

Honduras: Crisis of democracy

In an open challenge to a Supreme Court sentence, Honduras President, Manuel Zelaya, tried to hold a referendum last June 28, in order to rewrite the Constitution and enable his personal re-election. In so doing, he followed the re-electionist trend that is characterizing the member countries of the Bolivarian Alliance of the Americas (ALBA in its Spanish acronym).

In this manner, after violating the law, Zelaya was detained by the Armed Forces and subsequently deported to Costa Rica.

The respect to democratic norms and the rule of law that inspire Honduras political system was broken. The appropriate constitutional remedy should have been his political impeachment and subsequent arrest for violating the law. Nevertheless, Manuel Zelaya is greatly responsible for his own overthrow.

The Bolivarian influence

The events in Honduras must be understood within the context of a decade of influence of "Chaves" in Latin America. President Chavez, has exported his "21st century socialism" to the entire region, with varied successes in Ecuador, Bolivia, Nicaragua and to this date in Honduras (Table n^o1); countries that following his own example have abused their presidential power to destroy the institutions –particularly the system of checks and balances- and consolidate their political project.

In this sense, Manuel Zelaya, who was elected democratically in 2005 as a Center-

Right candidate by the Liberal Party, made a sudden left turn toward the Bolivarian axis. After joining ALBA, he sought to consolidate his power by applying the same anti-democratic powers of his Venezuelan counterpart.

But Zelaya failed in his attempt. With the referendum he sought Honduran citizens to state whether they agreed to deploy an additional ballot box during the general elections of November 29 to summon a referendum to reform the Constitution. Such referendum, however, was illegal; it did not have the guarantees necessary for a plebiscite; not even a voter registration list or supervisory organ. There is no doubt that Zelaya acted above the law. Although the Honduran laws permit a constitutional reform, the power to open that door is not incumbent upon the President.

A Constitutional Assembly can only be summoned via a national referendum approved by Congress.

This is why the Supreme Court judged that the Referendum was unconstitutional and instructed the Army not to provide logistical support to the process, which is its habitual task. Zelaya responded destituting the Head of the Commanders in Chief, Major Romeo Vázquez. This was followed by the resignation of Defense Minister, subsequently emulated by the resignations of the Army, Navy and Air Force Chiefs.

Después vino la renuncia del ministro de Defensa, Ángel Edmundo Orellana. Dimitieron también los jefes del Ejército, la Marina y la Aviación.

There is no doubt that Zelaya acted above the law. Although the Honduran laws permit a constitutional reform, the power to open that door is not incumbent upon the President. A Constitutional Assembly can only be summoned via a national referendum approved by Congress.

But, the Supreme Court of Justice ordered the restitution of Romeo Vázquez. Even so, Zelaya persisted and decided to carry out the “popular survey” on his own. He led a group that trespassed the military installation where they kept the ballots that had been sent from Venezuela, and asked his followers to distribute them, in a clear challenge to the Supreme Court resolution¹.

The political crisis reached its apex on Sunday, June 28, the day of the referendum. The Legislative Branch of Government backed the action of the Armed Forces that detained and deported Zelaya. Both institutions assert that his detention originated from a Supreme Court Order that was issued when confronted to such a consummated illegal act².

In this form, the President of the Congress, Roberto Micheletti, was appointed as the country’s Interim President.

International reaction: Precipitated?

In 2002 there was an attempt to overthrow the Venezuelan Government that lasted only a couple of days and counted with the official recognition of both the US as well as the EU. The desire of not tripping on the same rock again perhaps explains why the developed countries of the Western World rushed to identify the events occurring in Honduras as a classical military coup³.

The reactions from around the world did not take long. With significant vehemence and in a unanimous manner –from Barack Obama, to the OAS and the UN General Assembly– calls have been issued requiring the restitution of Zelaya to power, thereby disavowing and denying any legitimacy to the Micheletti presidential appointment. On the other hand –in what appears to be a personal campaign, Hugo Chavez has lead claims of the military coup as an oligarchic personal campaign against democracy.

