

Democracy and Its Discontents

INTRODUCTION AND SUMMARY

Stakes of the Contest

The Nicaraguan election for virtually all national and local elected offices:

takes place in a context of post war transition. Nicaragua is one of many countries that is undergoing a transition from authoritarian government to democracy. It is also a special case.

Applying models of transition to Nicaragua's 1996 election does not provide an easy fit. There is little agreement in Nicaragua about which and whose authoritarianism is being left behind, when the transition started, and where it stands today. Is it the authoritarianism of Somoza that is being left behind in this the third election since his overthrow; or the wartime authoritarianism of the Sandinistas marked by their "sham" (in the words of President Reagan) election of 1984; or the excessive use of executive power employed by Antonio Lacayo, the unelected and de facto head of state in the current government of President Violeta Chamorro?

The two leading candidates for the Presidency, the Sandinistas' Daniel Ortega and Liberal Alliance candidate Arnoldo Alemán represent camps that charge that the other represents the authoritarianism that is supposed to be left behind. Many people in both camps believe that victory by the other would represent a turn back toward authoritarianism and a sizeable minority, as we report below, believe it could mean more war and violence.

The last six years have been filled with crises over the very basics of government: over control of the military, the Legislative powers, the balance between the executive and legislature, control of the courts, control of the productive assets of the country and, in particular ownership and control of land. During these years a war weary public beset by one economic catastrophe after another has witnessed a bewildering array of political factions and groups each trying to drive a bargain. The irony is that, though there is abundant evidence of cynicism and alienation among the public, there is also evidence that they plan to vote in large numbers.

One of the stakes of the election is the public's attitude toward the practices of electoral democracy in Nicaragua. A second is whether a complex series of deals

made to quiet the crises will stick beyond the election, or whether a new cast will reopen all or some of the deals leading to new rounds of crises.

The war has been over for six years in Nicaragua, but in a certain sense it has never completely gone away. During this period there have been very few moments when rural areas of Nicaragua, particularly in the north, did not have armed bands making political demands. In the main these have their roots in the former U.S. financed rebels who fought the Sandinistas, though some former Sandinista army soldiers also took up arms for a time. The persistence of armed bands of a semi-political, semi-bandit nature (which the government has all too often predicted were about finished) is a striking difference from the post war transition process in El Salvador.

Despite the armed bands, in a certain sense this election can be called Nicaragua's first post war election. Violeta Chamorro's 1990 election was a watershed, to be sure. The war had largely wound down before the election. The contras, or National Resistance, faced a dim future of U.S. aid if the Sandinistas won.²

But the contras refused to stop the war, as insisted upon by the Central American peace negotiators, and, at the least, were supported by the U.S. in so doing. This not only affected the vote (and perhaps the outcome), but has affected Nicaraguan politics ever since.

The failure to negotiate a war ending agreement before the 1990 election (as happened in El Salvador), the lack of military parity between the Sandinistas and the contras, and the lack of consensus among the disparate array of groups opposing the Sandinistas left open a full range of basic governmental and economic questions when Violeta Chamorro and her 14-party UNO coalition won.

In our November 1995 report *Contesting Everything, Winning Nothing: The Search for Consensus in Nicaragua 1990–1995*, we have detailed the years of crises over these questions. They pitted thousands of pro Sandinista workers demonstrating (at times against pro Sandinista police) against having been laid off their jobs by the new government's economic policies. There was competition for control of the police and the army in which the U.S. weighed in. Chamorro promised vast amounts of land to the contras —promises that were often not kept until the former contras forced the government at gunpoint into a second "agrarian reform" through a series of decentralized, uncoordinated crises. There were lengthy periods in which competition for control of the legislature among the FSLN and various factions of the former UNO coalition basically paralyzed the institution. Then came a contest for authority between the Presidency and the Assembly which, in the end, led to extensive constitutional changes. The six year period saw vast privatizations (at bargain basement prices) of holdings taken by the Sandinista government and, perhaps above

all, several thousand contests for control and ownership of lands that had changed hands during the Sandinista government.

Crises were averted or diminished by a complex array of deals that were struck and then broken and revised, including a great many deals for armed groups to turn in their arms. By 1995, with impatient international donors pushing for stability, negotiations were bringing an end, or at least a resting point, to most of the basic conflicts. But the prolongation of the crises, the depth and complexity of the issues, the newness of the resolutions, and the penchant to reopen and renegotiate all deals make these agreements, in our judgment, tentative in varying degrees.

The election could reopen these bargains. As Mayor of Managua, Arnaldo Alemán was not a party to any of these negotiations and signed on to none. The FSLN agreed to the deal on constitutional changes only after passage was virtually assured. The composition of the National Assembly is going to change. Results in that race are the hardest to predict, but it seems clear there will be a huge turnover of individuals and parties that could weaken institutional continuity.

In short, the outcome of the election, marked by two strong parties to the left and right and a host of weak parties in some ill defined center, could reopen many of the deals. Three issues are of particular concern. (1) A large scale reopening of the property arrangements, struck in a new law on property after years of legislative dispute, land invasions and clamoring for compensation, could destabilize and harm conditions for investment. Some senior officials in the Alemán camp, as we report below, have signaled unhappiness with key aspects of the property "consensus." (2) The contest for control of the military was seemingly put to rest by a new law institutionalizing and professionalizing it, which was followed by the retirement of Humberto Ortega as head of the military. Recently former officers in Somoza's military spoke up for positions in the new Nicaraguan military, following the election — a possibility former Sandinista officers have already announced they will adamantly oppose. (3) Though it is difficult to gain accurate information about the positions and demands of armed groups in the north, there have been stories which have real echoes from the past, that they will be willing to lay down their arms if Alemán wins, but not if Ortega wins.

A final source which could increase the possibility of reopening deals or build upon those already struck is, as always in Nicaragua's case, the United States. Unlike 1990's wartime election, the U.S. this time around is not aiding any candidate. U.S. Ambassador John Maisto has often declared that the U.S. will accept the victory, in a fair contest, of any candidate including Daniel Ortega. However, Nicaraguans are keeping a close eye on electoral contests in the North. Former Senator Dole and Ortega had particularly antagonistic relations in the 1980s. Equally important is the

Senate contest pitting Jesse Helms against his opponent from 1990, Harvey Gantt. As head of the Senate Foreign Relations Committee, Senator Helms has continued his heavily anti-Sandinista tactics, holding up badly needed aid and unnecessarily complicating the ad hoc voter registration process last June.

Six years of post war crises, the manner in which they were handled by Nicaragua's political class, and the failure so far to put the war damaged economy on a track that will generate employment have led to large scale cynicism and alienation among the population. Staging a good election would be an important step in helping to brake that process.

Conduct of the Election

Managing the Process

In December 1989 former President Jimmy Carter, after reviewing the registration process in Nicaragua, declared that it was going "extremely well," and stated, "President Mariano Fiallos and the Supreme Electoral Council are doing a very good job, and they need and deserve the full support of all the political parties."³

In the end, all international political observers had high praise for the Supreme Electoral Council (CSE) and for the "elevated civic spirit and total dedication" of the 70,000 officials at voting tables.⁴

During a moment of extreme polarization the conduct on election day was a point of pride for Nicaraguans.

It will be a small miracle, and perhaps an impossibility, for the electoral process this time to gain such high praise, particularly from Nicaraguans. The principal reason for this change, in our estimation, is that the CSE has not received the needed and deserved "support of all the political parties." Moreover, in the estimation of one seasoned international official with years of experience in Nicaragua, it has also not received the full support from the executive branch it did in 1990. President Chamorro had to call a cabinet meeting to urge relevant ministries to cooperate with the CSE.

Less than a year ago the Assembly approved a new electoral law which greatly added to the CSE's burdens, in a context in which it was already especially burdened. It did not, on the other hand, give it much money. When CSE President Fiallos threatened to resign unless the Assembly changed the law and increased the budget, the Assembly refused to change the law and suggested he go to foreigners for the money. Fiallos was one of two CSE officials who had gained international acclaim in two elections despite the fact a good portion of international observers began with a prejudice against them because they were Sandinistas. After Fiallos's resignation, the other

internationally acclaimed magistrate, Rosa Marina Zelaya, was elected to the Presidency, showing the Assembly could sometimes do the right thing.

The CSE has been attempting to install in place a permanent ID card system (which will also serve as a civil register) to restore the ad hoc registration booklets used in the last two elections. Given these handicaps, they have made remarkable progress in the last few months. As we go to press the CSE is making last ditch efforts to get remaining documents into the hands of as many of some 400,000 waiting registrants as possible. But this means that in a bit more than a year it has received and processed applications for nearly two million ID cards under an entirely new unitary document system, and 350,000 ad hoc voter documents, and placed over 85% of them. Still, the remaining deliveries will be the most difficult. But the process has been messy with considerable citizen complaints about delays, all played up by a media which has been, in general, less supportive than (or tied to) the political parties.

The CSE has done this despite an entirely new administrative system, thrust upon it *this year* by the Assembly. The new system carries the threat of politicization by requiring that departmental and municipal officials be chosen from nominees of political parties. Equally important it has meant, and will continue to mean, the these officials will be inexperienced. The new rules left the CSE as a "broken triangle" with seasoned professional staff in the central office and providing logistical support in the Departments, and in between a vast corps of inexperienced appointees with partisan political loyalties to overcome.

This is not to suggest that the CSE has been error free. It has made questionable judgements that have opened it to political attacks, but as we detail, the attacks have been overdone.

The voting process will prove difficult and lengthy. The philosophy of the Nicaraguan electoral system has been to take the registration and voting process to the public, rather than have the public come to more centralized locations as is the case of El Salvador. But the census of 1995, the first in many years, evidently considerably underestimated the voting age population — and it predicted an increase of 25% over 1990, or 2.2 million people. The voting list now has 2.4 million, and the CSE has expanded the number of voting tables by almost 20% from its estimate early this year to 8,800. This means less travel time for voters, but more inexperience at the tables, and greater logistical problems getting ballots to remote areas. And voters will be presented with six ballots, each one quite large because of the large number of parties and popular subscription groups running candidates for the various elections. Voting could be very slow, and there could chaos in some locales.

Threats

The armed groups in the north have also been an issue in the electoral process. The Sandinistas have charged that it is unsafe for their candidates and members to campaign in some northern regions, and that the bands of former rebels engage in "armed propaganda"—either attempting to persuade residents to vote against the Sandinistas or for Alemán and his Liberal Alliance. Most seriously, the FSLN charged in a highly detailed affidavit that two activists were murdered by the armed groups in full view of their families a few weeks ago. Recently the FSLN withdrew some of its candidates.

Despite extensive assessment efforts, we have found it difficult to gauge the extent of the problem. A number of international officials and workers who have considerable experience in these geographically remote areas have told us that "armed propaganda happens all the time," while others say it is rare and, in a context in which people have grown accustomed to passersby carrying assault rifles, not particularly threatening. Some pro-Sandinista human rights activists in Managua told us the charges are frequently general and not backed by documentation.

However, nobody who is at all neutral, says there is nothing to the charges. Armed propaganda and threats are happening. We take issue with the view that tends to dismiss this by saying that the Sandinistas would get few votes in these areas anyway. Despite the circularity of the argument, it is hardly the point. If candidates and their campaigners reasonably feel fear for their physical safety in some areas, conditions for a free and fair election have not been fully met in those areas.

Participation

Whatever cynicism the politics of the previous few years has instilled in the population, and it is considerable, and however confusing the system is that has bred 33 political parties, the election will be immensely participatory. Polls indicate the probability of a very large turnout of Nicaraguans (though the rainy season will not be quite over). An expanded electorate and high turnout could result in over half a million more votes cast than the 1.5 million in 1990. Citizens will cast votes for some 32,000 candidates running for municipal and national office; over 1% of registered voters are candidates.

DISCONTENT, POLARIZATION, AND THE RACE

Voters and Spectators

The mood of Nicaraguans as they prepare to go to the polls in October is expectant. A large majority—76% in one recent survey—believe that their choice in the 1996

election will make a difference. They believe it will help to solve their country's problems and bring them some degree of economic betterment.⁵

These expectations are significantly higher among the some 80% who have decided their vote. Very few people say openly they will not vote.⁶

Appearances can be deceiving. This indicator of interest and involvement in politics, of trust in government and of a sense that the ordinary citizen can make a difference, is definitely deceiving. Abundant evidence, culled from surveys, academic studies, and everyday encounters, shows that Nicaraguans are politically alienated and frustrated. They are distrustful of parties and politicians; they believe political institutions favor people other than themselves. And they do not participate, aside from voting, because they do not believe that what they do counts politically.⁷

Rather than confidence about the future, high expectations about voting day appear to reflect polarization. Though altered in form, the cleavage that dominated Nicaraguan political life during the 1980s — between Sandinistas and anti-Sandinistas — still dominates six years later, darkening the horizon of the immediate post-election future. The persistence of this dividing line leads to optimism from voters who think their candidate will win, but nurtures widespread fears that the results of the election will only bring fresh rounds of political instability and violence.

Polarization has permeated the content of campaign messages, marred the tenor of the process, and lowered the level of (and even impeded) debate. Below we assess polarization and discuss as well its limits and attempts to keep it within bounds, as we present trends in the campaign and voter preferences.

Economic Victims

Nicaragua has undergone wrenching economic change since 1990 without convincing Nicaraguans that this change will produce even a return to the relative economic security of former times. In real terms, per capita economic growth since 1990 has been negative every year except 1995. And 1990 marked the culmination of more than a decade of war and, during the late 1980s, drastic economic decline. Last year's modest upturn continues, but nearly 20% of Nicaraguans in the principal cities are still openly unemployed, and another 25% or so are underemployed. Asked in August, 1996 about how their families are faring economically, a huge majority of Nicaraguans—nearly two-thirds of respondents—said "worse."

This finding is by now chronic, having varied little in recent years. It measures the severe economic frustration afflicting Nicaraguan households and voters. In a corollary found in poll after poll, enormous majorities assert that unemployment is their nation's key problem—the top issue for the new government to tackle. Unemployment dwarfs other concerns in polls, although ordinary conversations immediately turn up a host of other issues severely upsetting Nicaraguans.

Most Nicaraguans see the economy in permanent crisis. The social correlates of crisis—steeply rising crime rates (reflected particularly in violence against women), family breakdown and the emergence of "street children," the spread of drugs and other ills are the daily fare Nicaraguans must somehow swallow as they wait for things to get better under a new government.

Alone, these perceptions will not determine voting preferences. But they go a long way toward explaining the low ratings of the party representing the legacy of the Chamorro administration. Asked to rate the overall performance of the Chamorro government, twice as many Nicaraguans gave low marks as high.

This rating too is chronic. The balance of the positive and negative percentages has been highly unfavorable to Mrs. Chamorro's government (though not always to her personally) since late 1991, despite her own high popularity just after the election. And the proportion of Nicaraguans who said they felt that the government does not represent their interests rose from just under half in 1991 to nearly 90% three years later.⁹

Little wonder, then, that the candidate of the pro-government Proyecto Nacional has been polling less than 2% of the vote.

Politics and Institutions

Nicaraguans are not only jaundiced about the economy and the administration. Cynicism about politicians and alienation from key political institutions pervades the electorate to a degree that is worrisome for the country's stability. For example, in an April poll, 12% rated the National Assembly's performance good, 49% graded it bad. In August, 76% voiced the opinion that the legislature's work "benefits the rich," while only 23% said its "benefits the poor," and 48% indicated that it "harms the poor." Such negative findings have also turned up in other polls.¹⁰

The court system rates equally low in credibility. The same April 1996 survey found the Supreme Court receiving kudos ("works well") from 16%, and barbs ("works badly") from a near majority (49%). A 1995 study revealed that 64% of interviewees believed that justice in Nicaragua favors the rich (38%) or "those in power" (26%).

