

# The 2011 presidential and legislative elections in Nicaragua



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On 6 November 2011 Nicaragua held elections for president and vice president, deputies to the National Assembly, and representatives to the Central American Parliament. The process was controversial and signalled changes in Nicaragua's political regime, including the potential re-emergence of a one-party dominant system. New regulations damaged the practice of election observation in ways that could set a debilitating precedent.

## 1. Electoral system

Nicaragua underwent a socialist revolution in 1979 bringing the Sandinista National Liberation Front (FSLN) to power. In 1984, elections were held in which FSLN leader Daniel Ortega won the presidency, but the main opposition coalition declined to participate. Six years later, more broadly competitive elections resulted in a victory for the opposition, ending Nicaragua's decade-long revolutionary government and the counterrevolutionary war sponsored by the United States.

Thereafter national elections were held at constitutionally set intervals in 1996, 2001 and 2006. Domestic and international observer groups found these acceptable despite some irregularities. However, electoral rules and administration became increasingly partisan issues after the leaders of the FSLN and governing Constitutionalist Liberal Party (PLC) reached a pact that secured their joint control of the Supreme Electoral Council (CSE, Nicaragua's electoral management body), and imposed a 4% threshold for parties to retain their registration that soon radically reduced the number of political parties (McConnell, 2011).

In 2006, revolutionary leader Daniel Ortega had regained the presidency with 38% of the vote, and his FSLN party obtained a similar plurality in the legislature (Lean, 2007). The FSLN went on to claim a decisive victory in the 2008 municipal elections, but opposition parties and reliable domestic election observers said many mayoral contests were fraudulent (ET, 2011). Tensions increased after a 2009 decision of Nicaragua's Supreme Court of Justice (CSJ) permitted President Ortega to run again despite constitutional clauses limiting presidents to two

terms and prohibiting immediate re-election (McConnell, 2010). The partisan make-up of the Court and procedural irregularities in its decision called the validity of this verdict into question. In 2010, President Ortega issued a decree allowing the magistrates of the CSE to overstay their terms of office in order to administer the 2011 elections, and they in turn accepted his candidacy. The FSLN also increasingly dominated the technical and administrative structure of the electoral branch (Carter Center, 2012).

The 2011 elections were thus framed as a litmus test of whether Nicaragua was democratic or had devolved into competitive authoritarianism. The president would be elected to a five year term via direct election by obtaining at least 40% of the vote, or 35% with a 5% lead over the nearest contender. Otherwise, a run-off would be required. In addition, 90 deputies would be elected to the National Assembly via proportional representation on closed lists for the same time period. Of these, 20 would be elected from a national constituency and 70 from multi-member districts in Nicaragua's 15 departments and 2 autonomous regions. Article 80 of the electoral law required political parties and alliances to run candidates for every post.

## 2. Candidates

The main contenders in the 2011 presidential race were incumbent president Daniel Ortega (FSLN), former president Arnoldo Alemán (whose PLC ran in alliance with the Conservative Party, PC), and Fabio Gadea (Independent Liberal Party – Nicaraguan Union for Hope, PLI-UNE). Enrique Quiñonez of the Nicaraguan Liberal Alliance (ALN) and Roger Guevara Mena of the Alliance for the Republic (APRE) completed the field.

The PLI opposition alliance had nominated a party outsider. An ageing radio personality, Gadea was considered an honest but not a dynamic candidate. The PLI had a small loyal base and some experienced party workers, but its leadership was divided, and the ideological positions adopted by former Sandinistas incorporated into the alliance through the Sandinista Renewal Movement (MRS) may have reduced the PLI's credibility among traditional Liberal voters. In January 2011, a CID/Gallup poll showed Alemán outpacing Gadea with 23% to Gadea's 17%, but by May 2011 the same polling firm found that Gadea had surged ahead to lead with 28% to Alemán's 14 percent. Moreover, whereas

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38% of potential voters said they would never vote for Alemán only 3% similarly rejected Gadea (CID/Gallup, 2011).

Prior to the election, public opinion polls showed President Ortega with a strong lead over both Gadea and Alemán, who split the Liberal vote. The FSLN was expected to remain the largest single party in the legislature, and polls suggested it could for the first time since 1984 capture a simple majority of the seats (M&R Consultores, 2011). The popularity of President Ortega and the FSLN party stemmed from the government's economic performance and social programmes designed to alleviate poverty, along with hand-outs to the populace. Despite economic contraction in 2009 due to the collapse of global financial markets, Nicaragua enjoyed rising commodity prices on its main exports and, in 2011, the growth rate reached 4.7% and inflation was checked at 8.0% (Banco Central de Nicaragua, 2012).

