FSLN, amid severe economic difficulties for most families, may have alienated some voters.

The LASA Commission expended considerable effort to determine the origins and use of resources by both of the principal contenders. The Commission found no verifiable evidence of widespread abuses of Nicaraguan law by either of the principal contenders, although the absence of requirements that all revenues and resources be reported left ample room for each to accuse the other of abuse. Minor parties had virtually no resources available to them and this contributed to an outcome that eliminated most parties from serious participation. Whatever abuse that may have occurred was not likely to have affected the principal outcome of the election, and this was recognized publicly by several international observer groups prior to the actual voting.

Administration of the Campaign

As the campaign wore on, the initial charges that the Consejo Supremo Electoral was dominated by the FSLN diminished. International observers gave the organization high marks throughout the process. The CSE's votes were almost always unanimous, even when the outcome ran against the interest of the FSLN or UNO.⁵⁷

Though the CSE, acting as a fourth branch of government, has considerably more constitutional power than the U.S. Federal Elections Commission, there are practical political limits on its power due to budget limitations and the multiple subtle ways in which electoral rules can be tested. The CSE came very close to suspending publication of *El Nuevo Diario*, a pro-Sandinista daily newspaper, for violation of the ethics law.

⁵⁶(...continued)

UNO claimed in La Prensa (February 21, 1990) that it had received very little funding. It said that 90 percent of the direct U.S. funding was restricted to the purchase of vehicles and the remaining 10 percent was restricted to "non-electoral" purposes. It concluded:

[&]quot;Although the Sandinista daily newspapers and even some foreign papers have spoken of important quantities of assistance, leading other governments and organizations to abstain from providing assistance, the squalid aid actually received has been tied and conditioned, has been subject to multiple controls, including auditing by an international accounting firm that has had to authorize every disbursement, to determine what uses are proper and which not proper, and to decide which unused funds will have to be returned to the donors."

⁵⁷By the campaign's end, the LASA Commission was impressed that UNO leader Alfredo César was not complaining about the composition of the CSE, or its partiality; he complained only that it had lacked the enforcement power to curb what he saw as abuses by the governing party.

Although legally empowered to do so, it chose to refrain and use other, less punitive tactics. Its efforts at persuasion and the stalling tactics of the newspaper lasted until very close to the end of the campaign. It is unlikely, given the international attention to Sandinista limitations on freedom of the press, that the CSE would have been able to suspend publication of *La Prensa*.

To maximize its influence and power, the CSE had to seek consensual solutions, shift some grievances to the police or the judicial systems, admonish and lecture violators, assemble fractious parties or media representatives to reach accords on behavior, and play a tough-minded but mediative role in the formation of such accords. As it won the respect of the international observers, it expanded its influence by enlisting the OAS and UN observations teams in its mediation efforts.

Finally, even with a limited budget the CSE was able to administer the complex process of training some 20,000 volunteers who would staff the 4,394 registration and polling stations, draw maps for the placement of those stations without a recent census, administer the registration process on four Sundays in October, and, finally, conduct the voting process under the gaze of several thousand international observers and reporters.

IX

CAMPAIGN COMPLAINTS

Voter Registration

Voter registration was widely regarded as a success by all parties, but there were scattered complaints. The opposition charged that the number of Juntas Receptoras de Votos placed in areas in which UNO was strong was sometimes insufficient to register all voters. In most cases these same areas were associated with nearby military battles, or with a strong contra presence. Registration tables were moved, or in some cases supplemental tables were added. Though it is likely that some potential voters went unregistered due to these shifts, the problem areas showed increasing registration totals on the last two Sundays of registration, reducing the number of voters affected.

Campaign Violence

Violence at campaign rallies increased during November and early December and loomed as a very serious problem. One person was killed in a melee in Masatepe in December. Extensive investigations by the OAS and the UN persuaded the LASA Commission that responsibility for the original outbreak of violence could not be

determined.⁵⁸ However, largely as a result of the Masatepe incident, further violence was mitigated by interparty accords in various regions (I, VI, IV and III) mediated by the CSE and by international observers, and the number of incidents was reduced.⁵⁹

The FSLN complained bitterly that its supporters and activists had been intimidated and murdered by contras. It was difficult to investigate fully these claims; but it is evident that in areas of contra strength numerous FSLN activists have been killed, and that this has received considerably less international attention than stone throwing incidents at UNO rallies. In the commission's estimation, and also that of the UN, the violence against FSLN activists in turn contributed to acts of intimidation against UNO activists, especially in the more war-torn areas of the country.

UNO made many complaints about intimidation of its activists by phone calls and notes threatening post-election reprisals including economic and physical sanctions. The great majority of these complaints were not formally lodged with the CSE. This may have been due to fear, the belief that the CSE could do little, lack of resources, or lack of evidence. Finally, it was clearly an UNO tactic to swamp international observers with difficult-to-prove complaints. The PSC and the FSLN, it should be noted, have also filed complaints against UNO and complained informally to international observers. Most observers report that the CSE responded rapidly to major complaints.

One particularly serious form of informal complaints about intimidation were threats against municipal candidates which forced them to resign. The CSE received few written complaints and none from anyone who resigned. It did receive over 200 letters of resignation (140 from UNO). Most of these letters cite personal reasons or indicate that the candidate had not been consulted before being placed on the list. Many letters make mild to severe criticisms against UNO for its association with the contras. From a preliminary UN investigation it would seem that not all of these letters are to be taken at face value. Though investigation was difficult, the UN concluded that about one third of those resigning did so for personal reasons and valid political differences. Another third probably had received mild peer pressure which, combined with low commitment,

⁵⁸The charge made by the Center for Democracy that the victim was an UNO supporter killed by an FSLN supporter does not seem supported by the facts. Cf. "Violence at Masatepe: An Eyewitness Report by a Center for Democracy Observer Delegation to the Nicaraguan Election." Center for Democracy (Washington: December 14, 1989). Given the generally more constant and thorough observation done by the OAS team, their statement that it was "impossible to determine who were responsible for the initiation of the violent acts" ("Apreciación de los hechos en Masatepe." Organization of American States Report, [Managua: December 11, 1989]) was more credible to the commission. According to the UN investigation, the act was committed by an UNO supporter and the victim, in all probability, was also an UNO supporter (LASA Commission interview, Horacio Boneo, February 23, 1990).

⁵⁹As of the end of January, the UN recorded eight incidents at 94 UNO rallies and only one of those was serious. Two minor incidents occurred at 143 FSLN rallies. All observers noted a decline in incidents, or threats at rallies, following Masatepe.

⁶⁰One LASA Commission member witnessed an UNO regional campaign director pecking out complaints on a manual typewriter amidst phones and doorbells ringing.

led to resignations. A final group had received more serious forms of pressure. The letters in the last category were heavily centered in zones in which the war was still underway.⁶¹

X

INTERNATIONAL OBSERVERS

The Nicaraguan vote of February 25, 1990 was one of the most intensely observed in history. No other sovereign nation has ever invited so many representatives from such a broad array of international organizations, such as the United Nations, the Organization of American States, multiple European parliamentary delegations, representatives of virtually every national elections office in Latin America, and many more, to monitor domestic elections. The OAS and the UN monitored not only the actual voting but also the registration process and the full range of campaign activities, continuously from August 1989 through the aftermath. By election day the UN had approximately 240 observers in Nicaragua and the OAS approximately 450, completely covering all nine administrative regions.⁶² On election day well over 1,000 observers from other countries were present at polling stations. These included a delegation from the Council of Freely-Elected Heads of Government, led by former President Jimmy Carter, as well as groups from the European Parliament, International Human Rights Law Group, Freedom House, Hemisphere Initiatives, and the Latin American Studies Association. There were also many groups from cities in the United States linked as sister cities to Nicaraguan communities. Hence the extent of international monitoring was unprecedented and much of the monitoring methodology was developed as the electoral process proceeded.

