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## Elections in Nicaragua: The Legal and Institutional Framework

"With or without the elections, we will continue our policy of pressuring Nicaragua." Secretary of State George Schultz, 2/22/84

### Introduction

During the first week of November, elections will be held in Nicaragua in which citizens will choose a president, a vice-president and members of a constituent assembly.

The Nicaraguan elections have been planned and are being carried out in an atmosphere of great adversity. The country is struggling to overcome the effects of years of underdevelopment under the Somozas, as well as the destruction caused by the 1978-79 war of liberation. The fragile economy of the nation and the hard-won gains in health, education, and nutrition are in jeopardy due to the ongoing war by the U.S.-backed *contras*. Millions of dollars of equipment and property have been destroyed; twenty five per-cent of the nation's GNP is now devoted to defense. More than 7,000 Nicaraguans have been killed.

Nevertheless, the Sandinista government has devoted substantial resources to the elections. The Nicaraguan government has made a sincere and serious effort to develop the legal and

institutional framework so that meaningful elections can be held. As the following article shows, the process leading to the November 4th elections has been one of careful consideration, debate and compromise. The accusations of the Reagan administration and of the *contras* about the unfair and farcical nature of the elections must be judged in the light of the efforts which have gone into preparing for the elections and the legal-institutional results of those efforts.

But a consideration of how "fair" and "democratic" the Nicaraguan elections will be entails consideration of two related questions: how democratic is Nicaraguan society now and how do the elections contribute towards making the Sandinista revolution more democratic? Or to put the last question differently, what role do the elections play in the further democratization of the revolution?

What makes a system "democratic"? To answer this question in relation to a revolutionary process is to consider issues and concepts such as: the accountability of leadership at all levels; the capacity of workers and peasants for

self-organization and self-management; the existence of forums and mechanisms for free public discussion and open debate; and the institutionalization of democratic planning. Underlying a discussion of the previous considerations is the belief that the popular and democratic aspirations of a revolutionary leadership, no matter how earnest, are not a substitute for the real and effective involvement of people in the decision-making and planning processes that affect and shape their lives. This involvement is, after all, one of the major promises of the Sandinista revolution.

An article in the next issue of the Newsletter (November) will examine the Nicaraguan elections from the perspective of the larger issue of the relationship between the revolutionary transformation of Nicaraguan society and the development of democracy. As Commander Daniel Ortega has said: "democracy neither begins nor ends with elections. It is a myth to want to reduce democracy to that status."

Elections, however, are an important component of an overall process of democratization. The following article details the care with which the Sandinistas have developed the institutional-legal framework for Nicaragua's first free elections.

#### Historical Background: The Legacy of Dubious Elections

The official title of the Nicaraguan junta is the Government of National Reconstruction (GRN). The name is an accurate reflection of the huge task facing the GRN when it came to power on July 19, 1979. The nation was in shambles. The task facing the GRN in 1979 did not just involve the reconstruction of buildings, roads and bridges. It did not just involve feeding, educating, housing and providing medical care for a destitute population. The entire political, economic and social fabric of the nation had to be rebuilt. When the Sandinistas came to power,

they abolished the Somocista political, legal and economic systems. The Program of the GRN (1979) specifically provided that "[t]he entire Somoza power structure will be dissolved and will be replaced by new democratic structures organized in accordance with the laws established for those purposes and in keeping with the content of this Program."

The break-up of the Somoza power structure was not a rash or thoughtless act. The Somoza power structure provided little, if anything, of value to build upon. As early as the 1940's, the State Department characterized the Somoza regime as a "repressive government characterized by farcical elections, constitutional violations and negligible consideration of economic and social problems." Ironically, the United States, which now holds Nicaragua to very high standards of democracy, played an important role in the installation and preservation of a succession of dictatorial regimes in that nation.

U.S. support of Somoza was expressed by large amounts of military aid. With the support of the U.S. and the National Guard, Somocista elections featured forced voting, widespread bribery, outlawing of parties, and arrest and assassination of opponents.

#### Scheduling the 1984 Elections

The Nicaraguan Government's stated goal of popular participation was difficult to attain, given a national illiteracy rate in 1979 of approximately 50%. The illiteracy rate was in fact as high as 75-80% for the rural population and 100% for women in many villages. To combat this problem, a literacy crusade was instituted only eight months after the fall of Somoza. At the end of the campaign illiteracy had been reduced to approximately 13%.

On August 23, 1980, a month after the first anniversary of the triumph of the revolution, the literacy volunteers returned home from the

crusade. At the closing ceremonies of the crusade in Managua, leaders of the FSLN announced a timetable for the electoral process, and elaborated their views of elections and democracy. Daniel Ortega, coordinator of the GRN, stated that:

For the Frente Sandinista democracy is not measured solely in the political sphere, and cannot be reduced only to the participation of the people in elections. Democracy is not simply elections. It is something more, much more. For a revolutionary, for a Sandinista, it means participation by the people in political, economic, social and cultural affairs. . . . Democracy begins in the economic order, when social inequalities begin to diminish, when the workers and peasants improve their standard of living. That is when true democracy begins, not before.

Elections were scheduled for 1985; the political process was scheduled to begin in January, 1984:

After a year of the Revolution, we can responsibly state that the backwardness and the economic, social and moral destruction of the country is so far-reaching that we cannot expect the country to be reconstructed before 1985. For that reason, the National Directorate of the Frente Sandinista has decided that the organized Junta of Government must remain at the head of governmental affairs until 1985.

Despite protestations to the contrary by opponents of the Sandinistas, setting the elections for 1985 was a timely but ambitious undertaking. In addition to the other tasks facing the government, the scheduling of elections necessitated the creation of a legal framework for elections.

Since opposition parties had been outlawed under Somoza, a political parties law which legitimized political parties and clearly articulated any restrictions on their activities was required. Since Somoza's elections had been shams, an election law which created a fair procedure for the conduct of elections was necessary. Finally, voter registration lists had to be established because none existed.

Scheduling the elections for 1985 was not only an ambitious undertaking for Nicaragua, considering its post-revolution problems, but was also ambitious in comparison to other nations in similar circumstances. For example, both the United States and Mexico waited longer before holding their first elections.