Only 9% affirmed that it favored the poor and another 7% that it is applied equally to all.¹¹

Lack of faith in institutions has worsened. A political culture survey done in 1991 and repeated in 1995 found that overall levels of political tolerance, measured by the respect expressed for basic political rights of others, has remained low, while confidence in national institutions including all branches of government and the armed forces has declined measurably. More worrisome, the proportion of the population expressing both low tolerance and low support for democratic institutions grew markedly, from 13% to 37% of the total.¹²

These data demonstrate that support for political institutions in Nicaragua's electoral democracy remains, at best, fragile, and that political malaise complements the economic and social anxiety felt by large parts of the citizenry. Although political violence has declined since 1993, and institutions were strengthened by constitutional reforms in 1995, the changes have not yet had a solid impact on popular opinion and attitudes.

Polarization

Studies done in recent years about the theme of governability in Nicaragua throw up an at first puzzling result. They find that large majorities roundly reject violence as a tactic for achieving political ends. Nearly half of Nicaraguans place themselves in the "center" (49%), while 16% place themselves on the left (16%) and 21% on the right (21%). Ideologically, Nicaraguans appear to have taken a conservative turn, abandoning the revolutionary agenda of the 1980s—a majority believes in absolute freedom of the market, and more than 80% say that private property should be regarded as inviolable.¹⁵

Yet as the 1996 campaign winds to a close, Nicaraguans are increasingly likely to vote for either of two candidates—Arnoldo Alemán of the Liberal Alliance and Daniel Ortega of the Sandinista National Liberation Front—who are conventionally thought to represent precisely the right-left ends of the Nicaragua political spectrum. Both are also viewed as well as caudillos enjoying strong personal loyalty from many of their followers.

The organizations represented by the two and the campaigns they are mounting are quite distinct. Though claims of each organization to the size of their membership (150,000 Alianza Liberal, 300,000 FSLN) must be taken with a grain of salt, it is clear that both are fully national organizations, perhaps the only two parties which can make that claim. Alemán's group, with its long, contradictory background of Liberal organizations in Nicaragua (from Zelaya to Somoza; see section below on political

parties) rests heavily on one person. Though the Liberal Aliance is far more coherent and ideological defined than the 13 party UNO coalition of 1990, it is similar in that a strong personal candidacy glues it together. The Alianza Liberal program is not much different from that of the current government; what is different is the extent to which opposition to the FSLN is its calling card.

Ortega is the main figure in the FSLN and has much more power in the organization than he did in the early 1980s, though probably less so, despite his fending off of main contenders, than he was three years ago. The fact that the FSLN could seriously consider other possible candidates indicates a difference between the two organizations. The FSLN, too, has changed. The FSLN was battered by the loss in 1990 and the revelation that sections of its base were either out of touch with the grassroots or reporting what the higher ups wanted to hear, and further battered by the loss of thousands of government jobs. Since then it has made moves toward internal democratization. The FSLN brings to the election a tradition of collective leadership, and a veteran organization which, however unclear the sum of its various messages has been the last 6 years, carries a membership with the tradition of overthrowing Somoza, battling the U.S., and standing for a set of beliefs which are, in general, redistributive.

These polls show that: the two candidates command the loyalties of a large majority of the electorate, and that Arnaldo Alemán has always been ahead. Meanwhile, Daniel Ortega has improved his support markedly and is clearly closing the gap.

These data confirm that the polarization in the Nicaraguan electorate regarding the Presidential race is longstanding and solidly entrenched. Commented pollster Victor Borge recently: "Although the polarization level is notoriously below that in 1990, there aren't people who think well of the two [major candidates] at the same time."¹⁶

An August poll by CINCO confirmed this judgment in striking fashion. It developed "perceptual maps" showing how voters rated candidates on a series of nine attributes including personal honesty, qualifications and experience, skill at conciliation, and an ability to deliver on promises. The maps reveal that followers of Alemán and Ortega tend strongly to idealize their candidate—they rank him high on all nine attributes (on average about 1.5 on a four-point scale) while evaluating the opposing candidate in a negative light across the board. By contrast, perceptions of other candidates were much more nuanced and neutral, as were perceptions of Ortega and Alemán among undecided voters.¹⁷

Perhaps the most worrying indication of the polarized state of the 1996 campaign is voters' concern about trouble after election day. A sizable minority of the voting population fears conflict if the candidate of its preference is not elected. While 33%

express no concern over post-campaign upsets, 35% fears "war"(19%), "instability"(10%), or "confrontation"(6%). This concern is particularly strong among Alemán supporters, 28% of whom fear "war" if their leader is not elected. By contrast, only 14% of Ortega supporters voice a similar worry if their man is not chosen.¹⁸

The polarization in Nicaragua's electorate has roots in unhealed wounds inflicted during the 1980s, when tens of thousands of Nicaraguans died either fighting or defending revolutionary changes in the economic system and a new distribution of wealth and political power. In the complex political struggles that have pervaded the 1990s, those wounds have been continually rubbed open. During this period, Arnaldo Alemán has been the paladin of those who want to take properties confiscated during the Sandinista revolution. Daniel Ortega has been the champion of those resisting these ambitions and defending economic and social benefits won in the previous decade.

Economic frustration and insecurity have aggravated the schism in the electorate. Followers of the two main candidates appear to believe that the candidate of the other party is either responsible for their economic plight and/or will make it worse if elected president. And the inability of weak democratic institutions to inspire confidence or solve the day-to-day problems of ordinary citizens feeds the search for the saving or protecting leader.¹⁹

Campaigns

The principal candidates have to an extent (lesser in Ortega's case) played to and nurtured the underlying polarization. On the stump, Arnaldo Alemán begins his speeches recalling the horrors of the 1980s when army recruiters dragged teenage youth from their homes for compulsory military service, and when market shelves were barren of goods and people had to queue up for staples. Only when these messages are delivered does the candidate go on to make positive promises of jobs, schools, and credit for small peasants. Even then, he finishes with a flourish, threatening to make corrupt Sandinista officials pay for stolen houses or give them up.

As the underdog, Daniel Ortega takes a somewhat different and defensive tack, assuring voters that if he is elected, war and military service will not return to plague their lives again. Ortega especially harps on the theme that newly triumphant, the Sandinistas will get on well with their former enemy, the United States, and will be accepted by the international community. At the same time, he reminds his listeners of the historic gulf separating them from the other side, systematically referring to his opponent as the "Somocista-Liberal candidate" and insinuating that a victory by the Liberals will return Nicaragua to pre-1979 levels of political oppression.²⁰

These messages seek to firm up support from loyal constituents through a combination of fear, reassurance and resentment. Other messages attempt to reach out to the center. In contrast to his stump speech, when Alemán can seem ebullient and even strident, a recent TV spot by his campaign tried to portray the Liberal candidate as a measured, thoughtful leader committed to democratic and traditional moral values. In the case of Ortega, a well-crafted commercial shows him projecting a message of peace and love by mutely embracing ordinary people of various political persuasions and walks of life. Who is playing this campaign game better? Table 6, which breaks down vote intention by some standard socio- economic variables, provides one glimpse.

In April, before the opening of the official campaign, Alemán enjoyed particularly large leads among rural voters, among older voters, among the least educated segment of the electorate, and among those few whose economic status has been improving. By August Ortega had narrowed the gap very considerably among the rural population, and had come relatively close among voters under 40 and those with secondary education. He scored consistently well among the highly educated. August also showed a shift in favor of Ortega among those who saw themselves as worse off economically. The polls reveal that the few Nicaraguans who are faring well are not keen to see a return of the once-socialist Sandinistas to power.²²

Ortega's support in Managua has also increased, while that for his opponent has fluctuated from 32% in April to 43% in June to 34% in August. In a mid-September Managua poll by CID-Gallup, Alemán was ahead by slightly more than a point.²³ The FSLN press, in late September as we go to press, claimed that another CID-Gallup poll showed Ortega ahead.

These findings suggest that despite the existence of hard-core voters on the left and right, campaign messages and candidate reactions to campaign events have had an impact, if not in all locations, then among certain groups. Alemán has conducted a long, exhausting campaign, based primarily on his success in the early 1990s as a lightning rod for anti-Sandinista feeling.

His campaign has taken risks. When Alemán was the only candidate who refused to sign a "minimum agenda" of common aims in August, arguing that it reflected too much of his opponent's stance on property, his position may have induced younger voters less bound by 1980s political dynamics to vote Sandinista. It may also have created the image of more chaos around the property issue for those in the center seeking a refuge from turmoil.

Daniel Ortega has waged a much shorter campaign. His attempted image change has been more substantial than Alemán's. Most notably he picked a rancher whose lands

were confiscated by the Sandinistas as his vice presidential candidate. This move may be having some success in assuring rural voters that an updated Sandinista government would not take land, and would provide badly needed credit—the key economic issue in rural areas.

In The Middle

Though the clash between Alemán and the Sandinistas dominates the campaign, political parties and organized groups have tried to brake the dynamic of polarization. Non-partisan groups have organized forums for promoting rational debate, building bridges between the extremes, and dampening polarization. In July, a "Minimum Agenda" coalition presented a consensual 9-point diagnosis of national ills with recommendations for solutions and invited political parties to subscribe. All, except the Liberal Alliance, did so, and it refused, significantly, over differences on the issue of property.²⁴ A National Women's Coalition with representatives of all significant political groups has coalesced around an agenda of women's concerns that cuts across party loyalties and will be pushed after a new government and National Assembly are in power in 1997.²⁵

Smaller political parties have contributed to the election process. Unlike the major parties, their standard bearers have willingly participated in numerous, often televised, debate forums. They are not strong on formal programs—in late August, only the FSLN could furnish HI with a printed party platform. Almost all have attempted to position themselves in the "center," appealing to Nicaraguans's fear of more turmoil.

These figures demonstrate that a significant minority of Nicaraguans is looking for other options, including being willing to cast a vote for a party that cannot gain much. The welter of parties facing voters has been unable to form meaningful coalitions, with the exception of the Liberal Alliance. Last minute attempts in May, 1996 to negotiate an electoral alliance among diverse "center" parties ran up against the ingrained tendency of Nicaraguan politicians to insist on being the leader, a tendency buttressed by the powerful incentives in the revised electoral law discussed in the Section on Rules.²⁶

Each Party is electorally weak. But individually, several minor parties have put significant resources into their campaigns. In contrast to the big two, whose stock in trade is the town square rally where the faithful get to see their leader in person, smaller parties have relied heavily on media (especially TV) advertising to get the images of their candidates before the voters. However, the provision that losing presidential candidates can gain a seat in the National Assembly with a relatively small number of votes (likely less than approximately 1.5%) could mean that several presidential candidates will swell the ranks of the Assembly, making it more difficult

for any party to have a working majority. Some parties will not survive the requirement to win at least one Deputy seat in the election to retain legal party status.

However, spending hundreds of thousands of dollars on media ads has not turned any of the minor parties into a contender. The person who came closest, banker-businessman Alvaro Robelo, enjoyed a meteoric rise in the early months of 1996 by running a spectacular, big-bucks media campaign portraying himself as the complete anti-politician. He blamed Nicaragua's poverty and social ills on the machinations of a corrupt political class living at the public's expense. His candidacy was eventually ruled illegal by the CSE (see below). The fact that to date, none of the other small parties has exceeded his 7% maximum share of polled voters is eloquent testimony to the difficulty that center political leaders are having, given the fragmented array of parties.²⁷

Ticket Splitting

Despite the strong loyalties shown to the main presidential contenders, there is evidence from recent polls that many Nicaraguans are interested in splitting their ballots in October, voting for Alemán or Ortega for president but for other parties at other levels, though the evidence is stronger at the Mayoral level than the National Assembly. If confirmed on voting day, this tendency will have implications for the distribution of power in the National Assembly and town halls.

As compared to the presidential race, significantly fewer voters have made up their minds as to whom they will choose as their legislators. In CID-Gallup's August survey, fully 50% had not decided at this level. Of the rest, 45% indicated they would vote for candidates of the FSLN, and only 33% for candidates of the Liberal Alliance (22% opted for other parties). CINCO's national survey had a different result, with Liberals leading Sandinistas 31–26% on the national list and 29–26% in the departments. Nevertheless, both polls show Alemán with less strong coattails than Ortega. The figures for Managua are particularly striking, with FSLN candidates polling 25% (five points under Ortega) while Liberal candidates garner 19%—only half of their leader's national total.

Like all poll findings in Nicaragua, these must be treated cautiously. Translating an "intention" to cross party lines in balloting for the Assembly into a real crossover may prove difficult on voting day, especially if the campaign temperature rises. In the 1984 and 1990 elections there was little evidence of ticket splitting.²⁸

Ticket splitting at the mayoral level is far more likely. Since 1990, when elected local governments were restored under a regime of municipal autonomy, municipal politics is less depolarized and significantly non-partisan. Some mayors who believed that

belonging to a political party was essential to good performance in their jobs no longer thought so five years later, but had become convinced instead that popular participation is crucial.²⁹

CID-Gallup's June survey is particularly illuminating about local balloting. Asking voters whether in the local mayor's race they will vote for the same party as their presidential choice, it shows that in mayors' races substantial portions of the electorate intend to cross vote.

This intention is particularly strong in the capital, Managua, where it embraces a majority of voters. But it is significant in smaller cities and towns as well. With direct national elections this year, voters may choose only one candidate, as well as vote for a city council slate, making crossovers much easier than in the case of the Assembly. And this year nonpartisan "popular subscription" organizations can field local candidates. Women may be especially prone to ticket splitting. In a March CINCO poll of women voters in urban areas, respondents expressed strong support for crossing party lines to vote for women candidates who address their concerns.

Currently, the two popular subscription candidates in Managua — Pedro Solórzano of the "Viva Managua" movement and Herty Lewites of "Sol"—together outpoll the candidates of the FSLN (Carlos Guadamuz) and the Liberal Alliance (Roberto Cedeno). In Matagalpa, a CINCO survey done in June found Samuel Amador, a local businessman, leading his nearest rival by 47–16%. Meanwhile, Dr. José María Briones, another non-party candidate, was leading the race in Estelí, a traditional FSLN stronghold.

A Second Round? A Multiplex Assembly?

One method of projecting from polls assumes that those in the last "don't know, don't respond" category will either not vote or vote in approximately the same proportions as the rest of the voters. This assumption has proven to be quite right in some elections and quite wrong in others. But if one accepts the assumption and discounts the "DK/DRs", almost all of the polls until quite recently would show Alemán to be at or above the 45% level needed for a first round victory.

Making the same assumption about the polls and projecting it to Assembly results is much shakier, particularly given the evidence of some ticket splitting. Alemán will have a difficult time gaining a majority if one assumes little ticket splitting and, alternatively, across the board 45% or 50% results for Alemán, the new election districts and national slates would seem to suggest 38 to 45 Liberal Alliance seats in a 90 seat Assembly. Making a few more assumptions favorable to Alemán based on

particularly heavy UNO vote departments in 1990, he could get to 48 seats, a majority in a 90 seat Assembly. Cutting the other way are the recent downward trends for the Liberal Alliance, the evidence of ticket splitting, and the fact that the Assembly will definitely have more than 90 deputies (some estimate as many as 99.).