Monitoring by ONUVEN, the Spanish-language acronym for the UN mission, consisted of three phases.⁶³ During the first phase, from August 25 to December 4, 1989, the

⁶¹United Nations, *Third Report to the Secretary General...*, op. cit. Parallel investigation by LASA in one wartorn region (Boaco and Chontales, Region V) did not find this pattern. Of some 19 resignations from UNO examined, only one appeared to be due to pressure, and it was a complex case.

⁶²By the last week before the election, the Organización de Naciones Unidas Misión de Verificación para las Elecciones de Nicaragua (ONUVEN) had 6 observers in Bluefields (Region VIII); 21 in Estelí (Region I); 40 in Granada (Region IV); 25 in Juigalpa (Region V); 32 in León (Region III); 55 in Managua (Region III); 22 in Matagalpa (Region VI); 9 in Puerto Cabezas (Region VII); and 24 observers in the central part of the country whose movements took them across regional lines.

⁶³ The formal commission of ONUVEN was: "to verify that political parties were equitably represented in the Supreme Electoral Council and its subsidiary bodies; to verify that political parties enjoy complete freedom of organization and mobilization, without hindrance or intimidation by anyone, to verify that all political parties have equitable access to state television and radio in terms of both the timing and length of broadcasts; to verify that electoral rolls are properly drawn up; and to inform the Supreme Electoral Council or its subsidiary bodies of any complaints received or any irregularities or interference observed in the (continued...)

mission established its presence in the country and developed a working relationship with the CSE and all political parties, as well as with other relevant groups involved in the electoral process. They repeatedly visited all electoral regions and monitored the October registration. The second phase, from December 4, 1989 to February 21, 1989, covered the period of the actual campaign during which the mission monitored compliance with electoral regulations and investigated complaints from the political parties. Many parties registered their complaints with ONUVEN and the OAS, often omitting notification of the CSE.

The third phase, from February 21 to February 26, 1990, focused on monitoring the operation of the polling places, as well as the actual vote. On February 25, 1990, ONUVEN monitors personally checked over one-third of the 4,394 polling stations during the day of balloting. They created a stratified sample of 300 polling places that covered 105 of the 131 municipalities in order to gauge the accuracy of the official vote count; their representatives took results directly from those polling places, covering approximately 120,000 voters, and generated their own estimates of the results on that basis. The OAS employed a similar sampling methodology, but operated independently. The Carter delegation participated in the observation of polling places, with some of its members accompanying ONUVEN observers. ONUVEN also employed a detailed checklist to monitor the actual voting. In addition, it received from the CSE copies of tally sheets from each polling station signed by the poll watchers from all parties from which it did a parallel count of the entire vote. On the basis of this data, together with the sum of its previous investigations of the registration process and campaign, the UN mission declared on February 26, 1990, that the election was free and fair.

With 450 observers from 17 countries, the OAS mission was ubiquitous particularly on election day when it covered virtually every municipality in Nicaragua.⁶⁴ OAS activities were similar to those of ONUVEN, with perhaps a greater emphasis on media access and coverage. On February 26, 1990, the OAS concluded that the Nicaraguan people had enjoyed sufficient conditions to express themselves freely in the election.

In contrast to the UN and the OAS, President Carter's mission focused more on conflict resolution and less on the technical aspects of the electoral process. For example, the Carter effort claimed credit for the return of Miskito Indian leaders in order to participate in the electoral process, more prime time on television being provided to opposition parties, and the release of U.S. government funds to UNO which had been

^{63(...}continued)

electoral process in order to ensure that the process is conducted in the best possible manner. Where appropriate, the Mission could also request information or a remedial action that might be required." United Nations, "4th General Session: Agenda item 34--The Situation in Central America: Threats to International Peace and Security and Peace Initiatives," A/44/642, (10/17/89), p. 3.

⁶⁴The formal OAS commission during the electoral process was to "strengthen the powers of electoral authorities, to guarantee proper behaviour on the part of the Executive, and to encourage democratic practices within the political parties, with the consequences that will naturally flow for campaign activities, attitude and the willingness to abide by electoral rules." Organization of American States, "Third Report on the Observation of the Nicaraguan Electoral Process, November 4-December 31, 1989," Washington, DC, 1989.

slowed down both in the U.S. and in Nicaragua. The Carter delegation to the actual election was expanded to include members of the U.S. Congress after Nicaragua refused to grant visas to a mission named by President Bush. On election day the group had observers in all nine regions, and President Carter reported some technical problems to the CSE. Throughout the process, Carter used his and the delegation's prestige to remove obstacles to the election both in Nicaragua and in the US. In his judgment it was free and fair.

Not all potential observers received visas. Some from the U.S.-based (and congressionally funded) Center for Democracy were refused. The Nicaraguan government claimed the center was not acting responsibly. The World Freedom Foundation was denied visas, according to news reports, because they supported the contras and their sole purpose was seen as discrediting the electoral process. Such groups were inclined to criticize the UN and OAS findings. But Alfredo César, a leading UNO strategist, told the LASA delegation on February 23, 1990 that he regarded the OAS and UN presence as positive, given their impartiality and capacity to help resolve problems. Overall, this was the position of both the government and the opposition political parties.

The most serious concerns relating to the presence of the UN, OAS and Carter missions, as well as the hundreds of other observers, were that they might interfere with or intrude into the electoral process, that they might be inclined to favor the government in place, and that such a large foreign presence involved in the electoral process could constitute a form of political intervention. The LASA delegation's evaluation of the impact of the observer missions on the registration, campaign and actual voting was that on balance it helped reassure the citizenry and resolve some procedural and technical problems. On election day observers were generally welcomed by voters and electoral officials at the polling stations. Given that the UN and OAS, in particular, had to work closely with the government, there was some concern that their work would favor the government. This does not appear to have happened. Nicaraguans of widely divergent political positions welcomed the international monitoring.

The question of intervention is more difficult. While the Nicaraguan government invited the UN, OAS and Carter missions, as well as other delegations, the quantity of observers was unprecedented. Many polling places were visited by several delegations on election day. There is no doubt that the presence of the UN and OAS did cause the process to become less Nicaraguan. It was internationalized in large measure because the Central American Presidents' Accord stipulated that the February 25, 1990 election should be internationally observed. Nicaragua, therefore, accepted a dimunition of its sovereignty in order to ensure international legitimation.

⁶⁵LASA Commission interview with Victor Hugo Tinoco, Vice Minister of Foreign Relations, and Paul Reichler, counsel to the Nicaraguan government, February 23, 1990. They cited the center's avid coverage of the Masatepe incident, its intervention in the Central American presidents' meeting, then taking place in Costa Rica, and its total exclusion of comments concerning aspects of the process that were universally approved.