#### Development of a Structure: The Political Parties Law and the Electoral Law

As the GRN came to power in July, 1979, it pledged:

The legislation necessary to organize a system of effective democracy, justice and social progress will be enacted; the system will guarantee fully the right of all Nicaraguans to participate in politics and their right to universal suffrage, and the right of political parties to organize and function, without ideological discrimination, except for parties and organizations whose purpose is to restore the Somoza regime to power.

The first two major pieces of legislation enacted to fulfill this pledge were the Political Parties Law (enacted August 1983) and the Election Law (enacted March 1984).

#### The Fundamental Statute

In order to understand the legal framework developed to accommodate the elections, it is also

important to understand some of the aspects of the legal system of Nicaragua, as devised right after the fall of Somoza.

Since August 21, 1979, a Fundamental Statute and the Statute of Rights and Guarantees of Nicaraguans have served the function of a constitution until a new constitution could be written and ratified. The latter statute includes provisions guaranteeing individual civil, political, economic and social rights to Nicaraguans.

The Fundamental Statute establishes an interim organization of state consisting of three branches; the Junta (executive), the Council of State (legislative) and the Courts of Justice, headed by a Supreme Court. The statute stated that the first elections would be solely to elect a constituent assembly.

#### The Political Parties Law

The Political Parties Law was passed by the Council of State on August 17, 1983, after 21 months of discussion and revision. The law guarantees that "Political Parties can be organized freely in the country with no ideological restrictions whatsoever." On the other hand, "the existence of political groups or parties which seek the return of Somocism or which advocate the establishment of a similar political system is prohibited." (article 4) Political parties "must respect the Fundamental Law and the Law of Rights and Guarantees of Nicaraguans and the basic principles of the Popular Sandinista Revolution such as its anti-imperialism and its profoundly popular and democratic character." (article 5)

Political parties are granted the right to disseminate their principles and programs, to carry out propaganda and proselytism during the electoral period, to hold private meetings and public rallies, to criticize the administration and propose constructive solutions, to form alliances and act in concert with other parties, to name representatives to the National

Assembly of Political Parties, to apply for membership in the Council of State, to take part in and put candidates up for election, to possess property, to maintain centers and offices throughout the country and to raise money. (article 6)

The duties of political parties are to comply with the legal structure of the country, to comply with the resolutions of the National Council of Political Parties, to promote and support the patriotic unity of the nation in order to carry out the tasks of reconstruction and development, to contribute to the consolidation of the political, economic and social achievements of the Nicaraguan people, to defend the Revolution against any internal or external attempts to install a regime of oppression and exploitation, to fight to preserve the freedom and independence of the country and to defend the national sovereignty and self-determination of the Nicaraguan people, to foster and promote the rule of human rights in the political, economic and social spheres, and to take responsibility for their acts within the framework of alliances with other parties.

#### Revision of the Fundamental Statute

With the Political Parties Law in place, the government was ready to enter the next phase in preparation for the election. On September 21, 1983, the Council of State created a Special Electoral Commission to draft a proposed electoral law. The commission consulted with all 9 official parties, and even with one political group which had not yet formed into an official party, before presenting its draft on February 8, 1984. However, in order to consider the draft for passage as the Electoral Law, several aspects of the Fundamental Statute had to be changed. It should be noted that the Fundamental Statute was an interim measure, intended to be flexible.

The required reforms were: 1) to grant power to a new fourth branch of government, the

Supreme Electoral Council, 2) to change the article providing that the first election would be only to elect a constituent assembly to one providing that the first election would be for a president, a vice president and an assembly having both constituent and legislative powers, 3) to add an article validating the Fundamental Statute, the Statute of Rights and Guarantees of Nicaraguans and the electoral law (once passed) until a new constitution is approved.

Opposition right-wing parties of the Democratic Coordinating Committee criticized the proposed revisions, asserting that elections should be held only for a constituent assembly. The president of the Council of State, Sandinista Commander Carlos Nuñez, answered that elections as proposed should be held for several reasons. Given the covert military aggression against Nicaragua, it is important that the country have executive leaders who have been given the support of direct elections and who are able to make quick defense decisions. The difficult economic situation of the country requires a legislature and executive capable of making and carrying out legislation while the new constitution is being drafted. Finally, the cost of holding two successive elections was prohibitive.

Following twenty hours of discussion, the revisions were passed by the Council of State and approved by the Junta on February 21, 1984. The Council of State was finally ready to discuss the proposed election law.

### The Election Law

In June 1983 two special electoral commissions travelled on a fact-finding mission to the United States, five Western European nations, and seven Latin American nations to study those nations' electoral laws. In September, the actual drafting of the Electoral Law began. In drafting the law, the commission took into account opinions, suggestions and contributions of many social sectors and political parties. The

draft was ready for presentation to the Council of State by February, 1984.

The first order of business was to appoint an advisory commission to prepare a text of the law for discussion in the Council of State. The commission was composed of three members of Sandinista mass organizations and three members of opposition parties. Within the second week of the commission's work, disputes about the law surfaced.

The representative of the Social Christian Party (a member of the Democratic Coordinating Committee) withdrew from the commission, alleging his party planned to present a minority text. The Social Christian and Social Democratic Parties (members of the opposition alliance) started to show signs that they might refrain from voting on the law. After debate of the law was well under way in the Council of State, the Social Democratic Party formally withdrew from the debate.

During the first six days of debate, 32 of the 160 draft articles were approved without major changes. These included provisions about the purposes of the law, electoral districts and voter registration. (Electoral districts are often hotly debated in the U.S. since election outcomes can be strongly affected by districting.)

Other provisions were more controversial. Debates in the Council of State lasted for as long as ten hours. The opposition expressed their views freely and their positions were widely disseminated in the media. As a result of the debate, the law was revised.

Much debate centered around the issue of who would have the right to vote. Originally, the law required voters to be 18 years old. As a result of pressure from the Sandinista youth organizations, the voting age was lowered to 16. It was argued that a lower voting age was appropriate since Nicaraguan youth had



experienced an accelerated maturing process during the revolution and in their current role in defending their country. The opposition parties were against the lowering of the voting age because Nicaraguan youths are predominantly pro-Sandinista, and lowering the voting age resulted in about 160,000 additional voters.