One indicator of how a second round might go is the public's overall image of the respective candidates. Recent polls by the Costa Rican survey firms active in Nicaragua indicate slippage in Alemán's personal popularity among voters, and marked improvement in that of Ortega, over a short period of time:³⁰

Both pollsters ask whether people's image of the candidate is favorable or unfavorable. CID-Gallup uses a 5-point scale involving a neutral middle point, the figures for which are omitted here. By contrast, Borge's question is binomial — the candidate is simply up or down. In Borge's July 1995 poll, Ortega's numbers were 27% favorable and 66% unfavorable.

This very gross indicator of the public's favor, combined with other recent poll data, indicates that a second round could be possible and, should it happen, could be quite close.³¹ At the very least, there would be room for creativity in confecting second round campaign messages. Given the large leads that Arnoldo Alemán has appeared to enjoy over Daniel Ortega from the beginning of 1994 to early 1996, this is a surprising result.

ENSURING FREE AND FAIR ELECTIONS

Nicaragua's Supreme Electoral Council (CSE) is ranked as the fourth branch of government. Until this year, it was the only one with an untarnished reputation. Under its president Mariano Fiallos and executive secretary Rosa Marina Zelaya, both Sandinistas, the CSE had organized clean and efficient elections in 1984 and 1990 during a war and under enormous international pressure and scrutiny. It also performed well in the 1994 elections in the two autonomous regions on the Atlantic Coast.

The legislative paralysis of earlier years has harmed the CSE. Last year, for example, a general stand off between the President and the Assembly left the CSE officially without its five magistrates in June when their six-year term ended. After a month the positions were filled with the required 60% majorities in the Assembly. Of the three new ones, Roberto Vivas is an adviser to Cardinal Obando; Braulio Lanuza was selected from the Conservative Popular Action's list; and Alfonso Callejas was the executive's choice. Fiallos and Zelaya were reelected and Fiallos reconfirmed as CSE

president. Their long experience and well-deserved reputation for competence and fairness outweighed the Assembly normal penchant for partisan scrapping.

A poll by IEN in February 1995 asked people to rate their confidence in four government institutions on a scale of 1 (no confidence) to 7 (much confidence). The CSE came out better than the National Assembly, the Armed Forces, or the executive branch, with 46.1% giving it between 5 and 7, 13% giving it a 4, and 40.6% giving it between 1 and 3.³²

But recent polls showed that public perception of the CSE has slipped. A June 1996 IEN poll found 50.9% who believed that the CSE was not useful, 23% that it was somewhat useful and only 16.8% that it was very useful. Again, overall cynicism was growing: the other three branches of state got uselessness scores well above 70%. Asked how the CSE could be more useful, 50.9% had no ideas, while 17.9% said speed up the ID card process. An August CID-Gallup poll showed that 34% had a lot of trust in the CSE, 13% some, 27% little, and 16% none.

Still, 62.4% in the IEN poll thought the elections would be clean, and only 19.3% said they would not. A CINCO August poll similarly found 64% predicting a clean election and but 12.8% saying no, though some respondents credited foreign observers as the main reason. By contrast, before El Salvador's 1994 "elections of the century," a poll found only 38% who thought the election would be clean, and 34% who did not.³³

The shared message of the polls was that confidence in the CSE's role had eroded and a significant minority even had doubts about a clean election. What happened?

New Burdens on the CSE

In 1990, despite the ongoing war and that opposition parties decried the strong presence of Sandinistas on the CSE (many of whom nonetheless voted then for Fiallos and Zelaya), the CSE received more support and less animosity, in HI's judgement, from political parties and the Assembly than it has been receiving in the current electoral process.³⁴

The Assembly voted a 1996 CSE budget similar in amount to 1990 even though the electorate was much larger; the CSE programmed some 7,200 voting places (Junta Receptora de Votos, each with a staff), nearly 3,000 more 1990. By September it had had to increase the number to 8,800. Moreover, political parties are far more numerous; voters will have to grapple with six large complex color ballots; the CSE is required to establish a civil register with photo voting ID's (in contrast to the 4 Sundays in October ad hoc registration process in 1989); unlike 1990 there could be a

Presidential runoff; and the CSE is now additionally charged with resolving internal party disputes. The Assembly added some of these burdens while hastily drafting a new electoral law, after (not before) it had decided upon the CSE budget.

In addition the Assembly changed the entire administrative scheme of the CSE, nine months before the election. The 9 regional CSE offices were to be immediately replaced with 17 departmental ones, implying both greater cost and inexperienced personnel in an election year.

To eliminate the preponderance of Sandinistas in the CSE, the magistrates must now choose the departmental president and two members (plus their alternates) from lists supplied by parties participating in the elections (they previously chose each regional president and one member autonomously and the second member from party lists). This departmental structure in turn chooses officials for the polling tables (known as *juntas receptoras de votos*, or JRVs) in its department according to the same rules. The CSE feared that such explicit party identification would politicize these posts. The CSE also feared that bringing in inexperienced personnel just before the election, and then replacing them before subsequent elections, would deprofessionalize the CSE.

Election years will be more frequent under recent constitutional reforms. Rather than all offices coming due every six years, they will be staggered. Presidential elections will be every five years, local offices every four. If we add Atlantic Coast elections, eight of the next ten years will have elections.

Mariano Fiallos argued strenuously against the budget and against 15 of the reforms in the (poorly drafted) law including the change in the CSE administration. In late January he unexpectedly resigned arguing strenuously that, with the massive administrative changes and insufficient funds, he could not guarantee the electoral process. He returned after the executive sent amended reform legislation to the Assembly and called to the diplomatic community for funds, but resigned again within weeks—this time "irrevocably"—when it became clear that the votes were not there to pass the reforms.³⁵ In mid-April, Rosa Marina Zelaya was elected to replace him as president and Fernando Silva, a Sandinista legislator who had recently switched to the Democratic Action Party of the once insurrectionary hero Edén Pastora, was chosen to take his place as magistrate. Cyril Omier, formerly head of the regional CSE office in the South Atlantic Autonomous Region and now an alternate magistrate, assumed Zelaya's executive secretary post.

The new CSE magistrates had to implement the new law in this unfavorable context. Picking officers and training officials was complicated by the fact that not all parties submitted serious candidates or sufficient data for the CSE to review them. As Zelaya

commented, "We had to choose the departmental officials blindly."³⁶ As late as two months before the elections, some were still being replaced following complaints by parties and local CSE staff about their competence and comportment. Zelaya preserved the professional staff by putting them in charge of the ID card process and urged them to provide all possible technical and logistical support to the new CSE offices.

Voter Registration

Voter registration has been the CSE's greatest challenge. The CSE's continual inability to meet its own deadlines together with voter confusion about the new ID card process (some of it sown by the media and politicians) have undoubtedly helped erode public confidence.

Eduardo Núñez, who heads the Managua team of CAPEL, a Costa Rican electoral support firm hired by USAID to help the CSE run the elections, refers to the electoral roll as a "three-headed monster."³⁷ Voters will have one of three kinds of documents: 1) the new ID cards, 2) "supplementary documents" given to those who applied for an ID card but will not receive it in time, and 3) "ad hoc" voting cards in former war zone municipalities in which it was impossible to even begin the ID card process. In fact, some voters will arrive with yet a fourth document, issued to those who lose any of the above and report it prior to the elections.

ID-Voter Registration Cards

In 1989, the Sandinista government made a commitment to introduce national ID cards for all citizens 16 years of age to be used for a number of purposes, among them voting. The National Assembly elected in 1990, however, did not pass enabling legislation until March 1993, and only approved use of the cards for voting in December 1995. The CSE dedicated most of its budget to starting the process in 119 municipalities in 1995, even without passage of the electoral reform or a budget earmarked for the purpose. While lack of plastic halted the fabrication of cards between June 1995 and February 1996, that was the least of the CSE's headaches.

In applying for a card, citizens may use a birth certificate, passport, drivers license, or social security card, or having none of these may present two witnesses who will swear to their identity. Their photo is taken at that time and attached to the request form, which is then checked against the Civil Registry. But some 45% of the population had never been registered at birth and most of these people had no other documentation either.³⁸ HI witnessed applicants who were unsure of their birth date. Among those in the Civil Registry, discrepancies often existed between what they had

thought their legal name was and the one appearing.³⁹ In addition, changes of address, marriage, divorce or even death had often never been registered.

Deficient civil registries are common in Latin America, leaving basically two ways to introduce national ID systems: Start from scratch, based on the data the person provides, which then becomes that person's legal identity; or start with the existing registry and correct it where necessary, as the CSE chose to do. This method has meant endless checking, rechecking, and hiring of district judges and lawyers to do the legal paperwork required to simultaneously create an accurate Civil Registry and a computerized electoral roll. The cost of this service comes out of the CSE budget, since citizens are not charged.

By June 1996, only 1,331,897 (some 64% of the final total) had requested their cards, and fewer than half of those had received them.⁴⁰ In the first ten days of June the CSE opened over two thousand offices, where applicants were urged to verify the accuracy of their data on the printout. The goal was to correct as many errors as possible before giving the electoral roll to the political parties to check. Of the 56% of applicants who bothered to verify, over 10% found errors, including some committed by personnel entering the data into the unfamiliar system.

By the July 22 closing date for requesting a card before the elections, the CSE had received 2,060,000 requests, but the tedious processing described above meant that only 1,008,798 cards were ready by August 22, the cutoff date for fabricating them.⁴¹ The card, good for 10 years, contains the fingerprint, photo, address, sex, age, birthdate, birthplace and signature of its holder, along with initiation and expiration date, a card number, and a bar code.

Supplementary Document

For the 1,051,202 people whose data could not be validated before the elections a temporary ID card called a "supplementary document," good for the 1996 election has been printed.⁴² The problem has now become getting ID cards and supplementary documents into the hands of voters.

Applicants were given a receipt to use when they picked up their Supplementary Document. Some lost theirs, and the CSE has received complaints that individuals claiming to represent the Alianza Liberal went door to door in some areas requesting them. Media reports created fear that those without their receipt would be unable to get their voting document. They can, but the CSE protects against fraud in two ways. In the case of the ID, the applicant requesting it must match the photo on the card. Those without a receipt asking for a Supplementary Document are interviewed and must know the answers to personal information provided at the time of application.

In July, vehicles with loudspeakers announced where people could pick up their cards, but, for some, this created more trips in vain if their card was not yet ready. By mid-August, CSE workers began going house to house to issue cards, but often found that the individuals were not home. In these cases, a notice was left at the house that the person should go to the district office to retrieve the card.

In mid-September the CSE designated five days in large municipalities and three in smaller ones in which the several thousand JRVs would be opened so that those who had not picked up their document could do so. The CSE's image, however, slipped as the announced dates in which the JRVs would be issuing the documents in Managua were repeatedly postponed due to a variety of technical problems.

An indication of some people's confusion and irritation could be readily perceived at some JRVs. A number of people given a supplementary document instead of an ID card expressed fear that they would not be allowed to vote with it, or even claimed it was a CSE "trick" to be able to charge people for the real card after the elections. Some angrily left the line without getting the document, complaining that this "bit of paper is no good." For those who stayed, their irritation was furthered by sometimes cursory treatment from people staffing the tables and even occasionally by the discovery, after standing for hours in the long lines, that they were at the wrong JRV.

Throughout this process, neither politicians nor the media made a serious attempt to understand or explain the CSE's problems to the populace to alleviate voter anxiety. The media have emphasized problems or accused the CSE of bias. Media reports mounted of individuals having to return again and again due to incorrect information, or that in one case a local Sandinista CSE official was giving cards only to Sandinistas. But in many cases the incorrect information is present because the applicant did not take advantage of the June verification, and CSE President Zelaya noted that the data base contains no information about party affiliation.⁴³ Virtually the only exceptions to the prevailing media coverage were TV interview programs, where Rosa Marina Zelaya was a frequent guest, but her clarifying explanations on TV only reached a small portion of Nicaraguan households.⁴⁴

By the end of September the approximate results were as follows according to OAS estimates: Some 778,000 people had received their photo ID (165,000) or Supplementary Document (613,000) during this September campaign. This represented about 64% of those who had no Cedula or Supplementary document at the beginning of the campaign, or about 1.2 million citizens. By the beginning of the September campaign, then about 800,000 people had received their documentation, the vast majority of them their Cedula. Added to these totals would be another 350,000 with the special ad hoc voter book (see below.) The CSE planned to conduct

another round of house-to-house visits and to post lists in public places of voter names and instructions on when and where to retrieve the IDs.

Ad-Hoc Registration Booklets

The CSE decided that time and money would not permit the ID card process for the whole country. It eliminated 26 municipalities in former war zones which were the most logistically difficult and dangerous. (Three CSE officials were kidnapped in one in September 1995.) For voters in those areas, the CSE launched an ad hoc registration process during two weeks in June, similar to the successful model it had used for the whole country in 1984 and 1990. Voters with some identification or, more frequently, two witnesses were immediately given a voter registration booklet with no photo.

Observers agree that this ad-hoc process went well, despite security problems and difficult logistics in these remote areas. An AID official was kidnapped for 36 hours. In the first days of the registration, "Charro," the top leader of the loosely organized rearmed groups, was killed in an army offensive. While it was hoped that his death would cause the groups to disperse, one of those vying to fill the leadership vacuum kidnapped several dozen CSE workers on the Río Coco on June 19 and held them in Honduras for three days. The victims were released following mediation by the OAS International Verification and Support Commission (CIAV).

There were other problems. On the first weekend, 70 JRVs (about 6%) did not open, due to security problems or lack of documents. Pay for JRV personnel and party monitors was delayed. Last-minute legislative changes in municipal boundaries, and other mapping problems caused confusion for some CSE staffers and registrants. Training was more perfunctory than in 1990 leading to occasional arbitrary decisions.⁴⁵ Exacerbating all of these problems was the discovery that the 1995 national census had undercounted by up to 25% in many areas.

These problems, combined with a CSE house-to-house campaign to encourage registration, led to long lines that moved slowly because most registrants had to use the time-consuming process of two witnesses to identify themselves. With the assistance of international donors, the CSE opened many of the tables for two additional weekends. The observer mission of the Organization of American States (OAS) detected some irregularity in 187 (15.3%) of the 1,224 JRVs it visited, fewer than half of which were serious.⁴⁶ Problems were generally corrected in each successive weekend.

In all, 351,629 voters registered via this process, 124% of the number expected. In its report on the ad-hoc registration process, the OAS mission noted that registration of women, which had lagged behind, was complete by the third weekend.

The nationwide process resulted by the end of August in 2,411,629 people registered, 400,000 over the census based estimate of the voting age population. A CAPEL check of the electoral roll found that some 206,000 names (8.75%) still had problems. The biggest group had been assigned to JRVs that had registrants over the limit of 400 so had to be reassigned. (Since early 1996 the CSE has had to increase the number of JRVs from 7,200 to 8,800.) Some 60,000 card requests had never been fully processed and there were 26,000 duplicated names. All of the latter had to be checked to be sure they were different people and not ones who had either intentionally or inadvertently registered twice. The list is being cleaned to eliminate these errors.

Candidate Screening

The plethora of both elected posts and parties meant the CSE had some 32,000 candidates to screen to be sure they met the requirements laid out in the electoral law. It announced its decisions on the 23 presidential candidates at a press conference late in the evening of July 5, and issued its findings on the remaining candidates three weeks later.