THE RESULTS

Presidential and National Assembly Elections

As results began to trickle in at the CSE's elaborate and sophisticated counting center in Managua late Sunday night, February 25, stunned observers noted an early but persistent pattern of UNO leads in a large majority of the polling places. Quick vote counts by the parties, by the Los Angeles Times, and international observer teams revealed before midnight that the Sandinistas were going to lose the election at all levels. Former President Jimmy Carter, Eliot Richardson (Personal Representative of the Secretary General, United Nations), and João Baena Soares (Secretary General, Organization of American States) rushed away from the counting center in their caravans, escorts' sirens blaring and lights flashing, to meet with President Ortega and the FSLN National Directorate and with Chamorro and her top advisers. They sought to discuss the results and mediate on behalf of a peaceful and orderly acceptance of the outcome. The CSE's first report of results was delayed over three hours while this process unfolded. Shortly after midnight Chamorro announced her projected victory and called for calm and reconciliation. The CSE announced its first formal results, based on five percent of the JRVs, at 1:40 am. Around 6:30 am on February 26, President Ortega recognized the significant trend in the results, pledged to honor the results, and seconded the apparent victor's call for calm.

The results of the election are presented in Tables 2, 3 and 4. The turnout was 86 percent of the total of registered voters, much higher than the 1984 turnout rate of 75 percent. This is due to several factors. First, in 1990 no significant political party or coalition was encouraging abstention, as had the U.S.-backed Coordinadora Democrática coalition in 1984. Instead, virtually all Nicaraguan political forces--including the internal opposition parties, major interest sectors, and even the leadership of the contras--were actively endorsing and supporting the electoral process in 1990. Also, the apparently increased strength of the opposition, its expanded resources, and the deepening dissatisfaction with the government increased interest in the election.

TABLE 2 Presidential Election Voting Results

Total Registered Voters	1,752,088
Total Vote, Presidential Election	1,510,838
Total Valid Vote	1,420,584
Turn Out Rate	86%
Null Vote Rate	6%

UNO's margin of victory over the FSLN in the presidential and national assembly

elections was very similar. In the presidential race, UNO took approximately 55 percent of the total and the FSLN 41 percent. Other parties divided the remainder of the votes, with only the Movimiento de Unidad Revolucionaria (MUR) receiving as much as one percent of the votes cast. The UNO victory was reflected almost nation-wide: the FSLN defeated UNO in only two of the electoral regions, Region I (Estelí) and Region IX (Río San Juan). UNO's margin was widest in the central provinces of Boaco and Chontales (Region V), where it garnered 70 percent. The FSLN fared poorly in several places where it was widely regarded as very strong, including Managua itself.

As long as the UNO coalition can hold together it will be able to control the assembly on most legislative matters, though it does not have the 60 percent majority necessary for amending the constitution. The UNO coalition captured 51 of 92 seats in the Asamblea Nacional; the FSLN won 39 seats, including the seat allocated to its defeated presidential candidate. Other parties captured only two seats: the PSC (allied with YATAMA) won one outright in Region VII (the RAAN), and the MUR won a seat for its defeated presidential candidate, Moisés Hassán.

Municipal Elections and Atlantic Coast Elections

UNO's victory at the national level was partially reflected in the outcome in the elections in the municipalities and the Atlantic Coast. Having won in 99 of the 131 municipalities, including Managua, Granada, and Matagalpa, UNO will control large majorities in most municipal councils. In Managua, UNO won 52 percent of the vote, and, because the electoral formula used in municipal races awards additional seats to the victor, will have sixteen of the twenty council seats. UNO will control the councils in 28 of the other larger cities (population over 20,000) and the FSLN will control the councils in 10.⁵⁶ Of the smaller, more rural municipalities (population less than 20,000), UNO candidates will have a majority in 71 councils, and the FSLN 20. By this measure, UNO's victory was slightly more pronounced in the smaller municipalities than in the larger ones, but was sweeping in both categories.

The only major cities captured by the FSLN were León and Estelí. The FSLN victory in Estelí coincided with the narrow FSLN win in the presidential and assembly elections in Region I.⁶⁷ León, in contrast, voted for UNO at the presidential and assembly levels and for the FSLN at the local level. The FSLN majority of 8-2 on the León municipal council can perhaps be attributed to the popularity of its mayoral candidate and the fact that four of the five top FSLN candidates were not members of the FSLN prior to the campaign. As further evidence of the weakness of the third parties, no third party gained a municipal seat in any of the cities with a population over 20,000.

⁶⁶UNO will have 8-2 majorities in the municipal councils of El Jícaro, Somoto, El Viejo, Chinandega, Chichigalpa, El Sauce, La Paz Centro, Masaya, Diriamba, Nanaaima, Rivas, Juigalpa, Matagalpa, and Jinotega. It will have 9-1 majorities in Corinto, Nagarote, Tipitapa, San Rafael del Sur, Nindiri, Granada, Diriomo, Boaco, Camoapa, El Rama, Nueva Guinea, Sébaco, Ciudad Darío and El Cua Bocay.

⁶⁷Three of the smaller cities in Region I--Jalapa, Ocotal, and Condega--also gave the FSLN majorities on the municipal councils.

TABLE 3
Results of the 1990 Presidential Election

	PARTY										
REGION	UNO	PSOC	PLIUN	PRT	FSLN	MAP- ML	PSC	PUCA	PCDN	MUR	TOTAL
I # votes % votes 47.%	66,661 0.4%	562 0.3%	352 0.5%	695 47.9%	66,960 0.7%	916 0.6%	811 0.4%	528 0.3%	403 1.3%	1,786 100.0%	139,674
II # votes % votes	126,386 52.4%	925 0.4%	728 0.3%	1,674 0.7%	105,176 43.6%		1,190 0.5%	779 0.3%	592 0.2%	2,256 0.9%	241,035 100.0%
III # votes % votes	209,527 53.5%	1,157 0.3%	541 0.1%	3,396 0.9%	168,071 42.9%	1,126 0.3%	2,373 0.6%	1,120 0.3%	984 0.3%	3,123 0.8%	391,418 100.0%
IV # votes % votes	135,117 53.2%	926 0.4%	412 0.2%	1,289 0.5%	110,090 43.3%		986 0.4%	772 0.3%	721 0.3%	2,537 1.0%	254,031 100.0%
V # votes % votes	97,911 70.2%	761 0.5%	317 0.2%	389 0.3%	35,081 25.2%	866 0.6%	690 0.5%	551 0.4%	654 0.5%	2,267 1.6%	139,487 100.0%
VI # votes % votes	105,020 57.8%	1,180 0.6%	653 0.4%	925 0.5%	65,499 36.1%	2,003 1.1%	1,310 0.7%	982 0.5%	800 0.4%	3,172 1.7%	181,544 100.0%
VII # votes % votes	19,253 48.2%	119 0.3%	73 0.2%	119 0.3%	15,044 37.7%	441 1.1%	3,365 8.4%	155 0.4%	175 0.4%	1,201 3.0%	39,945 100.0%
VIII # votes % votes	13,040 60.6%	150 0.7%	44 0.2%	75 0.3%	7,256 33.7%	145 0.7%	362 1.7%	105 0.5%	92 0.4%	257 1.2%	21,526 100.0%
# votes votes	4,637 38.9%	63 0.5%	31 0.3%	28 0.2%	6,709 56.3%	103 0.9%	49 0.4%	73 0.6%	79 0.7%	152 1.3%	11,924 100.0%
# votes % votes	777,552 54.7%		3,151 0.2%	8,590 0.6%	579,886 40.8%		11,136 0.8%	5,065 0.4%	4,500 0.3%	16,751 1.2%	1,420,584 100.0%