As in the United States, persons serving prison sentences in Nicaragua are prohibited from voting. Others who are ineligible to vote are those former officers of Somoza's National Guard or Office of Security who are still under indictment, heads of the armed counterrevolutionary groups who have requested U.S. intervention in Nicaragua, solicited funds from foreign powers for counterrevolutionary activities, or directed planned attacks against the people or economy of Nicaragua. Rank and file contras have been offered unconditional amnesty.

Another fiercely debated issue was the right of military personnel to vote. Opposition parties were against any participation by the military because they said they feared that troops under Sandinista control would be unduly influenced by them. The election law allows soldiers to vote, but those on active duty may not run for office. Soldiers may not enter polling places with firearms.

Eligible voters are required by law to register, but voting is a right which may be exercised or not without legal consequences. This contrasts sharply with the law in El Salvador, where failure to vote can result in punishment, loss of employment or even death at the hands of the death squads.

Several provisions have been included in the Nicaraguan election law which are meant to allow opposition and even very small parties to play a role in the new government. The nation's president and vice-president will be elected by popular vote, much the same as in the United States. The Assembly representatives will be

elected by a system of proportional allocation, as in Italy, Spain, Germany and Venezuela. Nicaragua has introduced one variant, which was proposed by the opposition and favors minority parties: The 'residual' votes will be counted on a national rather than regional level. This will increase the small parties' chances of winning at least some representation in the Assembly.

Another amendment favoring minority parties eliminated the requirement that a party obtain 5,000 signatures to participate in the elections and that a party win at least 3% of the popular vote to retain legal standing.

All parties are guaranteed equal access to the media. In fact, 15 minutes per day on each of the two television channels and 30 minutes a day on state radio stations are allocated for paid political advertising. Parties may use their time daily or accumulate it. Private radio stations must reserve at least 5 but not more than 30 minutes a day for each party. Newspapers are free to reject political advertising. Advertising encouraging abstention or boycotting is forbidden.

Public demonstrations and rallies are permitted during the campaign, although notice of such events must be given to the Supreme Electoral Council to avoid conflicts of time and place, and to provide police security.

The government has guaranteed each participating party or coalition a financial base of 6 million cordobas for its campaign. Furthermore, donations, both by national and international persons or organizations, are allowed. This is of particular importance to opposition parties such as the Social Christians and the Liberal Party which have international ties.

The law provides for a rather elaborate system to prevent fraud. Each political party will have poll-watchers at each polling place. Voters will have their thumbs and their civic booklets

marked. Three certificates will be filled out as people vote: one to verify that the voting booths are empty and to indicate who verified this; another at the end of the elections to verify the number of ballots left over; and a third to record the number of ballots cast. These documents will be taken to the election councils by all the poll-watchers. As a final precaution, international observers will be invited.

Four electoral bodies (national, district, municipal and polling place) were created to oversee the functioning of the Election Law. The national body, the Supreme Electoral Council, is a fourth branch of government (as in Costa Rica), and consists of three people appointed by the Supreme Court of Justice. The members of the Council, named in April of 1982, are Dr. Marianos Fiallos Oyanguren, President of the National Autonomous University of Nicaragua, Representative of the National Council of Higher Education to the Council of State, professor and lawyer; Dr. Leonel Arguello Ramirez, Chairman of the Nicaraguan Insurance and Underwriter's Institute; and Amada Pineda, feminist and peasant activist. The Council is responsible for setting the dates for the beginning and end of the campaign, setting up the other electoral bodies, supervising the polling and declaring the winners. The system of electoral bodies also deals with complaints or charges of fraud.

After being debated for 16 days, the electoral law was approved by the Council of State on March 15, 1984, and was signed by the Junta on March 26, 1984. The five active opposition members of the Council of State had walked out a week earlier and were absent when the law was approved.

#### The State of Emergency and Freedom of the Press

While the machinery for the election was being put into place, the Nicaraguan government was facing a far less pleasant task: dealing with

U.S.-backed contras. In response to the dynamiting of two vital bridges in March, 1982, the government instituted a State of Emergency. Although not a full-scale "state of siege", the State of Emergency did limit some civil rights of Nicaraguans, including freedom of expression and the right to assembly. Obviously, limitations on these rights have had an impact on the election. Although it was substantially relaxed on July 19, 1984 (the fifth anniversary of the Revolution), total lifting of the State of Emergency has been urged and made a pre-condition of participation by some opposition parties.

Despite the existence of some censorship, the flow of ideas in Nicaragua has been quite lively. The debate in the Council of State about the Election Law was given extensive press coverage. As the election approaches, billboards, posters and graffiti carrying the slogans of various political parties are appearing throughout the country. When opposition leader Arturo Cruz returned to Nicaragua, he held rallies and his views were widely disseminated, especially through the opposition newspaper, *La Prensa*.

This situation contrasts with that in neighboring El Salvador, where elections were held recently. In El Salvador there is no opposition press to censor; opposition journalists have been murdered and opposition newspaper offices have been blown up. Not even foreign journalists have been able to escape the Salvadoran death squads.

Although the Sandinistas have remained constant about the date of the elections, there has been compromise about other timing aspects of the elections. When the Supreme Electoral Council announced the proposed election timetable in May, 1984, opposition parties were critical, asking for more time. As a result, the length of the campaign was extended by a month, the time for candidate registration was extended by a month and voter registration was extended by a day.

Opposition parties have called for foreign supervision of the elections. This suggestion is particularly distasteful to Nicaraguans, who remember the result of foreign "supervision" of Somoza's elections, which in fact meant foreign (U.S.) control. Instead of foreign supervision, the government has agreed to foreign observation of the elections and has proposed as observers the Contadora Group, the UN, the Christian Democrat International, the Liberal International, the Socialist International, and the Non-Alligned Nations.

#### Conclusion

Although the atmosphere for elections in Nicaragua is not perfect, serious attempts are being made to keep the elections fair and democratic. One can point to many significant ways in which the elections in Nicaragua are far more democratic and allow a far freer voice for the opposition than in El Salvador, where recent elections have been touted by the U.S. government as a model exercise in democracy. Still, U.S. Ambassador Quinton has commented on the Nicaraguan elections by saying, "It won't be a real election. They will only be voting on who the players will be -- they won't be changing much." In response to this comment,

Council of State President Carlos Nuñez remarked to a U.S. reporter, "Tell me, when your Republicans and Democrats fight each other at election time, do they do so to gain office -- or to change the system of government started by your (1776) Revolution?"