In addition, oil donations from Venezuela netted roughly \$500m per year over three years, handled off budget as a loan on generous terms. This largesse permitted the Ortega government to distribute free roofing materials and farm animals to poor Nicaraguans, pave the roads, end fees for school enrolment and visits to health clinics, and create temporary employment projects. The result was that poverty fell from 48.3% in 2005, just prior to Ortega's second term, to 44.7% in 2010. The percentage of Nicaraguans living in extreme poverty fell from 17.2% to 9.0% over that same period (FIDEG, 2011).

### 3. Results

The CSE concluded vote tabulation on 11 November 2011. In the presidential race, the FSLN was reported to have won 62.5% of the vote, and the PLI 31.0%. Ortega was reaffirmed as president, and retired General Omar Halleslevens Acevedo became vice president. In the legislative races, the FSLN won 62 of the 90 elected seats. The PLI won 26 seats, and the PLC just 2 seats (CSE, 2011). Oddly, 4.5% fewer valid votes were cast for the president than for departmental deputies (IPADE, 2012). The gap may have reflected voter confusion over new use of a single ballot, but typically such a ballot design causes a cascade effect from the presidential race to the legislative ones, not omission or nullification of a presidential vote. (Table 1).

Under article 133 of the constitution, seats in the legislature also go to the second-placed presidential

finisher – in this case Gadea – and to the outgoing president from the previous election (República de Nicaragua, 1987). The latter is a constitutional provision to guarantee a legislative seat to the outgoing president in a system that disallowed immediate re-election. Since Ortega was both the outgoing and the newly-elected president, his exiting vice president, Jaime Morales Carazo was awarded the seat.

Given its tight party discipline, the FSLN would be able to muster within its own ranks not only the 60% majority in parliament (56 votes) needed to reform the constitution, but even the two-thirds vote needed to replace that constitution. Combined with its established dominance in the judicial and electoral branches of government, the 2011 electoral outcome granted the Sandinistas a virtual monopoly on formal structures of state power.

### 4. Process

The 2011 elections in Nicaragua were not transparent, and none of the opposition parties accepted the results, but neither did the opposition present direct evidence of systematic fraud. The elections thus served to acknowledge the *de facto* distribution of power and at least partially renewed the FSLN government's mandate, even as serious deficiencies in the process cast doubt on Nicaragua's prospects for liberal democratic development.

Election observers from the European Union (EU) and Organization of American States (OAS) catalogued a raft of serious irregularities (OAS, 2012; EU, 2012). The voter list was not officially audited and was riddled with the names of deceased persons and emigrants. An allegedly partisan distribution of citizen identity cards (*cédulas*) generated pre-election protests.

Election authorities eliminated some of the traditional safeguards against ballot box stuffing. Polling station workers were reportedly instructed not to count the ballots at the opening of polls or to record the number of ballots used and unused at the end of the day. Whereas, in past elections, an ad hoc code was generated at the polling station and marked on ballots such that the introduction of fraudulent ballots would be discoverable, the 2011 ballots came from the CSE with pre-marked security codes (Carter Center, 2012). Moreover, opposition representatives had not been allowed to monitor the packing of election materials. Then, on polling day, many opposition poll-watchers had

**Table 1**  
Election results 2011

Candidate/party	President		National assembly						Parlacen			
	Votes	Vote %	Departmental deputies			National deputies			Totals <sup>a</sup>	Votes	Vote %	Seats
			Votes	Vote %	Seats	Votes	Vote %	Seats	Seats			
Ortega/FSLN	<b>1,569,287</b>	<b>62.46%</b>	1,595,470	60.64%	49	1,583,199	60.85%	13	<b>62</b>	1,578,375	60.94%	13
Gadea/PLI	778,889	31.00%	824,180	31.33%	20	822,023	31.59%	6	<b>26</b>	818,041	31.58%	6
Alemán/PLC	148,507	5.91%	173,306	6.59%	1	167,639	6.44%	1	<b>2</b>	167,121	6.45%	1
Quiñonez/ALN	10,003	0.40%	24,870	0.95%	0	19,658	0.76%	0	<b>0</b>	17,738	0.68%	0
Guevara Mena/APRE	5898	0.23%	13,063	0.50%	0	9317	0.36%	0	<b>0</b>	8876	0.34%	0
Valid votes	2,512,584	100%	2,630,889	100%	70	2,601,836	100%	20	<b>90</b>	2,590,151	100%	20
Registered voters	4,328,094											
Presidential turnout <sup>b</sup>	58%											

<sup>a</sup> The FSLN and PLI each got one of two non-elected seats in the legislature, bringing the total to 92 seats.

<sup>b</sup> Based on valid votes rather than votes cast because the quantity of invalid votes was not published.

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