Source: CSE

TABLE 4
Results of the 1990 National Assembly Election

	PARTY										
DECION	UNO	PSOC	PLIUN	PRT	FSLN	MAP- ML	PSC	PUCA	PCDN	MUR	TOTAL
REGION											
I # votes % votes # seats	66,241 47.5% 4	640 0.5% 	378 0.3%	750 0.5% 	67,035 48.1% 5	928 0.7% 	864 0.6%	540 0.4%	419 0.3%	1,515 1.1%	139,310 100.0% 9
# votes votes seats	125,986 52.3% 8	989 0.4%	837 0.3%	1,780 0.7%	105,357 43.7% 7	1,346 0.6% 	1,314 0.5%	832 0.3%	633 0.3%	1,782 0.7% 	240,856 100.0% 15
# votes votes seats	209,125 53.4% 14	1,442 0.4%	714 0.2%	4,839 1.2%	166,438 42.5% 11	1,327 0.3%	2,812 0.7%	1,340 0.3%	1,215 0.3%	2,662 0.7% 	391,914 100.0% 25
# votes votes seats	133,872 52.7% 8	1,084 0.4%	489 0.2%	1,847 0.7%	111,036 43.7% 6	1,126 0.4%	1,048 0.4%	825 0.3%	763 0.3%	2,018 0.8%	254,108 100.0% 14
V # votes % votes # seats	97,847 70.4% 8	783 0.6%	361 0.3%	401 0.3% 	35,055 25.2% 2	859 0.6%	769 0.6%	576 0.4%	343 0.2%	1,905 1.4%	138,899 100.0% 10
VI # votes % votes # seats	104,707 57.7% 7	1,227 0.7%	734 0.4%	969 0.5%	65,568 36.2% 4	2,051 1.1%	1,374 0.8%	1,061 0.6%	871 0.5%	2,782 1.5%	181,344 100.0% 11
VII # votes % votes # seats	9,918 25.0% 1	1 0.0% 	0 0.0%	0 0.0% 	15,136 38.2% 1	3 0.0%	13,201 33.3% 1	172 0.4%	252 0.6%	919 2.3%	39,602 100.0% 3
VIII # votes % votes # seats	12,479 58.7% 1	142 0.7%	0 0.0%	0 0.0% 	7,308 34.4% 1	3 0.0%	836 3.9%	130 0.6%	90 0.4%	272 1.3%	21,260 100.0% 2
IX # votes % votes # seats	4,573 39.3%	0 0.0%	2 0.0%	0 0.0%	6,740 57.9% 1	0 0.0% 	0 0.0%	89 0.8%	97 0.8%	140 1.2%	11,641 100.0% 1
TOTAL #votes %valid votes # seats	764,748 53.9% 51	6,308 0.4%	3,515 0.2%	10,586 0.7%	579,673 40.9% 39*	7,643 0.5%	22,218 1.6% 1	5,565 0.4%	4,683 0.3%	13,995 1.0% 1*	1,418,934 100.0% 92*

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The intent of the FSLN and of the other parties represented in the assembly, as indicated by the 1988 municipal law, was clearly to invigorate municipal government. UNO's victory clouds the issue because its commitment to municipal reform is not clear.

On the Atlantic Coast, although ethnic diversity and tension with the central government characterized both the RAAS and the RAAN, there were several striking differences between them. The RAAS campaign resembled the rest of Nicaragua in its emphasis on party politics, campaign styles, and appeals to voters. But the RAAN showed an intensification of ethnic based politics, with particular emphasis on the 45 member assembly contest. The RAAN became militarized through the return of armed Indian insurgents in various communities, claiming affiliation to YATAMA. This military aspect made it difficult to carry out both registration and voting.

The major political contenders in the RAAN were the FSLN, UNO, and YATAMA. Although not a political party, YATAMA is an "association" under the electoral laws, representing the fusion of Indian organizations that mounted military attacks, with U.S. financing and direction, during the past five years. Its principal leaders, Brooklyn Rivera and Steadman Fagoth, returned to Nicaragua in September 1989 under an agreement mediated by former President Carter. The agreement stipulated that Rivera and Fagoth would be free to engage in political organizing and would not lend themselves to military activity.

YATAMA's late return to Nicaragua left little time for its leadership to insert itself into the electoral picture. Neither Rivera nor Fagoth became candidates for public office. Instead, they created an alliance with the Partido Social Cristiano (PSC) and the Partido Popular Social Cristiano (PPSC) and ran five national assembly candidates (two in the RAAS and three in the RAAN). But the PSC/PPSC coalition had little funding and could not help YATAMA wage a campaign.

In early February, YATAMA signed an alliance with UNO whereby YATAMA promised to support UNO's presidential and vice-presidential candidates in return for UNO's recognition of the YATAMA regional autonomous assembly slate. YATAMA's national assembly slate was still part of the PSC/PPSC coalition. The upshot of this tangled situation was that YATAMA supporters had to split their vote, for UNO (casilla 1) at the presidential level, for the Social Christian coalition (casilla 7) at the national assembly level, and for YATAMA (casilla 11) at the regional autonomous level. The formula 1-7-11 became the object of a last minute voter education campaign and, as feared, contributed to a high level (16 percent in the Region VII presidential race) of null ballots.

In the RAAN, one national assembly seat went to each principal group, UNO, FSLN,

⁶⁸UNO fielded a slate of national assembly and regional autonomous assembly candidates for both regions. In the RAAN, the UNO slate seemed sympathetic with YATAMA but there was a rift between Rivera and Julian Holmes, the campaign manager of UNO. With the YATAMA-UNO agreement, it appeared that the original UNO slate, and Holmes, suffered abandonment from the national UNO leadership. UNO won only two seats in the RAAN assembly.

and PSC/PPSC/YATAMA. The Regional Autonomous Assembly seats for the same area went largely to YATAMA (22) and the FSLN (21); UNO received only 2. In the RAAS, where YATAMA had little presence, UNO and the FSLN divided the two Assembly seats. The UNO received 23 Regional Autonomous Assembly seats, the FSLN won 19, and YATAMA only 3. (Details in Tables 3 and 4.)

In the south, YATAMA was not well represented and UNO candidates came from different ethnic groups. UNO's success there seems to reflect an affinity for UNO's probusiness orientation, especially important for the fishing industry.

In the north, it is likely that UNO delegates will identify with YATAMA, and that UNO will not be a significant political force. The results indicate increasing ethnic polarization; YATAMA and UNO seats are held mostly by Miskitus, FSLN seats by mestizos. And YATAMA has made it clear that its alliances do not obligate it to follow any platform but its own.

UNO's support for YATAMA includes approval of YATAMA's autonomy reform plan, although the UNO platform made no mention of this issue. YATAMA's document is itself vague on the changes it would make in existing autonomy statutes. Its representatives have spoken of virtual national autonomy for the coast. YATAMA pressure to reform the autonomy section of the constitution might lead to differences with UNO.⁶⁹

In the south, the military situation remains difficult. The discussion of the demobilization of the contras might include the Miskitu combatants as well. If they refuse, an armed presence could constitute a destabilizing element for the UNO government, just as it was for the Sandinistas.

Finally, the longer-range question of regional development remains to be solved. YATAMA advocates the independent capacity of coastal people to initiate and carry out their own development projects. It would presumably also want to exercise a veto over any plans of which it does not approve. Since UNO's program has not been spelled out, it remains unclear what sort of cooperation will exist.

