

The Breakdown of Democracy in Honduras & Nicaragua: The Relationship between Criminalization & De-democratization

Aracelly Denise Granja

Dissertation submitted to the University of Ottawa
in partial fulfillment of the requirements for the
PhD in Political Science

School of Political Studies
Faculty of Social Sciences
University of Ottawa

© Aracelly Denise Granja, Ottawa, Canada, 2026

ABSTRACT

Since the early 2000s, Latin America has illustrated a growing trend of declining democratic systems. The rise of populism (Diamond, 2015; Stavrakakis et al., 2016; Bezio & Goethals, 2020), as well as other forms of hybrid and authoritarian regimes (in extreme cases dictatorships) (Fitzi, Mackert & Turner, 2019) has begun to call into question the future of democracy within the region. The breakdown of democracy in Latin America has been characterized by anti-liberal practices, such as the suppression of civil and political liberties in addition to the overwhelming criminalization of human rights defenders and collective action (Doran, 2017).

Based on the information gathered through 50 extensive interviews, this dissertation focuses on these themes through a comparative analysis of two case studies which employ these state-led repressive tactics and whose democratic systems are currently declining, Honduras and Nicaragua. Both these countries' state actors have chosen to engage in the practices of arbitrary arrests, judicial impunity, lethal force, limited freedom of speech, the criminalization of human rights defenders and the related persecution of protesters as common political strategies (Human Rights Watch, 2020a; 2020b). These repressive practices are indicators of Honduras and Nicaragua's failing democratic systems.

Due to these indicators, my thesis seeks to ascertain *How have Honduras and Nicaragua's political systems initiated a process of de-democratization?* In seeking to answer this question and taking into consideration the ongoing insecurity and overt use of government enforced anti-liberal practices, my dissertation additionally inquires *Why doesn't the literature on the causes of de-democratization address criminalization as an important element and/or causal factor of de-democratization? And what role does criminalization play in the advancement of de-democratization?*

Using a theoretical framework based on the works of Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986) and Doran (2017) and a content analysis approach this dissertation presents two primary arguments. First, that the structural flaws that occurred during the transition and democratization processes of Honduras and Nicaragua, led to the composition of inherently weak democratic institutions and to a problematic imbalance of power between the different branches of government, issues which have profoundly contributed to the current de-democratization processes taking place in each country, as well as enabling the use of criminalization as a tool for socio-political repression. And second, that the ability of government agents to employ extreme acts of violence and repression against human rights defenders and as a response to exercises of collective action, suggest that criminalization can and should be used as a causal factor in the study of de-democratization. Particularly, because criminalization is now being increasingly and systematically employed by political actors as a mechanism of repression to target human rights defenders and demonstrators whom they perceive as socio-political opponents.

This dissertation is dedicated to the unlimited love and support of my beloved parents,

Alvaro Antonio Granja Rodriguez

&

Paula Aracelly Zamora Gonzalez

My original mentors, twin pillars of strength, and ultimate source of inspiration.

ACKNOWLEDGEMENTS

As a person of profound faith, I would like to begin by thanking God for the resilience and strength he has granted me throughout my life and in the pursuit of my academic ventures. I would also like to express my immense gratitude to my thesis supervisor, Professor Marie-Christine Doran, who played a pivotal role in the successful completion of this dissertation during my time at the University of Ottawa. Thank you, Professor Doran, for your dedication, invaluable time, and for sharing the wealth of your knowledge and experience.

I am also tremendously thankful to two other professors I have had the pleasure of working with throughout my doctoral studies, Professor Eric Champagne and Professor Olivier Choinière. Thank you both for granting me the opportunity to expand my knowledge base and hone my investigative capabilities, you have both aided in making me a better professional. Further, I would like to thank my colleagues at the Observatory on Violence, Criminalization, and Democracy (OVCD) and my associates at the Centre of Governance (CeG), it has been an absolute pleasure collaborating with you over the last few years.

A special thank you goes to my mother and father for their unwavering support during this long and at times difficult dissertation process. Thank you *mamita linda* and *papito (mi Albi)* for always being there to reassure me and provide me with a listening ear when I have needed it. You are both my greatest motivations in life, and this achievement could not have been accomplished without your love and support. I would also like to thank my older sister, Jessica for always cheering me on and making me believe I could do anything. Thank you to my dear fur baby Lady for accompanying me throughout the writing process, you have been the best writing companion anyone could have ever asked for.

Thank you to my loving grandparents, my Papá, Mita, Papito Salvador and Mami Carmen although we have always been separated by distance your unconditional love has always been with me.

I would also like to thank my extended family here in Canada, the Shenouda-Menese family (Doña Silvia, Tanya, Rida, Antonius, Pavlos & Lorenita) and the Chavarria family (Jacinto, Ligia & *mi hermanita* Stephanie aka *Tafani*) who throughout my life have always been an invaluable source of support, laughter and unmeasured love. Thank you all for always believing in me, you will forever be my family.

Similarly, I would like to thank a special group of women who have inspired me and cheered me on throughout my academic journey my best friends Nicole Caguiat, Michelle Deas, Hanan Duri and Vivian Lee. Thank you for always being there to talk, provide a fun break, some much needed study snacks and encouraging words. I appreciate and love all of you very much.

Lastly, I want to express my heartfelt appreciation to the resilient people of Honduras and Nicaragua. A special thank you to all the participants who took the time to share their incredible stories with me. Thank you to my uncle Gil Salvador Granja, whose help during my fieldwork made the realization of this project possible. I hope that this thesis will do justice to the hardships that have been and continue to be suffered by Hondurans and Nicaraguans. I hope it will serve as a source of inspiration for a better future.

TABLE OF CONTENTS

CHAPTER 1: INTRODUCTION & LITERATURE REVIEW

| | |
|---|-----------|
| Introduction | 1 |
| The Case of Honduras | 3 |
| The Case of Nicaragua | 6 |
| Moving Forward: A Preliminary Presentation of The General Research Questions | 9 |
| Dissertation Outline | 11 |
| 1. Literature Review | 13 |
| 1.1 Democratic Backsliding in Latin America | 13 |
| 1.2 Causes of De-democratization in Honduras | 19 |
| 1.3 Causes of De-democratization in Nicaragua | 23 |
| 1.4 Analyzing the Literature: Why is Democracy Declining in Honduras & Nicaragua? | 26 |
| 1.5 The Relationship between Democracy & Criminalization | 29 |

CHAPTER 2: THEORY & METHODOLOGY

| | |
|---|-----------|
| Theoretical Framework | 36 |
| Introduction | 36 |
| 2.1 Ontological Approach | 37 |
| 2.2 Definitions | 40 |
| A. Liberalization | 40 |
| B. (Democratic) Transition | 40 |
| C. Democratization (& Democratic Consolidation) | 41 |
| D. Criminalization | 42 |
| E. De-Democratization | 43 |
| 2.3 Securing Elitist Immunity through the Construction of Weak Democratic Institutions: An Unbalanced Justice System | 44 |
| Methodology | 52 |
| Introduction | 52 |
| 2.4 Case Study Selection | 53 |
| 2.5 Fieldwork Research | 58 |
| 2.6 Methodological Tools: An Interpretative Content Analysis Approach | 64 |
| 2.7 Document Analysis | 66 |
| 2.8 Self-Reflection | 69 |

CHAPTER 3: THE CASE OF HONDURAS FROM DEMOCRATIC TRANSITION TO DEMOCRATIC DECLINE

| | |
|---|----|
| Introduction | 71 |
| 3.1 A Transition to Democracy | 75 |
| 3.1.1 Transitioning from Military to Civilian Rule | 75 |
| 3.1.2 Concessions (<i>Pacts</i>) at the Time of Transition: The Role of the Military in the Political Sphere | 80 |
| 3.1.3 An Imbalance of Power: Examining the Legislature, Judiciary & Executive Powers | 86 |

| | | |
|-------|---|-----|
| 3.2 | Initial Breakdown of Democracy in Honduras | 92 |
| 3.2.1 | The 2009 Coup D'état | 92 |
| 3.2.2 | The Remilitarization of the Political System: Post-Coup Repression | 97 |
| 3.3 | The Acceleration of De-Democratization: The Hernández Era | 102 |
| 3.3.1 | Constitutional Reforms: Extending the Power of the Executive | 102 |
| 3.3.2 | Socio-Political Protests (2016-2021): A Repressive Governmental Response | 107 |
| 3.4 | From Hernandez to Xiomara Castro: Democratic Revival or Further Democratic Decline? | 116 |

CHAPTER 4: OBSERVING THE HONDURAN DE-DEMOCRATIZATION PROCESS THROUGH A CONTENT ANALYSIS APPROACH

| | | |
|-------|---|-----|
| | Introduction | 121 |
| | ANALYSIS OF HONDURAN FIELDWORK | 124 |
| 4.1 | The Question of Democracy | 124 |
| 4.1.1 | What is Democracy? | 126 |
| 4.1.2 | The Relationship between Public Institutions and Democratic Resilience | 134 |
| 4.1.3 | Honduras: A State on the Mend or Another Causality of Democratic Decline? | 139 |
| 4.2 | The Reality of Criminalization in Honduras | 146 |
| 4.2.1 | What is Criminalization? | 148 |
| 4.2.2 | Is Criminalization Occurring in Honduras? | 154 |
| | A. Environmental & Indigenous Activists | 159 |
| | B. Socio-Political Protesters | 162 |
| | C. Human Rights Defenders | 165 |
| 4.3 | The Lack of Judicial Autonomy in the Honduran Political System | 168 |
| 4.3.1 | Is the Judicial System in Honduras Effective? | 170 |
| 4.3.2 | Is the Judicial System in Honduras Independent? | 173 |
| 4.4 | De-democratization | 176 |
| 4.4.1 | The 2009 Military Coup | 177 |
| 4.4.2 | The Hernandez Era | 180 |
| 4.4.3 | State of Exception under Xiomara Castro | 183 |

CHAPTER 5: THE CASE OF NICARAGUA AN EXAMPLE OF AUTHORITARIAN REGRESSION

| | | |
|-------|--|-----|
| | Introduction | 186 |
| 5.1 | Transition to Democracy | 191 |
| 5.1.1 | The Rise and Fall of the Somoza Family's Political Era | 191 |
| 5.1.2 | The Sandinista Revolution from Dictatorial to Revolutionary Rule | 196 |
| 5.1.3 | The Contra War: Concessions (<i>Pacts</i>) Made on the Road to Democracy | 199 |
| | A. The Aftermath of the Sandinista Revolution: The Outbreak of Civil War | 200 |
| | B. The End of the Contra War: Agreements made for the 1990 Transference of Power | 211 |
| 5.1.4 | “Ruling from Below”: The Role of the Sandinistas in the New Political Landscape | 217 |
| 5.2 | The Initiation of Democratic Backsliding | 224 |
| 5.2.1 | The Ortega-Alemán <i>Pact</i> : The Decline of Nicaragua's Democratic Institutions | 224 |
| 5.3 | The Acceleration of De-Democratization | 232 |

| | |
|--|-----|
| 5.3.1 The 2008 Municipal Elections & The Constitutional Reforms of 2014 | 232 |
| 5.3.2 Nationwide Socio-political Protests (2018) | 237 |
| 5.4 The Complete Breakdown of the Democratic Political System: A Regression into Dictatorship | 242 |
| 5.4.1 Weaponizing Criminalization as a Mechanism of Repression | 242 |
| A. Human Right Defenders & Members of the Media | 243 |
| B. Catholic Church | 246 |
| C. Political Opponents | 248 |
| 5.4.2 Second Round of Constitutional Reforms (2024) | 250 |
| CHAPTER 6: EXAMINING NICARAGUA’S DEMOCRATIC BREAKDOWN THROUGH A CONTENT ANALYSIS APPROACH | |
| Introduction | 252 |
| ANALYSIS OF NICARAGUAN FIELDWORK | 255 |
| 6.1 The Question of Democracy | 255 |
| 6.1.1 Defining Democracy: Is Nicaragua a Democratic State? | 258 |
| 6.1.2 The Correlation between Strong Democratic Institutions and Democratic Longevity | 266 |
| 6.1.3 The Deterioration of Democracy in Nicaragua | 273 |
| 6.2 The Extent of Criminalization in Nicaragua | 276 |
| 6.2.1 What is Criminalization? Is Criminalization Occurring in Nicaragua? | 278 |
| 6.2.2 The Repercussions of Criminalization in Nicaragua | 285 |
| A. The Peasant Movement | 286 |
| B. The April 19 Movement | 290 |
| 6.3 The Lack of Autonomy of the Nicaraguan Judicial System | 296 |
| 6.3.1 The Ineffectiveness of Nicaragua’s Legal System: The Absence of Judicial Independence | 297 |
| 6.4 Nicaragua: A Conclusive Example of Authoritarian Regression in Latin America | 303 |
| 6.4.1 The Aftermath of the 2018 Protests | 304 |
| 6.4.2 The Hardships of Exiled Nicaraguans | 309 |
| CHAPTER 7: CONCLUSION A COMPARATIVE ANALYSIS OF HONDURAS & NICARAGUA | |
| Introduction | 314 |
| COMPARATIVE ANALYSIS OF HONDURAS & NICARAGUA | 319 |
| 7.1 The Core Similarities in the Democratic Decline of Honduras & Nicaragua. | 319 |
| 7.1.1 The Role of Key Events | 319 |
| A. The Initiation of Democratic Backsliding | 320 |
| B. The Acceleration of De-democratization | 325 |
| 7.1.2 The Mobilization of the Military | 331 |
| 7.2 The Central Differences in the Degree of De-democratization in Honduras & Nicaragua | 339 |
| 7.2.1 The Variation of Institutional Decline: The Role of Electoral Proceedings | 339 |
| 7.2.2 Democratic Backsliding versus Complete Authoritarian Regression | 345 |
| 7.3 Thesis Contributions to the Study of Criminalization & De-Democratization | 353 |

| | |
|---|------------|
| 7.4 Concluding Remarks: Evaluating Criminalization as a Casual Factor of De-Democratization, Prospective of New Comparative Cases | 360 |
| APPENDIX I | 365 |
| APPENDIX II | 368 |
| BIBLIOGRAPHY | 394 |

CHAPTER 1: INTRODUCTION & LITERATURE REVIEW

Introduction

The Road to the Breakdown of Democracy

“The freedom to express varying and often opposing ideas is essential to variety of conceptions of democracy. If democracy is viewed as essentially a process – a way in which collective decisions for a society are made – free expression is crucial to the openness of the process and to such characteristics as elections, representation of interests, and the like.”¹

—Jonathan D. Casper

Since the early 2000s, Latin America has illustrated a growing trend of declining democratic systems. The rise of populism (Gill, 1998; Diamond, 2015; Stavrakakis et al., 2016; Bezio & Goethals, 2020), as well as other forms of hybrid and authoritarian regimes (in extreme cases dictatorships) (Fitzi et al., 2019) has begun to call into question the future of democracy within the region. The breakdown of democracy in Latin America has been characterized by anti-liberal practices, such as the suppression of civil and political liberties in addition to the criminalization of human rights defenders and collective action (Doran, 2017). This thesis conducts an in-depth comparative analysis of two case studies which over the last few years have continued to employ these anti-liberal tactics and whose democratic systems are waning as a result, Honduras and Nicaragua.

Over the last ten years, both countries have been engulfed by heightened socio-political instability, which initially manifested itself and gained international attention through the civil protests that took place nationwide in each country respectively. These civilian-led demonstrations

¹ Available in the *Politics of Civil Liberties* (1972)

clamoured against the rise in corruption and the implementation of repressive political policies by government officials. It is important to note that in both these countries democratic decline had already been underway prior to the initiation of these socio-political movements. However, the protests and more importantly each respective government's repressive tactics in response to these expressions of activism, served to expedite both states' processes of de-democratization.

In the section that follows this dissertation briefly summarizes the events that led to these nationwide protests in both Honduras and Nicaragua, and explains how the aftermath of these events, particularly in the form of an oppressive governmental response serves as a clear indicator of the increased breakdown of democracy in both countries.

The Case of Honduras

Honduras is one of Central America's weakest and most underdeveloped countries. It has some of the region's highest levels of poverty and crime (Schulz & Graham, 2019; World Bank Group, 2024). The dire financial situation in the country has heavily contributed to making Honduras the nation "with the highest percentage of vote buying in Central America, surpassing Guatemala and Nicaragua" (Lara Otaola & Kawas, 2021, p. 6). These socio-economic conditions have been attributed in large part to the high levels of corruption on behalf of the government and persistent inaction by the police (Freedom House, 2020a). Contempt against state officials erupted in 2016 when, "Berta Cáceres, a prominent environmental and indigenous-rights activist, was killed in March (...) [after] police had failed to investigate threats on her life" (Human Rights Watch, 2017). The threats on Cáceres' life were heavily linked to police officials because for months they had tried to silence the civil dissent against the development projects in Río Blanco (Global Witness, 2015). The protests intensified in 2017 after the highly contested and unprecedented re-election of Juan Orlando Hernández. According to the United Nations High Commissioner for Refugees (UNHCR), these protests were met with "excessive and lethal force" (UNHCR, 2018). The UNHCR reported that at least 22 civilians perished during the protests and approximately 1,351 people were detained (UNHCR, 2018). As demonstrations continued throughout 2018, now former president Hernández adopted "a policy on repression against those who protest in the streets to demand his resignation and accountability for the actions of authorities" (Sierra, 2019). However, this did not deter thousands of Hondurans from protesting in 2019. At this time, citizens manifested to demand the president's immediate resignation due to serious suspicions of corruption after his brother, Juan Antonio Hernández, was identified (and later convicted) as a drug smuggler in 2018 (Freedom House, 2020a). Once again, the government responded with brute force, resulting in the

death of civilians and police officers alike. The suspicions of corruption against former president Hernández were eventually validated by the American authorities. Only 3-months after the end of his second presidential term in 2022 Hernández was arrested and extradited to the United States on corruption, conspiracy and drug trafficking charges dating from 2004 to 2022 (Bonello, 2025). In June 2024, in an American federal court, former president Hernández was sentenced to “45 years in prison for drug crimes” (Matza, 2024). The conviction of former president Hernández not only illustrates a legacy of corruption that was the foundation of his time in office, but it reveals a deeper ceded issue within the democratic institutions of the country, especially as they were unable to effectively counteract his abuse of power. An abuse that is illustrated by Hernández’s use of excessive force against demonstrations of collective action, a point that is analyzed at length throughout this thesis.

Furthermore, it is important to note that despite removing Hernández from office having undergone a successful transfer of power in 2022, after Xiomara Castro was elected as Honduras’ first female president during the 2021 presidential election, the country’s democratic system has continued to be subjected to socio-political insecurity. This can be seen through Castro’s attempt at imitating Salvadoran President Nayib Bukele by deciding to militarize the security of the nation and implementing a prolonged state of exception in certain high crime neighbourhoods in Tegucigalpa as of December 2022 (Pellegrini & Pappalardo, 2023). However, unlike the arguably favourable results that have taken place in El Salvador, in the case of Honduras many international critics argue that things have gone from “bad to worse” (Berg, 2024). For example, Human rights organizations have reported that there has been “a rise in arbitrary arrests, extrajudicial executions and enforced disappearances across the country since the state of exception was declared (...) The Office of the National Human Rights Commissioner in Honduras received nearly 300 reports of

human rights violations between December 2022 and September 2023 alone” (Neau, 2023b). Moreover, in the lead up to the 2025 presidential elections, “President Castro appear[ed] to be weaponizing aspects of the Honduran state and focusing in on her opponents” (Berg, 2024). This has caused alarm amongst international onlookers, as the initial hope for democratic reform in Honduras has fallen short under the Castro administration. Meaning that despite expectations of democratic improvement in Honduras under Castro, the reality seems to be that there has been a continuation of anti-liberal strategies to promote the propagation of the executive’s political power, a point that is explored in later chapters.