The exchange between Quinton and Nuñez, as well as the quote by George Schultz which appears at the beginning of this article, demonstrate perhaps the largest obstacle which the Nicaraguans face as they approach their elections. There seems to be little that can be done, short of abdication of power by the Sandinistas, which would win the Nicaraguan elections respect from the Reagan administration. Absent that respect and acknowledgement of legitimacy, is there any way the Nicaraguan government as we now know it can continue to exist in the same world as the Reagan administration? One cannot help but wonder which election will ultimately have a greater effect on the lives of Nicaraguans: their own election, or that of the U.S.?

-editors

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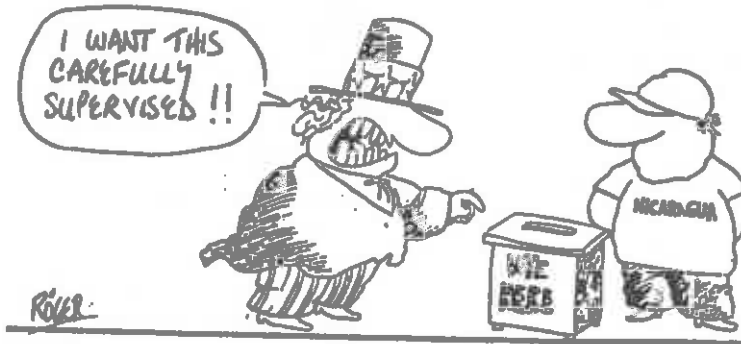
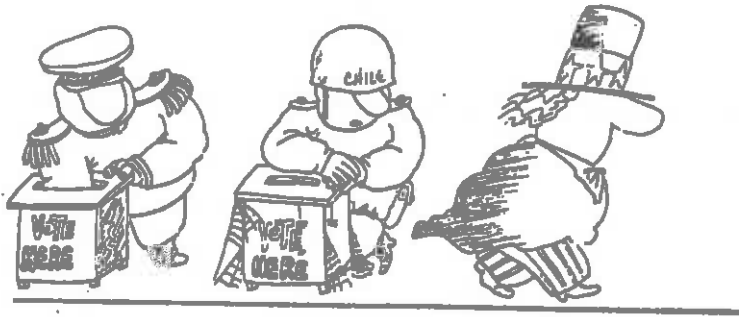
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# Costa Rica:

## A Reformist System Under Strain

### Introduction

In many respects, Costa Rica has presented a favorable contrast to the other Central American nations. Its *per capita* income of U.S. \$1,520 was second only to Panama's in Central America. Universal primary education has resulted in a population 90% literate. During the 20th century Costa Rica has been governed with one brief exception by civilian governments which, with two exceptions, have succeeded one another more or less in accordance with constitutional procedures. More important, Costa Rican elites have avoided use of the repressive violence which is so common in El Salvador, Guatemala, and, to a lesser degree, Honduras, and which was the most salient characteristic of the Somoza regimes in Nicaragua. Historically, the stability of the Costa Rican system has been maintained as much through social reform as through the use of force.

The prospect for the continuation of Costa Rican compromise and reform is uncertain. The last decade has seen a steady erosion of Costa Rican resources for offering reforms. The terms of trade facing Costa Rica in the international marketplace have worsened. Coffee export prices have fallen, while the prices of imported manufactured goods, and the price of oil, have risen steeply. Stagnating industrial growth, the mechanization of agriculture, and an extremely high rate of population growth (around 4%) combine to create increasing un- and under-employment. Costa Rica's external public debt of \$4 billion is one of the highest *per capita* in the world (NACLA, Jan/Feb 1984, p. 37). The price for International Monetary Fund (IMF) aid with debt re-scheduling is "austerity", which

means a reduction of employment in the public sector and of social welfare spending.

At the same time, Costa Rica finds itself embroiled in an increasingly polarized regional situation. The Nicaraguan Revolution across Costa Rica's border has led to an intensified U.S. presence. The Contra group ARDE also operates out of Costa Rica. The U.S. and the CIA-funded Contras find allies in high places. According to April, 1984 New York Times reports, top Costa Rican security officials have accepted CIA bribes. The chief of the National Security Office and the Minister of the Interior are widely believed to have ties with ARDE. As the economic resources for enacting reforms are disappearing, an eager U.S. government is thrusting military resources upon a sometimes reluctant Costa Rican government. The crucial question for Costa Rican reformism is whether elements of the Costa Rican elites will draw the link between fighting the Revolution across the border, and tightening domestic repression in the name of fighting the Revolution at home.

Costa Rican reformism is threatened, but it is not dead. Recent evidence of cooperation among debtor nations and the wise counsels of the EEC nations may result in the development of a more humane solution to the debt crisis than IMF-imposed austerity (NYT, June 23, 1984). Traditional Costa Rican pacifism and independence from U.S. policy in regional affairs may preserve Costa Rica's neutrality in the conflict between Nicaragua and the United States, and at the same time prevent the militarization of Costa Rican society. However, the possibility also exists that the 1980's in Costa Rica will see a widening of the gap between rich and poor on the one hand, and the

growth of a repressive apparatus for control of the bulk of the population by the privileged classes on the other.

### Overview

Costa Rica has a population of two and a half million and a land area of about 20,000 square miles (smaller than Arkansas). It is bordered to the East and West by the Atlantic and Pacific Oceans, and to the North and South by Nicaragua and Panama. The economy is based on the production for export of coffee and bananas. In 1975, mining and manufacturing accounted for only 17% of Costa Rica's gross domestic product (Stat. Abstract of Latin Amer., p. 285). The country is divided into three distinct regions, the *meseta central*, the Atlantic, and the Pacific Coasts. The *meseta central* is in the highlands in the center of the country. It contains about 6% of the country's total area, and, in 1973, contained 57% of the country's population. Industrial development, public employment, and public spending for social services and infrastructure are concentrated even more disproportionately than population in the *meseta central* (Denton, p. 2-3). Only poverty and minority groups are concentrated on the coasts. The nation's small Black and Indian populations live almost exclusively outside the *meseta central*. Traditionally, the coastal regions were run as virtual colonies of the U.S. owned fruit companies, especially United Fruit (now United Brands). The companies are still extremely influential in the coasts.