XII

WHY THE FSLN LOST

Explaining why the Sandinistas lost--despite their superior organization, resources, discipline, and projected wide lead in the most scientifically conducted polling done-became a hotly debated theme among scholars, pollsters, journalists and other expert observers in the days that followed the elections. There was an enormous discrepancy between the actual voting results and the most reputable late polls (Greenberg-Lake,

⁶⁹Since the autonomy law is part of the 1987 constitution, fundamental changes require a two-thirds national assembly vote, presently not possible without support from the FSLN bloc.

ABC-Los Angeles Times, Univision) which gave the FSLN a minimum 52/35 advantage over UNO. While incorrect polling predictions are not unknown in elections elsewhere, this represents a very large swing.

The large discrepancy could have been caused if some ten percent of the electorate interviewed stated falsely that they intended to vote for the Sandinistas. Reasons for doing this may have ranged from fear of intimidation to embarrassment. Fear or embarrassment may not have been pertinent if interviewers told voters that they were pro-UNO. Paradoxically, less sophisticated and potentially more biased polls may have elicited more accurate responses than polls that would conform to higher standards of public opinion research.

One interpretation of the UNO victory, especially intriguing because it was expressed by victorious UNO legislative candidate Luis Humberto Guzmán, editor of *La Crónica*, was that "the vote wasn't a vote for UNO, but a vote to punish the FSLN."⁷⁰ Theories arising in the post election analyses emphasized the following factors:

- The parlous state of the economy, which had drastically lowered the living standards of virtually all Nicaraguans; it is clear that the FSLN did not successfully convince many of its potential supporters that this problem was attributable to the U.S. and/or that an FSLN victory would end the problem.
- o The contra war and the principal policy instrument the government used against it, military conscription. In this regard failure to revoke the military draft during the campaign is widely cited as a serious tactical error by the ruling party.
- o A desire for improved relations with the United States. Polls showed that most Nicaraguans believed this could be best promoted by UNO. In this regard the U.S. intervention in Panama reportedly caused many Nicaraguans to fear that if the FSLN remained in power the U.S. might also soon invade Nicaragua. (This effect, ironically, is almost the opposite of a nationalistic, pro-FSLN effect widely cited by the FSLN and by pollsters).

The following problems, of lesser importance, may have also played a role:

o Campaign errors by the FSLN, which spent massively and obtrusively and may have offended many voters with elements of the campaign. There were also numerous reports of intimidation of opposition militants and fairly common breaches of campaign etiquette by rank and file FSLN supporters (especially the painting of grafitti on private property and defacing opposition campaign materials, which

⁷⁰LASA Commission interview with Luis Humberto Guzmán, Managua, February 27, 1990.

was widely evident around the country). While such violations and breaches of ettiquette were also committed by UNO supporters, the UNO campaign made a much bigger issue of the FSLN's infractions in the campaign than the FSLN did of the UNO.

- o Fear of *continuismo* (a self-perpetuating hold on power) by Daniel Ortega or the Sandinistas, who had held power for almost eleven years.
- o The FSLN and President Ortega were perceived as hostile to the Catholic Church by many Nicaraguans, who therefore viewed his adoption of religious themes and practices in the campaign, especially in the final days, as insincere.
- o A protest vote against the Sandinistas, but not for UNO or even with the expectation that UNO would win.

Whatever the configuration of reasons, five out of every nine Nicaraguan voters preferred a change of regime and availed themselves of a highly scrutinized and technically sound election to express this choice resoundingly.

XIII

IMMEDIATE IMPACT

With UNO winning the right to govern for the next six years, this phase of the Sandinista Revolution is over. Over the next six years, UNO, the FSLN, and the United States will have important roles in shaping the direction of Nicaraguan political life. The UNO-FSLN interaction will give specificity to the structure of the domestic Nicaraguan political system. But the United States will most likely continue to shape the greater context in which this system operates.

UNO, in its campaign, focused on a critique of the Sandinista government but did little to convey the policy content of the new government. The fractious nature of the UNO coalition makes it even more difficult to specify the programmatic outlines that it will follow. The UNO platform was adopted unanimously by its 14 party members, but to reach agreement between the members of the coalition specific content was replaced by generalities.

The FSLN response to defeat is difficult to predict. The FSLN's assets include the social changes implemented during their period in power, the party's mass organizations, and its substantial minority presence in the National Assembly. Their continued ideological coherence can orient their mass and legislative presence into a formidable factor in Nicaraguan life.

The role played by the United States will be pivotal, but its precise character has not

been defined. Obviously, new U.S. resources will begin to flow, but the amount and the terms are yet to be negotiated. The Bush administration will certainly provide direct guidance to the Chamorro government. This will probably include an expanded embassy staff; an Agency for International Development mission that will actively try to shape the economy; a labor attaché that will probably work with existing labor organizations and create new ones; and possibly advice on the nature of the mass media, including an opposition-run television station. Given its own domestic needs, developments in Eastern Europe, and broader economic trends in the rest of Latin America, the United States will prefer a limited financial engagement.

The thorny, immediate issues that must be resolved are as follows:

Character of the Army and the Security Forces. The close identification of the armed forces and the FSLN undercuts the UNO's ability to command its military. The UNO obviously wants to "de-Sandinize" the military; the FSLN wants to maintain its influence in order to protect itself from reprisals and preserve key features of the Sandinista order. A significant Sandinista influence in the officer corps could well prevent the development of an anti-Sandinista terror campaign by security forces as happened in Guatemala after the 1954 revolution was overthrown.

<u>Contra demobilization</u>. Now that the contra war is over, the disposition of the contra army is an immediate issue. The key actors will have to decide if the contra army within and contra leadership outside the country will turn their weapons over to the Nicaraguan army, or re-emerge fully armed as a parallel military force.

Agrarian Reform. A substantial portion of the land affected by agrarian reform in the last ten years was expropriated from prior owners and redistributed. UNO's commitment to recognize the new owners and to compensate the old owners satisfactorily pits the two against each other. The FSLN will be hard pressed to sit by while its land reform programs are threatened.

<u>Social Welfare</u>. Although the FSLN itself has been forced to trim many of its social programs, it can be expected to fight to maintain the remaining core of its health, housing, nutritional, and educational services.

XIV

ALTERNATIVE SCENARIOS

As these controversial issues are addressed, three broad scenarios might be envisioned:

<u>Reconciliation and Reconstruction</u>. The coming transition could focus on reconciliation and continued negotiation within the framework of electoral politics. This process could produce a new, civilian phase of political competition in Nicaragua.

Several forces support the development of this outcome. The electoral campaign itself,

with the full participation of a broad range of parties, represented a continued shift away from the contra war. Instead of military confrontation, a process of extensive negotiation within and among political rivals has been put in place. In spite of predictions that UNO would disintegrate under the weight of its own heterogeneity, members of the UNO alliance have been able to cooperate with their ideological rivals within the organization in order to pursue common objectives. And several of Chamorro's top personal advisers, like campaign manager Antonio Lacayo, have also built on their previous experience in negotiating with the Sandinista regime by working on complex political accords at crucial junctures during the campaign. To the extent that the divisions carved out during the campaign can be reduced and patterns of dialogue across political parties promoted, inter-elite consensus about the rules may continue to emerge.

The expected end to the contra war and infusion of new funds from the United States could provide resources with which to stabilize the economy and perhaps even sustain some vital social services developed during the period of the Sandinista revolution. This process would require a substantial amount of funding. The withdrawal of Soviet and Eastern European backing, begun in any case several years ago but certain to accelerate after a UNO victory, means a loss of roughly \$400 million in annual economic support. The U.S. would need to make a tremendous effort, matched by other Western countries or private investors, to ignite a recovery process. Given the prominent place that Nicaragua has occupied in U.S. foreign policy for the last ten years, some resources may be forthcoming.

