



believe that the situation is even worse than the *Post* indicated, given the incapacity of the political opposition to date. The solution to Nicaragua's political crisis does not depend on external pressure from Latin American governments, the OAS, or the United States, but rather on the opposition's ability to unify, take its protest to the streets, and pressure the government.

To the opposition's credit, Ortega has not been able to obtain the 56 votes he needs for constitutional reform, and is now facing a problem of legitimacy with respect to his imposed reelection. Nonetheless, many things could still happen between now and December 15th, when the current legislative term concludes.

For instance, we are again seeing a rapprochement between the FSLN and the PLC, now accompanied by the Conservative Party, whose legal status was recently reinstated by the government. One current hypothesis is that they are going to unilaterally negotiate the selection of a new Superior Electoral Council with the FSLN, in which some faces will change. Roberto Rivas might even be replaced as the Council's president, and the name of former head of the army, General Omar Halesleven, is currently being mentioned as a possible substitute.

But the results of this negotiation will not in any way alter the FSLN's current control over the Electoral Council, nor will it stop the Council's acceptance of Ortega's candidacy, even though it is unconstitutional. Despite the fact that the electoral panorama looks quite favorable for the FSLN, the Council still insists on prohibiting local electoral observers. The government has given mixed signals to the OAS and the EU, indicating it will permit international "accompaniment," but it refuses to allow either *Etica y Transparencia* or the Institute for Development and Democracy ([IPADE](#)) to act as observers.

The FSLN's control over the judicial power is equal to or even greater than its control over the Electoral Council. Last week, five Liberal magistrates who were protesting their illegal substitution admitted the failure of their action and went back to work. None of the Supreme Court's illegal rulings can be overturned.

Furthermore, many of the municipal governments that were won by the opposition have gradually yielded to the FSLN, thanks the economic pressure exerted by the central government; at least 6 mayors have been illegally removed from office. This generated a civic uprising in Boaco, which the government was eventually able to control by manipulating the police.

This is a very important point because the government has been successful in keeping the opposition from protesting in the streets. The last time the opposition organized a large rally was a year ago, in November 2009, which unleashed governmental threats of repression and a crisis within the police. We are now ending a year in which the collapse of institutions has coincided with the demobilization of the opposition and civil society.

Meanwhile, Ortega has continued to gain more control over the police, and increasingly uses the army to strengthen the image of his government. One of the main concerns about another Ortega term in office is the political control that he could exercise over these institutions. In September, a new Chief of Police will be appointed, who will no doubt respond to a less institutional and more pro-Ortega line.



Polls by Borge and Associates and M&R last week revealed:

- 1) High approval ratings of the government, above 40 percent, which indicate that the FSLN is gaining ground among independents for the first time;
- 2) Low expressed interest in voting in the 2011 elections. Only 53 percent of polled voters are certain they will vote. This translates into 75 percent of FSLN voters and 35 percent of independent voters. Abstentionism will favor the FSLN;
- 3) The candidacy of Fabio Gadea, which is being backed by Eduardo Montealegre, is an emerging political phenomenon. Initial projections indicate he would receive between 17 and 25 percent of the vote. The M&R poll found that in the case of a three candidate scenario, the numbers would line up as: Ortega, 43.3 percent; Fabio Gadea, 17.8 percent; Arnoldo Alemán, 7.7 percent; and the hidden vote, 31.3 percent. 4.4 percent gave no response;
- 4) A Borge and Associates poll gave Ortega 42 percent (almost the same as M&R), 25 percent to Gadea, 20.7 percent to no one, and 7.7 percent to Alemán. 4.4 percent had no response.

It is difficult to predict what will happen in Nicaragua, since the elections are still a year away. But we can foresee at least two possible scenarios:

- 1) If Ortega is able to run for reelection and confronts a disorganized and dispersed opposition, he could win even without resorting to fraud.
- 2) The only way we will have a competitive election is if the opposition unites around a strong candidate and program that addresses social problems. In this case, the likelihood of fraud and violence will also increase.

The main debate today is whether the government that emerges from these elections, most probably led by Ortega, will enjoy democratic legitimacy. The bifnt thndem