The Case of Nicaragua

Comparatively, national protests against the Nicaraguan government began on April 18, 2018 (Inter-American Commission on Human Rights, 2018). The demonstrations commenced after President Daniel Ortega announced his plan to implement social security reforms that would increase taxes but decrease social benefits. Specifically, the modifications aimed to reduce the pension of retirees by 5% and redirect the funds to supplement the country's medical assistance program (Inter-American Commission on Human Rights, 2018, p. 15). The citizenry classified these reforms as unjust, as they considered that the main objective of the policies was merely to further enrich government officials, particularly the Ortega-Murillo family. By late August of that same year, the national dispute had led to approximately 322 deaths, over 2000 injured and hundreds detained (Gallón, 2018; Human Rights Watch, 2020b). As a means of subduing the demonstrations the government deployed anti-riot police which resulted in ongoing violence and the arrest of over a hundred political prisoners. Additionally, Ortega's administration has also employed the (unofficial) assistance of paramilitary groups whose main objective has been the oppression and intimidation of the population (Bastien, 2019). Basic democratic rights have been severely limited, mainly with regards to the freedom of the press, freedom of association and freedom of assembly (Freedom House, 2020b). Subsequently, as of March 2020 "more than 100,000 people in Nicaragua have sought asylum abroad, reportedly fleeing persecution and human rights abuses" (UNHCR, 2020). Thus, as of 2019 Freedom House has classified Nicaragua as an "unfree" nation (Freedom House, 2019). This marks a complete breakdown of democratic norms and principles within the state, especially given that prior to 2019 Nicaragua had been able to retain its "partly free" status. Yet its continual condemnation by international entities like the United Nations (UN) and Organization of American States (OAS) for human rights violations has

caused this partly free classification to be completely revoked, leaving Nicaragua with an “unfree” ranking. A classification that was reinforced by the actions of the government during the 2021 presidential elections in which opposition leaders were incarcerated under false pretenses and held as political prisoners. As former U.S. president Joe Biden stated, “The arbitrary imprisonment of nearly 40 opposition figures since May, including seven potential presidential candidates, and the blocking of political parties from participation rigged the outcome well before election day” (Hayes, Alfonso III & Chowdhury, 2021). In other words, the explicit interference of the electoral process by President Ortega and his Sandinista political party illustrates a fundamental breakdown of the democratic system within Nicaragua.

In addition to election tampering, as of November 2023, Daniel Ortega’s regime has closed more than 3,500 NGOs in response to the continued opposition of his executive power (Human Rights Watch, 2023a). Ortega has continued to infringe on civil rights even stripping citizens of their nationality. In September 2024:

[...] the government expelled 135 political prisoners to Guatemala, stripping them of nationality and confiscating their assets, violating international law. Another 46 political opponents remained imprisoned, including some Indigenous leaders. Over 450 people have been deprived of Nicaraguan nationality since February 2023, and many have been left stateless (Human Rights Watch, 2024).

Furthermore, Ortega has sparked national as well as international outrage for his persistent attack on the Catholic Church. In early 2023, he unprecedentedly decided to close Catholic universities across the country, forcing at least 97 members of the Catholic Church to flee as a result (Esparza, 2024). Overall, as of October 2023, Ortega’s regime “has forced over 200 religious figures into exile, deported them, or barred their return to the country (Human Rights Watch, 2024). Consequently, in March 2023 a United Nations report concluded that both Daniel Ortega and Rosario Murillo were responsible for “crimes against humanity” in Nicaragua, which coincides

with the now deceased Pope Francis classifying the Ortega-Murillo regime as a “gross dictatorship” and a “Hitlerian” political system (Aburto, 2023). Ortega’s actions illustrate an explicit departure from democracy, a withdrawal that significantly intensified after the 2018 protests, an event which has served to transform Nicaragua into an authoritarian regime as is illustrated throughout this thesis.

Moving Forward: A Preliminary Presentation of The General Research Questions

Arbitrary arrests, judicial impunity, lethal force, limited freedom of speech, election tampering, the criminalization of human rights defenders² and the related prosecution of protesters have all become common political strategies employed by both governments (Human Rights Watch, 2020a; 2020b). These repressive practices are indicators of Honduras and Nicaragua's failing democratic systems. Based on these indicators, the differing degree of democratic decline that has occurred in both case studies, as well as taking into consideration the ongoing insecurity and overt use of anti-liberal practices, my thesis additionally inquires *How does criminalization affect de-democratization? What new dimensions does criminalization add to the study of de-democratization?* Based on these questions my dissertation hopes to contribute to the debate on whether criminalization should be included as an additional theoretical marker in the study of democracy. Specifically, my dissertation attempts to add another dimension to the discussion by examining a question that has previously not been explicitly addressed within the literature and that is *If there is a relationship between criminalization and de-democratization?*

Within the initial component of this thesis which contains a brief literature review, the presentation of the theoretical framework and the description of the methodological study, the chapters that follow explain how my thesis goes about responding to these questions. In continuation, the second half of this thesis serves to present the results of the fieldwork I conducted for both case studies in which invaluable information was gathered through the realization of 50 extensive interviews composed of: socio-political activists, human rights defenders, student

² As criminalization is not a classical term in political science at this point in the proposal a preliminary definition is pertinent. The criminalization of human rights defenders is defined as “the misuse of criminal law involv[ing] the manipulation of the punitive power of the State by State and non-State actors in order to control, punish, or prevent the exercise of the right to defend human rights” (IACHR, 2015, p.16).

protesters, members of the indigenous community, military personnel, government officials and members of the mass media.

Dissertation Outline

This dissertation is divided into seven distinct chapters. Chapter 1 presents a brief contextual overview of the de-democratization processes that are currently taking place in Honduras and Nicaragua. It then proceeds to provide an extensive literature review outlining the primary causes of democratic breakdown in Latin America, Honduras and Nicaragua. It concludes by presenting a synopsis of criminalization documenting its relationship with democracy. This initial chapter primarily serves to illustrate that there has yet to be any academic work explicitly linking criminalization to the study of de-democratization, a vacuum this thesis hopes to help fill.

The second chapter provides an in-depth explanation of the methodology and theoretical framework this doctoral dissertation implements. Accordingly, Chapter 2 discusses the composition of the theoretical framework that is applied throughout this dissertation. The theoretical framework is a collaborative composition of several authors, mainly the works of Juan Carlos Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986) and Doran (2017). In addition, Chapter 2 outlines how this thesis utilizes an interpretative content analysis approach as defined by Drisko & Maschi (2015) to analyze the contents of the interviews conducted during the realization of my fieldwork.

The third chapter then proceeds to present the first case study of this doctoral dissertation, Honduras. This chapter examines the institutional foundation of the democratization process within the country. The primary purpose of analyzing Honduras' democratic transition within Chapter 3 is to identify the structural flaws that were present at the time of transition and democratization. Chapter 4 then follows as a supplementary chapter on Honduras, in which content analysis is used to examine the testimonials of the Honduran participants. This analysis serves to illustrate that there is a strong causal relationship between the criminalization of human rights

defenders as well as socio-political activists and the de-democratization of the Honduran democratic political system.

Comparatively, Chapter 5 introduces and analyzes the second case study of this dissertation, Nicaragua. This chapter in direct parallel to the overview of Honduras that is provided in Chapter 3, examines the institutional establishment of the democratization process within Nicaragua. The purpose of studying Nicaragua's transition to democracy is to demonstrate that the country's democratic system was based on structural flaws present at the time of transition and democratization, a factor which has made the Nicaraguan state more susceptible to democratic backsliding. In continuation Chapter 6, provides a comprehensive examination of the Nicaraguan interviews. Once again by using a content analysis approach this chapter demonstrates that there is a strong causal link between criminalization and the breakdown of democracy and as such the former can and should be used as a causal factor in the study of democratic decline.

Chapter 7 culminates this thesis by providing a comparative analysis of Honduras and Nicaragua, illustrating some of the most pertinent similarities and differences that emerged from the examination of the interviews. This chapter outlines the contributions this thesis hopes to make to the study of criminalization and de-democratization. To prove the validity of the arguments that this dissertation plans to propose, the chapter concludes with a comparison of Honduras and Nicaragua with other Latin American states, countries that are also presently experiencing democratic decline. This comparison serves to further support the hypothesis that criminalization can and should be employed as a theoretical marker in the study of de-democratization.

1. Literature Review

1.1 Democratic Backsliding in Latin America

The third wave of democratization, which began in 1974, witnessed more than 90 countries' transition to democracy (Huntington, 1991; Hagopian & Mainwaring, 2005; Diamond, 2015; Diamond, 2008). During the 1980s, this third wave saw many Latin American countries transitioning away from their previously autocratic regimes. However, this “democratic wave has [since] been slowed by a powerful authoritarian undertow, and the world has slipped into a democratic recession” (Diamond, 2008, p. 36). In addressing the current democratic crisis in Honduras and Nicaragua, traditional scholars that study the breakdown of democracy suggest a variety of different explanations for this occurrence.

In examining the breakdown of democracy or de-democratization several authors make structure-based arguments. Levitsky & Way (2005; 2010) propose that the democratization of competitive authoritarian regimes which took place after the Cold War was in large part because of international pressure. They argue that the combination of strong linkages and leverage from the West facilitated democratization as Western countries used their influence to make transitioning to democracy an implicit requirement for developing regimes that wanted to ensure economic support and international legitimacy. Based on this argument, in explaining why some countries failed to democratize the authors suggest that it is because of “weak linkages” (Levitsky & Way, 2010). They argue that weak linkages with the West is an indication that the democratization process never really occurred in the first place. Therefore, the current breakdown of democracy is simply the continuation (and arguably the intensification) of authoritarian practices which have been consistently present within these regimes from the beginning.

Moreover, in subsequent studies, Levitsky (2016) claims that the inability for democracy to succeed in Latin America can be linked to the development of weak political parties. Through the analysis of various individual countries Levitsky argues that despite almost four decades since the beginning of the third wave of democratization, democracy in Latin America has not thrived because most political parties in the region remain either too weak or have completely collapsed. Levitsky identifies the weakness of political parties as an obstacle to democracy as it directly inhibits the fomentation as well as the implementation of strong democratic norms and principles.

The importance of resilient political parties in the proliferation of democracy is echoed by Sanchez-Sibony (2022) in his case study of Peru. Through the concept of “negative legitimacy environments” Sanchez-Sibony proposes that having a democracy without enough political parties causes the inability to provide “essential democratic functions including governability, responsiveness, horizontal and vertical accountability, or democratic representation, among others” (2022). Meaning that democracy cannot be successful and perform its primary functions if an insufficient number of strong and durable political parties are not present within a state.

Other scholars attribute the failure of democracy to weak economic development. Haggard & Kaufman (1995) present a theory of democratic transitions which highlights the importance of economic performance. They argue that the strength of a state’s economy is directly linked to their ability to consolidate democracy as a functional political system. In other words, if democracy fails to consolidate it is because of poor economic development. Similarly, Kapstein & Converse (2008) argue that having strong economic institutions directly effects the probability of democratic success. Consequently, they propose that underdeveloped countries are more likely to see democracy fail as opposed to their wealthier (more developed) counterparts.

Comparatively, Tilly (2003) argues that inequality based on class, gender, race, etc. is also a determining factor of democratic success or failure. He proposes that the countries in which inequality is high are more susceptible to a breakdown of their democratic systems. This is because high levels of inequality can cause the population to lose faith in the effectiveness of democracy, which successively makes them more susceptible to authoritarian alternatives.

Additionally, there are scholars that contend that high levels of political polarization can lead to weak democratic systems (Valenzuela, 1978; Handlin, 2017). These authors contend that a country with a multiparty system that is over saturated with political choices increases the likelihood of executive and legislative deadlock which in turn inhibits the electoral process by diminishing the strength of a citizen's vote. Therefore, high levels of political polarization diminish the strength of a country's democratic institutions causing democracy in its entirety to be overall less effective.

A slightly contrasting argument regarding de-democratization is linked to the normative preferences of political leaders (Linz & Stepan, 1978). Unlike the previous arguments which are predominantly structural, this line of reasoning combines structure with an agency-centric approach. Mainwaring & Pérez-Liñán (2013) link the survival of democracy with the "normative preferences" of political actors. They suggest that democracy fails when key actors are in an environment that facilitates their propensity to indulge in "policy radicalism" (p. 124). By way of explanation, democracies can only remain strong when "the regional environment facilitates the spread of democratic values and political moderation domestically" (p.124). Political actors must want to protect democratic norms and forgo radical policy positions if democracy is to survive in the long-term.

The role of elected officials in the promulgation and more importantly the survival of democracy is examined by Bosman (2024). In her work, which focuses on the region of Africa, Bosman proposes that when elected leaders “fail” to effectively perform their role as government officials in service of the people, then by extension democracy also “fails”. This is because when political leaders do not fulfill public expectations, the people tend to lose confidence in the veracity of democracy as a desirable political system. Though Bosman does not examine Latin America specifically, her argument is relevant as it helps explain why the electorate of many Latin American countries have become increasingly more susceptible to populism and/or other forms of autocratic leadership in recent years.

The rise of populism in Latin America is in direct correlation with the decline of democratic norms and principles within the region, and elsewhere, according to many authors. For instance, Naseemullah & Chhibber suggest that the election of populist leaders in Latin America and Europe is due to “crises of representation, appeals to the brokenness and restoration of the moral contract” (2024). They claim that the constituencies of countries like Mexico, Hungary and Turkey have turned to populism as they have become disillusioned with the effectiveness of democratic leaders. These authors propose that democracy is faltering because citizens in these two regions have decided to elect populist leaders in the hopes of seeing an improvement and overall departure from what they identify as the “broken promises” of democratic leadership (Naseemullah & Chhibber, 2024). Public opinion on the usefulness of democracy has severely declined which in turn has created a pathway for populist leaders to reach the executive office.

As Brubaker (2017) contends, a “perfect storm” (p. 369) of crises including rising immigration, poor economic conditions, natural disasters and overall public disenfranchisement with traditional democratic leadership styles has set the stage for the populist political movement

to (re)-emerge with even more prominence than before. Populist claims of providing the people with “protection against threats to their economic, cultural, and physical security” (Brubaker, 2017, p.369) has become too tempting of an offer for citizens that are struggling and look to government leadership for relief. Populist promises for change and ultimately solutions to these crises have started to progressively lead the electorate away from democracy.

Generally, the literature on why democracies fail heavily focuses on institutional explanations, be they domestic or international. The literature emphasizes the context and environment in which the transition to democracy occurs and analyzes whether the conditions have remained optimal for its survival. What warrants further investigation and what this thesis attempts to contribute to the literature is a more extensive examination of the power relations that were in play at the time of transition and how these dynamics (primarily amongst political, economic and military elites) may have led to the faulty composition of democratic institutions. There has been some work in this respect with authors such as Garretón (2003), Dabène (2008), Calleros (2009), Albertus & Menaldo (2018) and Corrales (2018), that all identify that the process of democratization in Latin America has been feeble. In addition to compared studies of specific countries such as those of the Southern cone (Barahona de Brito, 1997; Lefranc, 2012; Doran, 2010 & 2016), these views contend that the political concessions made at the time of transition which heavily favoured outgoing autocratic elites enabled the survival of authoritarian practices which have been detrimental to the prosperity of democracy within the region. However, despite the work of these authors the literature on this topic remains limited. More research is needed to better understand how the state of power relations at the time of transition impacted not only how democratization unfolded afterwards but laid the foundation for the current process of de-democratization. Furthermore, there is a gap within the literature when it comes to examining how the poor

composition of democratic institutions during the transition period (principally with respects to the legislative and judicial systems) have enabled the present-day use of criminalization as a mechanism for political repression, a factor which is growingly present in well-established democracies (Watts, 2020; Doran, 2020) and could be linked to the breakdown of democratic systems, as my thesis hypothesizes. Before delving into this point more intently, the following two sections explore the specific causes the literature has cited as to why democracy in Honduras and Nicaragua is failing.

1.2 Causes of De-democratization in Honduras

The literature on de-democratization in Honduras cites three primary incidents as causes of de-democratization in the country: 1) the attempt of former president Zelaya at constitutional reform, to extend presidential term limits; 2) the 2009 military coup; and 3) the role played by international actors and democratic nations in the aftermath of the coup.

Zelaya's actions during his presidency (2006-2009) are referenced as one of the main causes of democratic backsliding in the country, primarily because of his affiliation with Venezuela's former president, Hugo Chavez. Zelaya's time in office was controversial from the onset due to his personal and economic connection to Chavez (Walsh, 2010; Ruhl, 2010). This relationship caused a major rift between him and his Liberal Party, whilst also sparking criticism from conservative military officers (Ruhl, 2010). This is because from his second year in office, Zelaya took on a more socialist ideological stance that emulated that of Venezuela and Nicaragua. He "brought more left-leaning Liberals into his cabinet and went on the attack against entrenched economic and political elites" (Ruhl, 2010, p. 99). The adverse reactions by the country's political and economic elites towards the presence of these left-leaning liberals caused strong contention against Zelaya.

The literature that references Zelaya as the leading cause of the breakdown of democracy links his ties to Chavez with the Honduran president's "desire to conduct a referendum on whether to convene a National Constituent Assembly to rewrite the Honduran Constitution" (Walsh, 2010, p.341). Walser (2009) and Barahona (2010) claim that the attempt at constitutional reform infringed upon the state's democracy as its presumed intention was the extension of presidential term limits. It is proposed that Zelaya's attempt (which eventually failed) to hold a Constituent Assembly was linked to his membership in the Bolivarian Alternative for the Americas (ALBA)

alliance (Walser, 2009; Barahona, 2010). Walsh (2010) argues that Zelaya was attempting to “mirror the authoritarian measures propounded by his allies in Venezuela, Bolivia, and Ecuador” (Walsh, 2010, p. 344). However, unlike the aforementioned ALBA members Zelaya was not successful in his attempt at constitutional reform.

His failure to succeed in the perpetuation of his power is mainly the result of the coalition of military and economic elites which formed to oppose his presidency. These groups joined forces in response to the fiscal reforms and unionization programs Zelaya supported. De-democratization is said to have occurred due to the negative reaction of these elites who opposed Zelaya’s redistributive policies. Throughout his presidency Zelaya enacted various socio-economic programs, most notably the reduction of combustion costs, the mobilization of trade-unions and the 60% increment of the minimum wage (Olson & Morgan, 2009; Ruhl, 2010; Hernández, 2020). The majority of Honduras’ wealth and private sector was controlled by a few opulent families which owned most of the land. Thus, Zelaya’s important and immediate rise of the minimum wage directly went against these elites’ economic interests (Rodriguez, 2010). Although these programs were popular amongst most working-class citizens, they did not sit well with the “nation’s capitalist oligarchy” (Ruhl, 2010, p. 99). The latter claimed that the reforms contradicted the unspoken pact between the state’s political parties and the nation’s socio-economic elites (Barrachina, 2016). As a result, Zelaya did not have the support of the nation’s elites when his removal was proposed nor when he attempted to negotiate his reinstatement after being exiled. Therefore, with the backing of the military and capitalist elites, the Supreme Court removed Zelaya from office in June 2009, citing that he had infringed upon Articles 373, 374 and 375 of the Constitution, which safeguards “against tampering with the form and structure of [the] government” (Rodriguez, 2010; Walsh, 2010, p. 375).

Opposite to the position which directly blames former president Zelaya for the decline of democracy in Honduras, a second prominent argument in the literature asserts that the main cause of Honduras' faltering democracy is Zelaya's removal from office (Gordon & Webber, 2011; Cannon & Hume, 2012; Barrachina, 2016; Rispaill et al., 2017; Euraque, 2019; Sosa & Almeida, 2019; Levy, 2022; Pérez & Wade, 2023). The legality and legitimacy of the coup continues to be highly debated both on a national and international level. Whereas some contend that it was a constitutionally legal action which gave way to greater political representation/diversity (Otero Felipe, 2013), others maintain that the coup was a bureaucratically motivated act which initiated the breakdown of democracy within Honduras (Seligson & Booth, 2009; Fasquelle, 2011; Ruhl, 2012; Berk, 2019). Gordon & Webber (2013), Barachina (2016) and Euraque (2019) emphasize the military's involvement in the coup. They contend that if the order by the Supreme Court was constitutionally sound and if the military was only acting on the Court's order, then they should have merely arrested Zelaya instead of immediately exiling him to Costa Rica without due process. These scholars assert that Zelaya's removal was unlawful and thus a direct attack on the institution of democracy. Cannon & Hume (2012) propose that "Honduras is perhaps the most dramatic example of de-democratization in Latin America" because of Zelaya's unlawful removal from the presidency (p. 1051). Overall, the 2009 coup is credited with weakening the strength of Honduran democracy by calling into question the legality through which the Supreme Court was enforcing the Constitution and by reigniting fears regarding the intervention and authority of the military in political affairs (Ruhl, 2010).