### Bananas and Coffee

During the Colonial period, Costa Rica's population consisted of ethnically homogeneous yeoman farmers overwhelmingly concentrated in the *meseta central*. Geographic isolation, the lack of Indian laborers (the native population was virtually exterminated by European persecution and diseases), and the absence of gold combined

with an abundance of land relative to the small population to create a frugal but relatively egalitarian society based on subsistence agriculture.

The introduction of coffee as a cash crop by the British in the 1800's altered this egalitarian situation. As land prices on the *meseta central* sky-rocketed (Seligson, p. 24, cites an estimate that between 1820 and 1850 land prices on the *meseta central* rose 20 to 30 times) and mechanized production replaced traditional techniques, land ownership became increasingly concentrated. Although accomplished through the action of market, rather than physical force (as occurred in some other Central American nations), the destruction of the yeoman peasantry occurred with incredible speed. In the 1820's, virtually all peasants owned their own land. By 1883, 71% of the agricultural population were landless laborers (Seligson, p. 23). The destruction of the yeoman peasantry occurred simultaneously with the rise to economic dominance of the embryonic Colonial aristocracy. Coffee provided the economic base for the national "oligarchy" which to this day is an important factor in Costa Rica's economic, social, and political life.

The drive to market coffee efficiently led to the transformation of Costa Rican society in other respects. The construction of a railroad to carry coffee from the *meseta central* to the Atlantic Coast port of Limon led to the introduction of banana cultivation. Cultivation of the new crop provided large-scale employment at precisely the time when landlessness and unemployment in the *meseta central* threatened to lead to rural unrest (Seligson, p. 63-4 and *passim*). The timely appearance of this "escape valve" is one important explanation of why Costa Rica's elite avoided falling into the pattern of repression adopted by the landed "oligarchies" of the other Central American nations.

With banana cultivation came two new economic powers. The first was the U.S.-owned international fruit companies, initially United Fruit, joined later by others including Del Monte and Castle and Cook (Dole). Like the economies of many Latin American nations immediately following independence, Costa Rica's economy had been oriented towards Britain. The fruit companies shifted the orientation of the Costa Rican economy towards the United States. The second economic power was a rural proletariat. In the 1930's, banana workers began a tradition of union activism under Communist leadership which continues in the present.

Coffee and bananas have played very different roles in the development of the Costa Rican economy. Coffee production was, and is, controlled by a domestic "oligarchy" which has used the capital accumulated out of coffee profits for investment inside Costa Rica. Banana profits, however, have not been re-invested in Costa Rica (Seligson, p. 56-64). Just as important, the virtual independence of the banana companies from government control has enabled them to avoid paying taxes. In 1928, coffee export taxes amounted to 11.8% of the value of coffee exported. Banana export taxes amounted to only 1.4% of total value. United Fruit Company also received a wholesale exemption from import taxes (Seligson, p. 60-61).

#### The Pattern of Reform Threatened: Debt, Aid, and Neutrality

The nature of the fiscal crisis facing Costa Rica as a result of its reliance on foreign loans has been mentioned above. A few examples will clarify the human costs implied by IMF austerity measures, and in turn suggest the extent of the strain placed on political stability. In 1977, 24.8% of families had incomes insufficient to buy a government-defined basic "market basket" of essential foods, school materials, and utility services. In 1980, 41.7% of families lived in poverty by this definition. By 1982, the

percentage had climbed to an incredible 70.7% (NACLA, Jan/Feb 1984, p. 38). Infant mortality rates and malnutrition among children are on the rise (*ibid*). Costa Rica's industrial wages are currently the lowest in Central America and the Caribbean outside of Haiti (*ibid*, p. 37). Costa Rica's National Institute of Housing and Urbanization estimates that 61.6% of Costa Ricans have inadequate housing (Mesoamerica, Sept. 1983). Despite the land re-distribution program, Dr. Fayid Ayales of Costa Rica's National University notes that economic hard times have led to "greatly accentuated" land concentration in the 1980's (CAHI Update, April 13, 1984).

In 1983, the Costa Rican government paid \$396 million in interest alone on its foreign debt. Foreign debt servicing currently equals 50% of the nation's total export income (Mesoamerica, Feb. 1984). The Economic Emergency Law, passed in February, 1984, provided for 20% across-the-board cuts in a budget already seriously reduced in real terms by inflation. The prices of petroleum products were raised by 25% (CAHI Update, April 13, 1984). The IMF also required the government to end basic food price subsidies and to raise utility rates (Mesoamerica, Nov. 1983, NACLA, Jan/Feb 1984).

Not surprisingly, the Costa Rican populace has met this assault on its standard of living with mounting protest. Strikes, demonstrations, and land invasions are on the rise. Even the traditionally moderate teachers' union has joined with more radical unions to demand price controls for items in the basic "market basket" (NACLA, Jan/Feb 1984). An element of nationalism also enters into these protests, since the IMF is clearly viewed as allied with U.S. interests. When the IMF held up a loan payment in Nov., 1983, ostensibly because the government had "improperly" used the funds to establish day-care centers, the move was widely interpreted as punishment for Costa Rica's vote in the U.N. condemning the U.S. invasion of Grenada.

Although its revenue-raising abilities are under a great deal of strain, the government has so far continued the pattern of dual response. As

recently as March, 1984, the Rural Guard forcibly evicted several hundred squatters from a large farm in Coto Brus in southern Costa Rica. Tear gas was used and one young man was killed. Three hundred peasants were arrested. That same week, 2,000 acres of the farm were expropriated for re-distribution (CAHI Update, April 13, 1984). In August, 1983, strikes by a wide variety of public employees (including petroleum, hospital, and bank workers, and the air traffic controllers) won an \$11 a month wage increase, but only after President Monge had sent Civil Guards to occupy the oil facility and "...threatened to meet other public employee strikes with force." (NACLA, Jan/Feb 1984, p.39). "Massive land invasions" with "...over 100 disputes in the first nine months of 1983..." led Monge to announce an emergency land re-distribution program, while warning that further squatting would not be tolerated. A nationwide protest in May, 1983, which mobilized formerly passive sectors of the population against an IMF-inspired electricity rate hike (rates were up 300% in two years) resulted in the lowering of the rates.