In spite of its more conservative orientation, the UNO coalition eschewed the adoption of radical market economics, and it is formally committed to the preservation of at least some programs developed by the Sandinista government. Chamorro, for example, has repeatedly committed herself to not reversing the Sandinista land redistribution program. Although land held in the Cooperativas Agrarias Sandinistas (CAS) will be divided among its individual members instead of being held collectively, and the state farms are programmed for elimination, land tenure will not simply revert back to its original form. Some of the redistribution that took place during the 1979-1990 period is likely to be sustained; a pared-down version of a mixed economy might be expected to continue. To the extent that programs and policies promoted by the new government are not simply a repudiation of the revolutionary experience but a modification of it, the opposing forces might be expected to negotiate this transition with some degree of cooperation.

The long electoral campaign has served as a pedagogical device, teaching the major parties the habit of listening to the citizenry. Electoral politics can serve to bind the parties more closely to the reality and preferences of the Nicaraguan people. For its part, the Nicaraguan population has been exposed to a vigorous, hotly contested campaign which was effectively moderated by relatively neutral electoral institutions. In the process they have been exposed to open, competitive campaigning and the idea that elections can be a means of achieving change.

If a political pact between the UNO and the FSLN is struck and backed by popular support, then a period of peace and stability, which proved elusive during the revolutionary period, might conceivably begin. This would require real consensus about a recovery

program and some immediate improvement in the economic situation. A new round of foreign economic assistance from Western European and Japanese sources as well as from the United States might provide the impulse for economic renewal.

This optimistic scenario is suggested by the deep political needs of the opposing parties. The UNO needs the FSLN. Governing Nicaragua will prove virtually impossible without the tacit cooperation of the out-going party. The government bureaucracy will continue to be staffed by state workers, many of whom are deeply committed to the Sandinista program. Technically competent professionals, already scarce in Nicaragua, will be needed, regardless of their political allegiances. Just as the Sandinista government retained mid-level bureaucrats from the Somoza era, the new UNO government will have to depend on Sandinista supporters for policy implementation and maintenance of public order.

The FSLN, for its part, might choose to cooperate with the transition process to avoid having its broad program repudiated and its supporters purged from the state apparatus. The pragmatic tradition of the FSLN, and its success in responding to previous political openings suggest that the leadership will look for such opportunities. The FSLN has already moderated its policy orientation, cutting back on state economic roles, reducing public sector employment, and endorsing a stabilization program with several orthodox features in its effort to grapple with the economic crisis. During the course of the campaign, the Frente actively solicited support from private producers, even including them prominently in its list of candidates. These concessions indicate an ability to put aside ideological predispositions in the quest for economic stability and recuperation.

Polarization and Disillusion. Alternatively, the Nicaraguan political system could now experience deepening polarization followed by quick popular disillusionment. Under the best of circumstances, the country will be difficult to govern. The economy has been devastated, and the population is now highly politicized with a sharper sense of rights and expectations than it had ten years ago. A sustained period of economic recovery will be required in order for the negative vote cast on February 25, 1990, to be turned into some positive endorsement of the UNO government. U.S. aid, at the levels required to replace Soviet and Eastern European funding, is not likely to be forthcoming. With the "war" in Nicaragua won, the Bush administration may adopt a policy of neglect, forcing most of the costs of recovery onto a comatose Nicaraguan economy. characterized by public in-fighting and bitter rivalries, an inexperienced and apolitical leadership at the top, and only a sketchy economic plan, seems hardly equal to the task. Given the stormy relationships within UNO during its formation and campaign and the highly divergent ideological makeup of its many parties, one might reasonably expect the coalition to be unstable. Indeed, numerous political observers, including UNO leaders, were predicting immediately after the election that the UNO parties and others would soon begin to reconfigure or recombine into ideological groupings (Liberals, Conservatives, Social Christians, and the like), rather than remain a unified whole.

Furthermore, UNO faces a still formidable domestic opponent. The FSLN, while dealt a crushing political blow, remains the single largest political party in the country, and the best organized. Its presence at the assembly and municipal levels will be quite strong.

Its core of activists, many of whom can trace their affiliation back to the insurrection, and who have made incalculable personal sacrifices on behalf of their political beliefs, are hardly likely to lose the faith now. While some Sandinista activists will certainly leave the organization now that it is out of power, many will remain.

This streamlined organization will have the capacity to reorganize as an opposition force. As a more conservative government takes power, the FSLN could take on new roles as agitators for social change and guarantors of the hard fought gains secured during the Sandinista period. At various points during the campaign, Sandinista leaders have almost wistfully envisioned roles for themselves as opponents to an UNO government. Launching direct confrontations in the factories and farms as well as the legislature could be a relief, after years of constraint and endless pleading for patience among their followers. If the FSLN turns to direct confrontation or UNO to political purges and political revenge, the result could be rising instability and economic chaos.

Continued Conflict and Violence. Finally, the tensions and conflicts that are tugging at Nicaraguan politics could explode into violence. The return of the contras, especially if they remain armed, could trigger a violent reaction. The Nicaraguan army that confronted the contra force on the battlefield for nine years is unlikely to tolerate the existence of a parallel military. Nor would the blending of the two forces, with Sandinista soldiers taking orders from their previous enemies and vice versa, seem a viable solution.

Violence could also be precipitated by the almost inevitable conflicts over labor rights, wages, social benefits and land that will emerge in the next six years. If the contending parties are unable to agree upon a social pact about how resources are to be allocated, then strikes and land invasions are likely to become common. A repressive response from the government is not hard to envision. Calling on the police or army to maintain order and stop the protest could prompt a division in the military or provoke an open military rebellion. Some form of U.S. intervention in this event could escalate the conflict and break down the fragile political system. Under these circumstances, the peaceful transition process initiated by the Sandinista government could come to an end.

XV

CONCLUSION

The 1990 Nicaraguan elections represented a "free and fair" electoral process within a climate of United States-generated military and economic pressure. The intense scrutiny and analysis that these elections have aroused serve to illuminate both aspects of this process. A review of the dreary, often illegal, behavior of the United States in marshalling military, economic and diplomatic power against a small, weak country suggests that U.S. foreign policy has altered its modalities but not its fundamental intentions toward Latin America. The great difficulty it had in pursuing this policy of undermining a sovereign nation shows that such behavior is increasingly subject to the

criticism of North American citizens as well as other countries.

Although tarnished by North American interference, the Nicaraguan electoral process has pointed to an interesting and hopeful result. Given regional efforts to produce agreements about reasonable preconditions for election and given permission for international observation, a democratic process can be encouraged. In the Nicaraguan case, as of March 15, 1990, an incumbent government with a powerful military appears to be moving toward a peaceful transition after losing an election. This will help to establish the principle of civilian control over the military, virtually unique in the area.

A movement that began as an armed insurgency has demonstrated its capacity to mature into a serious political party that will be active as a democratic, legal opposition. But for this costly and complex effort to establish a precedent, it will be necessary to take seriously the healthy elements of the process. Just as the FSLN has respected the results of the election, the United States must not distort the political future of Nicaragua. For the United States to demonstrate the same capacity for political learning, it could lend its weight to negotiating preconditions for free and fair elections, international monitoring of the electoral process, and civilian control of the military in neighboring states of the region. The Nicaraguan elections of 1990 would then have served the broader role as a contributor to regional peace that their organization and administration clearly warrants.