Legler (2010), Shipley (2017), Frank (2018), Leandro & Valenciano (2019) and Araya (2023) discuss the role played by international institutions and developed democratic countries in the breakdown of democracy in Honduras. These authors propose that although the initial reaction to

the coup by some of the world's most prominent international organizations (Organization for American States (OAS), European Union (EU), Inter-American Development Bank, World Bank, Central American Integration System, and Central American Bank of Economic Integration) and strong political democratic countries like the United States (Frank, 2018) and Canada (Shipley, 2017; Araya, 2023) was condemnation and the imposition of sanctions, this political stance was only sustained in the short-term (Leandro & Valenciano, 2019). Despite collectively placing international pressure on the interim government led by Roberto Micheletti, the institutions and opposing countries were unable to restore Zelaya to power. Thus, Legler (2010), Frank (2018), Leandro & Valenciano (2019) and Araya (2023) claim that the coup illustrates the structural and systematic inefficiencies of the world's international organizations and arguably two of the world's most prominent democratic nations, particularly their inability to uphold democracy (presumably one of their primary and most important functions).

Similarly, Aguiluz & Obando (2010) suggest that international organizations failed to prevent the violation of human rights that occurred during the mass civilian protests that emerged in direct opposition of the 2009 coup d'état. They argue that Honduran democracy suffered as repressive measures were willfully used on the civilians protesting Zelaya's removal. These scholars assert that democracy in Honduras was weakened when the international organizations withdrew their objection to the coup and within months decided to recognize Porfirio Lobo Sosa as Honduras' new president after the 2009 general elections were held in November (Aguiluz & Obando, 2010). Overall, the permissiveness of international organizations and the recognition they provided to the new president served to establish a sense of legitimacy not only to the new executive but to the military coup that allowed him to be elected, an act the authors claim directly diminished the democratic system in Honduras.

1.3 Causes of De-democratization in Nicaragua

The literature that discusses Nicaragua's prevalent and (now) internationally recognized democratic backsliding, in what can arguably be described as an already failing democratic state, references two primary factors; the Ortega-Alemán *pact* (2000), which significantly altered the nation's democratic institutions and Ortega's charismatic leadership style, which after three failed attempts aided him in finally getting re-elected during the 2006 presidential elections.

The *pact*, which was enacted in 2000 by Ortega and then-president Arnoldo Alemán, is often cited as the most critical moment for democracy in Nicaragua (Anderson & Dodd, 2009; Puig, 2010a; Puig, 2010b; Close, 2016; Bastien, 2018). The *pact* was created to fulfill three central functions. Firstly, it was used to ensure parliamentary immunity for both its co-creators. In the late 1990s, both Ortega and Alemán were facing criminal charges. Ortega was accused of sexually assaulting his stepdaughter, Zoilamérica Narváez (Close, 2016) and Alemán was being persecuted for embezzling public funds, an estimated \$100 million (Telleria, 2011, p.37). Accordingly, one of the major provisions of the *pact* was to:

Establish the right of a departing president (Alemán) and the presidential candidate who came in second place (presumably Ortega) to automatically hold seats in the National Assembly for two consecutive terms. This would assure them parliamentary immunity and protect them from persecution on criminal charges (Bendana, 1999, p.21).

Secondly, under Art.138 the *pact* put forth amendments that served to restructure the nation's three principle democratic institutions: The Supreme Electoral Council, the Supreme Court and the Controller General's Office (Puig, 2010a; Close, 2016). The control of these institutions was divided between the Sandinistas and the Constitutionalist Liberal Party (PLC) (Taft-Morales, 2019). This was done with the intention of weakening the legislative and judicial branches to limit their ability to check the executive branch's authority (Anderson, 2006; Puig, 2019).

Thirdly, the *pact* was enacted to ultimately facilitate Ortega's re-election in 2006. After two consecutive losses in 1990 and 1996 (and a third predicted loss for 2001) Ortega knew that to be re-elected he would have to win in a first-round election as his electoral base was not strong enough to counterbalance his Conservative counterparts (Taft-Morales, 2019). Hence, the *pact* was used to lower the electoral requirements from 45 to 40 percent, or 35 if the leading candidate had at least a 5 percent margin (Lean, 2007; Thaler, 2017; Feinberg, 2018). This provision of the *pact* allowed Ortega to be re-elected whilst simultaneously debilitating Nicaragua's electoral process. In sum, the partisanship of these three functions and the overt weakening of the state's core democratic institutions is why the *pact* is referenced within the literature as the starting point of democratic decline in Nicaragua.

Ortega's charismatic leadership style is also considered to be an important determinant of Nicaragua's waning democracy (Rocha, 2009; Colburn & Cruz, 2012; Anderson, Dodd & Park 2017; Balderacchi, 2018). It is considered as one of the primary reasons his authority went relatively uncontested until the 2018 protests. This line of reasoning coincides with Linz & Stepan's (1978) argument that a leader with strong agency and more importantly a willingness to abuse their power can lead to a breakdown of democracy. This perspective contends that the use of charisma means exploiting political leaders' "firm and unquestioned leadership within the party (...) and [the] unmediated relationship between the leader and the led" (Balderacchi, 2018, p. 507). To obtain this type of relationship with Nicaraguans, Ortega altered the approach he had employed during his first time in office during the 1980s. After three consecutive electoral defeats he opted to imitate the populist discourse employed by Chávez and other ALBA members (Rocha, 2009). Ortega exploited his modest background to become more relatable and portrayed his political opponents as corrupt elites that did not prioritize the well-being of the people. He claimed that he

was different from former leaders, that he understood the public's needs because he too was from the *pueblo* [small town] (Colburn & Cruz, 2012). Further, he used his leadership role during the 1979 Sandinista Revolution as a means of certifying his political prowess (Close, 2016). He capitalized on the socio-economic vulnerabilities amongst the marginalized sectors to implement a patron-client "caudillo" system, whereby he trades socio-economic favours for electoral support (Dye, 2004; Rocha, 2009). By using a charismatic leadership style throughout his time in office, Ortega managed to detract attention away from some of his more democratically questionable institutional changes. For example, the reformation of the Constitution in 2014 to eliminate presidential term limits (Balderacchi, 2018; Colburn & Cruz, 2012). Since returning to office in 2007, his approach had been successful as he went on to secure his re-election in 2011 and 2016 with minimal opposition. The literature suggests that his leadership style has hampered democracy by allowing him to perpetuate his time in office and facilitating his access to excessive presidential powers. Powers which have been used to favour his allies and substantially limit the civil liberties of the press and population (Close, 2016).

1.4 Analyzing the Literature: Why is Democracy Declining in Honduras & Nicaragua?

There are some clear similarities that emerge when collectively analyzing the literature on the causes that have led to the decline of democracy in both Honduras and Nicaragua. Firstly, in both instances the literature points to the role of two major events. In the case of Honduras, the literature cites the 2009 military coup which prematurely ended President Zelaya's time in office (Rodriguez, 2010; Barrachina, 2016; Euraque, 2019). In the case of Nicaragua, most of the literature refers to the enactment of the Ortega-Alemán *pact* in 2000 (Puig, 2010a; Puig, 2010b; Close, 2016; Feinberg, 2018; Bastien, 2018). Both these events are mentioned in the literature as they have been crucial in altering the governance of both countries. It was because of these incidents that the election of Porfirio Lobo Sosa (2009) and the re-election of Daniel Ortega (2006) were respectively facilitated (this is a vital similarity that is discussed in-depth in Chapter 7 based on the analysis of the interviews).

However, there is a crucial difference between both these proceedings, primarily in the role played by the states' institutions. In Honduras, the coup that removed Zelaya from power was supported by the nation's institutions i.e. the Liberal Attorney-General, the Supreme Electoral Tribunal (TSE), the National Congress, and the Supreme Court of Justice. These legislative and judicial bodies ruled that Zelaya's proposed referendum was illegal and unconstitutional (Ruhl, 2010). Contrastingly, in Nicaragua the Ortega-Alemán *pact* was not widely accepted. On the contrary it received deep criticism from the state's democratic institutions (Supreme Court, Electoral Council, and Controller General's Office) for its partisanship, lack of transparency and secretive nature (Puig, 2010a). This differentiation is important because it calls into question the reasoning behind the institutions' support or lack thereof. In Honduras, during Zelaya's removal, the organizations justified this action by citing the protection of democracy and the defense of

constitutional law. However, if this were the case, why is it that in 2009 the Supreme Court opted to remove Zelaya from power, but in 2015 it voted to void the presidential term limits to allow former president Hernández to run for an unprecedented second consecutive term? (Euraque, 2019). A possible answer is that in 2009 the nation's bureaucracy had vested interests in removing Zelaya, whereas in 2015 Hernández was able to secure their support. However, there appears to be more to the story, particularly in explaining how impressionable the nation's democratic institutions seem to be. In the case of Nicaragua, in which the democratic institutions did not agree with the *pact*, why were Ortega and Alemán able to by-pass the executive checks and balances to enact the agreement? What made these organizations so prone to change? Why were these organizations unable to suppress the power of the executive and divert the changes to the constitution from being implemented?

Another point that emerges from examining the literature on Honduras and Nicaragua is the role of external actors. Particularly, the impact of the Bolivarian leftist movement. It is suggested that the influence of Chávez's leftist ideologies has caused a breakdown in democracy in ALBA members (Rodriguez, 2010). However, again there is a clear distinction, Honduras is an outlier amongst these countries. Unlike his predecessors, Chávez (Venezuela), Correa (Ecuador), Morales (Bolivia) and later Ortega (Nicaragua), Zelaya was not successful in his attempt at reforming the Honduran Constitution to remain in power and instead he was swiftly ousted and exiled. This calls into question the premise that democratic backsliding in Honduras and Nicaragua has been caused by Venezuela's populist movement. Zelaya's failure makes it clear that greater emphasis should be placed on the social, economic and political circumstances that have caused both Honduras and Nicaragua to turn away from democracy towards more authoritarian alternatives.

Overall, the literature on de-democratization, both in its general examination and as it pertains to the specific case study analyses of Honduras and Nicaragua, is primarily composed of either structure-based or agency approaches. There are scholars that propose that structural factors such as: high levels of political polarization (Valenzuela, 1978; Handlin, 2017), weak democratic consolidation (Levitsky & Way, 2010), weak political parties (Levitsky, 2016; Sanchez-Sibony, 2022), an underdeveloped economy (Haggard & Kaufman, 1997; Kapstein & Converse, 2008) or inequality (Tilly, 2003) are the primary contributors to the breakdown of democracy. On the other hand, authors that make agency-centric arguments (Walsh, 2010; Colburn & Cruz, 2012; Balderachhi, 2018; Bosman, 2024) contend that democracy either fails or succeeds as a direct result of the decisions and actions of key agents (the president, economic, political and/or military state elites). Both approaches have strengths and weaknesses and although the majority reference the importance of institutions in securing the survival of democracy, there is still limited analysis regarding how the poor composition of democratic institutions at the time of transition can act as a major determinant of future democratic failure. More specifically, there is also little emphasis being placed by academics on the relationship between criminalization and de-democratization.

1.5 The Relationship between Democracy & Criminalization

As was alluded to in the introduction of this proposal the increased use of criminalization by the government against human rights defenders and social movements seems to be linked to the de-democratization processes that have emerged in both Honduras and Nicaragua. As such, to begin to examine this connection this section discusses the evolution of the relationship between criminalization and democracy.

Traditionally the study of criminalization has been approached from a penalization point of view, whereby the wrongful and/or illegal detention of socio-economic or racial minorities has been the primary focus (Müller, 2012). Through a comparison between the United States' (U.S.) and Latin American penal systems, Müller (2012) contends that criminalization is used as a means of urban marginalization and governmental social control. In other words, criminalization is used as a subjective mechanism through which to repress the vulnerable sectors within society by threatening incarceration.

The characterization of criminalization as a penalization system in Latin America has expanded towards targeting not just traditional human rights defenders but members of socially marginalized groups. Meaning that it has developed to include criminalizing protests related to natural resources, especially when economic and/or political interests are in jeopardy (Olarte, 2014) and consequently when the ratification of legislative measures is aimed at deterring the defense of the environment (Wayland & Kuniholm, 2016). In this context, ecological activists, who often intersect as human rights defenders, are identified as a sector of society that has been marginalized due to their socio-political cause. The criminalization of environmental advocates for financial gain (as a pathway to land appropriation) has been an important and growing issue in Latin America. Environmental protestors (which include an important number of indigenous

community members, around 40% of all persecuted HRDs according to Global Witness, 2023) are persecuted, threatened, kidnapped and in extreme cases killed for advocating the protection of natural resources, an act which is considered by government officials as an obstacle to their monetary interests (Global Witness, 2015; Wayland & Kuniholm, 2016; Alcázar, 2019).

This form of criminalization has been prevalent in both Honduras and Nicaragua. In 2014, 116 environmental activists were murdered in Honduras because of disputes related to land appropriation, hydropower and agri-business (Global Witness, 2015; 2017). A decade later, the situation has not improved but has in fact worsened. In 2024, according to the OHCHR “236 human rights defenders were harassed, threatened, or attacked, and at least 13 were killed (...) Seventy-five percent of the defenders attacked and more than 90 percent of those killed were environmental or land defenders” (Human Rights Watch, 2024a). The continued violence against human rights and land defenders has contributed to rising crime levels in Honduras. According to the Human Rights Watch 2024 country report, as of 2023 Honduras has become among the five most dangerous countries in the world.

Comparatively, as of 2018 Nicaragua “remains one of the most dangerous countries in the world for environmental defenders” (Global Witness, 2024). Ecological defenders, indigenous activists, human rights defenders, members of the press and anyone categorized as critics of the current regime “are targets of death threats, assaults, intimidation, harassment, surveillance, online defamation campaigns (...) arbitrary detention, prosecutions, and deprivation of nationality (Human Rights Watch, 2024b). In the pursuit of securing infrastructural projects both these countries’ administrations have not been shy about by-passing civil liberties, human rights and procedural/legal stipulations. As Olarte (2014) illustrates in her discussion of Latin America as a whole, government and police officials have used criminalization to portray these ecological

activists as unlawful and violent citizens which must be persecuted for the overall well-being and safety of the nation's citizenry.

However, criminalization is not used exclusively to repress and deter environmental activists. Avilés & Rey Rosas (2017), Peñafiel & Doran (2017), Doran (2019, 2020) and Mary Lawlor (2020), the UNHCR's Special Rapporteur on the Situation of Human Rights Defenders, all concur that criminalization has become a coercive mechanism that may manipulate the judicial system, use laws and decrees to repress the population and discourage any form of political dissent in general. As Doran (2020) explains:

Fondée sur la restriction des droits individuels, civils et politiques en plein cœur des régimes démocratiques, la criminalisation de la défense des droits (Doran 2017 : 184) aussi appelée simplement « criminalisation » (CIDH 2016) touche de nombreux pays. Aussi appelée *criminalization of dissent* (Grasso et Bessant 2018 : 1) ou criminalisation de l'action collective (Peñafiel et Doran 2018 : 354), elle implique des dynamiques de pénalisation, telles que l'emprisonnement prolongé – légal ou illégal – par le biais de l'adoption de nouvelles lois ou de nouvelles interprétations législatives qui considèrent les citoyens comme des « ennemis » (Müller 2012). Phénomène aussi bien discursive que législatif (Peñafiel, 2015, p. 265), la criminalisation implique également l'intimidation et les menaces à l'endroit des défenseurs des droits ou l'invention de faux scandales – sexuels ou autres – visant à les discréditer. Des concepts-clés liés à la violence politique – tels que « terrorisme », « sédition », « groupes insurgés » ou « menace pour la sécurité nationale » – sont désormais appliqués largement à des citoyens considérés nuisibles à la sécurité publique de par leurs mobilisations (Doran, 2020, p. 1).

Cerda & Pérez (2015) argue that the identification of dissent as a crime has a long history in Latin America going back to the 1960s and 70s. During this time, dissent was criminalized to curb social movements and regain governmental control. Under the guise of civil insecurity and through the portrayal of protesters as the “enemy” military and police officers employed violent practices to repress exercises of collective action (Cerda & Pérez, 2015). This has created an “immunity gap” as state officials are not persecuted for their use of anti-liberal tactics (*ibid*, p. 190). Instead, their actions are considered by the government to be a legitimate expression of political power.

Today, criminalization in Honduras and Nicaragua is used to justify the repression of human rights defenders and collective action. The role of human rights defenders has long been linked to “the full existence of democracy and the rule of law” (IACHR, 2015, p. 20). Therefore, as regimes turn away from democracy, human rights defenders, the work they perform and the ideals they stand for, are considered to be a threat to repressive governmental authority. As a result, human rights activists in Honduras and Nicaragua are charged with crimes such as inciting violence, defamation, unlawful assembly or demonstration, illicit association to commit a crime and even terrorism (IACHR, 2015). In addition, other methods such as public defamation are used to discredit and “harm the public image of defenders and on occasion also those of the international organizations which accompany them” (IACHR, 2012, p.2). From 2015-2019, the Office of the United Nations High Commissioner for Human Rights (OHCHR) in a report of the Special Rapporteur on the situation of human rights defenders, Mary Lawlor, reported that 73 human rights defenders were killed in Honduras and 14 in Nicaragua (2020). The prosecution of human rights defenders not only depreciates their work but is identified by the IACHR and OHCHR as a direct assault on democracy.

In part this has led to the foundational work of the Observatory on Violence, Criminalization and Democracy (OVCD), which is funded by the Social Sciences and Humanities Research Council of Canada (SSHRC) and focuses on the relationship between criminalization and democracy. Among the OVCD researchers Doran (2019, 2020), Ricardo Peñafiel (2015), LeGrand, Van Isschott & Riaño (2017), Velloso & Paes (2021) and Rodrigo Ghiringhelli de Azevedo (2023), many of which have collaborated with other authors, contend that the criminalization of social and political dissenters as well as human rights defenders is caused by the fundamental failures of democracy to uphold individual, civil and political rights at varied

levels in the countries they study (Brazil, Colombia, Chile, Guatemala, Ecuador, Venezuela and Mexico). The findings of these researchers have revealed a path to understanding that the presence of criminalization reveals a more profound problem, namely that consolidated democracies are able to persecute and criminalize human rights defenders. This illustrates a strong connection between criminalization and democracy. It could be argued that it shows that criminalization can be used as a causal factor to examine a weak and/or failing democracy. Nevertheless, the work of the OVCD has not tackled the problem with regards to de-democratization, especially with reference to Honduras and Nicaragua. Subsequently, this thesis attempts to determine if the relationship between criminalization and democracy can also explain the de-democratization process that has initiated in Honduras and Nicaragua. This is done by looking at the connection between weak democratic institutions (especially the legislative and judicial systems), the dissemination of human rights violations and the rapidly increasing levels of criminalization in both countries.

As we have seen and as is discussed further in the theoretical framework section of this thesis some authors do consider that criminalization can be linked to weak democracies but to my knowledge it has not been investigated as it relates to de-democratization. Furthermore, criminalization has not been employed or measured as a causal factor of de-democratization, an area of research which my thesis hopes to address.

My research intends to help fill this void by examining the formation of Honduras and Nicaragua's democratic institutions as it relates to the causal relationship between the states' initial transitions to democracy and their currently failing democratic systems. This is done by addressing the following questions: *How have Honduras and Nicaragua's political systems initiated a process of de-democratization?* More specifically, I intend to address the question *What role does*

criminalization play in the advancement of de-democratization? By attempting to answer these questions which are directly related to the field of de-democratization studies, my thesis aims to contribute to the enlargement of the body of work addressing the rising rate of criminalization processes occurring worldwide, whilst congruently emphasizing the importance, of what former U.S. president Joe Biden identified as a global issue at the first Summit for Democracy (2021), the growing rate of de-democratization and the rise of authoritarianism (The United States Government, 2021). As this line of investigation is relatively new, during my fieldwork I opted for an inductive research approach, whereby I did not propose an explicit central hypothesis as I did not wish to limit the findings of my research.

Finally, as can be seen through the examination of the national protests that took place in Honduras and Nicaragua in 2016 and 2018 respectively, the severe and abusive employment of criminalization both against human rights defenders and socio-political activists marks an important moment in the acceleration of democratic decline in both case studies. The repressive governmental response to these expressions of collective action seems to illustrate a strong correlation between the use of criminalization by government officials and the overall breakdown of democracy, a relationship that to date has not been directly addressed within the literature. This gap within the literature calls into question that if these severe repressive cycles mark an important moment in both countries' respective de-democratization processes, *why doesn't the literature on the causes of de-democratization address criminalization as an important element and/or causal factor of de-democratization?* A question my thesis attempts to address in the analysis of the interviews I conducted for both case studies. The findings I present help illustrate how the human rights defenders and activists I interviewed explain both their individual and collective situations as it relates to the process of de-democratization taking place in their respective country and

whether this process is linked to the criminalization they have been subjected too. In the following section, I present the theoretical framework and methodological approach I intend to employ as the foundation of this doctoral dissertation.