Clearly, this pattern cannot continue forever. Costa Rica cannot simultaneously impose IMF-austerity, avoid taxing its own upper classes, and buy-off popular protests with government funded concessions. Eventually, the government will be faced with three alternatives: tax the rich, procure large-scale economic aid, or increase the effectiveness of the repressive apparatus. The political consensus for the first of these alternatives is probably unachievable. The United States is the obvious source of resources to pursue either of the latter two alternatives.

Some steps have already been taken in the direction of increasing the effectiveness of Costa Rica's police power:

The rural police have been centralized into a "Guardia de Asistencia Rural"; the military police have been increased in size and effectiveness; and permanent rural military outposts have, for the first time, been set up in areas which have recently exhibited peasant unrest (Seligson, p.xcvi).

The United States has encouraged the sometimes reluctant Costa Rican government in this course. Shortly after taking office in 1982, President Monge accepted U.S. offers of police and counter-insurgency training which had been rejected by his predecessor President Carrazo (NACLA, Jul/Aug, 1982). However, in late 1983, Monge's government decided against sending Civil Guards to CREM (Regional Center for Military Training) in Honduras to receive training from Green Berets.

In addition to accepting U.S. offers of security training, Monge also has lent the support of his government to Reagan administration policies in the region, echoing rhetoric about the threat posed by "international Marxism" operating via "Cuba and Managua" (CAHI Update, April 13, 1984). In October, 1982, Costa Rica hosted a U.S. sponsored rival to the Contadora Group, the "Forum for Peace and Democracy", which Mexico and Venezuela have criticized and to which Nicaragua was not invited. Most significantly, the Contra group ARDE, under the leadership of Eden Pastora, has been allowed to launch its CIA-funded attacks on Nicaragua from Costa Rican territory.

What Costa Rica hopes to gain in return for support of U.S. regional policy is obvious. In 1983, Costa Rica received \$110 million in U.S. economic aid, the second largest *per capita* level of U.S. economic aid in the world (NACLA, Nov/DEC 1983). As the Kissinger Commission met in San José, the Monge administration presented its request for \$3 billion in U.S. economic aid over the next ten years (Mesoamerica, Nov. 1983).

However, while avowedly pro-American and anti-Communist in the ideological sphere, Monge has sought to maintain a semblance of neutrality in the military conflict (see the interview with Minister Rodolfo Silva in Mesoamerica, Nov. 1983). On November 17, 1983 a Proclamation of Perpetual Neutrality was issued (U.S. Ambassador Curtin Winsor boycotted the ceremony), and in December, Monge requested that the U.N. and Contadora Group place permanent observers along

the Nicaraguan-Costa Rican border to guarantee Costa Rican neutrality (Mesoamerica, Dec. 1983). Also in December, ARDE leaders Eden Pastora, Orion Pastora, Alfonso Robelo, Brooklyn Rivera, and José Davila were charged with "illicit association" in violation of Costa Rican neutrality.

A debate is raging within Monge's own government over neutrality. Former Foreign Minister Volio, who resigned under pressure in late 1983 following Costa Rica's U.N. vote on Grenada, is a fervent anti-Sandinista (Mesoamerica, Dec. 1983), as are the current and former chiefs of the National Security Office, Colonels Mone and Tascan (Guardian, May 16, 1984, p. 15). The Rural Guard Chief, Colonel Rigoberto Badilla, was fired after accusing his superiors, Interior Minister Carro and Vice Minister Chacon, of links with ARDE (Mesoamerica, April, 1984).

Monge is attempting a delicate balancing act. He must avoid involving Costa Rica in a disastrous confrontation with Nicaragua, which might lead to internal conflicts (several Costa Ricans have already been killed in disputes related to Contra activity in the North, Mesoamerica, Dec. 1983). At the same time he must resist pressure from his

own right-wing and convince the United States that Costa Rica deserves massive economic aid as a loyal ally. If he is unable to accomplish this difficult task, the 1986 elections may reveal a wider spectrum of contenders for power, on both the left and the right, than Costa Rica's "extremists of the center" have seen since 1984 (the phrase in quotes is from Minister Rodolfo Silva, in Mesoamerica, Nov. 1983).

-Rachel Kreier

**Editor's Note:** Since this article was written, a cabinet shake-up has occurred in Costa Rica. The chain of events leading to this shake-up began in early July when "...several conservative pressure groups including the powerful Chamber of Commerce..." demanded

that President Monge remove Minister of Security Solano from office; "...straighten out his economic policy, break diplomatic relations with Nicaragua, denationalize the banking system, and remove at least two 'controversial' ministers." (Mesoamerica, Sept. 1984) In August, Solano told reporters that rumours of a *coup d'état* by either the extreme left or right had led him to place security forces on alert and mobilize 20,000 volunteers to protect Monge's government. Solano later retracted these statements, but they led to a furor inside Costa Rica. Under the ensuing pressure, Monge asked for the resignations of all 18 cabinet members. He accepted the resignations of four, including that of the relatively progressive Solano. Monge also accepted the resignations of the hard-line anti-Communist Minister and Vice Minister of the Interior, Alfonso Carro and Enrique Chacon. According to Mesoamerica (Sept. 1984) the new appointees are considered to be moderates, and supportive of traditional Costa Rican neutrality.

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## New York Times Coverage

### of the Nicaraguan and Salvadorean Elections

Media coverage in the US provides virtually the only information most US citizens have on foreign affairs. Thus, the media play a crucial role in influencing public opinion, which in turn can affect foreign policy. This raises the question as to how objective, factual and free from bias is the reporting by the major media?

In an article reviewing the New York *Times* coverage of the '84 Salvadoran and Nicaraguan elections published in *Covert Action*, Spring '84, Edward S. Herman, Professor of Finance at the University of Pennsylvania, examined the underlying bias inherent in the press coverage of the two events. Herman chose the New York *Times* for three reasons: 1) it is the most important paper in the United States; 2) it is a media leader whose choices influence other newspapers and the television networks; and 3) the *Times* provides a fuller and more critical coverage of Central American issues than the average paper or TV news broadcast.

In his report, Herman examined 28 *Times* articles on the El Salvador elections published between 1 Feb and 30 Mar '84, and eight articles on the upcoming Nicaraguan elections published in the same period. In Tables 1 and 2, Herman summarized the sources used by the *Times* in its news articles on the two elections. Herman pointed out that for the Salvadoran elections "there was an overwhelming reliance on US and Salvadoran officials, amounting to 80 percent of the source total." Furthermore, he shows that in 20 of the 28 articles, "official sources were not only dominant, they were uncontested by any other cited sources."