The most controversial cases were the presidential candidates formally challenged by other parties, and of those the greatest attention centered on President Chamorro's son-in-law Antonio Lacayo. Lacayo had ostensibly been ruled out by the 1995 constitutional reform forbidding relatives of an incumbent President from running for that office, but he had tenaciously ignored the ruling. As the date of the CSE announcement approached, he combed the Constitution for loopholes, arguing at one point that barring him would be an unconstitutionally retroactive application of the reform since he had married President Chamorro's daughter before it was passed. His final legal gambit was to claim that the use of "and" instead of "or" in the article's language meant that a candidate could only be disqualified for having both marital and blood ties to the incumbent.

The CSE was subjected to strong pressure from both sides on his case. National Assembly legislator Luis Sánchez Sancho, one of the architects of the reform, threatened to have the CSE magistrates impeached if they let Lacayo run. Other notables, including Cardinal Obando, urged that all candidates be allowed to run. Such public counsel would be seen as undermining the rule of law in many countries, but in Nicaragua, where backroom deals that go around the law are the historic norm, it occurred to virtually no one that the time for opposing the constitutional inhibition ended with its passage.

Rosa Marina Zelaya stated emphatically that the magistrates' decisions would strictly adhere to the law but, given the persistence of that old climate and the intense press speculation, her announcement to the crowd of reporters and politicians at the July 5 press conference that Lacayo was in fact disqualified stunned many of them. Anxiety had been mounting as they and TV viewers tuned in to the live coverage but were kept waiting for over four hours while the magistrates reached unanimity on all details, then visited President Chamorro to advise her of their decision.

In response to fears that the decision, whichever way it went, could spark violence, journalists from all four newspapers and one TV channel had that morning urged the political class to respect the CSE. Zelaya had also met with Cardinal Obando the day before, in an apparent quest for support, which he gave after the announcement by calling for calm. Two days later *El Nuevo Diario* felt compelled to run the front-page banner headline: "Chaos discarded!"

It was one of the CSE's finest moments of this embattled year. Some commentators hailed the CSE decision as "historic" and "courageous," while others spoke of the ushering in of a new era of democracy. Still others remarked that Lacayo had never believed the CSE would disqualify him.

At the same press conference, Zelaya also announced the disqualification of two other presidential candidates, both for having renounced their Nicaraguan citizenship: Democratic Action Party candidate Edén Pastora, who temporarily became a Costa Rican citizen during the insurrection, and Nicaraguan Alliance candidate Alvaro Robelo, who is still an Italian citizen. Neither country permits dual citizenship.⁴⁷

At that time, the CSE accepted Haroldo Montealegre of the Liberal Unity Party, a third candidate challenged on grounds of having renounced his citizenship. It disqualified him on August 7, when it finally obtained proof that, contrary to his claim, he in fact had become a US citizen in 1988. The delay was due partly to the US government's unwillingness to provide consular information without the consent of the individual concerned and partly to Montealegre's tenacious stalling maneuvers. Both before and well after the CSE decision, *La Tribuna*, of which Montealegre is president, published articles almost daily quoting opinions of Nicaraguan jurists that the CSE had violated the Constitution by "trying him twice."⁴⁸

The CSE efforts to resolve a dispute between two warring factions of the Nicaraguan Resistance Party (PRN), made up of former contras, were largely frustrated. When the factions could not reach agreement on two competing candidate lists, the CSE decided to unify two competing lists of deputy candidates, giving the Gadea faction the first name on the list and accepting the head of the other faction, Quiñónez, to head the presidential ticket. This pleased neither faction. In September the FSLN announced an

alliance with a sizeable group of former contras, while Gadea went to the Alemán camp.⁴⁹

State Funding of Campaign Expenses

The CSE has negotiated with Minister of Finance Emilio Pereira over the partial state financing of party campaign costs. The amount agreed on in the 1996 budget corresponded to 15% of the CSE budget, although it does not actually come out of that budget. Because the state coffers were strapped, Pereira sought to redefine the amount by redefining the category—proposing that the percentage be based only on the CSE's 117 million córdoba election line in the national budget. The parties wanted the percentage to be based on the CSE's entire 227 million córdoba budget, and any additional foreign donations it might get.

Access to state funding had at least partly spurred the burgeoning number of parties (36) and popular subscription associations (54), yet their proliferation also reduced the slice of the pie each would get. The law says that parties that won Deputy positions in the prior election get their slice of the pie as a donation, while other parties would get it as a loan. However, a number of sitting legislators had shifted parties after being elected, and their new parties, which had had no deputies elected in 1990, wanted a donation not a loan. In fact, the issue appears to be a false one, since any party that does not win at least one elected legislator must pay the money back over five years at 3% interest.⁵⁰

As the fight dragged on, the deadline for providing the money—two weeks before the August 2 formal start of the campaigns—came and went. At one point Pereira suggested trading off more funding for passage of a new tax bill stalled in the National Assembly—an idea that did not prosper. By early August the state agreed to provide some 34 million córdobas (about \$3.7 million and 15% of the total CSE budget not including donations) in two parts.

The financing delay and other disputes led to a basket of last minute, and in our judgement, short sighted, proposals for legislative reforms, including postponement of the election date by six weeks. In September two reforms passed, one that would provide the parties more funding and make the conditions under which would have to repay it more lenient, and another revising the method by which residual votes for legislators would be counted. (See section on proportional representation.)

Complaints

As of early September, Ana María de Gutiérrez, head of the CSE complaint department, said she had received fewer and more minor complaints than expected

and that most were mutual accusations by the FSLN and the Liberal Alliance.⁵¹ The methodology for resolving complaints varies from smoothing ruffled feathers (if the complaint has little or no basis) to ordering a party to cease an activity —such as a PRN complaint that a Liberal Alliance TV spot focused on individuals wearing PRN caps. If security is involved, the CSE has liaison with the police and army. But Gutiérrez said that there have been fewer charges of violence each election year since 1984.

With respect to complaints of armed prozelytizing, made particularly by the FSLN in the northern departments, Gutiérrez said they tend to include very little evidence on which to investigate. HI, however, later saw a copy of an FSLN letter to the CSE charging that an armed group under the command of a leader named "Exequiel" had surrounded a cooperative in Waslala on the evening of August 8, killing two coop members in the presence of their family members, seriously wounding another and attempting to kill two more, who managed to escape. All of this was reportedly done to shouts of "Long live Arnoldo Alemán," and "Die Sandinistas." The only detail missing in the letter is the specific names of the assassins. In September the FSLN announced its intention to withdraw candidates in several northern areas because they cannot campaign.⁵²

Finally, if the complaint is of a legal nature, it is forwarded to the Electoral Attorney General's Office for processing. This office is a creation of the 1995 Electoral Law and, according to its chief, Marcos Baldizón, it is even more severely handicapped by that law than the is CSE itself. The office, which is formed anew with each election, is dependent on the Attorney General rather than the CSE, has no specific faculties by law, and, because the Electoral Law was approved after the 1996 budget, also has no funding. As late as September 5, when HI interviewed Baldizón in his Managua office, he had no phone or fan and had only recently acquired a desk and an assistant.

As of mid-September his office has investigated 16 cases of double voter registration in Chinandega to determine if they were intentional and if witnesses gave false testimony; a JRV official accused of selling ad-hoc registration cards; the misuse of JRV funds in Bocana de Paiwas; and the extraction of two ID card files from the Jinotega CSE office by a Liberal Alliance worker. At the time of the interview, he had just received the charge against members of the Liberal Alliance for collecting ID cards from their owners, and stressed that both this and the previous case are against individuals, not the alliance itself.

The most serious case he has had was an accusation filed in May that the Liberal Alliance tried to bring into the country some \$30,000 worth of donated medical and agricultural supplies, together with another \$9,000 worth of propaganda material that had been purchased abroad by the Constitutionalist Liberal Party, without paying duty

or applying for tax exemption authorization from the CSE. Baldizón's office investigated the case and urged court action, but to little effect.

The "Ballot Crisis"

In May the CSE was attacked, initially by the FSLN, charging partisanship and profiteering in the award of the large contract to print the ballots. Before it finally died down all four newspapers and virtually all political leaders had taken a stand in the row. As with the ID card crisis, the media sensationalized rather than clarified, further undermining the credibility of the CSE. HI's exhaustive investigation finds that, though mistakes were arguably made, the charges were vastly overblown and frequently not factually based.

In May the CSE accepted qualification forms from companies that might want to bid on the job. After visiting the six plants to verify their technical capacity, the CSE requested permission from the Comptroller General's Office to give the job directly to a company called INPASA as the only one with sufficient capacity, rather than put it out to bid. Getting wind of this, the FSLN's printing company, El Amanecer, which had invested heavily to upgrade its plant in hopes of getting this plum job, wrote the Comptroller charging that Rosa Marina Zelaya's husband Jorge Samper, a National Assembly candidate for the Sandinista Renovation Movement and its Managua campaign manager, had economic interests in INPASA.

The Comptroller created a commission to revisit the six plants, by which time El Amanecer had installed two new four-color presses that had not been present at the time of the CSE visit. The commission decided that INPASA, El Amanecer and a third shop, El Mercurio, were eligible to submit bids. Meanwhile, information leaked out that INPASA had costed the job in December 1995 at over 61 million córdobas. The media did not make clear that the CSE had requested this estimate well before any specifications had been determined and before Finland had offered to supply the paper, only for the purpose of putting a figure in its 1996 budget request.

Given this, the debate understandably heated up and also took a decidedly political turn when, in the face of an the Amanecer bid of around 14 million córdobas, the CSE opted for INPASA, whose bid was still some three times higher than that (El Mercurio never officially submitted a bid.) *Barricada*, the FSLN daily, published rather vicious cartoons showing collusion by Samper and Zelaya on behalf of Somocismo. Other newspapers charged the CSE with costly political favoritism by still favoring INPASA, which had cut its bid to about 34 million córdobas. Only a few politicians sided with the CSE's position that no party press should print the ballots, no matter how good its own security measures and independent monitoring might be. Other CSE print jobs had been given to El Amanecer, but this one was too sensitive

politically. The CSE also harbored fears that El Amanecer would realize its bid was unrealistic and would ask for more money in the middle of the printing.

To get an outside opinion, USAID financed CAPEL to investigate. Though its own overall cost estimates agreed with INPASA's revised bid, CAPEL recommended that the job be divided between both companies, since neither could be guaranteed to do the job alone in the time remaining. The CSE responded by offering El Amanecer the printing of all 145 municipal ballots except Managua. El Amanecer refused, countering with an offer to print all municipal and departmental National Assembly ballots at a price only slightly lower than its original bid to do the entire job.⁵³ INPASA's position was all or nothing. It got all. By this point it was August and the press had been trumpeting the issue for months.

Accusations that MRS presidential candidate Sergio Ramírez had strongly lobbied for the decision not to use the FSLN press, and that Comptroller General Augusto Jarquín was less than cooperative with the CSE due to annoyance at a CSE decision about his party (the UDC) were supported by a number of knowledgeable sources. The only completely unfounded accusation was the one against Jorge Samper. *Barricada* director Tomás Borge later publicly apologized to him and privately agreed with Rosa Marina Zelaya's position that it would not have been to the FSLN's advantage to have printed the ballots, particularly should it win by a small margin. Even after INPASA's print schedule was set back for over a week in early September by electricity blackouts, printer downtime due to overheating, as well as party complaints about the color of their emblems, Zelaya reiterated her conviction that the CSE decision was correct.

All of these issues affecting the CSE in 1996 were shot through with short-term politicized accusations. The FSLN claimed a pattern of CSE favoritism toward either the Liberal Alliance or Zelaya's own party the MRS. It pointed to the presidential disqualifications, which commentators believed would favor the MRS or the Liberal Alliance to the FSLN's detriment; the ballot printing issue; seeming laxness in following up FSLN charges against the Liberal Alliance; and apparent bias in selecting the presidents of the departmental CSE offices.⁵⁴ The latter charge, in particular, demonstrates the validity of CSE fears that these posts would become politicized, and in fact some suggest that Zelaya traded the key departmental posts to the Liberal Alliance in exchange for keeping the experienced Sandinista technical personnel.

From the ID card crisis to the ballot crisis, the CSE was ungenerously accused of incompetence and caving in to political considerations. Few politicians came to its defense, and none acknowledged the traps they had laid for it by their short-sighted legislative activities. The multiple problems, combined with the uninformed twist put

on them by the media and politicians, undermined not only the CSE's image but confidence in the elections themselves, opening the door to public concerns about possible fraud.

Observers from Home and Abroad

All parties have the right to have a monitor present at each JRV throughout voting day and to accompany the ballots back to Managua.⁵⁵ Most parties do not have nearly enough members to staff the 8,800 JRVs, but both the Liberal Alliance and the FSLN can do so. In addition, the six people staffing each JRV table function as a check on each other, since no table can have more than one person from the same party or alliance.

Independent observers function as a third check, and in the case of international observers, are the witnesses that Nicaraguans trust most to assure clean elections.

International Observers

The CSE has designated the OAS as the only "official" observer organization, but has designated several other institutions as "invited observers." These include five US organizations funded by USAID (named below); independently funded Hemisphere Initiatives/ Washington Office on Latin America delegation; the European Union; government delegations from donor countries; CAPEL; and electoral tribunal magistrates from all Central American countries, Panama, and the Dominican Republic.⁵⁶

A third level includes individual parliamentarians; accredited embassy personnel in Managua; sister city, NGO, and other civil society delegations; and people invited by the parties. These observers will be given courtesy passes. In all, the CSE has received notification of 680 observers as of late September, and expects the number to climb to 1,000 by election time. The largest institutional delegation is the European Union, with an expected 120 observers for election week, followed by the OAS mission, which is upping its number for that period from an initial 35 to 100. One of the largest from civil society is an international women's delegation, which could reach 65 people.

The OAS mission is headed by Oscar Santamaría, former chief of staff and foreign minister of the Cristiani government in El Salvador. An advance team arrived in mid-April, and later grew to 35 people in four departmental offices. One OAS official noted that Nicaragua's campaign has so far been much less acrimonious than anticipated.⁵⁷

Unlike in 1990, in which both the UN and OAS mission chiefs were careful not to publicly exceed their mandate as observers, Oscar Santamaría has consciously gone public to urge specific corrective actions from the CSE, a stance which has been somewhat controversial. The OAS maintains good relations with the other observers, both national and international, but does not foresee coordination on election day. It plans to do its own quick count, which it will probably make public only if there is a discrepancy with the official results.

Asked about the possibility of electoral fraud, the OAS official said he did not believe any possibility existed for a total distortion of the vote. Still-weak areas that could make some small difference include getting the voting materials to all the JRVs on time; assuring that the final electoral roll is correct; and mapping JRVs, particularly in rural areas, so that no groups are gerrymandered out of voting. Unlike the ad-hoc registration, there is no second chance to correct such problems. Asked about the recent reports of voting documents exchanging hands, he shrugged it off as more scandalous than effective.

Of the \$9 million in USAID electoral assistance, \$1.2 million has been provided to the OAS mission and another \$1.5 million to finance the work of five Washington-based delegations: the National Democratic Institute for International Affairs (NDI), the International Republican Institute (IRI), the International Foundation for Electoral Systems (IFES), the Carter Center, and the Center for Democracy. An obstacle facing NDI and IRI at the outset was the legacy of 1990, when the U.S. played a public role that was mostly openly partisan in the election, despite efforts to isolate money channeled through these groups for training and education.