But, what is going on in Honduras is a different thing altogether. Apparently, as indi-

cated by *The Economist*, “the only people who do not want the President back to power are Hondurans⁴. This happened because many got tired of the institutional crisis and the existing polarization.

However, the image of a constitutional president being detained and expelled from the

Chart N° 1

Alianza Bolivariana para las Américas (ALBA)		
País	Año ingreso	Población
Venezuela	14 de diciembre 2004	28.199.825
Cuba	14 de diciembre 2004	11.451.652
Bolivia	29 de abril 2006	9.119.152
Nicaragua	23 de febrero 2007	5.891.199
Dominica	20 de enero 2008	72.660
Honduras	9 de octubre 2008	7.483.763
Antigua y Barbuda	24 de junio 2009	85.632
Ecuador	24 de junio 2009	14.573.101
San Vicente y las Granadinas	24 de junio 2009	120.000
ALBA	14 de diciembre 2004	73.453.238

Source: In-house.

country in his pajamas went farther than any explanation about the conflict of powers that in fact precipitated the crisis.

One must not forget that Zelaya had the lowest level of popularity of any other Latin American president, with 25% approval (See Table n°2).

In this sense, the most important political parties, the Church, the Legislative and Judicial Branches of Government joined their opposition to Zelaya. On the other hand, Zelaya’s support comes from the syndicates and leftist social movements and in certain sectors of the country’s poorest population.

With such contradictory positions, the negotiation process will not be an easy one. This is why the international response has not only been precipitated, but also inadequate when not requiring that Zelaya honor the nationalization of legal State of Honduras.

In this sense, the Organization of American States (OAS), upon considering this grave situation, issued a call for the “immediate and unconditional” restitution of the deposed president to power. Given the refusal of the Interim Government and pursuant to the provisions of the Inter-American Democratic Charter, such Inter-American organization suspended Honduras’ its right to continue to participate in such organization.

To this date, the negotiations undertaken by the OAS Secretary General, José Miguel Insulza, have not yielded any results.

It is this sense –as voiced by the political analyst, Rosen do Raga, “an odd and coincidental paradox appears between the interests of the USA and the EU with the political and strategic interests of Chavez. The fact is that at the same time that the OAS decides to reincorporate the only dictatorship in the continent (i.e. Cuba with its over 50-year-old single political party system with hundreds of Opposition detainees) they decide to suspend a member country whose Congress and Judicial Branch of Government destitute the President who has disobeyed them in order to attempt a road toward an authoritarianism of democratic origin (modeled after Hugo Chavez), which is replicated, with slight differing nuances, by President Correa in Ecuador and President Morales in Bolivia)”⁵.

Looking for a way out

In this way, Belaya’s failed attempt to return to the country in a Venezuelan Government airplane –which the Honduran Army prevented from landing- countries have been adopting a more prudent attitude.

Finally, the international community tried to look for a negotiated way out. Óscar Arias, a Nobel Peace Prize and former President of Costa Rica, headed the negotiation dialogues; which have not had the expected results.

Micheletti’s delegates declared the agreement set forth by Arias –which sought Belaya’s restitution with a general amnesty for the political crimes “committed on the occasion

of this conflict”- to be totally unacceptable. Given the parties’ intransigence, Arias issued a new 72-hour deadline aimed at “avoiding bloodshed” and finding a solution, which expired on Wednesday, July 22, again without an agreement.

The situation, in turn, is being stirred by

Chart N°2
President’s approval

RANKING PAÍS	MANDATARIO	FECHA EVALUACIÓN	% DE APROBACIÓN
1	Luiz Inácio Lula Brasil	Nov-08	70%
2	Alvaro Uribe Colombia	Feb-08	69%
3	Felipe Calderón México	Mar-09	68%
4	Antonio Saca El Salvador	Feb-09	66%
5	Barack Obama EUA	Abr-09	61%
6	Rafael Correa Ecuador	Mar-09	60%
7	Fernando Lugo Paraguay	Nov-08	60%
8	Michelle Bachelet Chile	Feb-09	59%
9	Evo Morales Bolivia	Feb-09	58%
10	Tabaré Vázquez Uruguay	Feb-09	53%
11	Óscar Arias Costa Rica	Ene-09	49%
12	Martín Torrijos Panamá	Feb-09	48%
13	Álvaro Colom Guatemala	Ene-09	45%
14	Leonel Fernández R. Dominicana	Nov-08	38%
15	Daniel Ortega Nicaragua	Dic-08	38%
16	Alan García Perú	Mar-09	34%
17	Cristina Fernández Argentina	Feb-09	29%
18	Manuel Zelaya Honduras	Oct-08	25%