CHAPTER 2: THEORY & METHODOLOGY

Theoretical Framework

Introduction

To illustrate how my dissertation intends on addressing the specific research questions outlined above, this chapter presents and explains the ontological approach, conceptual definitions, theoretical framework and methodology that is employed throughout the composition of this thesis. In attempting to respond to these questions, my doctoral dissertation seeks to examine the structural flaws that occurred during the transition and democratization processes of Honduras and Nicaragua, the composition of its seemingly weak democratic institutions and the imbalance of power between the different branches of government. Furthermore, it assesses whether there is a connection between these structural/institutional inefficiencies and the criminalization of human rights defenders and collective action that has become so prevalent in both Honduras and Nicaragua.

2.1 Ontological Approach

To identify and examine the different social, political and economic indicators that have contributed to the democratic backsliding processes in both case studies my thesis focuses on a positivist approach.

First, I employ positivism for the construction of my theoretical framework, because this approach posits that researchers can make objective determinations of the case being studied (Carson et al., 2001). This dissertation is based on the comparative analysis of Honduras and Nicaragua, which is a concrete example of a positivist approach in which the variable of democratization is evaluated through a largely institutional perspective, whereas the variables of de-democratization and criminalization incorporate political structures, civic engagement and human rights as determinant factors. Furthermore, this approach is applied in the composition of my theoretical framework as it proves useful in the analysis of: the division of power amongst the different levels of government, the checks and balances that have or have not been placed on the executive power, the political strength of the military as an institution (i.e. its role within the legislature and as a *legal* body of enforcement), the composition of each case study's respective democratic institutions, as well as the criminalization of human rights defenders and collective action. The examination of these factors benefits from a positivist approach as I attempt to establish the existence of a causal relationship between their (presumably faulty) structures and the de-democratization processes that are currently taking place in Honduras, and more prominently in Nicaragua (as it is currently recognized internationally as an authoritarian state).

In addition, this thesis uses positivism to examine and factually support the findings of the 50 interviews that were conducted during my fieldwork. Specifically, when exploring the results of the interviews (an analysis that is presented in the subsequent chapters), I rely on data provided

by reports from international organizations such as the United Nations (UN), Amnesty International, the Inter-American Commission on Human Rights (IACHR), International IDEA and Human Rights Watch to provide a factual foundation that helps assess the observations being made throughout the analysis of the interviews.

In addition, I employ a content analysis method to analyze the material of the 50 interviews, which includes elements from an interpretivist approach. As is further discussed in the methodological section of this chapter, I use a content analysis approach in the evaluation of my interviews to establish that criminalization can be used as a causal factor in the study of de-democratization, but this method can most effectively be used if an interpretivist approach is applied to the analysis. This is because interpretivism allows for “the interpretation of social reality and meaning making” (Chandler & Munday, 2020). Whereas, positivism focuses on objective, measurable knowledge, interpretivism prioritizes subjective real-life experiences, meanings and interpretations (Ryan, 2018), experiences like those of my research subjects. Therefore, interpretivism is utilized in this thesis to describe the interactions, human behaviour and socio-political experiences as being analyzed by the interviewees themselves. In his 2002 article *Comparative Politics and Human Rights*, Todd Landman illustrates the relevance of an interpretivist approach for comparative political analysis, specifically because interpretivism uses qualitative methods to focus on the meanings and interpretations individuals and groups give to their experiences. In the context of my thesis, the interviews from human rights defenders and socio-political activists recounting their individual and/or collective experiences of criminalization and de-democratization are used to assess the establishment of a causal relationship between criminalization and de-democratization, as well as deepen its resonance and meaning.

My thesis is a unique combination of material which is used to interpret the indicators of democratic decline such as the structural flaws at the time of transition, institutional indicators and objective factors (all of which are discussed throughout the composition of this thesis) in which criminalization leads to an intensification of de-democratization. This is why through a mixed-methods research approach, I aim to demonstrate the extent to which the facts that are presented by key international organizations and the experiences described by the participants in relation to criminalization and democratic breakdown are consistent, and as a result illustrate the significance of the experiences being lived by the human rights defenders and socio-political activists of each respective case study.

2.2 Definitions

In elaborating this thesis there are several concepts that must be clearly defined as they are vital in the composition of my main hypotheses. As such, this segment of the chapter clearly stipulates the conceptualizations this doctoral dissertation adheres too in the elaboration of its arguments and corresponding analysis.

A. Liberalization:

Firstly, although the core focus of this dissertation is de-democratization, the concepts of liberalization and democratization are vital when discussing Honduras and Nicaragua's respective transitions to democracy which initiated in the 1980s.

As such, first there needs to be a clear distinction between liberalization and democratization. Particularly, my thesis works with the notion that liberalization does not automatically lead to democratization. Rather, these are two distinct processes. Liberalization merely refers to "the process of redefining and extending rights" (O'Donnell & Schmitter, 1986, p. 7). Consequently, throughout this dissertation liberalization is used to measure the decline of repressive practices and the creation/implementation of certain civil liberties within Honduras and Nicaragua's political systems during their periods of democratic transition. This distinction is important because in both case studies liberalization occurred a few years earlier than democratization.

B. (Democratic) Transition:

As my doctoral dissertation intends to investigate whether there is a correlation between Honduras and Nicaragua's transition to democracy and the current breakdown of their respective democratic systems, it is important to be explicit with the definition of what constitutes a transition. Due to its clear and concise nature this thesis employs O'Donnell & Schmitter's (1986) definition of a transition. These authors stipulate that a transition "is the interval between one political regime

and another (...) the moment that a new regime is installed, whatever its nature or type” (O’Donnell & Schmitter, 1986, p. 6). Expressly, the authors propose that a transition is an uncertain period starting with the breakdown of an authoritarian system and ending with the “installation of some form of democracy, the return to some form of authoritarian rule, or the emergence of a revolutionary alternative” (p.6). O’Donnell & Schmitter describe this phase as a period filled with uncertainty and political negotiations, concentrating on the creation of *pacts* and the emergence of new political actors, instead of a guaranteed path to democracy. With reference to both case studies, the decade of the 1980s is classified as the transitional period between when authoritarianism ended, and democratization definitively began. As a result, in line with O’Donnell & Schmitter, this period analyzes the democratic transition phases of both countries.

C. Democratization (& Democratic Consolidation):

In defining democratization, this thesis predominantly adheres to O’Donnell & Schmitter’s (1986) procedural minimum definition of democracy which states:

[...] the processes whereby the rules and procedures of citizenship are either applied to political institutions previously governed by other principles (e.g., coercive control, social tradition, expert judgement, or administrative practice), or expanded to include persons not previously enjoying such rights and obligations (e.g., non-taxpayers, illiterates, women, youth, ethnic minorities, foreign residents), or extended to cover issues and institutions not previously subject to citizen participation (e.g., State agencies, military establishments, partisan organizations, interest associations, productive enterprises, educational institutions, etc.) (O’Donnell & Schmitter, 1986, p. 8).

O’Donnell & Schmitter’s definition focuses on the institutional requirements that must be met for a state to be recognized as a political democracy. Although this dissertation recognizes the importance of political structures, rules and procedures, and references them methodically, it also identifies that O’Donnell & Schmitter’s conceptualization of democracy has an important omission. It does not place sufficient emphasis on the protection of civil liberties, civic participation and the defence of human rights. Based on the conceptualizations of democracy by

the Honduran and Nicaraguan participants that is presented in Chapter 4 and 6, the importance of prioritizing these aspects of democracy is illustrated, specifically as a way of addressing state-based violence, repression, criminalization and human rights violations.

In my dissertation the democratization process refers to the period of the 1990s for both cases. Linz & Stepan (1996) classify democratic consolidation as the final phase of the democratization process. They identify six *arenas* of democratic consolidation: stateness, civil society, political society, the rule of law, state bureaucracy and economic society. According to their regime typology it is only once all six of these arenas are established that democracy becomes the “only game in town” and that it “becomes routinized and deeply internalized in societal, institutional and even psychological life” (Linz & Stepan, 1996, p. 5–6). My thesis seeks to illustrate that the incomplete consolidation of these arenas during the democratization processes of Honduras and Nicaragua led to deeply entrenched structural flaws which supports my theoretical framework in explaining the present breakdown of democracy in both countries.

D. Criminalization

Criminalization is utilized throughout this thesis as a causal factor of de-democratization as it is an expression of repressive political power. My thesis adheres to Doran’s (2020) definition:

Fondée sur la restriction des droits individuels, civils et politiques en plein cœur des régimes démocratiques, la criminalisation de la défense des droits (Doran 2017 : 184) aussi appelée simplement « criminalisation » (CIDH 2016) touche de nombreux pays. Aussi appelée *criminalization of dissent* (Grasso et Bessant 2018 : 1) ou criminalisation de l’action collective (Peñafiel et Doran 2018 : 354), elle implique des dynamiques de pénalisation, telles que l’emprisonnement prolongé – légal ou illégal – par le biais de l’adoption de nouvelles lois ou de nouvelles interprétations législatives qui considèrent les citoyens comme des « ennemis » (Müller 2012). Phénomène aussi bien discursive que législatif (Peñafiel, 2015, p. 265), la criminalisation implique également l’intimidation et les menaces à l’endroit des défenseurs des droits ou l’invention de faux scandales – sexuels ou autres – visant à les discréditer. Des concepts-clés liés à la violence politique – tels que « terrorisme », « sédition », « groupes insurgés » ou « menace pour la sécurité nationale » – sont désormais appliqués largement à des citoyens considérés nuisibles à la sécurité publique de par leurs mobilisations (Doran, 2020, p. 1).

This conceptualization of criminalization by Doran (2020) is supplemented throughout the dissertation with a secondary definition by Peñafiel & Doran (2017):

[...] as a distinct and specific form of retrenching on acknowledged civil and political rights, rendering them synonymous to criminal behaviour that must be sanctioned legally and tolerates [abusive behaviour from State agents] towards citizens that are viewed as enemies in this new configuration where the struggle for the definition of democracy lies at the heart (Peñafiel & Doran, 2017, p. 353).

Based on both these definitions my thesis attempts to draw a connection between the overt rise of criminalization in both Honduras and Nicaragua and the frailty of these nations' democratic institutions, a weakness that, as is proposed in this doctoral dissertation, initiated precisely at the time of transition. This proposition serves to support the argument that both countries' processes of democratic consolidation were arguably incomplete.

E. De-Democratization:

The concept of de-democratization is used interchangeably with those of democratic backsliding, democratic decline and a breakdown of democracy. It is used to signal the weakening of democratic institutions and a reversal of the democratization process, “reversions from democratic to undemocratic regimes” (Tilly, 2003, p.37). Specifically, it is defined as “changes that decrease the democraticness of political regimes” (Skaaning, 2020, p. 1534). My thesis tests whether the de-democratization processes in Honduras and Nicaragua is the result of structural and institutional weakness, power imbalance and limited accountability amongst state elites. My dissertation evaluates whether there is a connection between these structural/institutional inefficiencies and the criminalization of human rights defenders and collective action that has become so predominant in Honduras and Nicaragua. This is illustrated down below in the discussion of my theoretical framework.

2.3 Securing Elitist Immunity through the Construction of Weak Democratic Institutions: An Unbalanced Justice System

My theoretical framework predominantly relies on the work of Juan Carlos Calleros (2009) in his book, *The Unfinished Transition to Democracy in Latin America*. In his work, Calleros presents a comparative study of Latin America in which he contends that democratic backsliding in the region is the result of an incomplete transition process. Calleros poses the argument that democracy in Latin America is not independent from its authoritarian roots which is a contention also expressed by Albertus & Menaldo (2018). In their work, *Authoritarianism and the Elite Origins of Democracy*, these authors contend that “most democracies might not be all that different than their authoritarian predecessors in terms of material consequences” (Albertus & Menaldo, 2018, p.3), such as a biased institutional design and an imbalanced allocation of power and privilege. Calleros also proposes that this structural flaw specifically derives from a weak judiciary, since “an effective rule of law is an essential part of a consolidated democracy” (Calleros, 2009, p.5). Subsequently, according to Calleros, democracy in Latin America is declining due to an overt inequality in the distribution of political and more importantly judicial power:

In Latin American regimes, the flaws in the rule of law can be seen in the relative independence of the judicial branch—despite the judicial reforms that have accompanied the transition process during the 1990s—, its inability to check the executive, the legislature or the military forces of the region, the constant gap between rights-in-principle and rights in-practice, and a pervasive bias against indigenous populations and the poor within the judicial system. All this is aggravated by the widespread corruption and secular opacity found in the judicial process. It can be expected that, unless further and more profound judicial reforms are adopted, the consolidation of quality democracies in the region will be hindered by the uneven and discriminatory application of the law (Calleros, 2009, p.5).

My dissertation tests whether the structural inefficiencies at the transitional phase of democratization have in fact led to weak democratization processes in both Honduras and Nicaragua, and whether this inadequacy can be used to explain why both countries’ democratic systems are currently failing. Additionally, it is used to evaluate the role of criminalization in the

breakdown of democracy. This is applied more prominently to the case of Nicaragua, as it has already completely reverted into an authoritarian regime, and it is argued that this is due in large part to a weak rule of law caused by an overt imbalance of power amongst the country's three branches of government.

In addition, Calleros' connection between the strength of democracy and the rule of law is employed in this research project to help explain why Honduras and Nicaragua's judicial systems have been relatively powerless in curbing their respective government's use of criminalization as a tool for political restraint. Specifically, the connection between democracy and the rule of law is employed to examine why government officials and their representatives have been able to use the rule of law to justify acts of severe repression, particularly their increased and systematic use of criminalization against human rights defenders and socio-political activists/opponents.

Calleros' (2009) theory of transition and democratic consolidation puts forth an institutional argument in which he suggests that during the democratization of Latin American states structural imbalances resulted in overtly powerful executives, in addition to the underdevelopment of the countries' judicial systems. As was previously mentioned, judicial reform was underdeveloped in the 1990s, meaning that this level of government was underfunded, remained subject to interference by the executive and lacked the resources to improve its equitable distribution of justice (p. 68). He proposes that only by having an independent judiciary with the unencumbered power to check the executive and hold them legally accountable for their decisions and actions can a quality consolidation of democracy take place. In other words, according to Calleros the judiciary acts as "the accountability dimension of democracy" and as such must have the ability to enforce: [...] rules, procedures and penalties in order to deal with unlawful acts by government officials. The liberal tradition requires a rule of law that is effectively enforced by the judicial apparatus as a necessary condition in order to obtain a higher quality of democracy in civil and political rights terms (Calleros, 2009, p. 182).

This theory is applied to Honduras and Nicaragua to illustrate that during their democratization processes both the legislative and judicial branches of government were structured to be subordinate to the executive. In both cases the president was given the final word during the transitional period, a decision meant to be a temporary arrangement that would facilitate decision-making at a politically sensitive and crucial time (Schulz & Graham, 2019), but which has slowly and (presumably unintentionally) expanded. An expansion that has caused severe power disparity amongst both countries' different levels of government. The judicial institutions in both Honduras and Nicaragua have a low level of autonomy. The justices of the Supreme Courts in both countries are appointed and changed at the convenience of the executive. Further, as can be seen through the 2009 coup in Honduras, the military still exercises an important degree of influence over the Court's decisions. This is evident because without the support of the military, Zelaya would most likely not have been removed from office as the Supreme Court lacks the power needed to enforce its decisions. The high degree of influence the military still enjoys over the decisions of the judiciary is a clear example of weak democratic systems characterized by an imbalance of power. In relation to this power imbalance Calleros identifies poor "horizontal accountability" (p.3) as a primary cause. In particular, he argues that two important factors which facilitate horizontal accountability are missing from state institutions, most notably the judiciary, and this has impeded their long-term ability to effectively hold actors and agencies accountable for their actions, a lack of "answerability" and "enforcement" power. He defines, "'Answerability,' as the obligation of public officials to inform about and to explain what they are doing; and *enforcement*, when applying sanctions to power holders who have violated their public duties" (Calleros, 2009 p.16). Calleros proposes that without "answerability" and "enforcement" power horizontal accountability

is not obtainable and consequently an efficient democracy cannot be successfully consolidated within a state. This is assessed in the cases of Honduras and Nicaragua in later chapters.

In support of his discussion on transitions and the importance of accountability, Calleros calls attention to the structural effect elites have had on the development of weak democratic systems. Particularly, he claims that democratization was only able to occur by guaranteeing (military) elites amnesty against criminal persecution and other forms of legal accountability, “The military agreed to leave power and to accept a new role as an ‘apolitical, obedient, and nondeliberative body’ in exchange of an amnesty for abuses committed during authoritarian rule” (Calleros, 2009, p. 39-40). Based on this arrangement Calleros argues that democracy in Latin America was arguably founded on undemocratic principles, in which military actors escaped legal ramifications for the human rights violations they had committed and instead were able to negotiate the retention of their power and positions within the new political system. The institutionalization of this type of agreement within the nations’ constitutions signals “a low level of democratic consolidation” (Calleros, 2009, p. 117). These agreements were composed by “self-interested: outgoing dictators and their political and economic allies [whom] use constitutions as a vehicle for advancing their political and material interests, despite the host of formal political changes that a democratic transition engenders” (Albertus & Menaldo, 2018, p. 8).

The elite-government agreement Calleros is depicting in his work describes “the pact” referenced by O’Donnell & Schmitter in *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies* (1986). Here, the authors define a *pact* “as an explicit, but not always publicly explicated or justified, agreement among a select set of actors which seeks to define (or, better, redefine) rules of governing the exercise of power on the basis of mutual guarantees for the ‘vital interests’ of those entering into it” (O’Donnell & Schmitter, p. 37).

Through a top-down approach, these authors argue that a democratic transition occurs because of a *pact* amongst state elites composed of who they classify as moderates (defecting hard-liners) and soft-liners. O'Donnell & Schmitter propose that “there is no transition whose beginning is not the consequence-direct or indirect-of important divisions within the authoritarian regime itself, principally along the fluctuating cleavage between hard-liners and soft-liners” (O'Donnell & Schmitter, 1986, p. 19). In other words, according to the authors a transition to democracy can only occur if there is an environment for it, meaning that there is already a preexisting conflict amongst the authoritarian factions that allows for a *pact* towards democracy to be negotiated. These defecting hard-liners or moderates are the state elites that are willing to step down (though not entirely) and allow for a democratic transition to take place. These are the elites Calleros references in his work. These elites, particularly those of the military persuasion, tend to accept for the army to be defused but not completely disarmed in exchange for complete immunity (O'Donnell & Schmitter, 1986). This stipulation for the transference of power allows outgoing authoritarian leaders to maintain a semblance of authority and influence in the new socio-political order, “the transition may be initiated from above by authoritarian incumbents with sufficient cohesion and resources to dictate the emerging rules of the game” (O'Donnell & Schmitter, 1986, p. 39). Overall, throughout their work O'Donnell and Schmitter emphasize that it is not the revolution but the transition process itself that is of critical importance in the growth, liberalization and eventual consolidation of a democratic state. I use both Calleros (2009) and O'Donnell & Schmitter's (1986) path dependency arguments, to sustain that democratization in Honduras and Nicaragua was founded on an inequitable distribution of power and political concessions that from inception created weak democratic systems.

In addition, Calleros proposes that there is a strong link between the incompleteness of democratic transitions and the increasing violations of human rights. He proposes that during democratization the priority of state elites was to guarantee their amnesty, fortify the strength of the executive and ensure socio-economic stability. As such, little attention was placed on how to respond to violations of human rights, particularly when they are issued by the executive branch. Through a comparative analysis of Honduras and Nicaragua, I propose that this has turned out to be an important structural oversight which has facilitated the high levels of criminalization currently taking place. The limited checks and balances between the three levels of government have heavily incapacitated the legislature and judiciary's ability to hold the executive legally accountable for the use of repressive procedures.

