

NICARAGUA IN 2019: THE SURPRISING RESILIENCE OF AUTHORITARIANISM IN THE AFTERMATH OF REGIME CRISIS*

Nicaragua en 2019: la sorprendente solidez del autoritarismo tras la crisis del régimen

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ABSTRACT

The April 2018 protests in Nicaragua inaugurated the Latin American protest wave that subsequently spread across the region in 2019. The protests and their governmental suppression ushered Nicaraguan politics into a regime crisis. Yet, despite international pressure, the harsh reality of a serious economic downturn, low and diminishing public support and the continued opposition resistance throughout 2019, the *orteguista* regime has proven to be remarkably resilient to change. In fact, it has tightened its grip on power and managed to deflect demands for change during negotiations with the opposition which eventually failed. Focusing on the main opposition and regime actors and strategies, the article argues that the neopatrimonial characteristics of the regime explain this surprising resilience.

Keywords: Nicaragua, neopatrimonial regimes, regime crisis, political opposition, Daniel Ortega

RESUMEN

Las protestas de abril de 2018 en Nicaragua inauguraron una ola de protestas latinoamericanas que posteriormente se extendió por toda la región en 2019. Las protestas y su represión gubernamental causaron una crisis del régimen político nicaragüense. Sin embargo, a pesar de la presión internacional, la cruel realidad de una grave recesión económica, un apoyo público bajo y decreciente y la continua resistencia de la oposición durante todo el 2019, el régimen orteguista ha demostrado una notable resistencia frente a los pedidos de cambio. De hecho, el régimen ha reforzado su control y ha logrado neutralizar las demandas del cambio en el curso de las negociaciones con la oposición que finalmente fracasaron. Centrándose en los principales actores y estrategias tanto de la oposición, como del régimen, el artículo argumenta que son las características neopatrimoniales del régimen lo que explican esta sorprendente resistencia.

Palabras clave: Nicaragua, regímenes neopatrimoniales, crisis del régimen, oposición política, Daniel Ortega

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Since April 2018, Nicaragua has been immersed in a deep crisis of its neopatrimonial regime, that in 2019 resulted in a stalemate between the repressive government and the mobilized anti-system opposition rejecting the neopatrimonial and authoritarian logic of governance introduced by President Daniel Ortega. Being the first in the wave of mass protests that in 2019 affected several Latin American countries, including Nicaragua's allies in Venezuela and Bolivia, the crisis is also the bloodiest one. Yet, despite the country's weak economy, international pressure, loss of Venezuelan aid and low public support, the regime appears to be unexpectedly resilient, even managing fragile restabilization in 2019. Neither the regime's soft-liners, nor the security forces have abandoned the government. However, the crisis is far from being resolved and a "typical" outcome of the crisis of neopatrimonialism – the ousting of the government – should not be ruled out in the future.

The structure of the article is as follows. Since the political developments in 2019 cannot be fully understood without accounting for the events of April 2018, these are summarized in the first section. Despite continuing violent repression of the opposition movement throughout the whole of 2019 described in the second section and despite challenges stemming from sharp economic downturn (section 3) and from the increasingly critical stance of the international community (section 4), the Ortega government eventually gained the upper hand over the opposition movement and averted the regime crisis. The fifth section therefore focuses on the evolution of the opposition, its failed negotiations with the government and the ensuing political standoff. We conclude by suggesting reasons for this surprising regime resilience.

I. THE ONSET OF THE 2018 REGIME CRISIS AND ITS CONSEQUENCES

The ongoing Nicaraguan crisis erupted in April of 2018, a date that can already be considered as a crucial moment in the country's history. The question is whether it was as unexpected as one analyst of Nicaraguan politics suggests (Martí i Puig 2019), or whether it was a predictable outcome that conforms to a pattern created by the chain of crises affecting the Latin American radical leftist governments (Venezuela, Bolivia), or better, an outgrowth of the Venezuelan crisis, which hit Ortega's regime hard. Another reason for not being completely surprised is the nature of the Nicaraguan regime. Due to the fact that Ortega's government has been acquiring more features of a neo-patrimonial authoritarian regime, with very weak opposition inside the arena of political society, and with a growing discontent in the arena of civil society (see Linz and Stepan 1996), we would rather see this crisis as a typical product of neo-patrimonial governance (with a strong corporatist flavor) which tends to escalate into crises of this kind.¹ However, Ortega's government has shown a surprising resilience

¹ Michael Bratton and Nicholas van de Walle claim that "neopatrimonial rule tends towards particularistic networks of personal loyalty (...). Taken together, shrinking economic opportunities and exclusionary

so far, which confirms Brownlee's thesis about survivals of some neopatrimonial regimes (Brownlee 2002).

Nevertheless, it was on April 18 when Ortega's government - until then the most stable "radical leftist" government in Latin America - entered into a conflict with several organized groups in Nicaraguan society, many of which had been its allies in the recent past. On April 16, the government announced an unexpected reform of the social security system (INSS). This would increase the share of the salary that the employees had to contribute to 7 percent, up from 6.25 percent. Employers would have to contribute 22.5 percent of salaries, an increase from 19 percent. Pensioners would also have to accept the reduction of their pension by 5 percent. Two days later, the country erupted in protests amidst public criticism by almost all important social actors in Nicaraguan society, including some sectors of the governing *Frente Sandinista de Liberación Nacional* (FSLN). The main association of Nicaraguan business and entrepreneurs, COSEP, rejected the reform as well (La Prensa 2018a).

From the very beginning, the demonstrators, mainly students, clashed not only with the state security forces, but also with the armed groups affiliated with the regime's organizations. The protests were not directed "only" against a policy that contradicted the allegedly "socialist" character of the regime, but targeted Ortega's dubious democratic legitimacy and the way the FSLN's structures penetrated many spheres of Nicaraguan society, mainly universities (Pirker 2019). Rosario Murillo, vice-president, Ortega's wife and, according to many observers, the real power-holder behind the curtains (Miranda and Ratliff 1993: 53; La Botz 2016: 317-318; Cruz 2018) rejected demands made by "those tiny groups that inflame and destabilize to destroy Nicaragua" (NYT 2018a).