MEMBERS

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APPENDIX II

INDIVIDUALS INTERVIEWED BY LASA COMMISSION

The following list is organized alphabetically according to paternal surname, where applicable.

Electoral Commission Officials

Jofiel Acuña Cruz, President, Consejo Regional Electoral (CRE), Region V

Camilo Barbareño, Member, CRE, Region IV

Ramón Berrios, Member, CRE, Region II

José Miguél Córdoba, President, CRE, Region I

René Enríquez, Second Member, CRE, Region VII (RAAN)

Roberto Everts, Legal Advisor, CSE Technical Staff

Mariano Fiallos, President, Consejo Supremo Electoral (CSE)

Adonai Jiménez, Press Officer, CRE, Region II

Guillermo Francisco Kuhl Baldizón, First Member, CRE, Region VI

Noél León, Cartographer, CSE, Technical Staff

Luis Luna Raudez, President, CRE, Region IV

Oscar Meléndez, President, CRE, Region III

María Magdalena Moreno Requena, First Member, CRE, Region IV

Xiomara Paguagua, Member, CRE, Region II

Dionisio Palacios, President, CRE, Region II

Mirna Rosales Aguilar, First Member, Region V

Freddy Sánchez Blandón, Second Member, CRE, Region I

Rodolfo Sandino Argüello, Member, CSE

Ronaldo Siu, President, CRE, Region VII (RAAN)

Rosa Marina Zelaya, General Secretary, CSE

Sadrach Zeledón, President, CRE, Region VI

Nicaraguan Government

Capitán Alberto Acevedo, Ministry of Defense

Alejandro Bendaña, Secretary General, Foreign Ministry

Francisco Campbell, Nicaraguan Ambassador to Zimbabwe

Comandante Lumberto Campbell, Government Delegate, Region VIII (RAAS)

Manolo Cordero, Foreign Ministry

Sub-Comandante Cuadra Federrey, Interior Ministry Region II

Paul Reichler, Legal Representative

Dr. Victor Hugo Tinoco, Vice Minister, Foreign Ministry

Political Parties

Frente Sandinista de Liberación Nacional (FSLN)

Comandante Bayardo Arce, Member, National Directorate; Campaign Director Comandante Omar Cabezas, President, Communal Movement; National Assembly

Candidate, Region II

Carlos Carrión, Presidential Delegate, Region III; Mayoral Candidate, Managua

Virginia Cordero, Head, Department of Organization, Campaign Headquarters

Mirna Cunningham, National Assembly Candidate, Region VII (RAAN)

Santos Escobar, National Assembly Candidate, Region VIII, (RAAS)

Ismael Fornoz, President, Municipal Electoral Council, Yalí

Sylvia Fox, National Assembly Candidate, Alternate, Region VIII (RAAS)

Juan Antonio Galán Rodríguez, National Assembly Candidate, Region IV

Margine Gutiérrez Blandón, Municipal Council Candidate, Matagalpa

Johnnie Hodgson, Regional Autonomous Assembly Candidate, Region VIII (RAAS)

Ray Hooker, National Assembly Deputy; National Assembly Candidate, Region VIII (RAAS)

Pedro Hurtado, Regional Committee, Region V

Dionisio Marenco, Head of Advertising and Publicity, Campaign Headquarters

Carlos Manuel Morales, Presidential Delegate, Region I; National Assembly Candidate,

Henningstone Omier, Regional Autonomous Assembly Candidate, Region VIII (RAAS)

Paul Oquist, Head of Information, Campaign Headquarters

Rogelio Ramírez, National Assembly Deputy, Region IV; National Assembly Candidate, Region IV

Sergio Ramírez Mercado, Vice-Presidential Candidate

Noél Rugama Dávila, Municipal Council Candidate, Region III

Rogelio Salgado, Municipal Council Candidate, Region I

Jorge Samper, Legal Advisor, National Assembly

Reilly Sanders, FSLN Campaign Leader, Waspam, Río Coco, Region VII (RAAN)

William Schwartz, National Assembly Candidate, Region VIII (RAAS)

Rafael Solís, National Assembly Candidate, Alternate, Region III

Juan Tijerimo, National Assembly Candidate, Region V (not party member)

Sixto Ulloa, National Assembly Deputy, Region III; National Assembly Candidate,

Region III (not party member)

Enrique Zabala, Presidential Political Advisor for Marketing

Movimiento de Acción Popular - Marxista Leninista (MAP-ML)

Isidro Tellez, Presidential Candidate

Movimiento Unido Revolucionario (MUR)

Moisés Hassán, Presidential Candidate

Rodrigo Ibarra, Chief of Publicity

Fernando López, National Assembly Candidate, Region IV

Partido Conservador Demócrata de Nicaragua (PCDN)

Clemente Guido, President

Eduardo Molina, Presidential Candidate

Partido Liberal Independiente de Unión Nacional (PLIUN)

Nicolás Leyton Gutiérrez, Comité Ejecutivo Nacional, Region VI

Enrique Senteno Obregón, Directivo Nacional

Partido Popular Social Cristiano - Partido Social Cristiano (PPSC-PSC)

Mauricio Díaz, National Assembly Candidate, Region V (PPSC)

Ranulfo Lara Echeverry, President, Department of Granada, Region IV (PSC)

Francisco Gómez, Municipal Council Candidate, Granada

Manuel Salvador Padilla Velásquez, Coordinator, Municipality of Diriomo

Juan Carlos Pérez González, Vice President, Department of Granada

Erick Ramírez, Presidential Candidate (PSC)

Lic. Filiberto Sarría Padilla, Vice President (PSC)

Partido Revolucionario de Trabajadores (PRT)

Bonifacio Miranda, Presidential Candidate

Partido Unionista de Centro América (PUCA)

Blanca Rojas, Presidential Candidate

Unión Nacional Opositora (UNO)

Luis Brenes, Representative, Region II

José Castellón Ruíz, Municipal Council Candidate, Nindiri

Jaime Castillo, Region VI, Municipal Council Candidate, Matagalpa

Juan Francisco Castillo, National Assembly Candidate, Alternate, Region VI

Alfredo César, Campaign Advisor to Violeta Chamorro; National Assembly Candidate, Region III

Violeta Barrios de Chamorro, President-Elect

Jaime Cuadra, President, UNO, Region VI; National Assembly Candidate, Region VI

Adolfo Evertsz Velez, Municipal Council Candidate, Managua (PSN)

Adolfo García Esquivel, Campaign Committee

Virgilio Godoy, Vice Presidential Candidate

Armando Guadamúz, Region VI (PDCN)

Luis Humberto Guzmán, Editor, *La Crónica*; National Assembly Candidate, Region III (PPSC)

Bobby Holmes, Region VII (RAAN)

Julian Holmes, Campaign Director, Region VII (RAAN)

Jaime Icabalceta, Campaign Chief, Region III, Presidente, CONAPRO

Salvador Idiáguez, Representative, Region II

Agustín Jarquín, Municipal Candidate, Managua (PDCN)

Antonio Jarquín Rivera, UNO Leader, Region V

Manuel Salvador Jarquín, Legal Representative, Region IV

Antonio Lacayo, Campaign Manager; Advisor to Violet Chamorro

Braulio Lanuza C., Regional Coordinator, Alianza Popular Conservadora

Frank Lanzas, Mayoral Candidate, Matagalpa (PDCN)