The imbalance of power between the branches of government has led to an adverse long-term effect: the criminalization of human rights defenders and collective action. This component of my theoretical framework is based on the work of Marie-Christine Doran (2017). In *The Hidden Face of Violence in Latin America: Assessing the Criminalization of Protest in Comparative Perspective*, Doran suggests that human rights abuses can be attributed to weak democratic systems. She argues that the criminalization of social movements detracts from the strength of a country's democracy by attempting to "legitimize repression and violence against active community members" (Doran, 2017, p. 187). Doran posits that "criminalization is a specific form of retrenching on well-established civil and political rights, rendering them synonymous with criminal behavior that must be sanctioned legally, and tolerates abusive behavior by state agents toward human rights defenders, who are viewed as enemies" (Doran, 2017, p. 183). Doran's work illustrates a strong connection between the use of criminalization and the surge of violence taking place in Latin America. According to Doran, who has based her work on a comparative case study

analysis of Chile and Mexico, this increase in violence has negatively impacted the effectiveness of these countries' democratic institutions by directly infringing on civil and political rights. Therefore, echoing Doran's argument, throughout this thesis I contend that the illegalization of civic protests currently happening in Honduras and more blatantly in Nicaragua, since the 2016 and 2018 protests respectively, is an institutional consequence of poorly constructed constitutions, in which the division of power has disproportionately favoured the executive branch, making it difficult to enforce internationally recognized human rights and prosecute the executive if (and when) the central government commits any violations. This ties in with Calleros' work, which links the rule of law with democratic survival. In this case the judiciary and legislative's inability to check the power of the executive has permitted not only an excess of power, but most detrimentally it has fomented an abuse of authority, which is exemplified through the criminalization of socio-political opponents. Here, I propose that criminalization itself can therefore be employed as a tool/mechanism in the furtherance of the de-democratization process. Throughout this thesis it is argued that criminalization has been a longstanding weapon of the governments of Honduras and Nicaragua as a means of subduing their respective socio-political opponents and hindering the invaluable work of human rights defenders, which, as was discussed in the literature review section of this thesis, is directly linked to the overall survival of democracy. Consequently, criminalization can be considered an important factor in the study of de-democratization, particularly because as proposed by Calleros and Doran, it highlights the presence of poorly constructed democratic institutions, especially a weak rule of law. Overall, whereas other works have made the connection between criminalization and the frailty of democracy, what this doctoral dissertation intends to contribute to academia, is establishing that there is also a causal relationship between criminalization and de-democratization.

In summary, my theoretical framework is founded on the works of Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986) and Doran (2017). These authors make a structurally comparative argument in which the de-democratization process in Honduras and Nicaragua is explained through an analysis of the democratic transition process. Throughout this thesis, I focus on the imbalance of power amongst the legislative, judicial and executive branches of government, the amnesty of state elites, and the relationship between weak democratic institutions, human rights abuses and the use of criminalization as a mechanism of socio-political repression.

Methodology

Introduction

This section of my thesis presents the interpretative content analysis approach that is used to address my research questions: *How have Honduras and Nicaragua's political systems initiated a process of de-democratization? Why doesn't the literature on the causes of de-democratization address criminalization as an important element and/or causal factor of de-democratization? And what role does criminalization play in the advancement of de-democratization?* Subsequently, in what follows, I explain my case study selection, outline the qualitative research method that is employed throughout this thesis, describe how interpretative content analysis is applied in the analysis of my data and present a brief self-reflection that has been relevant to the realization of this doctoral dissertation.

2.4 Case Study Selection

In the pursuit to identify the causes of the current democratic crisis in Latin America, this thesis conducts small-n research, which according to Landman entails “comparing [only a] few countries” (2002, p.895). In this case, this dissertation conducts a comparative analysis of two case studies, Honduras and Nicaragua. In both cases my analysis primarily focuses on the period between 1980 (in which the transition away from authoritarianism began) and 2026 (i.e. present-day at time of writing this thesis, as the crisis is still ongoing). However, in the case of Nicaragua due to its relevance to the trajectory of its democratic transition, the period between 1936 to 1979, in which the Somoza dictatorship was in power, is also briefly examined.

In describing my case study selection process, I must begin by discussing my own personal connection to Nicaragua (a discussion that is further discussed in the self-reflection section of this chapter). Although I was born in Canada, both my parents are from Nicaragua and individually immigrated to Canada during the civil war of the 1980s. Having Nicaraguan ancestry and given the fact that most of my extended family continues to reside in Nicaragua, the socio-political unrest in the country has always been of interest to me both personally and academically. As such, when the 2018 protests emerged, I decided to pursue my PhD and focus my research on the human rights violations and breakdown of democracy taking place in the country. In designing the composition of my dissertation, I decided to make it a comparative study of two Central American states. First, because performing a comparative study of two countries would make the findings of my research more regionally significant, and second, because the Central American region is typically understudied when it comes to the causes of de-democratization and as such there is a gap in the literature that my work can help fill.

Having opted for a comparative analysis, I decided on Honduras for a variety of reasons. First, it has various historical similarities with Nicaragua, particularly regarding its democratic

transition timeline and the influence of the United States on the socio-political and economic spheres of both countries. Second, the length and types of human rights violations that have taken place in Honduras being very similar to those of Nicaragua, this makes for an interesting comparison. Indeed, despite these similarities, Honduras is still classified as an electoral democracy, albeit with authoritarian tendencies that posits that it could be classified as a hybrid regime, while Nicaragua has now fully regressed into an authoritarian dictatorial state. This distinction between my chosen case studies invites readers of my thesis to reflect on the slight differences between hybrid and authoritarian regimes. Evaluating the official classification of Honduras as a hybrid regime versus its current electoral democracy status goes beyond the scope of this thesis, but it is an important question that must be addressed in future research.

Lastly, Honduras was selected over other Central American countries like El Salvador or Guatemala because of its strong global recognition for acts of criminalization. Particularly, if we look at the Global Witness Index (2024), Honduras is ranked amongst the top 4 worst countries for environmental defenders, which directly coincides with the growing use of criminalization against activists and human rights defenders in Nicaragua.

Additionally, in comparison to the other viable Latin American cases that could have been selected for this thesis, Honduras and Nicaragua remain profoundly understudied, specifically as it pertains to the realization of a combined study. More so, as the current democratic crisis in these two countries is considered relatively new (predominantly cited as beginning with the 2016 & 2018 protests respectively), academic writing which focuses on the causal angle of the socio-political crisis is also lacking. Furthermore, as previously mentioned literature linking democratization to criminalization is very recent and minimal. Even though I shall benefit from the ongoing research of the investigators focusing on this area of study under the confines of the

OVCD (mainly Doran (2019, 2020), Peñafiel (2015), Le Grand, Van Isschott & Riaño (2017), Velloso & Paes (2021) and Rodrigo Ghiringhelli de Azevedo (2023)), the countries covered by this research does not include Honduras or Nicaragua. Hence, there is a research gap within the literature, both in relation to the current democratic crisis and with regards to the criminalization and human rights violations that are progressively taking place in both countries, a space I am happy to attempt to fill.

Apart from the lack of data on these specific cases, the selection of Honduras and Nicaragua was the product of three additional factors. First, both countries share similar authoritarian histories and parallel pathways to democratization. Prior to transitioning to democracy in the 1980s, both states were governed under military rule and had political systems deeply rooted in the tradition of caudillismo and clientelism (Close, 2016; Sieder, 1995). As such, to transition towards democracy both countries had to make institutional concessions to placate the military and political elites that had governed under the previous authoritarian regimes. Both countries constructed new constitutions that secured elite immunity and developed democratic institutions based on undemocratic principles and agreements. This is interesting as these paths to democracy have enabled the continuation of autocratic practices such as the repression and criminalization of human rights defenders and collective action, a point that to my knowledge, has not been studied comparatively with regards to Honduras and Nicaragua.

Secondly, although both countries share similar socio-political designs, there are some key differences in the post-democratization period which makes for a compelling comparison when investigating the causes of de-democratization. As mentioned in the literature review section of this thesis, democratic backsliding in Latin American has often been correlated with the populist movement initiated by Hugo Chávez in Venezuela. Both Honduras and Nicaragua joined this

movement and became ALBA members, however, as previously discussed the results were vastly different. President Zelaya, unlike Ortega, was unable to successfully reform his nation's constitution and was instead removed from power in a military coup executed in 2009. This break in pattern from other ALBA members who were able to perpetuate their time in office, disproves the argument that Chávez's movement is the central cause of de-democratization in Latin America. Thus, comparing Nicaragua, an example of democratic breakdown that was arguably influenced (at least in part) by the Chávez populist movement, with Honduras an outlier in the movement, serves to demonstrate that there is an alternative reason for why these countries' democratic systems are both failing.

Furthermore, the electoral results of the November 2021 presidential elections in both Nicaragua and Honduras highlight another instance of divergence amongst these two countries. The election results are surprising as even though both countries have faltering democratic systems, in the case of Honduras there was a successful transference of power from now former president Hernández to current President Xiomara Castro, whilst in Nicaragua Ortega ran once again but was basically unopposed (as the majority of opposition leaders were promptly arrested) and he was able to successfully secure the presidency for yet another term. My thesis attempts to explain why despite structural similarities the presidential elections in these two countries led to arguably opposite results. Overall, by deriving my findings from two contrasting cases, "comparing few countries using qualitative analysis as the comparative method" (Landman, 2002, p. 894), I believe my research gains theoretical validity and consequently can contribute to the overall examination of de-democratization in Latin America.

Lastly, according to the Freedom House Global Freedom Score, both countries showcase a pattern of democratic backsliding beginning back in the early 2000s. In both cases, 1999 was the

last year in which the two countries were ranked by Freedom House as “Free Nations”. In 2000, due to increased military influence, the unlawful persecution of political officials and increasing allegations of corruption, both countries’ rankings dropped from “free” to “partly free” (Karatnycky, 2000). As illustrated in Table 1, the decade from 2006-2016 was relatively stable for both countries as neither one’s score fluctuated significantly. However, both countries’ democratic systems began to gradually deteriorate as of 2017 due to the repressive governmental response to exercises of collective action, specifically in the case of Nicaragua. Currently, Nicaragua is among the top ten countries where freedom has declined the most over the last decade (Repucci, 2020; Bogaards, 2018). In the case of Honduras, Freedom House has reported a significant and long-term decline in democratic freedoms predominantly stemming from the socio-political instability that followed the 2009 military coup.

Table 1: Freedom House Global Freedom Scores Honduras & Nicaragua

| | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |
|------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|---------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| <i>Nicaragua</i> | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 5 Partly Free | Political Rights: 5 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | 47/100 Partly Free | 44/100 Partly Free | 32/100 Not Free | 31/100 Not Free | 30/100 Not Free | 23/100 Not Free | 19/100 Not Free | 16/100 Not Free |
| <i>Honduras</i> | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 3 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | Political Rights: 4 Partly Free | 46/100 Partly Free | 46/100 Partly Free | 46/100 Partly Free | 45/100 Partly Free | 44/100 Partly Free | 47/100 Partly Free | 48/100 Partly Free | 48/100 Partly Free |

*The information in this table was taken from Freedom House’s Aggregate Category and Subcategory Scores, 2006-2024

When comparing both states’ Freedom House scores, it is interesting that despite similar socio-political crises, that Nicaragua’s score has dropped so much more than that of Honduras especially after 2019. My dissertation attempts to account for this divergence by inquiring why despite similar conditions and violent practices, Honduras is still considered to be “partly free”, while Nicaragua is classified as a completely “unfree” nation.

2.5 Fieldwork Research

My thesis applies a qualitative research method, founded on the realization of extensive fieldwork that involved conducting a total of 50 interviews, 20 for the Honduran case (performed from June to September 2023) and 30 for the Nicaraguan case (conducted from June to August 2022),³ as well as the analysis of relevant documentation. The 20 interviews of Honduran participants were composed of a combination of 8 men, 11 women and 1 trans person ranging in age from 26 to 65. The chosen participants for these interviews self-identified as human rights defenders, including sub-categories such as environmental activists, members of the press, indigenous peoples, afro-descendants and representatives of the LGBTQ+ community. The 30 Nicaraguan participants were composed entirely of exiled citizens including 20 men and 10 women ranging in age from 18 to 65. The participants for these interviews self-identified as human rights defenders, including university students who were active members of the youth movement in Nicaragua-the *Movimiento 19 Abril* [April 19 Movement]⁴, rural activists, indigenous community members, human rights defenders, journalists, advocacy lawyers, ex-members of the Sandinista political party and/or armed forces, and current supporters of the *Unidad de Exiliados Nicaragüense en Costa Rica (UEN)* [Nicaraguan Exile Unit in Costa Rica].

I opted to conduct interviews, as “interviews allow us to explore the informal interactions and behaviors that can be equally important to political outcomes” (Kapiszewski, MacLean & Read, 2015, p. 190). Furthermore, when studying social movements, political action and measuring the quality of democracy, fieldwork proves to be the main way in which political

³ In Appendix I there is a complete participant list which includes the interviewees’ chosen pseudonym, country of origin, gender, age bracket and date the interview was conducted.

⁴ The April 19 Movement in Nicaragua refers to a student group that formed in April of 2018 to protest the government of Daniel Ortega following the social protests that began on April 18, 2018. The name refers to the date the demonstrations began.

scientists can acquire data (Klandermans, 2016; Schmidt, 2016). In this case, my interviews primarily focused on human rights defenders and demonstrators in Honduras and Nicaragua who have been criminalized for their political and/or social affiliations, participating in political and/or social movements or being associated (such as being a family member) with someone who has protested against the government.

In addition, as the socio-political crises in both countries are ongoing, my fieldwork also consisted in observing real-time events such as the aftermath of the 2021 presidential elections in Nicaragua which took place on November 7, 2021, and the ongoing governmental repression that continues to take place in both countries. In the case of Nicaragua, I was able to observe the persecution and exile of members of the Catholic Church., I witnessed the fallout and reactions of Nicaraguan citizens when the Ortega administration decided to deport a total of 18 nuns to Costa Rica, and unprecedentedly opted to (illegally) remove citizenship from Nicaraguans deemed as “enemies of the state”. Throughout my fieldwork and in its aftermath, I was also able to track the increased use of illiberal practices by the Ortega administration including the incarceration of political opponents, the imposition of constitutional amendments that further centralize the executive power and the increased persecution of human rights defenders.

In the case of Honduras, I was able to observe the impact of (at the time) Xiomara Castro’s fairly new presidency. I witnessed the repercussions of Xiomara Castro’s decision to impose a prolonged State of Exception. And most recently, as I was culminating the composition of this thesis, I was also able to observe the controversy surrounding the 2025 presidential election, that only announced a winner a few weeks before my submission and yet as I submitted there was still serious doubt as to whether or not a peaceful transfer of power would take place. In that regard, it is important to note that, as of the submission date of this thesis, the inauguration has not taken

place. Therefore, Xiomara Castro is still referred to as the current president throughout this dissertation.

To effectively perform my fieldwork and in consideration of both personal safety and that of my interview subjects, I opted to make different arrangements to access my interviewees. For Honduras, I conducted interviews in two parts. Most of my subjects were contacted electronically whereby an arrangement was made to interview them virtually at a suitable date and time. The virtual interviews were conducted through the communication software (i.e. Zoom, Adobe Connect, Skype or Teams) that was most agreeable and accessible to the interviewee in question. This method of interviews was selected to minimize the risk level of potential subjects who might feel uncomfortable or be unable to meet in person. Furthermore, due to the high levels of crime and specifically femicide occurring in the country, it also aided in vastly lowering the danger that I as a female researcher was exposed too. The remainder of my interviews were conducted here in Canada. I contacted Honduran refugees that immigrated to Canada because of the current socio-political crisis in the country. I contacted these refugees through a professional connection to a human rights non-governmental organization (NGO), the *Canadian Human Rights International Organization* (CHRIO), which is based in Toronto, and which over the years has assisted many Hondurans immigrants in their refugee cases. By interviewing subjects which are still residing in Honduras in collaboration with Hondurans who have chosen/felt the need to leave their native land, I hoped that the data I collected would be able to formulate a more expansive overview as to the role and effectiveness of the country's democratic institutions and the impact human rights abuses as well as criminalization have had on the de-democratization process in Honduras.

Similarly, due to safety concerns in Nicaragua I chose not to travel to the country directly. Rather, I travelled to San José, Costa Rica, due to the large number of Nicaraguans who have

sought refuge in this neighbouring country. Since the 2018 protests, “nearly 64, 000 Nicaraguans applied for refugee status in Costa Rica between 2018 and 2020 (...) As of 2020, 368,000 Nicaraguans lived in Costa Rica according to the Costa Rican government, comprising approximately 7 percent of the country’s approximately 5 million residents” (Mora, 2021). Due to the nature of my research, which sought to interview subjects that had been criminalized by government and/or police officials, Costa Rica offered a wide pool of Nicaraguan candidates. Furthermore, as I interviewed research subjects in Costa Rica, (presumably) outside the purview/jurisdiction of the Nicaraguan government, potential interviewees were more willing to communicate with me and participate in my study given that they felt a greater sense of safety. Comparatively, to the Honduran case study, I also contacted Nicaraguan refugees in Canada through CHRIO to provide for a wider overview of interviewees. As there is a pool of Nicaraguan citizens that have immigrated to Canada to seek political refuge, I hoped that through their specific experiences I would be able to present a more complete synopsis regarding the consequences of criminalization and human rights violations occurring in the country.

There are four key questions I wished to answer by selecting interviews as the primary form of data collection for my dissertation. First, I hoped to ascertain which groups of people in Honduras and Nicaragua have been criminalized and how. The intention here is to demonstrate that there are a wide range of people being criminalized in both case studies. Though prior to performing the interviews, I (correctly) presumed that the largest group of people would be human rights defenders and environmental activists, my hope was to test the hypothesis that criminalization has also expanded to include more targeted groups such as students and academics in Nicaragua, as well as feminist and LGBTQ organizations in Honduras (Doran, 2020, p.3).

Second, I intended to uncover how state and police officials use criminalization. Specifically, by conducting interviews I wanted to uncover to what extent criminalization is being applied by these actors. I wanted to uncover whether criminalization simply means having to face a wrongful accusation because of protesting, or if it entails being placed under surveillance, submitted to methods of torture, harassment and even death? By using interviews, I wanted to identify the practices involved with criminalization to showcase to what extent civil liberties are being abused and to what degree socio-political elites are side-stepping the supposed constitutional limits of their authority. This component of my research serves as a clear marker of the frailty of both countries' democratic systems.

Third, I hoped to determine which institutional mechanisms and procedures are being employed to criminalize human rights defenders. I wanted to find out why so many human rights defenders in Honduras and Nicaragua have felt compelled to seek political asylum abroad. By doing this my intention was to find an explanation as to why the protection of civil liberties has declined whilst simultaneously levels of criminalization have heavily increased. Through my interviews I hoped to find evidence to support the notion that democratic principles in Honduras and Nicaragua are only "guaranteed" insofar as it is convenient to the government and their affiliates. Further, I sought to find information that linked the persecution of human rights defenders with the weak composition of the country's democratic institutions.

Lastly, by choosing to use interviews I hoped to identify how the judicial institutions, as well as the legislative bodies in both Honduras and Nicaragua are aiding in the employment of criminalization. By asking interviewees whether protesters who were charged with a crime are given due process, expedited trials, proportional sentences (with reference to the alleged crime), access to legal representation, and/or official notification of the charges being placed against them,

I wanted to investigate how basic legal procedures are being ignored in favour of the repression of different forms of socio-political dissent. By employing this line of questioning I hoped to find evidence that would highlight the fact that basic civil rights are being circumvented in service of silencing governmental dissidents, an act that has been facilitated because of the judiciary's inability to independently enforce the rule of law and place effective checks on the executive's power. The concrete and in-depth presentation of my findings and the corresponding analysis of my interviews is provided in the following chapters.

2.6 Methodological Tools: An Interpretative Content Analysis Approach

To establish the existence of a causal relationship between criminalization and de-democratization, the primary methodological approach that is employed to analyze the interviews conducted on Honduran and Nicaraguan participants is content analysis which, “works through systematic and objective procedures for describing the content of messages” (Bardin, 2013, p. 37). Therefore, this methodological approach is used to evaluate the interview material gathered throughout the duration of my fieldwork from 2022 to 2023.

Content analysis is “a research technique for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use” (Krippendorff, 2013, p. 24). This research method is primarily “deductive in form” (Drisko & Maschi, 2015, p. 22) and “classifies textual material, reducing it to more relevant, manageable bits of data” (Weber, 1990, p.5). Generally, content analysis is considered a versatile, non-invasive way for a researcher to observe and interpret a social phenomenon.