The government cancelled the reform plan after the first deaths and the increase in the use of openly violent methods by both sides, with Ortega claiming about the protesters, in a type of discourse that would remain constant for the following two years: "They're delinquents. They are members of gangs. (...) they are criminalizing the protest." (NYT 2018b). In spite of these accusations, the originally non-violent protests only acquired more violent character (with protesters using Molotov cocktails and other homemade weapons) only as a response to repression organized by the regime. The regime pointed at the US as being the force behind the protest and claimed that the students had been manipulated by US funded NGOs (BBC 2018). Since then, the government and its foreign allies have not abandoned this type of rhetoric.

The failed reform initiative, itself a product of a deteriorating economy, that was caused, among other factors, by diminishing Venezuelan supplies and thus the reduced capacity of Venezuela to buy Nicaraguan products, broke a consensus between Ortega and his allies among the country's entrepreneurial

rewards are a volatile recipe for social unrest. Mass popular protest is likely to break out, usually over the issue of declining living standards, and to escalate into calls to remove incumbent leaders" (Bratton and Van de Walle 1994: 460).

class and part of the Church. COSEP (the business association) publicly supported the demonstration and declared itself to be on the side of the protesters. Important historical Sandinistas strongly raised their voices against the government, among them Gioconda Belli, Ernesto Cardenal, Sergio Ramírez, or Dora María Téllez (Gould 2018; Mantero 2019: 102).² The protests induced by the reform were added to those provoked by the dubious interoceanic canal project, that had been mobilizing the peasants affected by the expropriation of their land, to an active feminist and LGBT movement offended by the regime's ultra conservative policies, and to environmental protests (most notably the early April movement protesting an inadequate response of the regime to the wildfires in the Indio Maíz biological reserve). Other unresolved social grievances also added to the escalation. Unlike its Bolivian counterpart which was based, in part, on an indigenous movement (Springerová and Vališková 2017), Ortega's government never institutionalized relations with the country's indigenous communities, resulting in long-standing tensions between the central government and Caribbean coast.

As first attempts at broader national dialogue failed in the summer of 2018, with opposition demanding the resignation of Ortega and Murillo, a chain of crackdowns and conflicts affected the large cities, followed by a national strike in September after which the government prohibited all public protests. By October 2018, the Inter-American Commission on Human Rights (CIDH) concluded that there had been 325 victims of the violence in Nicaragua, 21 of them policemen, and hundreds of prisoners, with 200 medical doctors being fired because of the assistance they offered to the injured protesters, and 400 students expelled from public universities (OAS 2018).

New opposition groups that would replace the "historical" political parties emerged in this context. In May, the students' groups, academics, peasant and COSEP representatives and other groups and individuals beyond the traditional arena of political society, formed the *Alianza Cívica por la Justicia y la Democracia* (ACJD) as an interlocutor in the failed negotiations (see Medina Sandino 2019). On October 4, ACJD joined, alongside over forty other organizations, a new broad front, *Unidad Nacional Azul y Blanco* (UNAB). This included dozens of feminist, indigenist, peasant and student organizations and movements, representatives from the Caribbean coast, but also some of the "traditional" parties, united since 2016 in *Frente Amplio por la Democracia*, including the dissident Sandinistas organized in *Movimiento Renovador Sandinista* (MRS) (Confidencial 2018).

The crisis changed the Nicaraguan political landscape in several ways. First, it was paradoxically a process that brought with itself the "normalization" of Nicaraguan politics. The alliance between FSLN, the local business class, and part of the Catholic Church, not to speak of the praise that the IMF had expressed

² See La Marea 2018; Sergio Ramírez 2018; La Prensa 2018b.

about FSLN's economic policies, which Arturo Cruz labels "fiscally responsible populism" (Cruz 2018), was anything but a counterintuitive phenomenon. The earlier turn of the FSLN away from its history of a broad-based movement and its historical leftist policies towards those that were promoted by the economic elites is well-documented elsewhere (Walters 2016; Thaler 2017). Moreover, the fact that the self-proclaimed "socialist" government entered into conflict with the business and the Church is not "illogical" from the point of view of Nicaraguan contemporary history. What remains paradoxical is the fact that the trigger of the crisis was a reform that belongs more to the policy menu of a fiscally conservative government, not the nominally socialist one.

Second, the crisis brought into the political arena new actors, primarily students and those that did not belong to the traditional opposition camp. The students are part of a generation lacking the vivid memory of both the first Sandinista government in the 1980s, and of the "neoliberal" reforms of the 1990s. They were politically socialized during and, mostly, after the infamous 1999-2000 *pacto* and during Ortega's unambiguous authoritarian and conservative drive, that has only increased in recent years. For them, the governing family is not the Somozas clan, but Ortega-Murillo's. They seem to be untouched by any mystique derived from the revolution, and if they are, they use it as another mobilizational tool against the corrupt and repressive government. The regime's conservatism in social values also clashes with the more open-minded and liberal students. Moreover, as Forrest D. Colburn states, regarding the position of the youth vis a vis the political left in Central America, "young people (...) overwhelmingly equate the left with the past" and view it as ossified and out of touch (Colburn 2019: 166).

With this mobilization of youth is closely connected a third feature of the transformation - the replacement of the traditional opposition forces by new political alliances emanating from civil and economic societies. This development is not difficult to explain due to the previous weakness of the traditional political opposition, its inefficiency and discrediting from the past.