He goes on to say: "Although the majority of Salvadorans are peasants, only two of 263 identifiable sources used by the

*Times*--under one percent of the total--were peasants." In Demonstration Elections, Edward Herman and Frank Brodhead, the authors elaborate on this observation: "If the media were to talk mainly with rebels, peasants, ordinary intellectuals and professionals, members of the Salvadoran Church Legal Aid Office, or refugees, a different agenda would force themselves into media cognition and prominence."

Table 1 shows that the Salvadoran rebels were cited 27 times or approximately 10 percent of the source total. However, according to Herman, even this small percentage is misleading because in the majority of the cases the rebels were only asked about their disruption plans and were not allowed to elaborate on why they believe free elections in El Salvador are unfeasible. In contrast, the armed opponents of the Sandinista government were regularly quoted on the reasons underlying their objection to the elections scheduled for Nov '84 in Nicaragua.

Table 2 shows that in the *Times* coverage of the upcoming elections in Nicaragua published during the same period, Sandinista officials accounted for only 39.5 percent of sources cited, while US officials and Sandinista opponents accounted for 60.5 percent of the sources. In addition, Herman notes that not only are the Sandinistas quoted less frequently, they are used as an indirect source, by paraphrase, which reflects "a less authentic, less dramatic, and often more skimpy mode of conveying fact and opinion." Thus, Herman concludes: "whereas the US sponsors and their on-the-spot managers of the Salvadoran election were given overwhelming space to define the election according to their vision, for Nicaragua both the volume and the quality of sourcing favored the critics of the

*election, not its organizers."* This imbalance has a definite effect on the public mind: It paints the anti-government rebels in El Salvador as the "bad guys" refusing to participate in that country's "step towards democracy" and as disruptive elements in that process. Meanwhile, the anti-government rebels fighting against the Sandinistas in Nicaragua are portrayed as trustworthy opponents to a dubious "electoral farce". There is an obvious tendency for journalists to follow the US government's perspective on the region.

Tables 3 and 4 show for the El Salvador election, the *Times* focused on topics compatible with the US government's agenda while ignoring or suppressing topics not compatible with the government's agenda such as the legal obligation to vote, death squad threats and freedom of the press. Since '79, over 30 journalists have been murdered in El Salvador including four Dutch journalists who were killed in mysterious circumstances less than two weeks before the March '82 elections. Two liberal newspapers were forced to close down and the university radio station was bombed on at least one occasion after criticizing government repression. Yet there is little discussion of the lack of press freedom in El Salvador and virtually no discussion of other preconditions needed for free elections. Herman's analysis of the *Times* treatment of press freedom in the two countries shows a definite bias in favor of El Salvador. The topic is not mentioned once in 28 articles on the El Salvador elections but it is mentioned in great detail in six of eight articles dealing with the Nicaraguan elections where no journalists have been tortured,

disappeared or been killed and where the main opposition paper, *La Prensa*, continues to publish and to make harsh criticisms against the Sandinista government despite the almost daily censorship imposed on it.

Herman's article demonstrates the importance of sources and topics in reporting on Central America. Another problem in the media's

coverage of Central America is the widespread tendency for reporters to integrate the Administration's assertions about the region as standard vocabulary. For example, the Reagan Administration constantly repeats the US's support of anti-Sandinista rebels is based on stopping Nicaraguan arms shipments to the Salvadoran rebels. Despite several well-documented reports to the contrary, the official Washington line is repeated daily in newspapers and on television and becomes truth in the minds of the US public.

Herman does not discuss the editors' role in determining which articles will be published and which will be excluded. One reporter living in Nicaragua pointed out that it is nearly impossible to interest editors in positive news about the Sandinista government. Herman has observed that editors do promote reporters who incorporate the US agenda in their coverage.

In his article, Herman accuses the mass media of consciously manipulating the news to conform to the government's interests. His conclusion: *"The dichotomous treatment of the Salvadoran and Nicaraguan elections by the New York Times described above lends powerful support to the hypothesis tested here: that the mass media follow a patriotic agenda, advance certain facts, suppress others, and even tell outright lies. Sometimes the lies are government untruths objectively transmitted: sometimes they are developed independently."*

Writing on the same subject, *NACLA*, July-Aug '83, takes a softer view: *"At times of course, journalists will consciously emphasize an ideological interpretation of events. But for the most part, the influence of ideology is unconscious. The journalist will seize upon certain images or angles—the fanatical revolutionary, the apolitical Salvadoran voter who chooses 'ballots rather than bullets'—not so much to*

*make a point as simply to find a familiar point of reference in an alien reality. The intention is to present reality in a way the public will understand and that makes sense to the journalist.*"

Whether or not the US government's agenda in press coverage of the region is the result of conscious or unconscious motives, the results are equally dangerous. In the case of El Salvador, painting too bright an image can convince the US public to accept an undemocratic regime. And by bombarding the public with a negative picture of Nicaragua, the groundwork is laid for public acceptance of a direct US military intervention and full scale war.

Article reprinted from MESOAMERICA, September 1984. Parts of this article are based on "The New York Times on the 1984 Salvadoran and Nicaraguan Elections", Copyright © 1984 by Covert Action Publications, Inc.; from *Covert Action Information Bulletin* No. 21 (Spring 1984); subscriptions \$15/yr/US\$20/yr, from CAIB, Box 50272, Washington, DC 20004. Used by permission.

**TABLE I**  
Sources Used by the *New York Times*  
in Its News Coverage of the El Salvador  
Election of March 25, 1984\*

Source	Number of Times Used**	Percentage of Times Used
<b>U.S. Officials</b>		
Direct***	42	16.0
Indirect	66	25.1
Total	108	41.1
<b>Salvadoran Officials</b>		
Direct	53	20.2
Indirect	50	19.0
Total	103	39.2
<b>Rebels</b>		
Direct	15	5.7
Indirect	12	4.6
Total	27	10.3
<b>Peasants</b>		
Direct	1	0.4
Indirect	1	0.4
Total	2	0.8
<b>Other</b>		
Direct	18	6.8
Indirect	5	1.9
Total	23	8.7
<b>Total</b>	<b>263</b>	<b>100.0</b>

\*Based on a study of the 28 articles published by the *New York Times* on the Salvadoran election of March 25, 1984, that appeared between Feb. 1 and March 30, 1984.