In the context of this dissertation, based on the contents of the interviews that were performed, content analysis serves to observe and determine the central repercussions of the socio-political mobilizations that have been taking place in Honduras and Nicaragua since 2016 and 2018 respectively. The utility of this methodological approach is mainly because content analysis “uses a set of procedures to make valid inferences from text. These inferences are about the sender(s) of the message, the message itself, or the audience of the message” (Weber, 1990, p. 8). Consequently, content analysis is used to determine the relationship between the violence, repression and/or criminalization experienced by the Honduran and Nicaraguan interviewees and the breakdown of democracy that is occurring in their corresponding country.

More definitely this thesis utilizes an interpretative content analysis approach as defined by Drisko & Maschi (2015):

In interpretive content analysis, however, meaning is not simply ‘contained’ in the text. Interpretative content analysis goes beyond descriptive questions of ‘what’ and ‘how’ and continues on to inferences about ‘why,’ ‘for whom,’ and ‘to what effect’. It is neither merely literal nor necessarily solely descriptive in purpose. Researchers can address both the antecedents and the consequences of communication, allowing exploration of both the causes and effects of communication along with its explicit content (p.59).

This dissertation uses interpretative content analysis to assess and interpret the substance of the realized interviews to identify the central thematic similarities and differences between this doctoral dissertation’s two case studies. Specifically, I utilize interpretative content analysis, which draws “on researcher interpretations and insights” (Drisko & Maschi, 2015, p. 65), to examine the content of the interviews and establish that based on the combined experiences of 50 individuals (20 Hondurans and 30 Nicaraguans), who have either personally faced explicit forms of governmental oppression and persecution or have explicitly witnessed and suffered the consequences of the abuse of civil liberties and/or human rights, that there is a strong causal relationship between criminalization and de-democratization.

Furthermore, by using an interpretative approach to content analysis, which uses “research-generated summaries and interpretations” (Drisko & Maschi, 2015, p. 4), this dissertation contends that this association has heavily contributed to the breakdown of democracy presently taking place in both Honduras and Nicaragua. Moreover, this thesis proposes that the causal link between criminalization and de-democratization has facilitated the progressive and massive use of criminalization by government officials, mainly those emanating from the president’s office, as a mechanism of repression to target actors perceived as socio-political opponents. Accordingly, by establishing this relationship this thesis intends to illustrate the validity of the hypothesis that criminalization can and should be used as a theoretical marker in the study of democratic decline.

2.7 Document Analysis

In addition, to the interviews I conducted, my thesis also relies on the examination of pertinent documents and data sets. First, to inquire as to whether there is in fact an intrinsic imbalance of power amongst the different levels of government which this thesis is proposing was instituted within the composition of both Honduras and Nicaragua's original constitutions and later fortified during their various constitutional reforms, I have examined both the original constitutions and the corresponding reformed documents. I employ both Honduras and Nicaragua's initial constitutions, elaborated during their transitions to democracy in 1982 and 1987 respectively, to draw out and present the structural flaws that were embedded at the time of transition and democratization. Specifically, I focused on the stipulations regarding executive accountability, constraints (or lack thereof) for constitutional reform, judicial immunity for political, economic and military elites, and the overall division of power amongst the different levels of government, which this thesis contends, exceedingly favours the executive branch. When analyzing the constitutional reforms that have taken place in both countries, I focused on the extension of presidential term limits, the debilitation of national democratic institutions, the revision of electoral requirements, the limitation of political competition and the concentration of executive powers. I plan on employing the analysis of these stipulations to assess how the composition and reformation of both countries constitutions have contributed to the weakening of their respective democratic systems.

Secondly, as illustrated above in Table 1, throughout this thesis I employ Freedom House's global rating system to establish the status of both Honduras and Nicaragua's political systems as well as political rights and their progression since their initial transitions towards democracy in the 1980s. The decision to employ Freedom House is principally based on its long trajectory as a global watchdog organization dedicated to reporting on democracy and human rights. Further, the

decision to use Freedom House is inspired by the work of Charles Tilly. A most prominent author in comparative politics, Tilly's seminal 2007 book, *Democracy*, features Freedom House's annual scores for political rights and civil liberties as proxies to measure democratization and "de-democratization" globally, in addition to the data from different human rights organizations. Consequently, in the context of my research I contend that the use of Freedom House is a reasonable option, especially as the Freedom House markers are complemented throughout my dissertation with reports from several reputable international organizations including the UN, Amnesty International, Human Rights Watch, International IDEA and the IACHR, which collectively serve to measure the dependent variable of my thesis, the status of Honduras and Nicaragua's democracies. This is constituted in the context of this dissertation through the analysis of the following variables: political pluralism and participation, freedom of expression, freedom of assembly, freedom of association, associational and organizational rights, rule of law, as well as the freedom and independence of the mass media. All of these are markers have been and continue to be used by international observers to determine Honduras and Nicaragua's democratic standing.

Lastly, to test whether there is a causal relationship between de-democratization and criminalization, I have analyzed a variety of supplementary documentation. Foremost, I have examined numerous Honduran and Nicaraguan newspaper articles. This has been done to compare articles prior to the 2016 and 2018 protests with articles published in the aftermath of these socio-political mobilizations. By studying the content of newspaper articles, I illustrate that there has been a drastic decline within the freedom of the press. Furthermore, in examining national articles I analyze whether there is any obvious bias in the reporting when compared to international media

outlets. More specifically, I address if national reporters are free to document and publish on presumed acts of governmental repression and elitist corruption?

Additionally, to supplement my investigation I have opted to analyze the contents of the Organization of American States (OAS) and the Inter-American Commission on Human Rights (IACHR) Annual Reports. As both countries are OAS members and have been subjected to visits and even sanctions condemning their respective governments' anti-liberal tendencies, the OAS Annual Reports serve to find information (gathered firsthand) regarding how democracy has declined in both countries. Additionally, the IACHR 2015 Report on the *Criminalization of the Work of Human Rights Defenders* is employed as a vital document to ascertain whether there is a connection between the criminalization of human rights defenders and collective action and the de-democratization processes that have initiated in both case studies.

Similarly, I have also examined the separate UN hearing documentation and the OAS Country Reports to identify signs of the causes of democratic decline in Honduras and Nicaragua. In examining these reports, I have focused on the information regarding the legitimacy of these countries' electoral processes, protection of civil liberties, freedom of the press, repressive tactics used by government and/or police officials and any signs pointing to political corruption. Overall, the purpose of analyzing these different forms of documents has been to explore the evolution of democracy within these two countries, focusing on finding evidence to support the premise that Honduras and Nicaragua's poorly structured democratic institutions, which were created at the time of transition, have enabled the increased use of criminalization and subsequently caused the breakdown of democracy.

2.8 Self-Reflection

Finally, as one of the countries I have included in my study is Nicaragua, I would like to expand on the fact (mentioned earlier) that both of my parents are Nicaraguan nationals, and that most of my extended family currently resides there. This has had both benefits and disadvantages in the composition of this thesis. With regards to the benefits, my extensive familial connections afforded me greater access to potential interviewees, who were more comfortable speaking to someone that had verifiable references and could be certified as not being affiliated with the Nicaraguan government or any of its institutions. In addition, having Nicaraguan ties and subsequently Spanish as my first language allowed me cultural knowledge that greatly facilitated my interactions with the research subjects I contacted for my study.

In reference to the negatives, because of the current repressive political climate in Nicaragua, I have had to exercise extreme caution so as not to implicate my family with the work I have been doing throughout this doctoral dissertation. Furthermore, I have had to be careful to not allow familial bias and their political inclinations affect the nature of my work. I have combated familial bias by the fact that although my family is of Nicaraguan dissent, I was born and raised in Canada, which has given me a broader and unbiased outlook at the political difficulties being faced in the country.

Overall, in the chapters that follow I think that the successful realization of 50 interviews in collaboration with my chosen research method allows for an effective investigation in which I effectively address all my research questions and contribute to the overall literature on criminalization and de-democratization. The next five chapters present my findings and analysis as follows: Chapter 3 examines the democratization process of Honduras whereas Chapter 4 analyzes the contents of the Honduran interviews through the application of a content analysis

approach. Comparatively, Chapter 5 addresses the democratic transition process of Nicaragua while chapter 6 again employing a content analysis approach explores the interviews of the Nicaraguan participants. The purpose of Chapters 3 to 6 is to demonstrate that not only is there a strong causal relationship between criminalization and de-democratization, but that the intrinsic and systematic application of criminalization by government actors as a mechanism of socio-political repression to target human rights defenders and protesters illustrates that criminalization can and should be used as a causal factor in the study of democratic decline. Finally, Chapter 7 concludes this dissertation by performing a comparative analysis of both countries based on the collective findings of the interviews. The chapter culminates with a summation and explanation of the main contributions this thesis hopes to make to the academic analysis of criminalization and de-democratization.

CHAPTER 3: THE CASE OF HONDURAS FROM DEMOCRATIC TRANSITION TO DEMOCRATIC DECLINE

Introduction

The following chapter presents and analyzes in depth the first case study of this doctoral dissertation, Honduras. More specifically, this section of my thesis aims to examine the institutional foundation of the democratic process within the country. The chapter begins by analyzing Honduras' transition to democracy which initiated through a process of liberalization towards the tail end of 1979 (Torres-Rivas, 1996). In the wake of the third wave of democratization, the 1980s was a decades long period in which authoritarianism was massively being overturned as the dominant political system in Central America, which by the end of 1990 signalled an end to the longstanding socio-political crisis within the region (Sieder, 1995).

The objective of examining Honduras' democratic transition within this chapter is to identify the structural flaws that were present at the time of transition and democratization, flaws Albertus & Menaldo (2018) would contend are the result of "elite-biased constitutions inherited from authoritarian predecessors" (p. 269). As such, in accordance with my theoretical framework, which as mentioned in Chapter 2 of this thesis, is based on the works of Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986), and Doran (2017), this segment of my thesis seeks to demonstrate my first hypothesis which is that the structural flaws that occurred during the transition and democratization processes of Honduras and Nicaragua, led to the composition of inherently weak democratic institutions and to a problematic imbalance of power between the different branches of government, issues which have profoundly contributed to the current de-democratization processes taking place in each country respectively, as well as enabled the use of criminalization as a tool for socio-political repression. Therefore, by establishing that Honduras is

part of this process, as is also done for Nicaragua in subsequent chapters, I assess the basis of the comparative perspective between these two countries. One of the common factors that allows for a comparison between both countries and their de-democratization political outcomes, which is discussed throughout this thesis, is the transitional process. In addition to other common factors such as the presence and involvement of the U.S. in their respective political histories.

Furthermore, this chapter seeks to illustrate how the marked decline of democratic norms and principles, a breakdown which is exemplified by the high rates of crime and corruption, a decline in the freedom of the press, a weak rule of law, human rights violations, and most relevantly the continued criminalization of environmental activists, human rights defenders and social movements (Freedom House, 2025a), is heavily linked to the concessions and agreements made between outgoing autocratic elites and incoming democratic leaders at the time of democratization. This relationship is established by examining Honduras's democratic institutions. Particularly, this chapter analyzes the roles and powers of the legislature and especially the judiciary in relation to the authority of the executive branch as outlined by the constitution at the time of transition and how despite constitutional reforms these power dynamics have only shifted to increasingly favour the executive branch.

The chapter then continues by exploring the initial breakdown of Honduras' democratic system. Specifically, it examines how the polarization of economic and political interests between the country's main political parties, Supreme Court and armed forces were in direct opposition of the governmental priorities of the executive branch, which in turn caused the military coup d'état that removed former president Manuel Zelaya from office in 2009 (Barrachina, 2016; Hercules Rosa, 2019). Next, the chapter examines the unprecedented two-term administration (2014-2022) of former president and now convicted felon Juan Orlando Hernández which heavily accelerated

the de-democratization process of Honduras by employing extreme acts of violence and criminalization as mechanisms of repression to respond to the widespread socio-political movements that took place throughout his time in office (Barrachina Lisón, 2016). This section of the chapter seeks to support my second hypothesis which suggests that the ability of government actors to employ extreme acts of violence and repression against human rights defenders and as a response to expressions of socio-political protest, suggest that criminalization can and should be used as a causal factor in the study of de-democratization. This second hypothesis is the primary contribution this thesis hopes to make to the literature by demonstrating that there is a strong causal relationship between de-democratization and criminalization.

Finally, the chapter concludes with a brief exploration of the state's electoral practices in which I aim to highlight that despite a successful transference of power in 2022, from former president Hernández to current President Xiomara Castro, the country's hope for a democratic upheaval has failed to meet both national and global expectations. This is mainly because acts of criminalization and human rights violations remain a pressing issue throughout the country, which is why organizations like the Center for Strategic and International Studies (CSIS) have classified the political situation in Honduras under Castro as going from "bad to worse" (Berg, 2024). Consequently, this chapter intends to demonstrate that the present ability of President Castro, and more poignantly the capacity of her predecessors, to employ criminalization as a politic tactic is the outcome of an imbalance of power amongst the different branches of government, as well as the result of weak democratic institutions that resulted from the structural flaws that occurred at the time of transition and democratization. Moreover, even though a successful transfer of power has occurred, as a political actor Castro's ability to use criminalization as a mechanism for

repression serves as a clear indicator of the continued decline of democracy within the Honduran state.

3.1 A Transition to Democracy

3.1.1 Transitioning from Military to Civilian Rule

As referenced above, Honduras's transition to democracy initiated through a process of liberalization that took place towards the end of 1979, after an agreement was reached between the country's military leadership and the State Department. After witnessing the fall of the Somoza dictatorship in neighbouring Nicaragua earlier that same year, Honduran military leaders decided to formally negotiate a return to electoral rule in order to guarantee their amnesty from criminal prosecution and to ensure that they would be able to maintain a semblance of military power and control within the country (Torres-Rivas, 1996; Bowman, 2002; Alison, 2006; Salomón, 2012). This agreement marked an end to the decades of "military dictatorship that had taken power through coups d'état in 1963 and 1972, and smaller-scale attempts in 1975 and 1978" (Salomón, 2012), "these [coups] evidenced the institutional weakness and the influence of the army in Honduran politics" (Lara Otaola & Kawas, 2021, p. 7). In other words, by the time of transition the longstanding influence and power of the armed forces within the country's political system was very pronounced. As a result, for democratization to occur in a peaceful fashion, at the time of transition various concessions in favour of the military had to be made.

Prior to the beginning of the democratization process, the Honduran army had been in power for nearly two decades and they ruled the country under the confines of authoritarian principles which accentuated the marginalization of political parties as well as the fragmentation of social movements and socio-political protests (Salomón, 2012). Yet, with the socio-political situation in Central America collectively shifting towards electoral rule, Honduran military officials recognized the inevitability of civilian rule returning to the country, particularly because of international as well as regional pressure. At the time of Honduras' transition, the United States

under the Carter administration heavily ‘encouraged’ the Honduran military to peacefully resign their power and allow the implementation of electoral rule. Therefore:

In Honduras the transition occurred without great organization or pressure from mass organizations. Parties played a more important role, but the military yielded primarily because of pressure from the Carter administration (Blachman & Sharpe, 1992, p.39).

The United States’ intervention in the democratization of Honduras was principally motivated to ensure the spread of democracy across Central America and to pre-emptively quell the spread of any further socio-political conflict within the region, especially as Honduras’ neighbours Nicaragua and El Salvador were at the time wracked with socio-political insurrections and civilian uprisings. The socio-political conflicts occurring throughout the region especially, “left-wing threats on Honduras’ borders gave the military a strong bargaining position to ensure that it had autonomy in the new government” (Taylor-Robinson, Puig & Sánchez-Ancochea, 2014, p.421). As such, the military used the regional conflicts and their role as the state’s first line of defence as a tool to ensure that when they relinquished their political authority to the incoming democratic leaders, they would nevertheless be able to maintain their political influence within the country’s bureaucracy. Consequently, based on international pressure and the leverage they could garner through the regional uprisings taking place the Honduran armed forces saw the value of leaving power under the confines of a mutually beneficial agreement, an agreement which is examined in depth in the following section.

It is important to note at this juncture that the U.S. has maintained significant influence within the social, political and economic landscape of Honduras. Since Honduras’ transition to democracy the United States has frequently intervened in the country’s affairs to advocate for democratic processes, combat corruption, and protect U.S. state objectives (Carroll, 2009). Consequently, this has led to a complicated history of interventionism, particularly through the

U.S.’ pointed support of electoral candidates that align with American national interests. This is most evident in the recent case of the 2025 presidential elections in which current U.S. President Donald Trump openly supported electoral candidate Nasry Asfura (a point that is discussed more in detail in Chapter 7 of this thesis).

As a result, in 1980 after coming to an agreement, “the first transitional democratic government was voted into office in open elections” (Salomón, 2012). This election resulted in the creation of a National Constituent Assembly, “in which three parties won seats: Liberal, National and the newly created Innovation and Unity Party (PINU)” (Lara Otaola & Kawas, 2021, p.8). At the time, PINU was an up-incoming political party founded by businessman Miguel Andonie Fernández. It was promoted as a democratic, moderate left-wing alternative to the nation’s two main traditional parties (Liberal & National) and the military regime (Merrill & Library of Congress, 1995). It had only recently received legal recognition as a political party in 1978, but despite this fact it was able to secure three seats during the 1980 election. This was an important victory since only two votes separated the two major parties within the National Congress (Merrill & Library of Congress, 1995). Moreover, winning seats in the Constituent Assembly was significant as they were going to be responsible for creating the country’s new constitution, which was officially adopted in 1982, an act which formally signalled the start of democratization within Honduras (Lara Otaola & Kawas, 2021, p. 8). However, before the official adoption of the constitution, general elections were held in 1981. During these elections the *Partido Liberal de Honduras* (PLH-Liberal Party-PL) won most of the votes, leading with a margin of 53 percent, this election marked the first legitimate transition of power in which an elected civilian president, Roberto Suazo Córdova took office:

These elections [were] described as the most transparent and clean in the country in many years, [this in conjuncture with] (...) the influence of the Carter administration in the United States –

which insisted on the promotion of human rights and free elections in the region – ushered in democracy. After that, the PL and PN periodically took part in free and fair elections, alternately holding power (Lara Otaola & Kawas, 2021, p. 8).

With the realization of the 1981 presidential elections, the Honduran military leaders officially handed over the reins of the country's political power to President Roberto Suazo Córdova on January 27, 1982. As such, the country's political power transferred to the new liberal administration and to “a Congress overwhelmingly dominated by the two traditional parties—the PLH and the Partido Nacional de Honduras (PNH-National Party-[PN])” (Taylor-Robinson, Puig & Sánchez-Ancochea, 2014, p.420). However, even though Honduras was one of the first Latin American countries to transition to democracy during the third wave of democratization and despite holding arguably transparent and fair elections, academics did not consider the civilian regime as truly ‘democratic’ until the late 1990s (Mainwaring, Brinks & Perez-Linan, 2001; Bowman, Lehoucq & Mahoney, 2005; Allison, 2006). The primary reason for this categorization and more importantly for Honduras's inability to completely consolidate their new democratic system “was the powerful independent role that the military played in politics” (Taylor-Robinson, Puig & Sánchez-Ancochea, 2014, p.420). As previously mentioned, the role of the armed forces has been prominent within the Honduran political system, and this did not significantly change after democratization. Instead, as was stated above, for the transition from military to civilian rule to take place the army negotiated various stipulations (which are outlined and discussed in depth in the following section) to ensure it would be able to maintain its role and influence within the country's political system. These concessions or *pacts* made at the time of transition inadvertently led to the creation of a weak democratic system, a system in which previously authoritarian military officials remained heavily influential in the decisions made by political actors (Albertus

& Menaldo, 2018). The relationship between the concessions made at the time of transition and Honduras' weak democracy is examined in the succeeding section.

3.1.2 Concessions (*Pacts*) at the Time of Transition: The Role of the Military in the Political Sphere

Honduras's initial period of democratic transition was from 1982 to 1990, a time in which democracy in the country was not only new but extremely frail. The primary reason for this weakness was the continuously strong presence of the military within state affairs, in addition to the impunity with which exercises of severe human rights violations were committed by the armed forces throughout the country (Allison, 2006; Mani, 2021). This section of the chapter examines the pacts made between the military and State Department at the time of transition. Here, I propose that it was because of the concessions made during the initial period of democratization that weak democratic institutions were created. More specifically, based on O'Donnell & Schmitter's (1986) discussion of *pacts* made at time of transition, I propose that this weakness is born from the fact that the institutions were founded on agreements that favoured the preservation of power of authoritarian actors (i.e. the military) over the implementation of strong and independent democratic norms and principles. Moreover, I contend that it is because of this overall institutional feebleness that the breakdown of democracy could be considered an eventuality in the case of Honduras.