II. GOVERNMENT REPRESSION IN 2019

Having ignored the main demands of the original protest movement, the government continued and intensified the use of repression throughout 2019. Some of it was hidden under a legal façade. As early as July 16, 2018, the National Assembly approved a terrorism law that newly defined terrorist acts in a purposefully vague manner to allow prosecuting anti-government demonstrators as terrorists. Those who are found to damage public or private property with the intent of intimidating the population or altering the constitutional order face a penalty of 15 to 20 years in prison (Borger 2018). This law has subsequently been invoked to arrest anti-government protesters, but has not been used to target paramilitaries. A controversial Amnesty Law (Law no. 996) was

passed on June 8, 2019 granting amnesty to those who participated in events after April 2018. Since March 2019 and especially as a result of the passing of the Amnesty Law 392 citizens were released who were imprisoned for “committing crimes against public security and crimes against the public peace.” (HRW 2019). Some of these were only released to house arrest and charges against them were not lifted. On the other hand, the opposition as well as human rights groups criticized the amnesty law raising fears that it would grant impunity to paramilitaries and the police. The government continued imprisoning political opponents and demonstrators throughout 2019 with arbitrary detentions often of short duration. Overall, however, the number of political prisoners declined over time. The last publicized wave of releases occurred on 30 December 2019 when 91 persons were released (BBC 2019a). By the end of 2019, an estimated 65 political prisoners remained incarcerated (CENIDH 2020: 66).

However, much of the government repression and intimidation of political opponents was channeled by illegal means. Cases of torture, rape, extra-judicial killings and inhumane treatment of political prisoners and detainees were documented by human rights and international organizations (HRW 2019; OAS 2019). Many of these human rights violations occurred in the infamous El Chipote prison in Managua. Symbolically, having witnessed torture of political opponents during the Somozas’ rule under the name La Loma, the FSLN used this installation for the same purposes in the 1980s and again since the 2018 protests under a new name (referring to a mountain of Sandino’s camp).

Many Nicaraguans fled the country. By the end of 2019, the OAS put the estimate of politically forced migration since April 2018 at over 70,000 persons, the vast majority of whom (55,000) sought international protection in Costa Rica (CIDH 2019). Some of the most visible opposition leaders from 2018, however, returned from exile in 2019. On September 16, Félix Maradiaga, an academic and one of the most visible faces of opposition returned followed by Lesther Alemán, a student leader, or Juan Sebastián Chamorro, head of the economic think-tank Funides, and Carlos Fernando Chamorro, a journalist.

Government efforts to control media through harassment of journalists and censorship, which severely limited the access to independent information, escalated throughout 2019. An estimated 56 journalists alone went into exile between April 2018 and January 2019 (HRW 2019). This included a government critic Carlos Fernando Chamorro who continued operating the digital platform Confidencial from Costa Rica. Already during 2018, three journalists from the cable outlet 100 Noticias had been arrested and two faced charges of terrorism and were detained for half a year in the El Chipote prison (they were released in June 2019; CPJ 2019). Despite harsh persecution of journalists, some independent media outlets were allowed to operate with severe restrictions in Nicaragua, but the space provided to them continued declining. The systematic repression of press freedom was evidenced in a December 2018 police raid against the offices of some of the main independent media outlets - Esta Semana, Confidencial and 100% Noticias seizing their assets and equipment (OAS

2019). Two 100% Noticias journalists were imprisoned for inciting violence and terrorism, and the only independent TV channel was kept off the air continuing only as a digital platform from Costa Rican exile (Monteleone 2019). One of the two main newspapers, *El Nuevo Diario*, was forced to stop its operation in September 2019 due to government restrictions on access to newsprint. A similar threat was faced by the leading independent daily, *La Prensa*. Space for independent cultural expression was closing as well. The annual poetry festival in Granada cancelled in February 2019 due to the climate of insecurity was among the victims.

III. ECONOMIC PRESSURES

Economically, 2019 was characterized by a deep economic downturn as a result of the crisis accompanied by the breakdown of a corporatist-neopatrimonial model. Until April 2018 the government achieved a relative macroeconomic success belonging among the fastest growing economies in Latin America. It is important to note that the April 2018 protest movement originated in reaction to austerity economic reforms that followed IMF advice in the face of mounting fiscal constraints.

The 2018 events caused a major economic dislocation in several ways. The blocking of infrastructure due to street blockades and discontinued services were only the immediate consequences. Long-term costs included severe damage to the tourism sector. The last available official figures suggest a sudden drop of foreign tourist arrivals by almost one third from 1.96 million in 2017 to 1.26 million in 2018 (INTUR 2019), while no improvements were expected in 2019. The decline in 2018 and 2019 spelled hard times for the once sprawling businesses, many of which were forced to close or lay off personnel (FUNIDES 2019b). As domestic consumption and investments fell and capital and bank deposits fled, other sectors of the economy, such as retail and construction were hit equally hard, if not worse. The IMF estimated the total economic contraction in 2018 to be 3.8% of GDP and projected the economic downturn to have further deepened in 2019 by an estimated 5.7% of GDP (IMF 2019). Much of this decline is attributable to decreasing private investment, which is projected to contract by over one quarter in 2019. The substantial advances in eliminating poverty prior to 2018 were reversed as a consequence, with an estimated 29.4% of Nicaraguans living in conditions of poverty in 2019 – a sharp increase from 20.1% in 2017 (FUNIDES 2019a).