\*\*A source is counted once for each identifiable line of argument, fact, or opinion attributed to that source.

\*\*\*Direct means that the source is quoted rather than paraphrased (indirect).

TABLE 2

Sources Used by the *New York Times* in  
Its News Coverage of the Forthcoming  
Nicaraguan Election of November 1984\*

Source	Number of Times Used**	Percentage of Times Used
U.S. Officials		
Direct***	14	18.4
Indirect	8	10.5
Total	22	28.9
Nicaraguan Officials		
Direct	6	8.0
Indirect	24	31.5
Total	30	39.5
Nicaraguan Opposition		
Direct	12	15.8
Indirect	12	15.8
Total	24	31.6
<b>Total</b>	<b>76</b>	<b>100.0</b>

\*Based on a study of the eight articles published in the *New York Times* between Feb. 1 and March 30, 1984, on the Nicaraguan election to be held in November 1984.

\*\*A source is counted once for each identifiable line of argument, fact, or opinion attributed to that source.

\*\*\*Direct means that the source is quoted rather than paraphrased (indirect).

TABLE 3

Topics Included and Excluded in the  
*New York Times* News Coverage of the El Salvador  
Election of March 25, 1984\*

Topics	Number of Articles Dealing with Topic	Percentage of Articles Dealing With Topic
<b>Those Compatible With the U.S. Government's Agenda:</b>		
1. Democratic purpose & hopes	6	21.4
2. Rebel disruption	15	53.6
3. Turnout	7	25.0
4. Election mechanics	9	32.1
5. Personalities & political infighting	10	35.7
6. Official reflections on the election	10	35.7
7. The army as protector of the election	5	17.9
<b>Those Incompatible With the U.S. Government Agenda</b>		
8. The public relations purpose	3	10.7
9. U.S. investment in the election	2	7.1
10. Fraud in the 1982 election	0	0
11. The existence of free speech and assembly—legal state of siege	1	3.6
12. Freedom of the press	0	0
13. Organizational freedom	0	0
14. Limits on the ability of candidates to qualify and campaign	0	0
15. Prior state terror and climate of fear as possible electoral negative	3	10.7
16. Power of armed forces, links to candidates and parties, as possible negative factor	1	3.6

Table #3  
continued on  
page #19.

Topics	Number of Articles Dealing with Topic	Percentage of Articles Dealing With Topic
17. Legal obligation to vote	4	14.3
18. Legal penalties for non-voting	2	7.1
19. Marking of voters' fingers	1	3.6
20. Stamping identification cards	2	7.1
21. Legal requirement that authorities check within 10 days that voters have voted	0	0
22. Possible non-legal threat to non-voters from death squads and security forces	0	0
23. The use of transparent voting urns	1	3.6
24. The legal right of the security forces to an armed presence at voting stations	0**	0

\*Based on a study of the 28 articles on the El Salvador election that appeared in the *New York Times* between February 1 and March 30, 1984.

\*\*Lydia Chavez even made a false statement to the opposite effect—see accompanying box.

TABLE 4

Topics Included and Excluded in the *New York Times* Coverage of the Nicaraguan Election Planned for November 4, 1984\*

Topics	Number of Articles Dealing with Topic	Percentage of Articles Dealing With Topic
<b>Those Compatible with the U.S. Government's Agenda in the El Salvador Election:</b> (Of the 7 items in Table 3, all are blanks except one)		
1. Election mechanics	3	37.5
<b>Those Incompatible with the U.S. Government Agenda in the El Salvador Election**:</b>		
2. The public relations purpose	3	37.5
3. Free speech	2	25.0
4. Freedom of the press	6	75.0
5. Organizational freedom	4	50.0
6. Ability of candidates to qualify and run	3	62.5
7. Power of the armed forces, link to state, as negative factor	3	37.5

\*Based on a study of the eight articles on the forthcoming Nicaraguan election that appeared in the *New York Times* between February 1 and March 30, 1984.

\*\*Many of the topics listed on Table 3 under this subheading are not relevant to the Nicaraguan election—all that are covered in the articles examined are listed here.

# WHAT IS CUSLAR?

The Committee on U.S./Latin American Relations (CUSLAR) is a Cornell University-based group which works in Ithaca and the surrounding areas to promote a greater understanding of Latin America and the Caribbean. We are particularly concerned with the role of the United States in influencing the social, political, and economic conditions of the region. Within this context we support the fight of the people of Latin America and the Caribbean for self-determination and their efforts to free themselves from a legacy of colonialism, underdevelopment, and oppression.

Our calendar of events includes a very popular film series, speakers, and panel discussions on current issues. Our office is a resource center, with a large variety of up-to-date publications including periodicals, pamphlets, books, slideshows, and materials from national and international sources. CUSLAR receives ongoing information from various national solidarity networks, as well as other upstate groups.

The CUSLAR office is in G-29, Anabel Taylor Hall, at Cornell (phone: 255-7293). The office is open to the community on weekdays; weekly meetings are held on Mondays at 5pm in the CUSLAR office. Come join us. There is much work to be done and we welcome participation of individuals as well as local organizations. Bring us your suggestions and comments on our programs and written materials.

## CALENDAR

- |                |   |                   |
|----------------|---|-------------------|
| Oct. 18<br>8pm | 3 short films: <u>Banana Company</u> (Nicaragua), <u>It's the Real Thing</u> (Guatemala), and <u>A Time of Daring</u> (El Salvador)   | Uris Hall         |
| Oct. 26<br>8pm | Convocation: "On the Path to War: the Hidden Role of Nuclear Weapons in Superpower Foreign Policy", sponsored by the Nov 11 Committee | Statler           |
| Nov. 1<br>8pm  | Film: <u>Grenada: The Future Coming toward Us</u> (Grenada)   | Uris Hall         |
| Nov. 2<br>8pm  | Concert: Roy Brown, music from Puerto Rico  | Barnes Auditorium |
| Nov. 15<br>8pm | Films: <u>Haitian Song</u> (Haiti), and <u>Alpaca Breeders of Chimboya</u> (Peru)   | Uris Hall         |

We plan to have a Peña (a Latin American party with music, poetry, food, dancing...) soon, so watch for the time and place!