In 1982, despite officially renouncing their state power and allowing a return to electoral rule, the military still maintained a significant, albeit informal, political authority. Many scholars, such as Ruhl (1996) contend that the military reached the "zenith of their power after civilian rule" (p.34) was instituted. When identifying why the military was not only able to maintain its power after transition but was even able to expand it, there are four main reasons that are of particular importance: 1) the military's role in the composition of the 1982 constitution; 2) the fact Honduras remained militarized throughout most of the 1990s; 3) the preservation and expansion of the military's economic assets; and 4) the armed forces' strong relationship to the United States.

Firstly, as a condition of their surrender of political power the military leadership was promised that they would be actively involved in designing the country's new constitution. As a result of this stipulation, "the military presided over the writing of the 1982 constitution that to this day remains the law of the land" (Mani, 2021, p. 6) albeit with the imposition of more than two dozen amendments made over the years. By participating in the creation of the most important and binding legal document in the country the Honduran military was able to guarantee that their interests would be protected. As Rouquié (1987) argues, the 1982 Honduran constitution contained numerous guarantees to military hardliners that would ensure that "the new civilian regime could not upset the military" (p.356). In particular, the Honduran armed forces retained their influence over the country's political system because under the new constitution they were granted the role of guarantor. In accordance with Article 272 of the 1982 Constitution the military was tasked with acting as a guarantor of the political system and as an enforcer of the country's electoral rules:

The Armed Forces of Honduras are a National Institution of permanent and essentially professional, apolitical, obedient and non-deliberative character. They are established to defend the territorial integrity and sovereignty of the Republic, to maintain peace, public order and the rule of the Constitution, the principles of free suffrage and alternation in the exercise of the Presidency of the Republic (Constitution of the Republic of Honduras, 1982).

Hence, under the confines of Article 272, the army was granted the power to defend the rule of the constitution, meaning that their primary responsibility is to ensure that the constitution is upheld. However, the main issue with granting the military this level of power is the vagueness of the constitution regarding the limits of what the armed forces can and cannot do in the name of protecting the constitution from being violated. This legislative ambiguity has allowed the military to abuse their power and commit severe acts of violence under the justification of protecting the rule of law. The armed forces' ability to exert violence as a repressive tactic without consequence serves as an indication of a weak judicial system and in turn an underdeveloped democracy.

A second reason why the military remained so influential within the Honduran political landscape is because despite the official start of democratization in 1982, Honduras remained very much “militarized well into the 1990s” (Mani, 2021, p. 7). This is because part of the agreement for the military to step down included the appointment of military officers to important bureaucratic posts:

In particular, they ran-with no civilian oversight-several state-owned enterprises and agencies, which included the telecommunications company HONDUTEL, the National Directorate of the Merchant Marine, the National Directorate of Immigration Policy, and the National Geographic Institute; all had long been associated with the military, which used HONDUTEL in particular as a surveillance tool against political opponents. The military also maintained power over public security. Although the police were eventually removed from the military’s control in 1996, the military and security sectors have typically been directed by former military officers (...) Not least, the military also had informal veto power over cabinet appointments and an informal understanding with incoming presidents that the military would not be investigated for abuses (Mani, 2021, p. 7)

These stipulations not only guaranteed that the military would maintain autonomy and political power, but it ensured their influence over civil society. This is because the appointment of military officials to positions within the country’s bureaucracy facilitated the armed forces’ ability to influence the country’s political system by shaping the decisions of political actors, especially as political officials were heavily dependent on the military’s institutional strength to stay in power. Furthermore, the stipulation that impeded the prosecution of military officers for committing acts of abuse essentially inoculated them from the country’s judicial system and gave them the independence needed to proceed as they deemed necessary to further their institutional interests, even when their actions could be classified as excessive and/or abusive. In addition, the inability to prosecute military officers for acts of abuse in cohesion with the armed forces having an unofficial veto power over cabinet appointments created an imbalance of power between the army, the executive, legislative and judicial branches of government, an imbalance which is discussed further in the next section of this chapter.

A third reason why the military was able to retain its authority, was because at the time of transition one of the assurances negotiated between the armed forces and the State Department had to do with the safeguard placed on the military's financial assets. Despite agreeing to a transference of political power the armed forces wanted to ensure it would not also be surrendering its economic stability. Therefore, upon agreeing to democratization the military was guaranteed it would not have to relinquish any:

[...] of the economic assets the institution controlled; in fact, they grew. One area accrued from the fee-based income military authorities extracted from their roles in the state-owned enterprises and agencies. Another area of assets were the holdings of the military's pension fund, Instituto de Previsión Militar (IPM), which receives state contributions along with those of its members. IPM's holdings grew dramatically after 1990 as neoliberal reforms forced the privatization of state holdings, with IPM gaining privileged access to ownership in public companies at insider prices (Mani, 2021, p. 7).

The ability to maintain and even grow its institutional wealth meant that the military was also able to preserve and cultivate its political power. As Honduras was and continues to be one of the poorest and most underdeveloped countries in Latin America (Schulz & Graham, 2019), economic strength is critical as it tends to equate to political influence. As such, the military's ability to remain a strong fiscal institution allowed them to capitalize on the political power and influence that money brings. The military's financial prowess continued throughout the 1980s and into the late 1990s, this financial growth was furthered by the fact that most companies within Honduras were not privatized during this initial period of democratization (1982-1990) and were primarily controlled by either the state or armed forces (Mani, 2021).

Finally, the Honduran military was able to maintain its power and influence over the state's political system due to its strong relationship with the United States. As previously stated, the United States played an important role in encouraging the military to stepdown. However, in addition to advocating for the democratization of Honduras during the 1980s, the United States

had become (and arguably remains) highly influential within the country. One of the main reasons for this influence was because the U.S. had decided to use Honduras as a military base to combat insurgencies in both El Salvador and Nicaragua (Schulz & Graham, 2019). Consequently, the Honduran military was able to exploit the U.S.' need for regional proximity and security to foster an understanding with American officials whereby the Honduran military would employ American influence over state affairs to insulate themselves from any form of criminal prosecution. Essentially, the extensive support from the U.S., allowed the Honduran military to get away with utilizing high levels of violence and abuse against the Honduran people without fear of retribution:

During much of the 1980s, the military repressed hundreds of political opponents, including leftist dissidents, journalists, union leaders, and students, thereby ensuring favorable political outcomes for governing elites. U.S. military assistance-including (...) funding to support training, arms, and bases for neighboring conflicts-gave the military resources and credibility as an unquestioned authority within Honduras (Mani, 2021, p. 7).

These exercises of violence and repression by the military against citizens and political opponents were commonplace in Honduras throughout the 1980s and early 1990s. During this time the politically motivated forced disappearances and murders of civil society leaders was so severe that it “led to the creation of the *Comite de Familiares de Detenidos Desaparecidos en Honduras* (Committee of Relatives of Detained and Disappeared People, COFADEH)” (Rodriguez, 2016, p.1). Particularly, the marked rise in forced disappearances led to the landmark case of *Velásquez Rodríguez v. Honduras* (1988). This case emerged after university student activist, Angel Manfredo Velásquez Rodríguez was violently kidnapped in downtown Tegucigalpa in 1981 and his family tired of getting no results from the Honduran judicial system went before the IACHR to get justice for his disappearance. Angel’s abduction was not an isolated incident, but rather another case of systematic persecution in which political dissidents were targeted by state elites (mainly military actors). Consequently, after years of disappearance Angel’s family brought the

case before the IACHR, in which the Court unprecedentedly held the Honduran government responsible and ordered that they pay compensatory damages to Angel's family. The judgment established foundational international legal principles regarding state responsibility, the "due diligence" standard, and forced disappearances (Manrique Giacomán, 2025). This case clearly illustrates the use of illiberal practices by state actors in Honduras during the 1980s. Specifically, it exemplifies the high level of violence in which murder, forced disappearances and unjustified detentions were normal practices by the armed forces. These practices continued in Honduras until constitutional reforms were instituted in 1996 (which is discussed more in depth later in this chapter), as an attempt to limit the role and influence of the military in state affairs. The overt use of oppression by an institution like the military, which is tasked with the protection of the constitution, is a clear sign that even at the onset of democratization the use of anti-liberal tactics and criminalization were not only permitted but normalized as mechanisms of repression in service of cultivating and retaining political power. Furthermore, the fact that the military was not reprimanded or prosecuted for any of these violent acts is a strong signal of the frailty of the country's democratic institutions. Predominantly, it illustrates a lack of practical power on behalf of the legislature and more importantly the judiciary. Additionally, it highlights the fact that the executive was willing to bypass certain acts of criminality and treat the military with passivity as long as the armed forces remained loyal and acted supportive of the president in power (Ruhl, 1996). This showcases that concessions were not only made to ensure the start of democratization but that the *pacts* made at the time of transition over-reached and had long-term effects, chiefly the composition of a weak democratic political system, characterized by the institutional feebleness of the legislative and judicial branches of government.

3.1.3 An Imbalance of Power: Examining the Legislature, Judiciary & Executive Powers

The importance of establishing a ‘balanced’ and ‘equitable’ division of power amongst the different levels of government was recognized at the time of transition and as such was seriously considered during the composition of the 1982 Honduran Constitution. Consequently, the 1982 Honduran Constitution does stipulate a system of checks and balances among the three branches of government: legislative, judicial and executive (Taylor-Robinson, 2009). However, despite the theoretical separation of “constitutional powers that create the possibility of checks and balances” the practical reality of applying limitations, particularly “checking the power of the president has not been the norm” (Taylor-Robinson, Martí Puig & Sánchez-Ancochea, 2014, p.425). On the contrary, the political landscape in Honduras has long given precedence to the importance of the country’s traditional parties and the extensive influence that the president exerts over individual political careers. Both these factors have contributed to the implementation of a long-standing convention in which congress and the judicial system are subservient to the power of the executive:

The 1982 Constitution creates a weak president, but the internal workings of the traditional parties, combined with the electoral rules to give Honduran presidents extensive influence over political careers of ambitious politicians, with the result that both Congress and the Court followed the president’s policy cues, rather than checking the power of the president (Taylor-Robinson, Martí Puig & Sánchez-Ancochea, 2014, p.425).

Therefore, even though the constitution does outline a separation of powers, it has been repeatedly criticized for its impracticality (Taylor-Robinson, 2009). This leads to what Calleros (2009) describes as an institutional arrangement in which the correct functioning of the checks and balances system is frustrated resulting in a “pattern where the executive has been in practice unaccountable, especially to the judicial branch” (p.112). In the case of Honduras, it has been noted that the constitution consists of various limitations when it comes to implementing effective checks and balances and maintaining a balance of power between the different branches of government.

These challenges come from several inconsistencies and procedural inefficiencies. In the context of this thesis the focus is on three primary issues: 1) political interference; 2) vulnerabilities regarding judicial autonomy; and 3) what is referred to within the literature as the “constitutional quagmire” (Joyce & Sheptak, 2013; Global Americans, 2016). These issues have collectively served as obstacles to the implementation of effective checks and balances, consequently contributing to an imbalance of power in which the executive exerts more political influence than the legislature or judiciary.

As mentioned earlier, despite the 1982 Honduran Constitution establishing a framework for checks and balances, its practical and effectual application has been hindered by several factors, including political interference. Honduras has long experienced significant political interference, and this did not change with the implementation of democracy, rather it was practiced even more intently. Traditionally, political interference within Honduras has chiefly targeted the judiciary and has stemmed from two primary sources: the president and the country’s political parties:

In Honduras, political parties have often interfered with the judicial system to further their own interests. Appointments of Supreme Court justices and the attorney general were negotiated behind closed doors, not based on merit but on political affinity (Human Rights Watch, 2023b).

In other words, members of the highest court in Honduras, the Supreme Court, are selected based on their political affiliations and nepotism instead of capability and/or experience. This weakens the judiciary as appointments are not focused on the selection of the most qualified candidates but rather on the nominees most likely to be compliant with the executive and legislative branches’ political agenda (Joyce & Sheptak, 2013). Furthermore, due to the robust influence of the country’s political parties and a lack of strong checks and balance within the state’s governmental structure political interference has served to debilitate not only the selection of personnel but the overall autonomy of the judiciary’s operations. This is mainly because interference allows influential

actors such as the president, political parties, economic interests and even criminal organizations, to influence political decision-making which in turn not only undermines the rule of law but serves to inhibit efforts to combat corruption (Joyce & Sheptak, 2013), a rampant issue within Honduras. As such, even though the constitution does outline checks and balances as well as a formal separation of powers, this has not prevented political actors from the executive branch from intervening and influencing the decisions of the other branches of government primarily the judiciary. This form of political interference has consequently weakened the country's democratic institutions by infringing upon their independence and effectiveness.

A lack of judicial autonomy has also been a longstanding and pressing concern in relation to the overall strength of Honduras' democratic system. The judicial branch in Honduras has faced several challenges since democratization including but not limited to underfunding, poorly trained staff, corruption and as mentioned above vulnerability to political interference (Lembke & Vargas Gamboa, 2024). A lack of financial resources has heavily hindered the judiciary's ability to operate efficiently and most importantly it has served as an obstacle in its ability to uphold the rule of law. All these factors have collectively led to problems like delayed justice, increased corruption and limited access to legal services (The International Commission on Jurists, 2013). In turn, the lack of financial assets has also limited the ability of the judiciary to effectively check the power of the other two branches of government, mainly the executive, as the judiciary is dependent on the central government for its funding. As a result of this financial dependence the judicial branch has lost institutional independence and become very susceptible to political interference, which has effectually weakened its ability to be impartial and appropriately enforce the country's legal system (Lembke & Vargas Gamboa, 2024). The issue of being financially dependent on the

executive branch, has contributed to an imbalance of power amongst the country's three branches of government, an imbalance which skews in favour of the president's office.

Lastly, in examining the imbalance of power that exists within Honduras' political landscape there is one issue that is identified as the "Constitutional Quagmire", which refers to the challenges in effectively limiting the executive's power based on the principles of the 1982 Constitution (Joyce & Sheptak, 2013; Global Americans, 2016). Classifying the issue as a constitutional quagmire references the complexity and inconsistencies that exist between the stipulations defined within the 1982 Honduran Constitution and the realism of preventing an overt centralization of executive power. To curb the power of the president, the 1982 Constitution outlines specific stipulations to limit a concentration of executive power:

To protect the country against its strong-man tendencies, the Constitutional Assembly of 1980 that drafted the country's 1982 constitution sought to constrain personal power by shielding constitutional articles from amendment, naming them *artículos pétreos*, or articles carved in stone. One such safeguard is Article 239, which prohibits sitting presidents from seeking re-election or becoming vice-presidents. It even punishes officials who propose the re-election of the president by banning them from public office for ten years. Another, Article 374, states that presidential term limits cannot be modified. Both of these articles cannot be amended—at least in theory (Global Americans, 2016).

However, despite that fact that these amendments were placed within the constitution to limit the power of the president, it has been demonstrated, through the contrast of the presidencies of former president Manuel Zelaya who was exiled for seeking an extension of presidential term limits in 2009 versus former president Juan Orlando Hernández whom successfully amended the constitution and served as president for an unprecedented two consecutive terms (2014-2022), that political affiliations and economic interests have had more influence in the power or lack thereof of the executive branch than stipulations placed within the constitution (Barrachina Lisón, 2016). Party politics and economic interests were key factors in determining the success of Hernández at constitutional reform which allowed him to fortify the executive power, components Zelaya was

unable to successfully harness and one of the main reasons he was removed from office in 2009 (Benjamin, 2009). The contrast of both these presidencies in which one (President Hernández) was able to subvert constitutional protections to extend the powers of the executive, while the other (President Zelaya) was swiftly removed from office in the context of a modern-day military coup, serves to illustrate that the constitution itself is not enough to ensure the law of the land, let alone uphold the balance of power between the different branches of government.

The inability of Honduras to uphold the constitution particularly as it refers to limiting the power of the executive branch signals not only an imbalance of power within the country's political system, but it also highlights the overall poor quality of its democracy. As Schedler, Diamond & Platter (1999) contend, "without working systems that can provide 'credible' restraints on the overweening power of the executive, democratic regimes tend to remain shallow, corrupt, vulnerable to plebiscitarian styles of rule, and incapable of guaranteeing basic liberties. In short, they tend to remain 'low quality democracies'" (p.2). In other words, if Honduras hopes to improve its democratic system it must first work towards improving the strength and autonomy of its democratic institutions, primarily the power of its judiciary.

As has been argued throughout this chapter, Honduras's democratic weakness stems from the structural flaws that emerged from the concessions made at the time of transition and democratization. The creation and implementation of these *pacts* based the democratization process on agreements that prioritized the political and economic interests of outgoing authoritarian elites (i.e. military actors) over the construction of strong and impartial democratic norms and principles. As a result of these biased agreements democracy in Honduras was founded on a political system in which there continues to be an imbalance of power between the branches of governments, feeble democratic institutions and a political landscape that is influenced by the

military. The cohesion of these factors made the likelihood of de-democratization in Honduras very high. The predictability of democratic decline is illustrated through the 2009 military coup d'état, the post-coup use of violence and the utilization of criminalization as a mechanism for socio-political repression during the Hernández administration, all components that are discussed in the following sections.

3.2 Initial Breakdown of Democracy in Honduras

3.2.1 The 2009 Coup D'état

With the 1990s coming to an end, Honduras' initial period of democratization was closing. With the culmination of this period, and due to the overt and continued use of excessive force by the military, which prompted heavy local and international criticism, the country's political establishment decided to reform the constitution in 1996 to explicitly separate the armed forces from police enforcement and allow the president to appoint the head of the military (Taylor-Robinson, 2009). As was expected there was some pushback on these reforms on behalf of the military, however after some negotiations and the intervention of the Catholic Church, the constitutional amendments went through making it the first instance since the establishment of the modern armed forces in the 1950s, that "the military was under the control of civilian, elected leaders" (Taylor-Robinson, 2009, p.422). This "separatist" act helped quell the concerns that had caused the country's civil unrest and aided in the promotion of socio-political stability within the country (Hércules Rosa, 2019). Further, the imposition of these constitutional reforms enabled Honduras's civilian regime to finally be classified as a "democracy" by academics and world leaders (Taylor-Robinson, 2009, p.422). In correlation with the 1996 constitutional reforms, the relative stability of Honduras' political system lasted for approximately a decade in which executive power was regularly traded back and forth between the country's two predominant political parties the: National Party and Liberal Party. Yet this semblance of socio-political stability ended abruptly with the presidency of Manuel Zelaya.

Acting as the leader of country's Liberal Party Manuel Zelaya came into power in 2006, a seeming paradox when compared to political outsider former Venezuelan president Hugo Chávez, a political leader who inspired Zelaya's "socialist" inclinations and desire to implement significant

economic changes within Honduras. The enactment of these economic changes did not curry him any favour from the “country’s traditional political elites, including both parties” (Mani, 2021, p. 10). On the contrary, he was categorized as a radical reformer who did not prioritize the interests of the country’s political or economic elites as had been the practice from former governmental leaders:

Like many of his predecessors, Zelaya hailed from the rural elite and was elected as a Centrist of the Liberal Party. Yet, he broke with some of their conservative social and economic policies in order to address Honduras’s chronic poverty by raising wages and state spending for health, housing and education. He also developed warm relations with Venezuela’s Hugo Chávez, joining PetroCaribe and the Bolivarian Alternative for the Americas (ALBA) a socialist-oriented economic bloc conceived as an alternative to the U.S.-led neoliberal trade and investment model (Mani, 2021, p.10).

Zelaya’s decision to raise the minimum wage brought forth substantial condemnation from the country’s economic elites, who had garnered significant political influence since they were in possession of most of the nation’s wealth and continuously made monetary donations to political actors’ electoral campaigns (Schulz & Graham, 2019). Furthermore, Zelaya was criticized by politicians on both sides of the political spectrum for cultivating a close relationship with Venezuela’s president Hugo Chávez, a socialist leader considered to be radical. This criticism was exacerbated when like Chávez and other ALBA members, Zelaya proceeded to call for a referendum on whether to hold a constituent assembly to vote on enabling the reformation of the constitution with the implicit underlying intention of extending the country’s presidential term limits (Joyce, 2009; BBC, 2011a; Kinosian, 2017).