Each of these groups has a distinct emphasis this year. IFES will not bring an observer delegation, and is also the only one providing direct technical support to the CSE. The Carter Center, which has played a proactive diplomatic role in Nicaragua since the late 1980s, is currently mediating conflictive issues such as property, will bring a small but influential delegation including members of the Council of Freely Elected Heads of Government; it is the only organization not supporting the creation and development of a national observer organization. NDI, in contrast, is focusing its work primarily on supporting this organization and IRI is working closely with several of its member groups. The Center for Democracy is coordinating with the CSE to train teachers and students in voter education work. All five set up offices in Managua earlier this year, and their field representatives have actively kept abreast of the technical and political progress of the overall election process, as has AID itself.

Domestic Observers

Sending large international delegations to observe election processes in incipient democracies has become a widespread and costly practice since the mid-1980s. This international presence tends to produce a contradictory reaction in the local citizenry: it triggers nationalistic reaction and it fosters a belief that only these outsiders can "guarantee" clean elections. For all these reasons, there is now a swing toward the creation of national observer organizations that, once consolidated, could reduce or even replace the need for foreign observers. The Philippines was the first country to organize a domestic observer group in 1986, followed by Yemen, Bulgaria, Zambia, Mexico, Peru, Bangladesh, and Panama, among others. NDI has a comprehensive manual domestic observers on it.⁵⁸

The idea to create such a group in Nicaragua was sown in 1995, when Nicaraguans attended a Washington conference sponsored by the National Endowment for Democracy.⁵⁹ NDI then financed two Nicaraguans to observe how one such model works in Peru's November 1995 elections. On her return, Violeta Granera, a leader of the IRI-funded Nicaraguan NGO Fundemos, spoke to like-minded NGOs and "notables," and in April 1996, the Civic Group Ethics and Transparency was born. It is financed by four of the five USAID-funded international observers.⁶⁰

But the start-up of Ethics and Transparency has been controversial. During the same period the UN was holding discussions about funding domestic observer groups under a different concept (one involving loose networks of groups), but this did not come to fruition in part because Ethics and Transparency was already underway.

In a polarized political context where few in Nicaragua believe claims of non-partisanship citizens exist, forming such a group was going to be an uphill process. It was hampered by the initial selection of directors and organizations (in which IRI was reportedly instrumental). By the time NDI arrived in April, the earlier influence of both the IRI and the rightwing NGO circles had given Ethics and Transparency a conservative skew. Its original board was made up only of conservative political commentator Emilio Alvarez Montalván and Fundemos president Roberto Calderón. Recognizing that this skew could endanger its required pluralist image, NDI set out to encourage the inclusion of both board members and NGOs identified with the other end of the political spectrum.

While this initiative has been partially successful, it was too little, too late. Most leftwing organizations actively involved in civic education on the electoral process already had independent plans, and some feared that their presence was only being requested to give token breadth to an organization in which they had no decision-making role. The fact that the initiative came more from an outsider than from locals also contributed to the view that Ethics and Transparency was not a home-grown project and to residual suspicion of the motives of US observer organizations left over

from their 1990 role. Interviews with a number of Nicaraguans on the board and in the participating NGOs left the impression that they had only invited other groups once the organization had already been formed.

Nonetheless, a range of domestic nongovernmental organizations, particularly human rights and educational NGOs, support the board's work in a variety of ways. Ethics and Transparency has set up departmental and municipal offices to directly recruit local observers, and a few of the NGOs also have networks of activists who are participating as observers.

Ethics and Transparency expects to have thousands of observers on election day. It has held national and local training seminars not only to teach the electoral issues that must be observed, but also to instill the key elements of creating confidence among voters through honest and impartial observation.

Like the OAS, Ethics and Transparency plans to do a quick count, and is working closely with Neil Nevitte of Toronto University, father of the quick count methodology. The CSE will undoubtedly request that it withhold its results until after the CSE's own official announcement.

Meanwhile, most of its member NGOs are busily working on various electoral activities. Hagamos Democracia has produced several excellent manuals on the electoral process and structures of government for use by high school civics teachers, and is sponsoring local candidate debates. Fundemos is also promoting local candidate debates and trains all interested parties in methods of organizing, civic education, and electoral campaign methodologies. The Nicaraguan Human Rights Center (CENIDH) is engaging in an "aware vote" campaign, encouraging voters to know the candidates and learn about their positions. The Center for Constitutional Rights, National Women's Coalition and Awareness Nicaraguan Women are all working to encourage women to vote. Organizations outside the Ethics and Transparency umbrella are making similar efforts. Partiality is nowhere evident in all of these efforts.

In sum, Ethics and Transparency is working hard to train a mass of observers, and to foster voter awareness and quality political debates with what appears to be genuine impartiality. No matter how well-intentioned it is, however, it still suffers from a number of handicaps—both external and self-created—that make it hard to project itself as a representative domestic alternative to international observers:

- Its visible dependency on US organizations that only six years ago played what many Nicaraguans saw as a partisan role.

- The reticence of political parties to accept its importance and the CSE's delay in accrediting it until September.
- Its limited and uninspired publicity work, partly the result of hesitation by some board members to project the organization before CSE accreditation was assured.
- Its failure to represent all of Nicaragua's extremely wide political spectrum. It did not until very recently include on its board the Sandinista perspective with which a quarter to a third of Nicaragua's population identifies.⁶¹
- The naming in September of Emilio Alvarez Montalván, Ethics and Transparency's president, as Arnoldo Alemán's foreign minister should Alemán win. While Montalván immediately resigned his post, the event revived suspicions about his motives in helping to found the observer organization.

The grander goals of involving civil society in the electoral process in general as well as generating confidence in its own capacity are similarly limited by its inadequate but common equating of civil society with middle-class NGOs. Asked their aspirations for Ethics and Transparency after the elections are over, several members said they would like it to stay alive, seeing it as a useful space for discussion and activism by political and civic society in areas other than just elections. It is a laudable aspiration, and one that could go a long way toward reducing polarization and furthering broad-based participatory democracy in Nicaragua. Since it did not arise in response to a demand from that society, however, it is difficult to imagine this happening on any significant scale without a great deal of careful work.

A number of examples already exist to demonstrate that this depolarization in favor of common goals is possible without sacrificing political identity. One is the nonpartisan civic education work that many of these same organizations are doing independently or together to assure informed participation in a clean election process. Another is the Nicaraguan Union of Farmers and Ranchers, whose cooperative division in particular has worked since 1990 with peasant farmers from both extremes of the political spectrum to strengthen the voice of such small producers. Yet another is the recently created Nicaraguan Women's Coalition, which has challenged the male-dominated and highly polarized political class by joining together politically active women willing to leave their differences outside the door while working to achieve such shared goals as getting out the female vote and pushing for more women candidates on the ballot. Perhaps the most impressive example is offered by the still small but growing number of organizations expressly made up of veterans from both sides to represent their own shared interests and needs.

In the meantime, despite its inauspicious beginnings, Ethics and Transparency has a role to play in these elections. If the elections are indeed technically clean, the voice of Nicaraguans saying so will help restore the prestige of the CSE among the citizenry and contribute to silencing the early predictions—particularly but not only on the US and Nicaraguan right — that there would be fraud. If there is any foul play, Ethics and Transparency will demonstrate its own merit in the degree to which its description of where it was found is fair and dispassionate. In this sense, the 1996 elections are also a referendum on the future of national observation in Nicaragua.

PROFILES OF THE CONTENDERS

The Party System

The party system in Nicaragua, for the first time since the early part of the century has two strong parties. Alemán's Liberal Alliance, to a greater extent than the Sandinistas rests upon one person. Alemán has yet to win, and if he does he must demonstrate that his party is more than a personal vehicle. The system is also marked by a notably large (and growing larger) number of small parties, most of them in a "center" that has little more definition than being in between the conservative Liberal Alliance and the FSLN.

Explanations for this proliferation of small parties are varied.⁶² During the Somoza era opposition parties remained small in part because over the years it became clear they could not win, and could not extract many concessions from the maximum leader. Thus there was little incentive to join. The number of parties grew in the 1980s for three reasons — parties could not agree about how to oppose the Sandinistas; the Sandinistas made it extremely easy to satisfy the legal requirements to form a party because they wanted a participating loyal opposition; and, as ever, personalistic politics and fights over quotas of (very little) power led to splits. The 1990s election laws, including the 1995 version, made it more difficult to form a party, but it still is quite easy as the section on Rules at the end of this report makes clear.

And there are incentives to do so. Parties qualify in equal shares for public campaign financing. Though there are limitations such as paying back loans, one can imagine the difficulty of collecting from a bankrupt mini party. The proportional representation system, particularly at the national level, encourages small parties. (Again, see section on Rules for how this works.) It is interesting that the deputies in the Assembly, most of them from small "national" parties, made it rather difficult to form a municipal level "popular subscription" organization. Finally, though Alemán and Ortega are frequently charged with being caudillos in their parties, the

phenomenon clearly exists in the small parties, and the election law provides an incentive to be leader of a small party.

At the April conclave of centrist parties that could not reach agreement on a common anti FSLN, anti Alemán candidate, more than a few of the party chieftains sitting in the room must have considered the costs of sacrificing their candidacy for the "greater good." The central cost would have been the loss of the relatively easy opportunity presidential candidates have for becoming deputies on the Assembly. A losing presidential candidate would need about one third as many votes as the deputy candidate running first on the party's slate for the national list of 20 candidates; probably less than 1.5% of the vote would do the trick.

The Parties

Liberal Alliance (AL)

Arnoldo Alemán Lacayo, president

Enrique Bolaños Geyer, Vice-president

Parties in the Liberal Alliance identify with a complex heritage stretching back to the government of nationalist Liberal José Santos Zelaya (1893–1909) and passing through the pro U.S., Somoza era (1936–1979). The Liberal Constitutionalist Party (PLC), which dominates the Alliance, traces its origins to dissidence within the Somoza party, the Nationalist Liberals. The Liberal Constitutionalist Movement (MLC) gradually distanced itself from Gen. Anastasio Somoza Debayle, who had grabbed the Presidency in 1967 to continue the family dictatorship.⁶³ After Somoza's overthrow, the Sandinistas banned his party, but the MLC retained its legal status, changing its name to the PLC. It became part of a U.S.-financed conservative alliance, the Nicaraguan Democratic Coordinator which refused to participate in the 1984 elections, that were won by the Sandinistas. The PLC joined the 14-party National Opposition Union (UNO) coalition in 1989.

The undisputed leader of the Liberal Alliance, Arnoldo Alemán Lacayo, launched his political career as mayor of Managua from 1990–95. He had achieved some prominence, during the 1980s, first as leader of coffee growers associations and then as a leading protester against Sandinista government economic policies. The protest resulted in confiscation of his holdings.⁶⁴ His tenure as Managua's mayor won him a national reputation as a builder of public works: roadworks, fancy fountains, and the Malecón park along the shore of Lake Managua. However, his administration was also haunted by widespread accusations of graft and corruption.

Following 1990, when Mrs. Chamorro compromised with the FSLN to keep Gen. Humberto Ortega as head of the military, Alemán emerged as a strong critic both of the Sandinistas and of Antonio Lacayo, Minister of the Presidency in the Chamorro government. His opposition to the compromises ("co-government") used to resolve battles over economic policies and property won Alemán popularity in some quarters. Others accused him of promoting polarization. Sandinistas charged the Mayor with corruption and with defacing public mural art from the revolutionary period.

Liberal campaign leaders credit Sandinista attacks during these years with greatly enhancing Alemán's stature in the eyes of public opinion,⁶⁵ but it is more likely that his status as front runner in the Presidential campaign results from his efforts to organize and build the base of the PLC. Virtually insignificant in 1990, the PLC now vies with the FSLN in terms of geographic reach (exceeding it in former war zones of the north) and claims a membership of 150,000. The PLC invested heavily and successfully in winning the 1994 regional elections on the Atlantic Coast. According to opinion polls, this victory greatly enhanced the party's following nationally, to the point that by early 1994 Alemán led Daniel Ortega in polls.

In mid-1994, Nicaraguan Vice-President Virgilio Godoy, long-time head of the Liberal Independent Party (PLI), proposed a fusion of all the Liberal parties. Unity talks broke down, however, over Godoy's demands for quotas of power in the new party (and later in government), which Alemán considered excessive. In early 1995, Alemán negotiated instead the current "Liberal Alliance," joining the PLC with the NeoLiberal Party (PALI), the Independent Liberal Party of National Unification (PLIUN), and a sector of the old PLN. None of these carries much weight in the alliance, however.

At the May 1996 Liberal Alliance convention Alemán anointed former COSEP president Enrique Bolaños, already active as the Alliance campaign chief, as his running mate. Bolaños' nomination was intended to rally support among Nicaragua's private sector and in Miami, where Alemán had built a base of financial support (even before 1990) among Cuban-Americans. With Alemán a clear favorite to win the elections, factions of assorted smaller parties (parts of the Conservative Party, the PLI, and the Resistance party of former contras) broke off from their parent stems in May 1996 and joined the alliance. Small labor union confederations CAUS and CTN-Autónoma also back Alemán. The Liberal Alliance participates in the Liberal International.

Although the PLC is organized on a formally democratic basis, internal party dissidents have charged that Alemán rules autocratically. A 1995 conclave gave the party executive the power to ratify major candidacies. The party used polls (done by

the Costa Rican firm Borge y Asociados) to determine important candidates for deputy and mayor, but the exercise reportedly led to damaging frictions.

Campaign Themes and Positions. Announcing that "a change is coming" (el cambio viene), the Liberal Alliance claims it will inject new life with its approach to governance.⁶⁶ Its program calls for a streamlined state limited to a facilitating role as provider of health, education, infrastructure, and security. With the private sector as the motor of economic growth, it envisions a sustained growth in income and employment and a slow incorporation into the international economy. Although in the main this approach continues the neoliberal economic program of the Chamorro years, Liberal economists stress that their government will move to undo monopolistic positions in the domestic economy and promote expansion of the middle class. The program promises fresh credit assistance and a revamping of the National Development Bank (BANADES) to help small producers.⁶⁷

The Alliance program stresses the need for widespread reform of the judicial system as a necessary buttress for economic development. Its position on the property issue presupposes a major revision of the compromises reached, after vast uncertainty and chaos over real estate ownership, toward the end of the Chamorro administration. A Liberal government will title the properties of the poorest of the rural and urban poor but require that all beneficiaries of the Sandinistas' 1990 housing law (Law 85) pay for their dwellings at full market value. Moreover, it says it will not use the proceeds from the sale of shares in the state telephone monopoly to redeem government indemnity bonds for confiscated property holders, but rather proposes that international donors put up \$400m to "buy peace" (pay off the confiscated), not something the donors had heretofore contemplated. These positions imply an intent to revise the property bills (Laws 209 and 210) passed by the National Assembly in November, 1995.⁶⁸

Sandinista National Liberation Front (FSLN)

Daniel Ortega Saavedra, president

Juan Manuel Caldera, vice-president

A revolutionary guerrilla force composed of three distinct tendencies in the 1970s, the Sandinista National Liberation Front (FSLN) was the principal force in the overthrow of the 43-year dictatorship of the Somoza family in 1979. Maintaining the form of a political-military vanguard, the FSLN went on to become the governing party in Nicaragua from 1979 to 1990, during which period it led a series of controversial social and economic transformations referred to as the "Sandinista Popular Revolution" within a political framework of controlled pluralism. Among the changes

wrought were widespread land and urban property reforms involving the confiscation of private property and, initially, an expansion of health and education services to the grassroots. Certain of the economic transformations and all of the political restrictions were opposed by other political parties, mainly of the center and right, by the United States, and by the Nicaraguan Resistance (contras). Financed and to a large extent organized by the U.S., some in the opposition took up arms, leading to a bloody civil conflict in which an estimated 20,000 people died.