Further economic difficulties sprang from the collapsing economic model that had maintained macroeconomic stability prior to 2018. With an average GDP growth of 4.2% between 2007 and 2017 (World Bank 2020), economic governance was underpinned by the commodities boom and the special relationship with Venezuela (Thaler 2017), and institutionally enshrined in a corporatist arrangement after the government entered into alliance with private sector

associations. This model was initiated as the interests of the entrepreneurial elite and the FSLN coincided both in making use of the abundance of Venezuelan-provided resources. A group of FSLN-related entrepreneurs whose loyalty was secured by the new public contracts began its rapprochement to the traditional business elite organized in COSEP. This rapprochement was sealed off in a series of meetings between COSEP and the government which have resulted in the FSLN administration adopting many COSEP-inspired policies. Returning the favor, Ortega even called COSEP the “best-functioning of all CPCs” referring to its ability to implement government economic policies (Envío 2013).³ Big business also came to terms with a rhetorically anti-capitalist government because the FSLN could credibly guarantee the maintenance of social stability. Reaching a series of tripartite agreements with the greatly expanding free trade zone business, the FSLN government exploited its historically strong presence in the non-autonomous trade unions (Walters 2019). This stability attracted an unprecedented wave of further foreign direct investment, while at the same time keeping wages low and repressing (at times violently) authentic labor demands. With the dominant business associations openly challenging the government in 2018 and 2019, this model was no longer a workable source of stability and economic growth.

IV. INTERNATIONAL PRESSURE

In 2019, the Ortega government became pressured not only by the economic difficulties, but also by the response of the international community. In the first 10 years in power, despite high levels of exposure and linkages to Western countries - especially the U.S. – international pressure did not derail Nicaragua on its path towards autocratization. Ortega did not face any substantial punishment for the electoral fraud, flouting the presidential term limits or outmaneuvering the opposition. Western linkage failed to deter authoritarian regression in Nicaragua because the external cost of authoritarianism diminished there as the Western leverage waned (Levitsky and Way 2020). Having avoided such costs earlier, Ortega could not be expected to respond to them much after the 2018 events unless the punitive response of the international community was extremely damaging.

Still, potentially the most consequential reaction came from the United States after Donald Trump’s hawkish national security advisor John Bolton declared the country to be part of the “troika of tyranny” together with Cuba and Venezuela in November 2018. He called for a comprehensive approach based on active US involvement to address the “(...) genesis of a sordid cradle of communism in the Western Hemisphere” (WP 2018). Although such aggressive and ideologically charged discourse waned after Bolton’s end in office in Septem-

³ Citizens’ Power Councils (CPCs) were FSLN-related partisan neighborhood organizations that acted as parallel local governments and were in charge of distributing clientelist benefits (Thaler 2017).

ber 2019, it marked the adoption and strengthening of economic and financial measures against the regime. These included the eventual signing of the Nica Act (Nicaragua Investment Conditionality Act) in December 2018, a law that had originated as a punitive response to the 2016 election fraud, but which failed to be approved by the U.S. Senate then. Updating the original Nica Act into the Nicaragua Human Rights and Anticorruption Act introduced a two-pronged US approach to Nicaragua. On the one hand, it granted the US Treasury Department the power to sanction those involved in violence and human rights abuses since April 2018. Complementing an executive Order signed in November, this extended the provisions of the Global Magnitsky Act, a law that had already been used previously to sanction three Nicaraguan officials in the immediate aftermath of the protests. After sanctioning Vice-President Rosario Murillo herself, the US sanctions focused on other family members and collaborators of Ortega during 2019. These included the sons of Ortega: Laureano for corruption in April (US Treasury 2019) and Rafael in December freezing his US assets and prohibiting business with him and his companies, which were allegedly involved in money laundering and obscuring the transfer of profits from a company operating a chain of gas stations (State.gov 2019).

The second part of the US response involved economic sanctions. The Nica Act instructs the US executive directors in the IMF, World Bank and Inter-American Development Bank to use their influence to block loans or other assistance to Nicaragua. This pressure has, for example, already affected Nicaragua's relationship with Taiwan, one of its most important international backers. In February 2019, the National Assembly approved a 20-year 100 million USD loan from Taiwan (Reuters 2019a), but the Nica Act stopped Taiwanese banks from reimbursing the loan throughout 2019 because it could precipitate US sanctions (Aspinwall 2020).

Contrary to the US, the response of the European Union was slower and ineffective throughout 2019. A group of MEPs visited the country in January, despite the initial objections of the government. The European Parliament then passed a strongly worded resolution condemning "all repressive actions of the Nicaraguan Government" on March 14, 2019 (EP 2019). Although it asked the EU's External Action Service to introduce individual and targeted sanctions, this resolution is ultimately non-binding. Only seven months later, on October 14, 2019, did the basis of a sanctions policy materialize. The EU Council adopted a framework allowing for the *possibility* of travel bans and asset freezes of specific individuals tied to human rights violations and repression (Council of the EU 2019). However, no such individuals or entities were identified by the EU by the end of 2019.

Importantly, two other international organizations condemned the government tactics. The Organization of American States (OAS) played an active role in monitoring the human rights situation and denouncing some of the most egregious crimes through its autonomous body, the CIDH. Following a June 2019 meeting of the General Assembly of the OAS in Medellín, a High Level

Commission on Nicaragua was charged with seeking a solution to the crisis. However, the government prohibited the Commission members from entering the country in September 2019 and rejected its legitimacy.

The UN adopted a similarly critical stance through its Human Rights Office. On March 6, the High Commissioner Michelle Bachelet, addressed the 40th session of the UN Human Rights Council in Geneva and included Nicaragua among the handful of countries where the “common” problems of humanity were accompanied by excessive use of force, torture etc.” (OHCHR 2019). In September, Bachelet submitted a report condemning the human rights situation in Nicaragua. At that time, while mentioning that “human rights violations continued to occur”, she put emphasis on the fact that the dialogue between the government and opposition led to the decrease in “the number of violations against life and personal integrity.”

V. THE OPPOSITION VERSUS THE GOVERNMENT IN 2019

Opposition actors and their strategies

Opposition actors in 2019 were almost exclusively those that sprang from the civil and economic societies that replaced “traditional” political parties, whose co-optation by neopatrimonial governments has deeply marked the country’s politics (Kouba 2009). Nicaraguans call such parties “zancudos” (mosquitoes). This does not mean that the entry of new movements erased the influence of the old politicians, but they participated as part of a broader opposition movement. Those ex-Sandinistas who had previously broken off from Ortega belonged among the prominent leaders of the opposition. Some of these had belonged to the MRS, now stripped of its juridical personhood. The governing FSLN remained the only strong political vehicle in the country.

