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NICARAGUA

Return of *El Comandante*

MANAGUA – Ending 16 years of embarrassing electoral defeats, former President Daniel Ortega, head of the Sandinista National Liberation Front (FSLN), was elected President of Nicaragua on 5 Nov over a divided right-wing opposition.

Ortega, a 61-year-old heart attack survivor, was elected with 38% of the vote, besting his closest challenger, Eduardo Montealegre of the Nicaraguan Liberal Alliance (ALN), by nine points.

José Rizo, of the incumbent Liberal Constitutional Party (PLC), finished with 26%; Edmundo Jarquín, of the Sandinista Renovation Movement (MRS), with 6%; and Eden Pastora, of the Alternative for Change, with less than 1%.

The FSLN also appears to have won a plurality in the 90-seat National Assembly, which will be divided into three important party blocs: FSLN, PLC and ALN. Also, the MRS has picked up some seats in the National Assembly, and could play the role of swing vote.

No party will have a majority of votes on their own, requiring alliance building.

By 9 Nov, all the challengers had conceded defeat and recognized Ortega's victory; Rizo had been holding out, insisting the rural vote would carry him to a second-round runoff.

Ortega, an aging *comandante* who led the revolutionary Sandinista government from '79-'90, had lost three consecutive elections after winning his first presidential contest in '84. His win in this year's contest brings his lifetime presidential-election record to 2-3, which would be a .400 batting average in baseball. The last Major League Baseball player to bat .400 was Red Sox legend Ted Williams, in '41.

Despite several minor incidents of anomalies on election day, and several complaints from the MRS of suspicious irregularities, national and international observers—including the Carter Center, the

Organization of American States (OAS) and the European Union (EU), among others—agreed that the elections went smoothly, cleanly, transparently and with massive voter turnout.

The embattled US diplomatic mission to Nicaragua, which had unabashedly backed Montealegre, tried to raise some doubts about the cleanness of the elections. But their concerns were not echoed by other observers.

Former President Jimmy Carter, in Nicaragua to observe his fourth election on behalf of the Carter Center, publicly told off the US Embassy, saying that their comments were not qualified, and that the real observation teams had not found problem with the elections.

The government of US President George W. Bush has responded with lukewarm gestures of willingness to work with Ortega, if he behaves. Though many doubts linger about the future relations between Washington and Managua, the Democrats' victory in the mid-term elections is being viewed as a fortuitous event in Nicaragua.

Ortega ran his campaign on a message of peace and reconciliation. And his message seemed to hit home with an electorate that is tired of hate and fear—two emotions that the opposition candidates played upon in their attack ads against Ortega, which featured images from the war in the '80s, empty supermarket shelves, hyper-inflation and long lines for food rationing.

Ortega did not stoop to his opponents' level, and instead drove home his message of peace, love and reconciliation—a message immortalized here in his wildly popular campaign song sung to the tune of John Lennon's "Give Peace a Chance."

In his final campaign act on 1 Nov, Ortega met with representatives of the Chamber of Commerce to promise that his government would not interfere in business, and asked for understanding and cooperation in creating jobs and eradicating poverty. He even attempted to reach out to foreign investors here by assuring them that a Sandinista government would never again confiscate private property, and would open its doors and welcome healthy investment

Since winning the election, Ortega has not changed his tune.

"We are going to work together with the business class and the bankers to unite to eradicate poverty," Ortega said on 6 Nov, in his first brief statements following the election.

Ortega followed up on his comments by holding a meeting on 8 Nov with several hundred foreign and international investors, where the Sandinista leader asked the group for cooperation in creating jobs and eradicating poverty.

"We will have an open door policy with investors," Ortega assured them.

Vice President-elect Jaime Morales Carazo, a former *contra* and banker, echoed assurances that the new Sandinista government would be a friend of the business class. "Investors can be certain that we will continue to be a welcoming, hospitable and open country to private investment, both foreign and national," Morales said.

Morales, a former anti-Sandinista businessman whose home was confiscated by the former revolutionary government in the '80s and never returned, has been put in charge of coordinating Ortega's economic-policy team.

"There won't be any restrictions against anybody," he said. "Investors can be absolutely certain that the country will continue along normally."

Though some foreigners are reportedly packing up and liquidating their investments here, others are going to wait and see what happens.

Erwin Krüger, president of the country's top business council, COSEP, said the private sector "will work with the president that is elected, as we have done in the past."

Before the elections, COSEP expressed some concern about the prospect of an Ortega victory, and came out in support of Montealegre—a decision that caused a rift in the business class with traditional PLC supporters.

Ortega, in addition to reaching out to the private sector and former political allies, also has staged a high-profile reconciliation with the Catholic Church—a move that now has some analysts worried.

Cirilo Otero, a political pundit and sociology professor in Managua, warned that Ortega's cozy relationship with the Catholic Church could become dangerous now that he has won. The Church is thought to have helped deliver a lot of votes for Ortega, and now they will be expecting their just reward. Evidence of this can already been seen in the Sandinista support of the law to ban all forms of abortion here, Otero said. "This is a dangerous relationship," he said. "It's a fatal attraction."

Therapeutic Abortion Outlawed

On 26 Oct, the National Assembly voted to revoke a century-old law allowing therapeutic abortions to save a woman's life.

With the votes of 52 Sandinista and Liberal lawmakers, the legislature reversed Article 165 of Nicaragua's Penal Code, thereby criminalizing all forms of abortion. Eight lawmakers abstained, and 29 did not attend the vote.

The reform, expected to be signed into law by President Enrique Bolaños, carries sanctions of up to eight years in jail for women and doctors. The Catholic Church had asked for sanctions up to 40 years, while Bolaños wanted the penalty to be 30 years behind bars.

The legislative reversal makes Nicaragua one of only a few countries in the world to criminalize therapeutic abortion; 189 of the 193 countries belonging to the UN allow abortions to save a pregnant woman's life.

Therapeutic abortions are medical interventions to terminate a pregnancy in instances of rape, incest or a pre-existing medical condition that threatens a woman's life. There are no reliable statistics of how

many abortions are performed here each year, but feminists claim it was not very common due to procedural hurdles, lack of knowledge about rights, and cultural and religious considerations.

The decision to eliminate the provision is being blasted by international rights organizations and feminist leaders, who claim they are already preparing to file a motion of unconstitutionality before the Appeals Court, and are willing to take the case as high as the Inter-American Human Rights Court in Costa Rica.

The UN, the European Union and a dozen international rights organizations attempted to dissuade the National Assembly from outlawing therapeutic abortions by writing letters to lawmakers urging them to protect women's rights, or at least postpone the decision until after the elections.

The international group Save the Children pointed out that Nicaragua has one of the highest teen pregnancy rates in Latin America, and that many of these young girls are rape victims.

“To put the life of a girl at risk due to a forced pregnancy or to condemn a woman to death or serious health consequences to avoid a criminal sanction is in violation of the Universal Declaration of Human Rights,” the group wrote in a statement.

Lawmakers, however, rejected the international lobbying efforts.

—*Tim Rogers*