In the 1990 elections—conducted within the framework of the 1987 Esquipulas peace accords and the 1987 Nicaraguan constitution, but held while the Resistance, backed by the Bush administration, refused to stop the war—the FSLN lost power to Mrs. Violeta de Chamorro and the 14-party coalition of the National Opposition Union (UNO).

Since 1990, with former president Daniel Ortega as leader, the FSLN has been the principal opposition to the Chamorro government both in the National Assembly and in the streets. In the early 1990s, the party played two tracks. Some times leading, sometimes following, the party leadership supported the street demonstrations (which sometimes became violent) of Nicaraguan workers protesting government economic policies and privatization which led to massive layoffs and a rate of under- and unemployment at times exceeding 50%. The party fought to legalize the Sandinista government's property reforms in favor of peasants and urban dwellers. However, the street tactics brought criticism from opponents, who charged that the FSLN was impeding economic recovery, and from sectors of a war exhausted public tired of turmoil. On the second track, the party leadership, including Ortega, made numerous tactical alliances with Chamorro to rebuff the radical right. This led to confusion and alienation from parts of the Sandinista base. Revelations that party higher ups had misappropriated public property (referred to as a "piñata") after the 1990 elections further damaged the party's image among the public at large, and even among some of its followers.⁶⁹

Since its 1990 election defeat, the FSLN has undergone an incomplete process of democratization extending through two ordinary party congresses and one extraordinary congress. The First Congress in July, 1991 initiated the direct election of national leaders (National Directorate), formally subordinating them to the "Sandinista Assembly," an elected body of second-echelon leaders. However, many believed that real power remained in the hands of Ortega, who assumed a personalistic leadership of the Sandinista base that other leaders did not shrink at defining as "caudillistic."⁷⁰

Tensions over Ortega's leadership style, the violent tactics used by Sandinista organizations, and unresolved debates over party structure and program led to the

emergence of two "currents" within the FSLN in late 1993. The "Democratic Left" current supported Ortega while the other, named "For a Sandinismo of the Majorities," rallied Ortega's critics behind former vice president Sergio Ramírez, who at the time occupied the post of FSLN parliamentary chief. In an extraordinary Congress in May 1994, Ortega turned back a leadership challenge. A small number of the Majorities current were elected to an expanded National Directorate, but Ramírez was not, amid charges of an engineered removal. This move and the dominance of the Democratic Left current set the stage for a formal party split. Ramírez went on to form the Movimiento Renovador Sandinista (MRS).

During the 1990s, the FSLN has maintained a residual definition as a revolutionary party espousing support for an eventual resumption of socialist transformations. The party has nevertheless attempted to formulate a program that takes account of the economic and international constraints of the 1990s. The FSLN's international ties mirror its unresolved programmatic debate—it maintains strong links to the Cuban Communist Party, exerts leadership in the Foro de Sao Paulo, maintains less publicized links to Muammar Khaddafi and Saddam Hussein, and has just become a member of the Socialist International.

Members of the National Directorate, seeking broader alliances and a more moderate image, made an effort in mid 1995 to name Supreme Electoral Council President Mariano Fiallos as the FSLN's standard bearer. But the effort failed for lack of full support from both the FSLN (Ortega, according to some versions) and the MRS (Ramírez, according to other versions).⁷¹ Ortega turned back a challenge from human rights activist Dr. Vilma Nuñez de Escorcía for the FSLN nomination at a May 1996 party congress, an effort she made to open political space within the party.⁷² Lacking coalition partners, the FSLN opted for an "alliance with producers," naming wealthy cattle rancher Juan Manuel Caldera as Ortega's running mate.⁷³

FSLN candidates for mayor and department deputies were chosen in February 1996 through a species of party primary called the "Popular Consultation." Though marred by charges of irregularities, the exercise resulted in the naming of Carlos Guadamuz, director of the Radio Ya, as candidate for mayor of Managua against the wishes of the top party leadership. Frictions between Guadamuz and Ortega have since surfaced.⁷⁴ Candidates for national deputy were voted on in a May 1996 party convention. After strong internal lobbying, the leadership agreed that every second candidate on the national deputy list would be a woman.

Campaign Themes and Positions. The FSLN proposes a government of national unity ("un gobierno de todos") and the concertation around a national economic proposal. The Vice President, not a Sandinista, would preside over a new National Council on Economic and Social Planning and coordinate the seven principal

economic ministries. As part of the FSLN's alliance-building strategy, three ministries have been promised to former members of the Resistance and three vice-ministerial posts to youth. To allay fears about the resumption of confrontation with the Catholic Church, Ortega has also pledged to concert his nominations for defense, interior, and education minister with Cardinal Obando.

The FSLN in 1996 claims to remain true to the popular class commitments of its 1980s period of rule but has revised its economic approach, abandoning policies of property redistribution and nationalization. The 1996 program stresses credit and other help to small producers, especially in rural areas, and higher spending to alleviate gross social deficits within a framework of monetary stability. It advocates a solution to the property problem following outlines set during the Chamorro years, involving the titling of holdings that have received certificates of legalization (OOT solvencias) along with bond compensation for former owners.⁷⁵ The FSLN maintains it will maintain good relations with the U.S., its enemy in the 1980s.

Sandinista Renewal Movement (MRS)

Sergio Ramírez Mercado, president

Leonel Arguello, vice-president

The Sandinista Renewal Movement's (Movimiento Renovador Sandinista) principal motivation was a desire to present a more moderate, more democratic alternative to the FSLN, first among Sandinistas and then to the public. The group wanted to distance itself from the more militant street tactics of some FSLN organizations, arguing that they alienated much of the public. Also at issue were long standing animosities over style, power, and leadership among top-level FSLN leaders. The MRS dissidents eventually saw schism as the only alternative, as did some within the FSLN. The removal of Ramírez from the National Directorate was an invitation to leave the party.⁷⁶

At its founding convention in May 1995, the MRS defined itself as social-democratic in ideology. It has sought international ties principally among social-democratic parties in Europe and in Latin America. It prides itself on internal democracy—its statutes prohibit immediate re-election to top posts, which are limited to two-year terms.⁷⁷ Along with the Christian Democrats and other parties, MRS leaders were the spearheads of the movement for constitutional reform in 1994–95 that led to the current "inhibitions" on presidential candidacies.

Party leader and candidate Sergio Ramírez Mercado was vice-president of Nicaragua during the government of Daniel Ortega. He is also widely known internationally as a

novelist and short-story writer. Ramírez played a key role as head of the FSLN bench in maintaining relations with the Chamorro government, prior to his leading the movement for constitutional changes which hurt Antonio Lacayo's presidential ambitions.

Vice-presidential candidate Leonel Arguello is a young doctor, epidemiologist and former Health Ministry Official.

Though the MRS is organized virtually throughout the country, its leaders admit that its base of support remains limited to dissident Sandinistas.⁷⁸ A consistent campaign in FSLN media disparaging Ramírez and the party has contributed to keeping that dissidence down. Despite the MRS's failure so far to develop a popular appeal and message, it expects that ticket splitting will gain it a significant number of local and Assembly electoral victories.⁷⁹

National Project (PRONAL)

Benjamin Lanzas Selva, president

Auxiliadora Pérez de Matus, vice-president

The National Project is the political party of the Chamorro government. In effect, the Project is an attempt to go beyond the slender "Center Group," on which the government depended for legislative support after the breakup of the UNO in the early 1990s.⁸⁰

The quintessential "center" party whose emblem is the rainbow, PRONAL claims to receive support from a diverse array of people with roots in all political camps whose common interest is avoiding polarization and continuing the program of the Chamorro government. Initially, the new party enjoyed backing from the Social-Democratic and Socialist parties and affiliated labor unions. However, these forces broke away when the party's founder and leader, presidency minister Antonio Lacayo, insisted on utilizing an "electoral college" as a mechanism for choosing candidates, eschewing traditional negotiations with his political allies.

In the beginning, the party was also supported by most of Chamorro's cabinet ministers as well as by prominent elements in the Nicaraguan business community. Its supporters included heads of several of the chambers composing COSEP, many of whom have supposedly benefited from the process of privatization or enjoyed other favors from the Chamorro government.⁸¹ Some of this business support has gone elsewhere, however and few cabinet ministers resigned to take their chances with the new party.

Despite a well-publicized beginning and apparently copious resources, the National Project has failed to elicit much sympathy (in no national poll did Lacayo, its initial candidate, exceed 10% of the vote). Nicaraguans generally view the government as rife with corruption and as favoring the rich. Lacayo's stubborn insistence on maintaining his candidacy for president in the face of a constitutional prohibition cannot have helped.⁸²

Lacayo's replacement, after his candidacy was annulled by the CSE, is Benjamin Lanzas, owner of Llansa Ingenieros, a large construction company. Lanzas, formerly head of the Chamber of Construction and, until recently, director of the state-owned Banco Nicaraguense, has attempted to carve out his own image, stressing his private sector roots to attenuate PRONAL's pro-government image. He has declared he will spend \$200,000 of his own money on the campaign, mainly for media advertisements.⁸³ Judging from the polls, this strategy has not prevented slippage.

His running mate, Auxiliadora Matus de Pérez, is a former head of the governmental Nicaraguan Women's Institute and a leader in the National Women's Coalition.

Conservative Party of Nicaragua (PCN)

Noel Vidaurre Arguello, president

Nicolas Bolaños Geyer, vice-president

The Conservative Party has not been in power nationally since the late 1920s. During the Somoza era, it formed in theory the principal opposition but displayed a penchant for pacts with the dictatorship, a practice that resulted in splits and in participation by diverse Conservative leaders, including La Prensa editor Pedro Joaquín Chamorro, in numerous anti-Somoza uprisings.⁸⁴ The nucleus of the current party is a grouping called the National Conservative Party (PNC), which formed part of the UNO in 1990. The PNC has recently fused with other (but not all) conservative groupings resulting in creation of the present PCN.

Presidential candidate Noel Vidaurre is a lawyer for national and international corporations and occupied the post of vice-minister both of Foreign Relations and of Economy during the early Chamorro years. In 1992, he broke with Antonio Lacayo denouncing a major corruption scandal in the Chamorro government centered in the office of the presidency. He surfaced as a leader of the so-called "new generation" of younger Conservatives that attempted to update the aging party's message. The party's nominating convention in February 1996 pitted Vidaurre and the younger generation against the "old guard."⁸⁵

The party convention offers a brief tableau of pact making among the elites of Nicaragua's many small parties. Before the convention Vidaurre refused to step aside when older conservatives and members of the Granada aristocracy floated the idea of naming famed Nicaraguan poet Pablo Antonio Cuadra as the candidate of a broad coalition centered in conservatism.⁸⁶ In this stance, he received the support of his principal financial backer Carlos Pellas, Nicaragua's big sugar and rum producer. The nominating convention was marked by denunciations of fraud, after which Radio Corporación head Castillo Osejo and certain figures of the "new generation" deserted to Alemán or to UNO-96. A prominent coffee producer, deputy Nicolás Bolaños, was named as Vidaurre's running mate.

Attempting to capitalize on his reputation, Vidaurre is running on a platform emphasizing honesty in government, reform of Nicaragua's antiquated judicial system, and traditional family values. The campaign stresses TV advertising to spread Vidaurre's slogans, chief among which is "ladrones a la cárcel"—thieves to jail. The campaign will spend roughly \$500,000 on media advertisements by election day. Although by late August the party had not published a platform, its principal economic pledge is to combat inflation by eliminating the crawling peg devaluation (deslizamiento) of the córdoba. The party claims to have a large peasant base (especially in the northern and central regions of the country) which it asserts is greatly underestimated in national polls.⁸⁷

UNO-96

Alfredo César Aguirre, president

Roberto Teran Balladares, vice-president

UNO-96 is a heterogeneous alliance formed out of fragments of already small parties: the Social Democratic Party, the Nicaraguan Socialist Party, and the Nicaraguan Democratic Movement, plus assorted conservatives. The alliance held its constituting convention in May 1996.⁸⁸ The leaders of the alliance are deputies in the National Assembly who have played prominent legislative roles in recent years. The leaders of UNO-96 describe their current program as a "center-right alternative with social sensibility."

UNO-96 presidential candidate Alfredo César has played and, according to his opponents, betrayed, in all recent political camps. Head of the Central bank in the early Sandinista years, César split from the FSLN and went into exile, eventually becoming a leader of the civilian "Southern Opposition Bloc," a branch of the contras, in Costa Rica. In 1987, he surfaced as a newly incorporated member of the political directorate of the Nicaraguan Resistance, and then as a negotiator in peace talks with

the Sandinista government. By 1989 he had resigned from the contras and was a key player in the formation of the UNO coalition, and brought with him strong Washington ties on Capital Hill and in the executive branch. His influence within UNO gained him the coveted first place on the Managua slate for the Assembly—a guarantee of victory. He later became head of the Assembly for a year. Attempting to assume leadership of UNO, he had a falling out with his brother-in-law, Antonio Lacayo, and had no chance of serving more than a year.

The UNO-96 campaign is premised on the belief that the UNO label still enjoys positive name recognition, and promises to complete the unfinished program of 1990. Its chief campaign messages warn voters "not to vote with your spleen"—an evident attempt to take votes away from Arnoldo Alemán—while promising to attack poverty through creating employment in agriculture using \$150m in new credits that the candidate has supposedly secured in foreign financial circles.⁸⁹

Like other small parties, the alliance is spending its campaign budget primarily on TV and other media advertising in an attempt to raise the profile and "humanize" the image of its candidate, whose handlers admit suffers from the handicap of being perceived as a cold, calculating politician disloyal to his friends.⁹⁰

Vice-presidential candidate Roberto Teran is a leading import merchant, a former head of the Chamber of Commerce and exclusive distributor of Kodak products in Nicaragua. The campaign complains his presence has not attracted much financial help from Nicaraguan business.

Other Parties

Nicaraguan Workers, Peasants and Professionals Unity Party

Andres Robles, president

National Justice Party (PJN)

Jorge Díaz Cruz, president

Renovating Action Movement (MAR)

Moises Hassan, president

Unity Alliance (UNIDAD)

Alejandro Serrano Caldera, president

Conservative National Action

Frank Duarte, president

National Renovation Movement (MORENA)

Allan Tefel Alba, president

Liberal Unity Party (PUL)

Ausberto Narvaez, president

Bread and Strength (PAN y FUERZA)

Francisco Mayorga, president

Nicaraguan Socialist Party (PSN)

Gustavo Tablada, president

Democratic Action Party (PAD)

James Webster Pitts, president

Liberal Independent Party (PLI)

Virgílio Godoy Reyes, president

Nicaraguan Resistance Party (PRN)

Enrique Quinones Tuckler, president

Nicaraguan Communist Party (PCN)

Eli Altamirano Pérez, president

Popular Conservative Alliance (APC)

Miriam Arguello Morales, president

Nicaraguan Democratic Alliance (PADENIC?)

Roberto Urcuyo, president

Central American Integration Party (PIAC)

Sergio Mendieta, presiden

Camino Cristiano

Guillermo Osorno, president

RULES OF THE GAME

Voting

On October 20, voters will cast ballots for: President and Vice President, Departmental representatives to the National Assembly, slates of 20 National Assembly candidates on a "national list"; representatives to the Central American Parliament; Municipal Mayor and Vice Mayor; and Municipal Council members — a total of six ballots for each voter.