Among those political parties that played at least a minor role in the 2019 were the historical *Partido Conservador* (PC), with one legislator from the 92 members of the Asamblea Nacional; *Partido Liberal Constitucionalista* (PLC), with fourteen MPs; *Alianza por la República* (APRE) formed in 2003 by dissidents from PC and PLC as a vehicle for the then president Enrique Bolaños, with one deputy; *Alianza Liberal Nicaragüense* (ALN), formerly the most important of Ortega’s adversaries, now with two deputies; and the *Partido Liberal Independiente* (PLI), another historical anti-Ortega party, with two deputies. The interests of the Miskito people from the Caribbean coast are supposedly defended by *Yatama*.

With the very ambiguous exceptions of PC and Yatama, all these parties were in 2019 part of the Nicaraguan neopatrimonial edifice, although with different intensity. Ortega uses them as an excuse when refusing to negotiate with the “coup-plotters”. He is not alone in doing so. Arnoldo Alemán, the country’s

ex-president and leader of the PLC rejected any possibility of his party being included into UNAB or ACJD claiming that he deals only with political parties, not NGOs (NI 2019b). One of the few relevant parties that retains its unambiguously oppositional character, apart from several ex-Sandinista groups, is the *Ciudadanos por la Libertad* (CPL).

Thus, from 2018 onwards, the oppositional camp has been dominated by actors from the arenas of civil and economic societies. The situation persisted in 2019 and put before the opposition Nicaraguans an array of dilemmas about the appropriate strategy to follow. These dilemmas have yet to be solved.

First, there is the strategy of overthrowing Ortega via intense pressure and a combination of protests and civil disobedience with international support. It represents the radical solution because it does not accept any legitimacy of the current government. Pursuing this strategy would bring many advantages for the opposition by providing it with an opportunity to avoid the divisive internal debates about presidential candidates, proposed policies (leftist or rightist etc.), as it would imply new elections without Ortega/Murillo. This strategy was particularly appealing during the first stages of the crisis. The possibility of its success regained a certain weight twice in the course of 2019: with the proclamation of Juan Guaidó as Venezuelan president in January, and then with the fall of Evo Morales in November. However, in order to be successful, this strategy would require at least passive approval by important sectors of the armed forces and/or police, and other parts of the state apparatus.

The second strategy was forcing Ortega to call early presidential elections. This has dominated the opposition discourse because it does not automatically imply any element of a coup d'état. Yet it does not exclude the utility of mass protests as a tool of "persuasion" of the government. However, this strategy implies some kind of internal cohesion of the opposition and the need for uniting behind a single candidate.

The third strategy consists of waiting for the scheduled elections in 2021. It gives time to the opposition to organize and does not exclude the continuation of protests. However, it implies the acceptance of the legality of the government and its electoral authorities and thus provides them with oxygen. And it does not solve the issue of the opposition's internal divisions.

Asked which of these strategies offered the best solution to the crisis, the public preferred early elections (42.1%), 18.1% wanted the Ortega and Murrillo tandem to be replaced by a provisional government *junta* to complete their term and 8.4% preferred removal by force according to a survey from April 2019 (LAPOP 2019). Only less than one third (31.4%) of Nicaraguans wanted the government to continue in power. This survey also provides a unique opportunity to understand the social basis of support for Ortega and for the alternative strategies (Table 1). Women were more likely to support the Ortega-Murillo pair in power than men, and so were older Nicaraguans and the inhabitants of

rural areas. The youngest Nicaraguans were the least likely to support Ortega remaining in power. In the youngest quarter of the population, Ortega staying in the presidency was supported by only 25.1%, while 40.1% wished him to stay on in the oldest quartile. The table also reveals the very low average age of Nicaraguans, which by itself is politically consequential. Data also confirms the religious divide with respect to the solution of the crisis. Adherents of Evangelical (and Pentecostal) churches were more ardent supporters of Ortega remaining in power than Catholics, with a 10 percentage point difference between both.

Table 1. Preference for political crisis solutions in 2019 by demographic and attitudinal variables

	Early elections	Ortega to resign and provisional junta	Ortega to remain in power	Remove government by force	
Percentages overall					
	42.1	18.1	31.4	8.4	
	Percentages within categories				
% within variable					
Gender					
Male	52.2	44.9	18.5	29.1	7.6
Female	47.8	39.0	17.6	34.0	9.3
Age (by quartiles)					
16-23 years	27.6	44.4	21.2	25.1	9.4
24-31 years	22.8	43.5	20.2	27.1	9.2
32-43 years	25.3	41.9	16.9	33.9	7.4
44-97 years	24.4	38.4	13.9	40.1	7.7
Urban/rural					
Urban	62.7	44.4	17.6	28.8	9.3
Rural	32.3	38.2	18.9	35.9	7.0
One's economic situation compared to a year ago					
Better	7.0	22.9	16.7	54.2	6.3
Same	22.9	33.5	15.8	47.5	3.2
Worse	70.1	46.8	19.0	23.8	10.4
Religion					
Catholic	45.1	42.0	19.3	28.8	10.0
Protestant	21.2	46.9	20.2	27.4	5.5
Evangelical/ Pentecostal	18.7	35.6	16.3	38.8	9.3
No/other/ agnostic	15.0	43.5	13.5	36.2	6.9

	Early elections	Ortega to resign and provisional junta	Ortega to remain in power	Remove government by force	
Percentages overall					
	42.1	18.1	31.4	8.4	
Percentages within categories					
% within variable					
Voted in the 2016 election					
Voted	52.9	36.2	15.5	42.5	5.7
Did not vote	47.1	48.5	21.0	19.1	11.3
Voted for in 2016					
Daniel Ortega	84.8	27.9	14.4	54.3	3.5
Other candidates	15.2	52.3	24.4	7.0	16.3
Satisfaction with democracy					
Very satisfied	9.0	27.9	14.8	46.7	10.7
Satisfied	37.0	29.7	15.2	50.9	4.2
Dissatisfied	40.0	55.0	20.9	16.1	8.1
Very dissatisfied	13.9	47.3	21.3	11.2	20.2

Source: The AmericasBarometer by the Latin American Public Opinion Project (LAPOP), www.LapopSurveys.org (Nicaragua 2018/2019)
N=1390.