Justo Pastor Pacheco, Member, Political Council of UNO, Department of Granada

Denis Peña Gutiérrez, UNO Leader, Region V (PAN)

Leonel Ríos, Region VI

Victorina Rivera, Region VI

Ofelia Rodríguez, Poll Watcher, Region I

Ernesto Romero Angulo, UNO Leader, Region V (PLC)

Luis Sánchez Sancho, National Assembly Candidate, Region I (PSN)

José Santos Zeledón López, UNO Directiva; Municipal Council Candidate; Poll Watcher

Magdelena Ubeda de Rodríguez, National Assembly Candidate, Region I (PAN)

Hernaldo Zuñiga, Legal Advisor; National Assembly Candidate, Region IV

Yapti Tasba Masraka nanih Aslatakanka (YATAMA)

Roy Dixon, Legal Representative, Region VII

Eustace Flowers, Campaign Worker, Region VIII (RAAS)

Aldino Hill, Waspam, Río Coco, Region VII

Tadeo Holmes, Waspam, Río Coco, Region VII

Humberto Padilla, Waspam, Río Coco, Region VII

David Rodríguez, Temporary Campaign Manager, Region VII

International Observers

Organization of American States (OAS)

Rigoberto Ames, Region VI

Marcelo Cáceres, Observer, Region IV

Mario González, General Coordinator, OAS Electoral Mission

Carlos Hummud, Coordinator, Region VII
Luis Lizondo, Sub-Coordinator, OAS Electoral Mission
Italo Mirkow, Coordinator, Region I
Mario Pachajoa, Coordinator, Region V
Miguel Angel Rodríguez, Coordinator, Region VIII
Jairo Torres, Representive, Observer, Region IV
Jorge Villaplana, Observer, Region VI
Leonel Zuñiga, Analysis Group

Organización de Naciones Unidas Misión de Verificación para las Elecciones de Nicaragua (ONUVEN)

Horacio Boneo, Deputy Chief of the United Nations Mission Elizabeth Cabal, Observer, Region IV
Ernesto Carranza, Region VI
Jean Casimir, Coordinator, Region III
Marcelo Cavarozzi, Consultant
Margarita Flores, Coordinator, Region IV
Joel Hernández, Member, Region IV
Regina Pawlik, Observer, Region I
Carlos dos Santos, Observer, Region I
Mirna Teitelbaum, Coordinator, Region VI
Charmaine Limoniu Weber, Coordinator, Region VIII
Eduardo Zina, Coordinator, Region VII

North American Observers

Alysha Klein, Representative, Center for Democracy Jennifer McCoy, Representative, Carter Center

General

Father Alvaro Arguello, Rector, Universidad Centroamericana

Rev. Norman Bent, Moravian Church Leader, Atlantic Coast

John Boardman, Acting Deputy Chief of Mission and Political Officer, U.S. Embassy

Robert Collier, Newsday

Gilberto Cuadra, President, Consejo Superior de la Empresa Privada (COSEP)

David Dye, Journalist

Mark Feierstein, Program Assistant, National Democratic Institute for International Affairs (NDI)

Hernando Fernández, Cattle Rancher, Region V

Arturo Galese, Researcher, Coordinadora Regional de Investigaciones Económicas y Sociales (CRIES)

Father Xabier Gorostiaga, Director, CRIES

Michael Grey, Director of Centro de Investigaciones y Documentación de la Costa

Atlántica (CIDCA), Bluefields

Agustín Lara, Minister Delegate of the President, Region V

Gerald McCulloch, U.S. Embassy

Medardo Mendoza, Sistema Sandinista Televisión, Channel 6

Trish O'Kane, Researcher, CRIES

Gustavo Parajón, President, Comité Evangélico Pro-Ayuda al Desarrollo (CEPAD)

Carrie Parker, Researcher, Central American Historical Institute

Hermann-Josef Pelgrim, Representative, Friedrich Ebert Foundation

Ariel Reyes, Sistema Sandinista Television, Channel 6

Doug Schirch, Witness for Peace

Elía Súarez Arrago, Cattle Rancher, Region V

Elvin Súarez Munía, Cattle Rancher, Region V

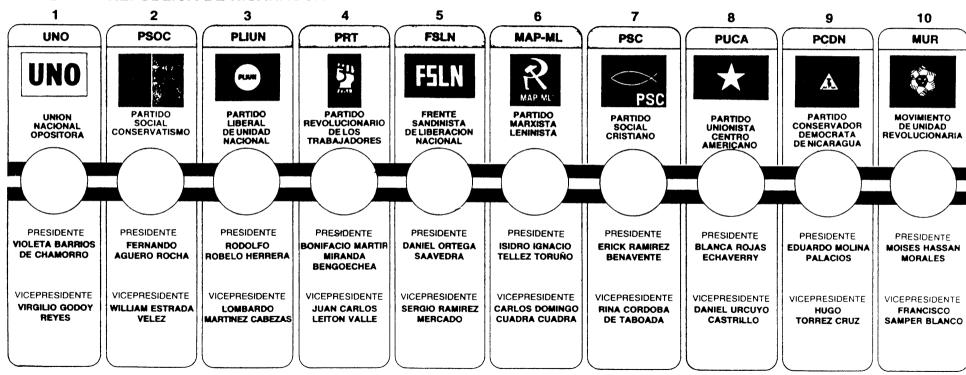
Piedad Tijerino, Asociación de Mujeres Nicaragüenses "Luisa Amanda Espinoza," Region V

Clare Webber, Witness for Peace, Region V



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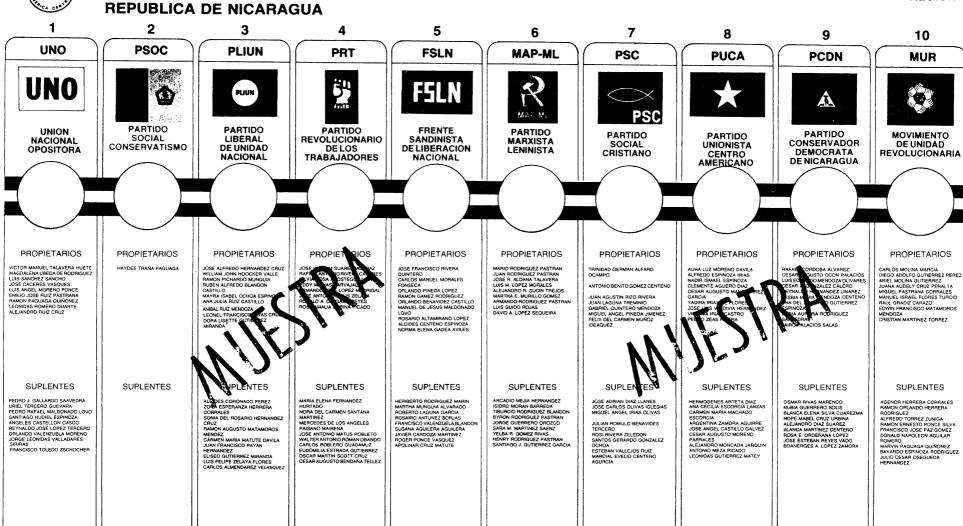
BOLETA ELECTORAL PARA PRESIDENTE Y VICEPRESIDENTE CONSEJO SUPREMO ELECTORAL REPUBLICA DE NICARAGUA





BOLETA ELECTORAL PARA REPRESENTANTES ANTE LA ASAMBLEA NACIONAL CONSEJO SUPREMO ELECTORAL REPUBLICA DE NICARAGUA

REGION 1



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