All elections are direct. Assembly and Municipal Council elections are by proportional representation. The most votes win Presidential and Mayoral tickets, but there is a runoff if no Presidential candidate gets 45% of the vote.

Voting age is 16. Voters may have in 119 municipalities either the new photo ID (Cedula), or a "Supplementary Document" and in 26 municipalities they must have an ad hoc registration booklet. The list of those registered to vote in 1990 was 1.75 million (of which 1.5 million voted); it is now over 2.4 million. (An inaccurate 1995 national census projected 2.2 million voting age citizens by October 20.) Voters will cast votes at some 8,800 voting tables decentralized to the neighborhood and hamlet level. The maximum is 400 voters per table.

Terms and Districts

The President and Assembly deputy terms are 5 years; Municipal officials's terms are 4 years. In 1984 and 1990 all terms were 6 years. Municipal and national elections will next coincide in 2016. The two Atlantic Coast Autonomous Regions elected Regional Councils in 1994.

Seventy Deputies are elected from 15 Department and two Autonomous Region slates, allocated to each in proportion to population. The other 20 are elected from a national list. In the 1984 and 1990 elections Departments were grouped into Regions and 90 National Assembly Deputies were elected from 9 Regional Slates. Losing Presidential candidates become Assembly Deputies if their vote exceeds a minimum,

somewhere between 1.2? and 1.5% of the vote, so the Assembly will total more than 90. (After 1990 it totaled 92.)

Departments and Autonomous Regions are divided into Municipalities, mostly rural areas with a small city center. There are 145 municipalities. In 119 voters will use either the new Cedula or the Supplementary Document. In 29 voters have an ad hoc voting booklet.

Managua will have a Council of 16; municipalities containing the Department capitals or more than 30,000 residents will have 6-member councils; smaller municipalities' councils will have 4 members. In addition, the Mayor is a council member and chair.

Parties

Presidential and Assembly candidates are put forward by official political parties. Parties or local "popular subscription" organizations put forward candidates for Mayor and Vice Mayor, and for Municipal Councils. Each group rank orders their slates of candidates, and voters must vote for the whole slate. For each candidate on the slate, there is a substitute ("suplente") who serves in her or his absence.

There are 33 parties participating in the election. To form a party, in addition to statements of principles and rules, emblems and flags, one needs a national directorate of 9 members, directorates of 7 in each Department and Autonomous Region, and municipal directorates of 5 in half of the municipalities in each Department. With approximately 500 activists geographically distributed a national political party becomes possible. The CSE may suspend or cancel a party's legal status if it does not win at least one Assembly deputy in the coming election.

Parties may form alliances for an election at national, Departmental and/or local levels, and agree upon slates of candidates for any or all of the national and local elections. For example 14 of the parties are in 4 alliances for the race for President.

To become official municipal popular subscription organizations need signatures of 5% of those on the electoral register. In some municipalities this could be under 100 signatures, in Managua it would be upwards of 20,000.

Finances and Advertising

The CSE guarantees free TV and radio time on state stations, 30 minutes per day on each TV channel and 45 on state owned radio stations with national coverage, to be divided equally among the parties. In addition it requires that private stations and

newspapers contract with any party and charge no more than the rates charged during non electoral periods.

The CSE awards a budget to each political party and the right to borrow from the Minister of Finance, the loans to be for 5 years at 3% interest. Only individuals, not organizations may make contributions to political parties, and they must be Nicaraguan citizens residing in the country. Foreign donations are prohibited, unless they are for technical assistance and training — rather large loopholes. The parties are supposed to keep records of donations which the CSE can review. However, in practice, the rules about foreign donations have been difficult to enforce.

Proportional Representation (PR)

This voting system holds that parties should be awarded seats in a legislative body in close proportion to the proportion of votes that party wins in the election. To contrast with the U.S. "single member district" system consider that in Massachusetts the Democratic win 8 to 9 of the 10 seats that Massachusetts has in the House of Representatives because they get the most number of votes in 8 or 9 districts, though their statewide total votes is under 55%. Proponents of PR charge it is unfair for the GOP to win over 45% of the vote and get but 10% to 20% of the seats. Under PR, parties in Massachusetts would run a slate of 10 candidates at-large for the entire state. If the votes were: Democrats 50%, GOP 40% and Third Party 10% seats would be awarded 5-4-1.

The illustration suggests that the system provides incentives to smaller parties. The extent to which it does so depends on the number of representatives from each electoral district. In the above case a third party getting 10% of the votes is guaranteed a seat, and might even win a seat (as the formulas work) with considerably less than 10%. If the state or district had 20 seats, 5% of the vote would be a guarantee, but if it had 3 seats, 33% would be a guarantee (though a seat could be won with much less).

In Nicaragua the system of election districts has changed since 1990 altering the number of seats per district from 9 Regions, to 17 Departments and one national slate, with varying mathematical effects on smaller parties. The two patterns look like this:

1990 Regional Seats: $9+15+25+14+10+11+3+2+1 = 90$.

1994 Department and National Slate: $6+9+2+6+6+19+3+4+2+3+3+2+6+3+3+2+1+20 = 90$

Cutting against small parties' interests there is a great increase in the number of 2–4 seat districts and a loss of four districts with 10–15 seats. On the other hand, the national slate adds one very big 20 seat district. Seen schematically, in 1990 were there a small party which could get 7 to 10% of the vote in all districts (there was not.) it would have had a chance of winning seats in 6 districts and have won 7 or even possibly 9 seats. In 1994 (though the system of calculation is much more complex than this schematic presentation) a party winning 7 to 10% of the vote in all districts would win seats in 2 districts and two on the national slate for a possible total of 4 seats.

Added to this in Nicaragua is the unusual provision that losing presidential candidates can win a seat in the Assembly. Their ability to do so rests on a complex formula (see below), but *a rough approximation* would be that if a presidential candidate wins 1/90th (because there are 90 Assembly seats) of the national vote, the candidate would win a seat. This means that it is considerably easier for party to win a seat in the Assembly with a presidential candidate than with its top ranked candidate for the "national list" of 20.

PR can get complex—an argument often used against it. The Massachusetts example is easy because the math is neat. To illustrate PR we have two examples of a system of PR simpler than Nicaragua's—more like El Salvador's. Then those two examples are employed to illustrate the concept of Nicaragua's which is one step more complicated but closer to true proportionality.

The central step in virtually all PR systems is establishing a number called the quotient, and then awarding seats to parties on the basis of how many "quotients" their votes amount to. Rural Department has 3 seats in the legislature; Metro Department has 20.

Step 1. The quotient (Q) equals the valid votes divided by the number of seats. Step 2. A party wins one seat for each whole quotient attained. Note the logic: if a party wins one third of the votes in Rural Department its vote total will exactly equal Q, and it will get one of the 3 seats. Step 3. Any remaining seats go to the parties with the highest "remainder vote" (those votes short of Q).

The Rural Department calculations would look like this: Total Valid Votes = 39,000. Step 1: $37,663/3 = 13,000 = Q$. Step 2: divide Q into each party's votes, and award seats based on the number of whole Q's won. Step 3: Award any other seats according to "remainder vote"(R)—those votes left over from Step 2.

Note that only Party A gets 1 Q. Party B wins the second seat getting the highest remainder vote. Party D gets the third seat with the second highest remainder vote, but

note that the race for the 3rd seat is close. With another 400 votes (taken from E or F) the seat would have gone to C. Or if A had won another 521 votes it would have won 2 of the 3 seats with only 43.3% of the vote. This particular result demonstrates that PR, under this particular system, has a harder time approaching true proportionality when the number of seats per Department is small. Party D with but 10% of the vote wins 33% of the seats. But under the U.S. system, if we divided Rural Department into 3 districts and assumed party strength was about the same in each district, Party A would have won all 3 seats, with but 43% of the vote.

The Metro Department calculations look like this: Total valid vote = 1,052,000 votes.
Step 1 $Q = 1,052,000/20 = 52,600$.

Note that the percentages in Table 11 are rounded so don't total 100%. Sixteen seats are awarded after Step 2; then four by way of the remainder vote. (The results for the remainder vote can also be done, under this method of PR, by simply taking the highest decimals.) Again, there is a very close race for the last remainder seat, with but 100 votes separating Parties B and F. Finally, note how much closer the results come to the percentages of the votes gained than in Rural Department. Party A has 44.3% of the vote and 45% of the seats. Party B has 28% of the votes and 25% of the seats.

Nicaragua uses a variation on the above scheme. The example that follows is a simplified, two Department approximation of the formula. To award the seats remaining after the Step 2 calculation the remainder votes from each Department are poured into a national basket. Thus, in Rural Department only 1 seat is awarded and in Metro 16 are awarded after Step 2. That leaves a total of 6 seats. The total remainder votes from each Department are: $210,400 + 26,007 = 236,407$.

The six seats are awarded by going through the same three Step process. The new Q for the remaining seats would be $236,407/6 = 39,401$. Table 13 shows how the total national seats, which = 23, would be awarded under the first system above (called "Seats A" in the Table) and under Nicaragua's system (Seats B). As Table 14 shows, Nicaragua's more complex system comes closer to true proportionality.

Note that Party D loses a seat to Party E when moving from System A to Nicaragua's system, but the total seat allocations more closely respond to the national voting percentages gained by each party. Basically, the system weights urban votes in districts with large number of seats more heavily to achieve this end.

However, one question remains. How the 6 remaining seats are to be allocated to particular candidates from particular Departments. In Rural Department Parties D and B would win the remaining seats as they had more votes than their opponents, and for

the same reason A,B,C would win the remaining seats in Metro. The last seat in Metro would go to E, with the larger "national remainder vote" rather than D with the larger remainder vote in the Department.

Finally, to see if the losing Presidential candidates qualify for seats in the National Assembly, the system calculates the quotient votes for all Departments (or Regional groupings of Departments) and takes an average. Candidates above the average "national" Q win an Assembly seat. Logically, the national Q should be approximately total valid votes divided by 90, the number of Assembly seats (prior to the addition of losing presidential candidates).⁹¹

ENDNOTES

1 The Councils of the two Atlantic Coast Autonomous Regions were elected in 1994.

2 The late 1986 Iran-Contra scandal had undercut their aid (which had only months before been drastically increased), and by 1989 the Bush administration was giving clear signs of pulling back.

3 Third Pre Election trip to Nicaragua, "Concluding Statements and Press Conference," Managua, December 16, 1989.

4 *Fifth and Last Report of ONUVEN*, March 30, 1990. ONUVEN was the UN election observation mission in Nicaragua in 1989-90.

5 In CID-Gallup polls, the number saying that the elections will resolve national problems has risen, from 62% in June to 76% in August. These percentages are especially high among those who have decided, significantly lower among the undecided (48% in June, 59% in August). In August, 44% thought the economy would be better; 15% the same, 12% worse and 29% didn't express an opinion. Optimism was somewhat higher among supporters of both the Liberal Alliance and the FSLN.

6 In CINCO's August survey, only 3.7% say they will not vote at all, while another 7.3% were not sure. Of the latter, many appear alienated from politics in general, leading the pollster to conclude that "conscious abstention" will be 10-11%.

7 Rodolfo Delgado R., "Gobernabilidad, cultura política y opinión pública en Nicaragua," in Ricardo Córdova Macías and Gunther Maihold, compilers, *Cultura política y transición democrática en Nicaragua*, Managua: Friedrich Ebert Foundation, December, 1995.

8 The poll data used is drawn mostly from public presentations by polling firms. The principal polling firms are: CID-Gallup, headed by Carlos Denton, and Borge y Asociados, whose president is Victor Borge, both headquartered in San Jose, Costa Rica; and from Managua, the Institute for Nicaraguan Studies (IEN), whose director is Rodolfo Delgado Romero, and M&R Asociados, headed by Raul Obregón. M&R does fieldwork for the polls sponsored by the Centro de Investigaciones de la Comunicación (CINCO), whose director is Carlos Fernando Chamorro. We thank the United Nations Development Program in Managua for furnishing copies of several recent CID-Gallup and Borge surveys. The Salvadoran poll information, unless otherwise noted, is from the Instituto Universitario de Opinión Pública (IUDOP).

9 Rodolfo Delgado R., op.cit., p.48.

10 Instituto de Investigaciones y Asistencia Legislativa (IIAL), "Encuesta: percepción ciudadana sobre la Asamblea Nacional," August, 1996.

11 The 1995 study by Fundación Centroamericana 2000 and M&R Associates was reported in *El Nuevo Diario*, June 27, 1995.

12 Mitchell A. Seligson and Ricardo Córdova M., "Nicaragua 1991-1995: Una cultura política en transición," in Córdova and Maihold, op.cit. The institution in which Nicaraguans have evinced most faith is the Supreme Electoral Council. During the same period in El Salvador, the same study found that the numbers who were both low in tolerance and low in their estimate of institutions remained about the same (23% to 25%), while those who were high in both categories increased from 22% to 32%. But estimations of institutions did not go up, and in fact went down significantly for the two institutions whose leaders are chosen by direct election. See Seligson and Córdova, *De La Guerra a La Paz: Una Cultura Política en Transición*, FundaUngo and University of Pittsburgh, July 1995.

13 See, Jack Spence, "What's Left in Central America," *Boston Review*, v. 19, no. 3 June-September 1994, pp. 19-21.

14 IUDOP, Buletín de Prensa, Año 10, No. 6, October 1995.

15 Rodolfo Delgado R., op.cit., pp.61-63.

16 Appearance on Nicaraguan TV program "A Fondo," Channel 8, July 30, 1996. The continuity of the 1996 vote intention with actual vote in 1990 is very strong. According to the April Borge poll, just 6% of Alemán supporters voted for the FSLN in 1990, while 9% of Ortega supporters voted for the UNO.

17 The August polls also revealed that vote intention for the two main contenders is hard. In the CINCO survey, more than 90% of those intending to vote Alemán or Ortega said they would not change their vote before election day.

18 CINCO poll, August 1996. Where the worriers are located geographically is not clear, although it can be surmised that they cluster in northern areas plagued by armed ex-soldiers (rearmados). The undecideds are significantly less concerned about post-election violence. In the April Borge poll, Ortega supporters are moderately more "alienated" from political institutions (except for the CSE) than are Alemán supporters, but in general alienation is massive in both camps.

19 Delgado, op.cit., p.59 found that 77% of respondents expressed some degree of support for the statement that Nicaragua needs a "strong leader," which he interpreted to reflect the persistence of attitudes from an authoritarian political culture in the midst of the current transition.

20 In August, HI observed Alemán rallies in the towns of Nandaime and Diria, and Ortega rallies in San Rafael del Sur and Rivas.

21 The national sample size was 1300: Managua = 495; Department Capitals= 264 and Rest of the Country = 541, so the level of confidence in each of the subcategories relatively low.

22 According to the August poll by CINCO, Alemán led among Catholics (73% of sample) by 40-31%, while among evangelicals (15% of sample) his lead rose to 36-23%. Alemán also led in all occupational categories, but especially among students (48-28%) and producers/merchants (43-27%). By contrast, Ortega came close among housewives (36-31%) and the unemployed (32-28). No poll has shown significant sex differences between Alemán and Ortega supporters.

23 There is evidence that the apparent closing of the Alemán-Ortega gap in the capital reflects fear on the part of public employees that an Alemán victory will lead to their being replaced by Liberal party stalwarts. Interview, Rodolfo Delgado, Instituto de Estudios Nicaraguenses (IEN), September 9, 1996. Polls reveal evidence of constancy in urban bastions of support for the left and right. The results showed Ortega ahead by 7 points in León (March) and by 11.5 points in Estelí (May), but behind by 17 in Matagalpa (June) and 18 in Juigalpa (July).