The evaluation of one's (i.e. egotropic) economic situation was also a powerful predictor of the support for Ortega. The more skeptically the Nicaraguans thought of their economic situation compared to a year ago, the more likely they were to prefer any of the exit options. Even during the harsh economic contraction, only about one half (53.4%) of supporters for Ortega staying in power thought their situation was worse than last year, while over 70% did in each of the three remaining categories. Support for some form of Ortega's exit is very strongly associated with frustration from the political situation. With a growing level of dissatisfaction with the level of democracy in Nicaragua, the support for early elections steeply increases, while the preference of Ortega's remaining in power declines. Among those who were very dissatisfied with democracy, a full one fifth supported a forceful removal of Ortega from office.

What is striking, is the fact that many of the erstwhile voters of Ortega supported some of the exit options. In fact, barely over one half (54.3%) of FSLN voters from 2016 supported him staying in power in 2019. The remaining half preferred early elections (27.9%), Ortega's resignation (14.4%) and a few even a forceful removal (3.5%).

The failed negotiations in 2019 and their consequences

With these opposition dilemmas unresolved, Ortega started applying tactics to gain time (and to avoid sanctions) in February 2019, closely resembling similar tactics used by Maduro in Venezuela. These tactics consisted of accepting negotiations with the opposition while granting selective amnesties as proof of goodwill and insisting on the necessity of respecting the legality/legitimacy of all institutions and the inalterability of the electoral calendar. Because the bulk of the opposition preferred the strategy of early presidential elections (with many still hoping for the sudden fall of the president), the mutual talks could have led only to a standoff and/or division within the broad oppositional coalition. This was an ideal scenario for the regime as the opposition could not reject the negotiations beforehand so as not to be depicted as coup-plotters and maximalists.

The talks started on February 27, after the three richest men in the country (not counting Ortega, of course) and members of COSEP, had met the president and asked him to restore the negotiations for the sake of the country's economy (Confidencial 2019b). Ortega, punished at the time by sanctions, accepted the talks, as did the ACJD, with the Catholic Church offering itself as the mediator. Evangelical representatives and the papal nuncio, Waldemar Stanislaw Sommertag, would also participate.

Having only partially accepted the demands made by the ACJD, Ortega conditionally released around one hundred political prisoners prior to the talks.⁴ The government, represented by the minister of foreign affairs, Daniel Moncada, several deputies and one judge of the Constitutional Court (sic), did not publish any prior demands or proposals. The ACJD's delegation was headed by Carlos Tünnermann, a Sandinista politician during the 1980s. Another important negotiator was José Pallais, ex-minister of foreign affairs in the Chamorro government. The opposition raised the issues of political prisoners, media freedom, a plan to seek justice for the victims, electoral reform, and early presidential elections.

The talks were stuck from the very beginning, with the conflicting issues overshadowing the crucial point - the early elections. One point of disagreement was the presence of some of the bishops, especially Silvio Báez (Confidencial 2019c). Although the president offered the possibility of electoral reform, this was supposed to be prepared for the 2021 elections.

The bishops retreated from the talks on March 8 having been substituted de facto by the OAS representative, Luis Ángel Rosadilla (Confidencial 2019d). On March 15, the government released another 50 prisoners (after the pres-

⁴ At the beginning of February 2019, according to oppositional sources, there were 767 political prisoners (an increase by 198 since the December 2018), with other 149 persons being "kidnapped" by police or paramilitary groups (Confidencial 2019a).

sure of the ACJD). By that time, the students had abandoned the negotiations and together with UNAB called for new protests which resulted in another wave of detentions. An agreement about the release of all political prisoners within 90 days was reached on March 20. It also called for the sanctions imposed on the country to be lifted (ACJD 2019a). On March 29 both sides reached a broad agreement whereby the regime agreed to “guarantee the right to assembly, demonstrate and publicly mobilize”. The document called for the International Red Cross to propose a list of prisoners to be released by mid-May (ACJD 2019b).

By March 30, however, clashes returned to the streets and the UNAB called for new protests. On April 3, the talks *de facto* ended (formally they did so in July), without any agreement about the political future. Ortega blamed the failure on the extremists in the opposition camp and on the deadline of March 28 imposed on the talks that, according to him, did not respect their complexity (La Prensa 2019c). The only concrete result was the most expectable one: the gradual release of political prisoners.

The failed talks unveiled some of the internal divisions inside the oppositional camp (for the rather optimistic vision of the opposition see Núñez Morales 2019; more skeptical is that of Rocha Gómez 2019). The ACJD was divided along several lines, with the generational one being very pronounced. Tünnermann’s advanced age, 88, did not help either. Another division emerged between political veterans from the political and economic arenas and the newcomers from the civil society. COSEP was criticized for its supposedly selfish willingness to reach a pact that would alleviate the economy (El País 2019), and tensions arose after the students and activists criticized the economic elites’ unwillingness to call and participate in a sustained general strike. The students opposed the possibility of what they called the “pact of the leaders” (NI 2019a). While Tünnermann accepted the gradual release of prisoners, the students opposed it (La Prensa 2019b). Furthermore, there was also an internal discord between student leaders who abandoned the country after 2018 and those who participated in the talks (NI 2019b). Vilma Núñez, president of the *Centro Nicaragüense de Derechos Humanos* (CENIDH), was very skeptical about the talks from the very beginning (El País 2019). The student representative, Max Jerez, abandoned the talks before their final failure, criticizing the government’s unwillingness to release all political prisoners soon. As a result, the students and UNAB called for the aforementioned protests even during the talks (DW 2019a). While the ACJD, with more participants from the political and economic societies, was prone to find some peaceful settlement, the bulk of UNAB seemed to prefer the government to be toppled through street protests and be substituted by a provisional administration (ICG 2019).