Source: Encuesta Mitofsky, april 2009.

Hugo Chavez and Daniel Ortega, who talk about invasions and resorting to the use of force. On the other hand, the deposed Zelaya announced that he will return to Honduras and has called upon his followers to mobilize at all border points. Moreover, he issued his own self apology in advance for an eventual internal civil conflict that could tear the country apart, stating that “the civil war has already begun” and blaming Micheletti for it.

The *de facto interim* government continues to receive international pressures. The United States has threatened to cut off all its assistance and the European Union has already frozen US\$ 65 million of earmarked aid to that country.

The problem is that the international community has not properly weighed the real situation of that Central American Country, whose “international isolation may provide a fertile land for internecine violence”⁶. At this time, persuasion and mediation are more important than sheer imposition.

Ultimately, given the degree of polarization of the country’s population, who really stands to win in an eventual Zelaya return to power? Honduran institutions continue to operate normally and the State Powers, as well as the Church and the entrepreneurs back Micheletti. Right now, the great beneficiary would be Chavez, who would come back to exert power over this country, destabilizing its democracy. And, perhaps even more forcefully, given the huge support coming from the international community.

In spite of all this, history is still in the making. The consequences of this crisis are still unpredictable. It is in this sense, that a way out could be to issue a general amnesty for both sides; all of which provides a greater negotiating space, making it possible to achieve agreements such as calling for early presidential elections this November. This could be construed as a democratic way out going back to the Rule of Law, while showing that in Honduras nobody is entitled –as pre-

tended by Zelaya- to appropriate the presidential seat indefinitely.

But, this history is still in the writing. The consequences of this crisis are unforeseeable. In this sense, a way out could well be a general amnesty to both sides, all of which provides greater negotiation space, making it possible to reach agreements such as moving up the November elections. This could be a democratic way out, returning to the State of Law and showing that Honduras can –as pretended by Zelaya- appropriate itself indefinitely of the presidential seat.

¹ O'Grady, Mary, "Honduras defiende su Democracia" (*Honduras defends its democracy*), published in *The Wall Street Journal* (EE.UU.), June 29, 2009.

² The Nation's Attorney's Office filed a fiscal requirement –kept secret- against citizen Zelaya Rosales for crimes against the form of Government, treason to the Fatherland, abuse of his authority and usurpation of Public Administration functions to the detriment of the public administration and to the State of Honduras; reason why, the Supreme Court of Justice, unanimously -and following the procedure established pursuant to the Code of Criminal Procedure- appointed one of its Judges to hear the process in its preliminary and intermediary stages, who admitted such filings, issued orders of embargo and capture to be executed by the county's Armed forces, in their capacity as defenders of the applicability of the Constitution (For additional information, please visit: <http://www.poderjudicial.gob.hn/>).

³ Fraga, Rosendo. "Interpretación de la crisis hondureña" (*An interpretation of the Honduran Crisis*), Publisher in: *Web Nueva Mayoría*, Jul7 9, 2009.

⁴ "Defying the outside world", *The Economist*, July 2nd 2009.

⁵ Fraga, Rosendo. "Interpretación de la crisis hondureña" (*An interpretation of the Honduran Crisis*), as published in the webpage: *Nueva Mayoría*, July 8, 2009.

⁶ Villalobos, Joaquín. "¿Aislar a Honduras o parar a Chávez?" (*Isolating Honduras or stopping Chavez*), published in *Diario de Hoy* (El Salvador), July 9, 2009.