24 The "Minimum Agenda", titled "Una Nicaragua de todos y para todos," was presented August 12. Alemán particularly criticized the role of Dr. Alejandro Martínez Cuenca, a former Sandinista budget and planning minister, in formulating the Agenda. In a TV appearance August 16 ("A Fondo," Channel 8). Minimum agenda Vice-president Julia Mena referred to Alemán's decision not to sign as a "slap in the face to the nation" and especially to the Catholic Church, which also participated in drawing up the charter. However, Cardinal Obando remained neutral on Alemán's stance.

25 Interview, Mónica Zalaquett, coordinating staff, National Women's Coalition, August 30, 1996.

26 As many as nine parties participated in the failed unity talks, which were apparently pushed most strongly by Sergio Ramírez of the MRS and Alejandro Serrano Caldera of the Unity Movement.

27 Robelo's movement was called "Arriba Nicaragua". On the rise and fall of Arriba Nicaragua, see especially Jorge Katin, "Arriuederci Robelo," *El Semanario*, May 24-30, 1996; Fabian Medina, "Quien es Alvaro Robelo?," *El Semanario*, February 23-29, 1996 and interview with Robelo in *El Semanario*, January 29-February 1, 1996. Robelo foundered when he was confronted by accusations of involvement in a giant international money-laundering scandal centered in Italy, where he had served as Chamorro's ambassador from 1990-92. According to local press reports, as much as \$800,000 was used to float Robelo's party.

28 A partial exception would be the North Atlantic Coast region in 1994.

29 Findings from studies done of mayors in 1991 and 1995 sponsored by the Konrad Adenauer Foundation, summarized in *La Tribuna*, September 17, 1995.

30 Both pollsters ask whether people's image of the candidate is favorable or unfavorable. CID-Gallup uses a 5-point scale involving a neutral middle point, the figures for which are omitted here. By contrast, Borge's question is binomial—the candidate is simply up or down. In Borge's July 1995 poll, Ortega's numbers were 27% favorable and 66% unfavorable.

31 As the reader by now might well imagine, the never ending horse trading in Nicaragua has produced talk of a multiparty alliance to negotiate a third alternative in the second round, a step that would appear legally difficult and, given the failure of the earlier small party effort to agree upon a candidate, politically unlikely.

32 IEN, "La Cultura Política en Nicaragua-Análisis desde la opinión, pública nacional," Managua, 18 junio de 1995.

33 The August CID-Gallup poll asked a tougher question: 37% believed there was no possibility of fraud, while 18% believed there was some, 20% a little and 10% a lot. The Salvadoran finding was in an IUDOP poll, February 1994.

34 See Hemisphere Initiatives, *Establishing the Ground Rules*, August, 1989.

35 Since the Electoral Law has constitutional rank, a 60% vote of the National Assembly is required to make any changes in it.

36 Interview with Rosa Marina Zelaya, June 11, 1996.

37 CAPEL, an electoral support organization belonging to the Interamerican System, assisted in the 1990 elections, returned in 1995 to do a 3-month evaluation of the ID-card process under contract to the Nordic countries, which are heavily financing this process. It returned again in 1996 to assist the current elections under a \$3.5 million contract with USAID. Interviews in Managua with AID's Democratic Initiatives director Alexie Panejal, April 1996, and CAPEL's Eduardo Núñez, September 3, 1996.

The CAPEL contract involved three tasks: computerization, training of polling table officials, and designing and implementing civic education. When Núñez arrived in June 1996, he made the focus more "holistic," offering to follow four "vital processes" 1) logistics (helping plan activities; acquiring, distributing and recollecting election day materials; helping assess ballot printing and assisting coordination and communication between the CSE national and departmental offices; 2) the electoral rolls (voter identification); 3) voter information and education; and 4) training and transmission of electoral results. The CSE chose only the first three.

38 Interview with CSE director of ID carding María Teresa Alemán, September 10, 1996.

39 In one extreme case, one third of the births registered in one small rural municipality were listed with the last name of the registrar. *envío*, vol. 15, no.177, April 1996.

40 All figures from CSE, Dirección de Cartografía y Estadísticas, "Estadísticas del proceso de verificación electoral," June 19, 1996.

41 Taken from a sheet of final summary data provided by CSE, undated.

42 These folded booklets were printed from the data base and contain all the same data as the ID card, save a photo.

43 The media reported that a small problem had been detected in Cardinal Obando's registry data and that even he would be issued a supplementary voting document. *El Nuevo Diario*, August 31, 1996. *La Tribuna*, August 21, 1996, made the charge of local Sandinista bias.

44 In an appearance on the Channel 2 morning program "Buenos Días" on September 20, Zelaya appealed to the media to be more responsible.

45 At several JRVs in the Matiguas municipality, Hemisphere Initiatives observers asked party monitors and officials who had also participated in the 1990 elections which one they thought was better organized. Independent of party affiliation, all unanimously agreed that the 1990 elections were better organized and the CSE training sessions had been longer and more thorough.

46 Organización de los Estados Americanos, OEA Mision de Observación Electoral, OEA Nicaragua 1996, "Informe de inscripción ciudadana ad hoc," undated.

47 The case of Robelo was complicated by the fact that Italy's ambassador in Nicaragua had signed a document stating that Italy had a dual citizenship treaty with Nicaragua, according to *La Tribuna*, July 4, 1996. Experts in international law hired by the CSE to interpret Italian law found this to be untrue, according to an interview with Rosa Marina Zelaya on August 27, 1996. The CSE also dissolved Robelo's alliance, made up of the Conservative National Action (ANC) and a fraction of the Christian Democratic Union (UDC), after ruling in favor of a claim by UDC officers that its two top leaders had joined the alliance in violation of the party's decision-making procedures.

48 Parties were given three days to submit new presidential candidates. Lacayo and Pastora both accepted National Assembly candidacies, while Montealegre refused. Lacayo called the legislators who had pushed the reform "cockroaches." Pastora complained that he had taken Costa Rican citizenship on instruction of the FSLN to aid the insurrection, and was now a man without a country instead of a hero. Robelo's new fear was that Italy would ask for his extradition over the above mentioned financial scandal and Nicaragua would not defend him.

49 Of all the other thousands of candidates reviewed, only three more were disqualified: one Liberal Alliance candidate to the National Assembly and two PRONAL candidates to the Central American Parliament.

50 Confirmed in the interview with Rosa Marina Zelaya on September 16, 1996.

51 Interview, September 4, 1996.

52 Letter to Rosa Marina Zelaya, dated August 13, 1996, and signed by José Luis Villavicencio, National FSLN electoral monitor.

53 This is not as unreasonable as it may appear at first, since the presidential and at-large National Assembly ballots are single runs of over 2 million, while there are 145 separate municipal ballots with runs of only a few thousand each in many cases. El Amanecer had also made arithmetical errors in its earlier bid for the entire job.

54 The FSLN charged that the Alianza Liberal had been assigned the CSE presidency of the departments of Jinotega, Matagalpa and Managua, which represent 42% percent of the voters; the MRS had been given Masaya, Granada and Carazo, representing 14%; while the FSLN had gotten León, Río San Juan and the South Atlantic Autonomous Region, representing only 11%.

55 Given the large number of parties and the fact that the CSE pays for the transport of these monitors, Mariano Fiallos had suggested that those at each JRV reach an agreement on five who would accompany the ballots back to Managua. He was vetoed.

56 One knowledgeable source explained that the CSE invited the UN again this year, but after writing to the OAS to discuss coordination and receiving no reply the UN decided not to send a mission. The UN is encouraging the creation of national observer organizations.

57 Interview with Raúl Rosende, national representative of the OAS International Verification and Support Commission (CIAV), who is currently working with the OAS observer mission, September 24, 1996.

58 "NDI Handbook: How Domestic Organizations Monitor Elections, An A to Z Guide," 1995.

59 The following summary of events was compiled from interviews with Melissa Estock of NDI; Violeta Granera of Fundemos; Marvin Saballos, executive director of Ethics and Transparency; Sebastián Inocente of CEPAD; Humberto Marín, UNDP consultant on democratic governability; Alexie Panehal, director of AID's Democratic Initiatives program in Managua; and Rosa Marina Zelaya of the CSE.

60 Interview with NDI field representative Melissa Estock, June 11, 1996.

61 Alejandro Bendaña, political director of the Sandinista government's Foreign Ministry and now head of the Center for International Studies (CEI) made public his acceptance of an invitation to join the board in August.

62 An excellent recent analysis is Kenneth Coleman, "Nicaragua's Fractionalized Party System of the 1990s," presented at the Congress of the Latin American Studies Association, September 1995.

63 Followers of president René Schick (1963-66), the original leaders of the PLC desired to transform the old PLN into a dominant official party akin to Mexico's PRI but independent of the Somoza family. For background on the Somoza years from a PLC influential, see Jaime Morales Carazo, *Mejor que Somoza, cualquier cosa!* (Mexico: CECOSA, 1986). Morales is the Alianza Liberal campaign chief. He is also the original owner of the house now occupied by ex-president Daniel Ortega.

64 Personal background may be found in an official campaign biography by Roberto Sánchez Torres, *Contra toda adversidad: Arnoldo Alemán* (Managua, El Amanecer, 1996).

65 Interview, Edgar Quintana and Pedro Joaquín Ríos, members of the Liberal Alliance campaign staff, August 22, 1996.

66 Speech by Arnoldo Alemán to a meeting of the Liberal International held in Managua, August 31, 1996.

67 Interview, Roger Cerda, economic advisor to Liberal Alliance, July 30, 1996. See also Liberal Alliance documents "Principios fundamentales de la política económica" and "Combatiendo la pobreza en Nicaragua," n.d.

68 Interview, René Herrera, private secretary to Arnoldo Alemán, September 3, 1996.

69 The loss of support by the FSLN during these years was revealed in opinion surveys. For an analysis, see Roberto Cajina, "El Frente Sandinista debe cambiar," in *El Semanario*, May 11, 1994.

70 A survey of party leaders published by the IEN in May 1994 found that 55% "believe there is caudillism in the FSLN, and they understood it as perpetuation in power, blocking the natural emergence of leadership turnover." IEN, "El FSLN: Su dinámica y perspectivas," May 3, 1994.

71 Fiallos was first approached by representatives of the National Directorate (ND) of the FSLN in mid 1995, while he was still head of the CSE. According to virtually all Hemisphere Initiatives' (HI) sources, he expressed strong interest in the idea of running for President, but stated that his conditions were that he would have to be backed by all of the leadership of the FSLN and of the then emerging MRS. Stories begin to diverge at this point. According to René Nuñez of the ND, Daniel Ortega welcomed his candidacy and then a scheduled meeting with MRS leaders was cancelled. Shortly thereafter the candidacy of the MRS's Sergio Ramírez was announced, effectively killing unity behind a Fiallos candidacy. According to MRS sources, Ortega welcomed Fiallos's candidacy but made it clear that he would have to run against others in the FSLN primaries and did not make it clear whether he himself would run. This discouraged Fiallos. Other HI very well informed sources lead us to believe that there is some truth to both sides of the story, and that the movement toward Fiallos was not fully embraced by the top leaders of either group. Interviews René Nuñez, June 12, 1996, Miguel Ernesto Vigil, MRS campaign chief, June 8, 1996.

72 For a critique of internal party functioning, see interview with Vilma Nuñez, "Espero ganarle a Daniel," in *El Semanario*, May 3-9, 1996. HI interview June 10, 1996.

73 Press conference and interview, Juan Manuel Caldera, September 4, 1996. For background on Caldera, "FSLN muestra gallo tapado," in *7 Dias Ilustrado*, May 8-14, 1996; "Me estoy tomando el riesgo," in *El Semanario*, May 24-30, 1996.

74 Roberto Fonseca, "Guadamuz noqueo en el primer round," *7 Dias Ilustrado*, February 21-27, 1996; Eduardo Marengo, "Emergencia en el sandinismo," in *Confidencial*, July 28-August 5, 1996.

75 In addition to local press coverage, this sketch derives from an interview with Alvaro Fiallos, FSLN campaign chief, September 6, and from the FSLN's *Plataforma electoral 1997*, published in May, 1996. For an analysis of the property issue see HI's *Contesting Everything*, op.cit.

76 For a discussion of the origins of the split in the FSLN, see Nayar López Castellanos, *La ruptura del Frente Sandinista* (Mexico, Plaza y Valdez, 1996).

77 The MRS has sought membership in the Socialist International but so far is only an "invitee."

78 Interview, Miguel Ernesto Vigil, MRS campaign chief, June 8, 1996.

79 Interviews with Walter Lacayo, MRS campaign staff, August 15 and September 10, 1996. The MRS lacks the resources enjoyed by other center parties supported by the private sector, but will spend roughly \$250,000 on its campaign advertising by election day.

80 For background on PRONAL, see Erick Aguirre, "Proyecto Nacional: nace un híbrido político," in *El Semanario*, August 11-17, 1995.

81 Edgard Solórzano, "Proyecto Nacional infiltra el COSEP," in *El Semanario*, May 4-11, 1995.

82 For background on Lacayo and discussions of his candidacy, see Edgard Solórzano, "Tonio: el último hombre fuerte," in *El Semanario*, July 12-18, 1996, and interview in *7 Dias Ilustrado*, July 10-16, 1996. There have been numerous charges that government resources were being used to prop up the new party. At its height, an independent estimate put spending on Lacayo's media campaign at \$200,000 per month.

83 Interview, Alberto Lanzas, member of Lanzas/PRONAL campaign staff, September 5, 1996. See also interview with Benjamin Lanzas, "Nadie me va a mangonear," in *El Semanario*, July 19-25, 1996.

84 For the Conservative Party's recent history, consult Enrique Alvarado M., *Ha muerto el Partido Conservador de Nicaragua?* (Managua: UCA Serie Debate No.1, 1993).

85 For background on the convention, see Edgard Solórzano, "División o fortaleza?," in *El Semanario*, March 1-7, 1996 plus interviews with the principals in the same issue.

86 On Pablo Antonio Cuadra candidacy, see *El Semanario*, February 16-22, 1996.

87 Interview, Edgard Paguaga, Vidaurre campaign coordinator, Aug.29, 1996. See also interview with Noel Vidaurre, "No tengo cola que me pisen," in *7 Dias Ilustrado*, August 21-27, 1996.

88 See "Alfredo César candidato del PND," in *7 Dias Ilustrado*, March 13-19, 1996; and "Alfredo César candidato de UNO- 96," in *7 Dias Ilustrado*, May 15-21, 1996.

89 For other views of the candidate, see interviews with César in *El Semanario* (June 21-27, 1996); *El Nuevo Diario* (July 12, 1996); *7 Dias Ilustrado* (August 7-13, 1996), and *7 Dias Ilustrado* (September 4-10, 1996).

90 Interview, Luis Sánchez, UNO-96 campaign coordinator, September 7, 1996.

91 The 1995 electoral law does not show this, but the Constitution provides the system for losing Presidential candidates. Under the 1987 Constitution the minimum vote was an average of the electoral Quotients for the 9 Regions in that election. Though we have not been able to find the legal language including in the amendments to the electoral law passed in September 1995, we presume that the system would now take an average of the 17 Departments, but the results would be approximately the same. We also note here that the concept of distributing remaining seats for the 20 on the national list, under the law, is the same, but it takes as Q, the average Q from 4 regions after dividing the 17 departments into the 4.