The Catholic Church, whose national representatives abandoned the table after a couple of days, had played a very important role and had to endure the governmental pressure. The FSLN orchestrated a shaming campaign against one of its most visible critics, Managua bishop Silvio Báez. In April, Báez was called

back to Rome. The distancing of the Catholic Church from the regime increased by the end of November. Still, some priests took an active part in the regime-led celebration of the anniversary of the revolution in July (most notable is Ortega's staunch ally, Antonio Castro), but the bulk of the clergy at that event came from evangelical churches (Envío 2019a). These attempted to use their linkages to the US evangelicals in order to help Ortega with lifting the sanctions.

The talks formally continued but the opposition suspended them on May 16 as a protest against the death of a US citizen in prison that day. Even during the direct talks, Ortega showed his resolve to act unilaterally. Already at the beginning of February, he had announced another reform of the INSS and of the tax system (La Prensa 2019a). Another unilateral step was his decision in June to fulfill the compromise from March not according to the original deal, but via an Amnesty Law, approved hastily on June 8. It was rejected by the ACJD and other groups (BBCa 2019b). The law had been preceded by a national strike on May 23, called for by the ACJD with the purpose of obliging Ortega to release the prisoners. At the 1979 revolution anniversary celebrations (July 19, 2019), Ortega ruled out holding elections before 2021, put in doubt the viability of any further dialogue, and vaguely promised some electoral reforms. At the same time, he pledged to keep talks with the political parties, but not with the ACJD. PC, APRE, and PLI declared their willingness to discuss the reforms with Ortega (La Prensa 2019d). On July 30, the Vatican - not the ACJD - was informed that the government withdrew from the talks.

Standoff and the regime's resilience

After Ortega's formal retreat from the negotiations and his insistence on 2021 as the election year, the only real opposition in the country, i.e. ACJD, UNAB, the bulk of the Catholic Church and some evangelical churches, were again placed in front of the same set of dilemmas as before. Ortega's maneuvering put the opposition into a similar position as did the Maduro regime with the failure of operation Guaidó in Venezuela. Ortega could count on the solidity of his own camp. The FSLN itself completed a transition from a disunited political formation into a "family business" of the Ortega-Murillo clan long ago, as the majority of revolutionary leaders had already left (Martí i Puig 2010). Symbolically, FSLN's breaking with its revolutionary past and foundational values was sealed off with its expulsion on January 29, 2019 from the Socialist International (EFE 2019). Ortega could also rely on Sandinista satellite organizations, paramilitary groups, part of the "opposition" parties and part of the Churches made up mainly of evangelicals, and the state administration. Furthermore, the government could rely on the loyalty/passivity of the armed forces which had been secured through the distribution of lucrative business opportunities and government jobs for active duty and retired officers (even the army's commander-in-chief may now serve more than one term in office), and the complicity of the police force whose top hierarchy was purged from politically unreli-

able commanders and filled in by Sandinista sympathizers (Ruhl 2019). In the aftermath of the 2018 protests, the Sandinista loyalist Francisco Díaz, whose daughter is married to Ortega's son Maurice Ortega Murillo, was named the new Director General of the police.

Ortega also gained time during the negotiations and could hope that several divisions within the opposition, the electoral system and the predictably high abstention would help him (or his wife, or another FSLN candidate considering his fragile health) to win in 2021. Despite the fact that several opinion polls showed an unequivocal drop in his popularity, still, in September, a survey showed that 26.9% of the electorate would vote for him, while 27.2% for some candidate of the united opposition and 37 % did not know who they would vote for. The FSLN remained by the far most popular party with a 40% approval rate, a fact that gave a chance to some orteguism without Ortega (Confidential 2019e)⁵.

The ACJD decided to acquire a more political profile on one hand, and to keep the pressure and mobilization of the streets on the other, without breaking its ties to the businessmen that had been so criticized by the more moralist or radical sectors (Medina Sandino 2019). However, while losing on the international front, on the domestic Ortega seemed to be the winner. Despite the continuous harassment, incursions in the indigenous territories and some political murders - mainly in the remote parts of the country - the situation seemed to be more stable.

The ACJD and UNAB started to look for some common ground again later in 2019. Any programmatic compromise that would elaborate more on specific economic or social policies, not to speak of social values, seems to be unreachable in the context of a fragmented opposition that includes groups ranging from ex-Marxist revolutionaries to neoliberal businessmen, from feminists to Catholic priests. On September 18, the UNAB published its programmatic offer to other groups, clearly liberal on socio-economic issues. It included a ban on presidential re-election. (UNAB 2019a). In December, together with other smaller organizations, the opposition found the minimal and uncontroversial point of agreement - the reform of the electoral system (Noticias 2019). This issue was launched in a sophisticated manner by *Grupo Promotor de las Reformas Electorales* during the fall of 2019 (Peraza 2019). UNAB then published a set of reforms that included the reform of the presidential electoral rule - with 50% of the vote needed for the candidate's victory in the first round in order to avoid a runoff. It also anticipated the reduction in powers of the electoral court, the lowering of the threshold a party needs to surpass in order to maintain its legal status, and other measures to increase the transparency of elections and political accountability (e.g. referendums at the local and regional levels) (see UNAB 2019b).

⁵ However, a Cid Gallup opinion poll from the same month showed much worse results for Ortega (Envío 2019b)

Having survived a major political crisis - similar to his Venezuelan counterpart - the situation seemed to be relatively safe for Ortega by late October. But the sudden ousting of Evo Morales, on November 10, changed the mood again. Despite many differences between the Bolivian and Nicaraguan governments, with the former being economically stronger and much more adherent to democratic norms than the latter, both the regime and the opposition started to compare their respective situations. For the opposition, the strategy of toppling the government seemed viable again. Carlos Tünnermann highlighted the fact that the Bolivian police refused to get involved in violent repressions (as well as the army). The ACJD hailed Bolivians and their “victory”. The UNAB called on the Nicaraguan army and police to respect the constitutional rights and to follow the Bolivian example (Confidencial 2019f). Rosario Murillo, for her part, issued a warning that the “miniscule particles will pay for their crimes” (DW 2019b). Ortega warned the opposition that it is “playing with fire” (Reuters 2019b).

In the face of regime restabilisation throughout 2019, the chances of success of any non-electoral opposition strategy greatly diminished. But for the opposition to win the 2021 election it needs to overcome not only its own fragmentation and feebleness but also government tactics to undermine it. This will be difficult, not in the least, due the existence of two formal rules that were put in place to ensure the consolidation of Ortega’s rule. First was the legally dubious removal of constitutionally mandated term limits in two steps in 2009 and 2014, eventually declaring the term limits article of the constitution (Art. 147a) as not applicable (Kouba 2016; Close 2019). Presidential reelection, especially in countries with weak political institutions, grants incumbents a huge electoral advantage and demoralizes the opposition (Corrales and Penfold 2014). Second, the threshold for the first-round victory in presidential elections was reduced, a move that is seen as similarly entrenching the power of incumbent presidents by maintaining a small number of parties and by inviting exclusionary tactics against potentially threatening political newcomers (McClintock 2018). The first such reduction was responsible for Ortega’s election in 2006 because it allowed him to avoid the runoff, and the second reduction came in 2014 by introducing a plurality rule. If gravely ill Ortega runs in 2021, the fragmented opposition would need to unite behind a single candidate in the one and only electoral round. A Latin American comparison suggests that such over-concentration of the presidential electoral race is conducive to further episodes of government instability (Kouba and Došek 2018), a situation that does not bode well for future democratic prospects of Nicaragua.

VI. CONCLUSION

Since Ortega’s return to power in 2007, Nicaragua’s political regime has gradually drifted toward a neopatrimonial regime (Martí i Puig and Serra 2020). His rule came to resemble the patrimonial-caudillista regime more akin to the

Somozas' rule, than to the original Sandinista revolutionary project of the 1980s (Thaler 2017; Martí i Puig 2019). Yet, the regime is *formally* more democratic and pluralist and, as many other neopatrimonial regimes, maintains some formal rational-legal procedures that are not merely a façade. However, these formal structures are invaded by personal relations which are typical of patrimonial domination and which fuse the private and public realms (Erdmann and Engel 2007: 109).

According to much of the literature, such regimes face a risk of instability that is greater than for either fully democratic or other types of non-democratic regimes (e.g. Wickham-Crowley 1992). However, despite these structural weaknesses, the orteguista regime has not succumbed to its challengers and has managed to maintain control. It experienced neither the army's intervention against the government (as in Bolivia), nor an unsuccessful attempt at it (as in Venezuela). In the face of strong condemnation by much of the international community, imposition of US restrictions and economic sanctions, sharp economic decline and very low public support, the Ortega government proved to be resilient and achieved a certain restabilization (using Brownlee's term, Brownlee 2002).

We see four main reasons for this surprising resilience. First, the regime's penetration of the state and society, despite its relations with big business being severed, is still not negligible. The patronage networks were weakened as a consequence of the Venezuelan crisis, but the regime's organizations, control of large sections of the economy by the Ortega-Murillo family and by its allies, residual legitimacy and control of the remaining sources of patronage were still working. Due to the "normalization" of the political conflict, i.e. due to the context of a rhetorically leftist government standing against the major business interests, the government can mobilize against "neoliberal" backsliding that could make things even worse.

Second, the army has not been deployed thus far against the protesters, but the police and the paramilitaries were charged with repression instead (in a typical neopatrimonial way). Police was the institution that had seen its budget and number of troops to be increased even before the protests broke out. Despite charges that it provided weapons for the paramilitaries and despite its increasingly negative public image (Cuadra 2020), the army, did not by and large face the dilemma of butchering the country's civilians and may therefore still perceive itself as a neutral and constitution-respecting institution. This is partially the consequence of compromises made in the 1990s, which established its relative independence from civilian power (other than its inclusion in the system of spoils). The army does not face a particularly high risk of internal fractures, that would have been expected in the case of its massive deployment on the streets. As a consequence, it is not exposed to the dilemma of choosing between the lesser evils (whether to depose the repressive government or to obey it). However, too many interferences by civilians in the army's issues and blocking of military careers may cause professional or personal concerns.

Third, the regime's international linkages go far in explaining this surprising resilience. Neopatrimonial regimes are far less likely to break down in the face of insurgency when lacking a foreign patron that would inhibit their repressive capacity (Brownlee 2002). Unconstrained by such dependency, hardliners in such regimes draw upon security forces to crush internal revolts. In the Nicaraguan case, the severed linkages to Western democracies have meant relatively low costs of continued government repression for the regime leaders in 2018 and 2019.

Fourth, the oppositional camp remained broad, unstructured and lacking a clear leader during 2019. Many antagonistic interests resurfaced, hampering a unified approach - former Sandinistas do not get along easily with former anti-Sandinistas, agro-business interests with peasant groups etc. The opposition did not manage to capitalize on the regime's low public support. Moreover, the regime's democratic façade as well as its links to society make the success of any renewed call for insurgency unlikely, not to speak of the divisiveness of such a step. However, the neopatrimonial character of the regime, potential opposition successes in reaching unity in the future, Ortega's rapidly ailing health, the economic crisis and the erratic government response to the Covid-19 outbreak in early 2020, do not exclude the possibility of other surprises.

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