Even though Zelaya never explicitly stated his intention to extend presidential term limits, the mere act of proposing a constitutional reform caused opposition against Zelaya’s presidency to grow, “an array of political elites opposed the referendum: a majority of Congress including Zelaya’s own Liberals, the Supreme Court, key members of Zelaya’s cabinet including the attorney

general and defense minister, as well as elite civil society leaders in business, media and the churches” (Mani, 2021, p.10). On the other hand, Zelaya had managed to garner support for the referendum from a variety of unions, small leftist parties and organizations representing women, the working class and ethnic minorities (Mani, 2021). His platform was founded on promising economic reform, a hard stand against crime and to fight against socio-political corruption. The major consequence of Zelaya’s proposed referendum was massive political polarization, principally with reference to the question of the legality of the procedure he was proposing:

Congress had passed a law prohibiting referenda within a 6-month period of elections, the judiciary had ruled against the referendum, and the chairman of the military joint staff, Romeo Vásquez Velásquez, had declared that, due to legal rulings against the referendum, the military would withhold logistical support for the referendum that normally fell to them as guarantors of elections. On the other side, Zelaya stood firm arguing that a nonbinding referendum was lawful and protected under the Citizen Participation Law passed by Congress in early 2006 (Mani, 2021, p.10)

The question of the legal status of holding a referendum so close to an election and what it would mean if it was successful caused extreme panic amongst the country’s political and economic elites, as having Zelaya gain the ability for re-election did not align with their interests. Therefore, with the referendum scheduled to take place and elections looming the Supreme Court in conjunction with Congress decided to take legal action against Zelaya. However, since the Constitution did not contain a protocol for impeachment, the military was called upon to forcibly remove Zelaya from office and immediately exile him to Costa Rica on June 28, 2009 (Pérez & Wade, 2023; Hasemann-Lara, 2024). Having the military forcibly remove Zelaya from office without due process and exiling him from the country has been referenced within the literature as the precise moment in which democratic decline began in Honduras (Ruhl, 2010; Frank, 2018, DeGrave, 2018; Araya, 2023). This is because it was the first occurrence of a modern military coup d’état in Latin America since the third wave of democratization had swept the region, and as such the action received mass international criticism, classifying it as a blatantly undemocratic

action that would cause severe political instability. Correspondingly, international organizations like the United Nations, the Organization of American States, and the European Union all openly condemned the coup and placed sanctions on Honduras to help Zelaya be reinstated to his post (Lopez-Mills, 2009). However, all these efforts were unsuccessful, and an interim presidency led by Congressional leader Roberto Micheletti was placed in power until a formal presidential election was held in November of that same year (Clegern & Woodward, 2025).

By discussing the events that led to the 2009 coup, what this thesis would like to propose is that the ability to enact this democratically controversial event was the result of the structural inefficiencies of the country's constitution composed at the time of transition. As mentioned previously, the constitution did not have a structure or procedure for the legal removal of a sitting president (Weber & Gordon, 2013), which arguably left the Supreme Court with a legal conundrum on how to proceed. Theoretically (as this was the argument made by the Supreme Court) the Court's most 'justifiable' option to remove Zelaya from office was to involve the military in their role as "electoral guarantor" (Pérez & Wade, 2023). However, if the constitution would have had specific stipulations that outlined the proper legal procedure for the removal of a president (particularly, one convicted of a crime), one could argue that there would have been no bases or justification by the Supreme Court to implicate the armed forces, and thus the illegal removal of Zelaya from office could have been prevented or at the very least dealt with through the proper legal channels, mainly through the realization of a lawful trial.

In addition, the lack of allegiance of the armed forces is also alarming in the case of Zelaya's removal, as in Honduras the military has traditionally backed the executive's power. This lack of 'loyalty' can be at least partially attributed to the fact that the constitution is unclear as to whom the military is answerable too. As mentioned earlier in the chapter, Article 272 of the

constitution states the army's role is "to defend the territorial integrity and sovereignty of the Republic, keep the peace, public order and the rule of the Constitution" (Pérez, 2015, p. 41). However, Article 280 states that "the Chief of the Joint Staff will be 'appointed or removed freely' by the President" (Pérez, 2015, p.41). This in turn causes confusion regarding who's authority the military is under, are they answerable to the constitution, civil society or the president? Therefore, as argued by Pérez (2015):

In the case of Honduras, weak institutions, confusing and contradictory constitutional provision, political and policy differences between the president and congress, and geopolitical dynamics that undermined President's Zelaya's program, combined to create a situation in which the military ultimately sided with the president's opponents (p. 41).

Largely, the need to involve the army is significant as it signals the weakness of the country's democratic institutions. This is because the military should not have had to be called on for the removal of a president, rather within the confines of a democracy this should have been dealt with directly under the jurisdiction of the judiciary (Supreme Court) or legislative (Congress). Calleros would argue that this illustrates a lack of "horizontal accountability" in Honduras whereby the state's institutions lack the capacity to adequately "check abuses by other public agencies and branches of government" (2009, p. 88). In Honduras, because there are severe inefficiencies in the application of the state's checks and balance system, it could be argued that the Supreme Court overstepped its authority by issuing Zelaya's removal under the constructs of what can only be classified as a military coup d'état. This action gave way to the remilitarization of Honduras's political system (albeit not in the traditional sense) and consequently marked the start of de-democratization within the country.

3.2.2 The Remilitarization of the Political System: Post-Coup Repression

Although the 2009 military intervention was not a traditional coup d'état in where the military removed a democratically elected president from office in order to achieve political power for themselves, it was an event that allowed the armed forces to reestablish their influential role within Honduras's political sphere, especially since the 1996 constitutional amendments had placed them in a secondary role in favour of law enforcement (Weber & Gordon, 2013). The ability to regain political relevance was facilitated by the armed forces' constitutional "role as arbiter in the Honduran political system" (Mani, 2021, p. 2). By exploiting this role and extending its power to influence political outcomes, like the forcible removal of a sitting president, the institution of the military was ultimately selected to act as the government's legal enforcer, a role that should have been left to the national police force. This arguable extension of power initially granted to the army by the legislative and judicial branches of government (in 2009) and later amplified by the executive branch, mainly under the Hernández administration (2014-2022), enabled the remilitarization of Honduras' political system (Salomón, 2023). This is mainly because it caused the balance from civilian to military power to significantly shift in favour of the armed forces, which can be identified as a form of remilitarization of civil affairs (BBC, 2011a). As a result of the coup, the army was tasked with acting as the supporting character of the president's office in which they were tasked with helping the executive fulfill "personal projects in which they played an important but subordinate role, in exchange for institutional and personal perks" (Salomón, 2023, p. 166-7).

In addition, to the protagonist role played by the military in the removal and exile of President Zelaya, the armed forces also played an important role in the aftermath of the 2009 coup. During the post-coup period, the military was authorized by the provisional government

of Roberto Micheletti to undertake police and civilian security duties, which only served to further blur the lines between the civilian and military authorities (BBC, 2011a). Hence, as was predicted by the international organizations and countries that immediately condemned the coup, the illegal removal of Zelaya had long-lasting effects for Honduras, including political instability, economic hardship, and most relevantly in the context of this doctoral dissertation, increased violence and human rights abuses (Ruhl, 2012).

In an instantaneous response to the military ousting of President Zelaya from power, mass socio-political protests erupted across Honduras, calling for the exiled president to be immediately reinstated to his democratically elected public office. However, the interim government led by Micheletti in collaboration with the armed forces responded to the protests with the use of excessive force and human rights abuses:

On July 15 the Committee of Relatives of the Disappeared in Honduras (COFADEH), a group founded in 1982, released a report detailing more than 1,100 human rights violations committed by the Honduran government and security forces after the coup, including arbitrary detentions, assaults and murders, and media repression (Benjamin, 2009, p. 4)

In addition, to the human rights violations and excessive violence used on protesters as well as media outlets, there were also many murders that resulted during the post-coup era. For example, as teachers were a prominent sector of the population that openly voiced their disapproval of the illegal removal of Zelaya “according to a United Nations agency report, teachers [were] among the most displaced population segments, and that 83 teachers were murdered between 2009 and 2014” (OECD, 2023) in direct correlation with the aftermath of the 2009 socio-political crisis. Furthermore, in a Human Rights Watch news release issued in 2010, the organization found that because of the coup Honduras was experiencing a clear breakdown of democratic norms and principles which was exemplified by the explicit acts of “ongoing violence, intimidation, and

impunity” that were running rampant throughout the country by the state’s security forces. Overall, the report found that:

[...] after the coup, security forces committed serious human rights violations, killing some protesters, repeatedly using excessive force against demonstrators, and arbitrarily detaining thousands of coup opponents. The de facto government installed after the coup also adopted executive decrees that imposed unreasonable and illegitimate restrictions on the rights to freedom of expression and assembly (Human Rights Watch, 2010).

The military’s use of excessive force and violence to deal with socio-political demonstrators, political opponents and media personnel did not cease once the newly elected president Porfirio Lobo Sosa took office in January 2010. On the contrary, with the election of Lobo Sosa protests intensified as political activists deemed the election to be an illegitimate farce calling Zelaya the rightful president of Honduras (Carroll, 2009). In response, the government’s armed forces continued to employ violence to suppress the manifestations. Consequently, Human Rights Watch found that continued “acts of violence and intimidation against journalists, human rights defenders, and political activists” (2010) had continued to take place after Lobo Sosa had become president. More specifically, the organization found evidence to suggest that there had been 47 cases of politically motivated acts of abuse and 18 killings since Lobo Sosa’s presidential inauguration (Human Rights Watch, 2010). This illustrates that despite the realization of “open and fair” elections whose results were internationally accepted, acts of oppression persistently occurred throughout the Honduran state.

Hence, this thesis would argue that the government-military sanctioned illegal detentions, acts of repression and criminalization against activists, political opponents and the press in the post-coup period illustrates a decisive decline of Honduras’s democratic system. Additionally, as is detailed later, the legislation which was imposed by the interim government of Micheletti that limited constitutional rights mainly freedom of assembly and freedom of expression, serves to

further emphasize that the post-coup era marks a clear breakdown of democracy within Honduras in which basic civil rights were not dually respected or protected. Moreover, one can note that it was during this post-coup period that government officials began to heavily employ criminalization as a tactic of socio-political repression. Protesters and political adversaries who openly opposed the coup and the results of the 2009 election were portrayed as agitators that endangered the country's stability (BBC, 2011a). Yet this was merely a façade used by the state and security forces as a way of justifying the anti-liberal and undemocratic methods of repression being applied.

As mentioned above, this democratic decline continued well after the election of Porfirio Lobo Sosa, especially because no judicial resolution had been issued to deal with the obvious acts of crime and corruption that had been committed by the state's security forces during the protests. According to the UN High Commission for Human Rights, despite the murders of numerous demonstrators during the "violent post-election crackdown, not a single indictment [had] been filed against the perpetrators (...) [of what has been] described as extrajudicial executions" (Ávila, Ernst & Calderon, 2018). The lack of justice for the families of the victims only served to exacerbate the socio-political instability facing the country. Under the confines of this thesis, I would contend that the inability or at the very least the unwillingness of the judiciary to hand down immediate indictments against the military officers guilty of abuse illustrates a strong imbalance of power in which the judiciary is unable to place effective limits on the authority of the armed forces and the executive branch, which was sanctioning these acts of extreme violence. Furthermore, the continual decline of democratic stability in Honduras is showcased by the repression against members of the press. In 2010, a full year after the coup had occurred, the International Press Institute reported that Honduras had become "one of the most dangerous

countries in the world for journalists” (Harlow, 2010). This report was the result of the continual repression and violence journalists reporting on the aftermath of the coup, particularly, human rights violations faced. Zelaya’s removal from office and the violent aftermath that ensued “initiated a difficult period for the country that included human rights abuses, an increase in criminal activity with the highest homicide rate in the world in 2012, a two-year suspension from the Organization of American States, and the loss of a considerable amount of foreign aid” (Landau, 2015). Overall, the post-coup era was one in which the Honduran military regained influence through the remilitarization of the country’s political system. This permitted the armed forces to employ the overt use of violence, repression and human rights abuses to respond to the post-coup protests and political opponents, a clear example of criminalization being used as a tool of repression. A mechanism whose use is a definitive marker of de-democratization, as is extenuated through the presidency of Juan Orlando Hernández, a topic which is discussed in the subsequent section.

3.3 The Acceleration of De-Democratization: The Hernández Era

3.3.1 Constitutional Reforms: Extending the Power of the Executive

The administration of now former president Juan Orlando Hernández was one clouded in constant socio-political turmoil. The first instance of public controversy for the incoming president was borne from the very election results that saw Hernández rise to power in 2014. Hernández was first elected president of Honduras during the 2013 presidential elections, in which he narrowly beat out his opponent and second-place finisher, current President Xiomara Castro, leader of the Freedom and Refoundation Party, a political party her husband former president Manuel Zelaya had founded. Upon the announcement of Hernández's electoral win, Castro proceeded to claim:

[...] that the election results were “a fraud of incalculable proportions,” Castro demanded a recount, and her supporters took to the streets in protest. Though international observers declared that the election process had been transparent, they said that there had been election irregularities (Woodward & Moncada, 2025).

Therefore, despite some public inconformity contesting his victory, with the support of the international community at his back, Hernández was successfully inaugurated as president on January 27, 2014. Yet, within one year of taking office, Hernández was engulfed in another national polemic after his party officially proposed the reformation of the country's constitution, an act that was highly polarizing and sensitive given the tragic events of the 2009 socio-political crisis (Latina, 2016; Hasemann-Lara, 2024). Due to the consequences Zelaya faced during his attempt at constitutional reform in 2009, Hernández's willingness to endeavour the same task was extremely puzzling, particularly given the constitutional stipulations that highly discouraged and even incapacitated the reformation of certain provisions. As was discussed earlier in the chapter, the 1982 Constitution contains an unalterable clause which makes presidential re-election expressly prohibited in Honduras. Further, the Constitution contains stipulations that discourage

any attempt at reformation due to the legal repercussions in which an individual that pursues reformation becomes ineligible for public service:

Under article 239, presidents were limited to one four-year term in office, and were prohibited from serving again in consecutive or non-consecutive terms. Article 374 made this prohibition completely unamendable by any procedure. And article 239, “the poison pill clause” added a further protective layer, holding that a figure who attempted to change the prohibition would be removed from office and rendered ineligible for ten years. The one-term limit itself is not unusual by regional standards, but the unamendability provision and punishment for an attempt to change the term limit is less common. These extraordinary protections suggest that the presidential term limit was one of the centerpieces of the 1982 constitution (Landau, 2015).

In addition to the *unamendability* clause which serves to protect the re-election clause, the Constitution also contains two other provisions that are meant to further isolate these stipulations from change:

Article 42(5) stated that anyone ‘inciting, promoting, or supporting’ the continuance in office or re-election of the president could have their ‘rights of citizenship lost,’ while Article 4 stated that ‘alteration’ in the presidency was obligatory and that anyone infringing that norm was guilty of treason (Landau, Dixon & Roznair, 2019, p.50).

These constitutional provisions were the legal basis on which the Supreme Court based its decision to have President Zelaya forcibly removed from office in 2009. The Supreme Court and Congress both claimed that Zelaya’s attempt at holding a constituent assembly was merely a ploy to extend presidential term limits, an unconstitutional and treasonous act which warranted his immediate expulsion from the executive office. As such, the audacity of Hernández and his political party to move forward with a proposal to amend the Constitution was considered highly controversial. However, despite the ongoing disagreement surrounding the proposal on April 22, 2015, the Supreme Court of Justice’s Constitutional Chamber voted to strike down the unchangeable clause and end the previous one-term limit on the presidency (Aguilar, 2021). The Supreme Court’s willingness to change the Constitution, when just six years earlier this same action was considered unlawful, suggests that in addition to the political motivation of the Court, there were also

significant changes in the political context between Zelaya's exile in 2009 and the Constitutional Chamber's 2015 decision "holding the term limits provisions to be unconstitutional" (Landau, Dixon & Roznai, 2019, p.51).

The first major change revolved around the role and interests of the National Party. The National Party "took power after Zelaya's removal and had fiercely opposed Zelaya's constitution-making effort, [however in 2015 the party] itself sought re-election as a way to perpetuate the power of their incumbent president, Juan Orlando Hernández" (Landau, Dixon & Roznai, 2019, p.51). In other words, since the constitutional reform could now benefit their own party's interests and extend their time in power, the National Party no longer viewed constitutional reform as an illegal act but rather they enthusiastically supported the proposal.

Additionally, the positive decision from the Supreme Court "came after the Honduran National Congress unconstitutionally dismissed four of the five justices of the Constitutional Chamber on December 12, 2012" (Aguilar, 2021). The dismissed judges were then promptly replaced with three new pro-National Party magistrates who were more amenable to approving the constitutional reformation proposal (Corrales, 2016). By appointing judges with political inclinations that favoured the interests of the National Party, the political party was ensuring that their proposal would be passed. This form of political interference again illustrates the weakness and influenceability of the judicial branch, as it was unable to counterbalance the power and intervention of the executive (Calleros, 2009).

Finally, to garner even more support Hernández decided to partner with one of the National Party's most prominent factions, Monarca, led by ex-president Rafael Callejas. In exchange for Callejas support, Hernández agreed that Callejas could "maintain his own standing in the party and compete in [the] primaries. Hernández also reiterated his commitment to protect Callejas from

corruption accusations (allegations that had prompted the United States to deny Callejas visa status)” (Corrales, 2016, p. 20). These promises secured a mutually beneficial accord between Callejas and Hernández with the primary goal of extending presidential term limits. Based on this objective, Callejas proceeded to “file a legal challenge against the re-election ban, which the new nonautonomous court granted” (Corrales, 2016, p.20-1). Therefore, unlike Zelaya, Hernández was able to secure the support from his political party, the Supreme Court and a political faction which is the primary reason the results surrounding constitutional reform differed in 2015 from 2009. Due to Hernández’s ability to gain enough support the Chamber found that limiting the president’s time in office to one term, making this term limit unchangeable and prohibiting the pursuit of constitutional change on this term limit was in fact “inapplicable” (Landau, Dixon & Roznai, 2019, p.51). In issuing its verdict:

The Court focused on the parts of Articles 239 and 42[which punish] attempts to change the term limit, holding that these articles were in tension with fundamental rights of freedom of expression found elsewhere in the Honduran Constitution and in regional and international human rights instruments, and which themselves were linked to the political rights of voters and candidates. [The Court] held that when there was such a ‘collision’ between some parts of the Constitution and others that were ‘fundamental rights inherent to the human person contained in the present constitution and international principles and human rights norms’, the Court had the power to hold certain parts of the Constitution ‘inapplicable’ (Landau, Dixon & Roznai, 2019, p.51-52).

The arguments presented by the Supreme Court to justify its positive decision were not widely accepted not by the Honduran people nor by the international community. Both the proposal and ruling were viewed as a political tactic fashioned by the National Party to ensure Hernández would be able to run again during the next presidential election and propagate his time in office (Rodriguez, 2017). This assessment was accurate as Hernández, despite widespread opposition, did in fact decide to run again, becoming Honduras’ first re-elected president in its democratic history. However, despite his electoral victory, it is important to note that Hernández’s path to re-

election was marred with socio-political unrest, as mass national protests broke out in 2016 and continued well after the 2017 elections, marking an extremely volatile period for Honduras.

3.3.2 Socio-Political Protests (2016-2021): A Repressive Governmental Response

Honduras has a longstanding history of violence, corruption and injustice, unfortunately as has been illustrated throughout this chapter this did not end with democratization. Since the implementation of democracy in 1982, the state and its corresponding security forces have normalized the use of anti-liberal tactics to repress and criminalize political opponents, socio-political demonstrators, the press, environmental activists and human rights defenders (Rodriguez, 2016; Middeldorp, 2016). Although there are several examples of this form of violence by state actors, the employment of oppression and criminalization, especially during a period of democracy, was extremely evident during the Hernández administration (2014-2022).

In early 2016, demonstrations ensued across the country in response to the assassination of renowned environmental activist, Berta Cáceres. Throughout her life Cáceres worked as a crusader for indigenous, women, human and environmental rights. In the years prior to her murder, “she worked tirelessly to protect the Gualcarque River- a vital water source for her [Lenca] community- from an internationally financed hydroelectric project, Agua Zarca” (Global Witness, 2023). Despite the harm the building of the dam would cause the Lenca community, mainly inhibiting their ability to grow food and harvest medicinal plants, the Honduran government authorized the project in 2010 without consulting or receiving any form of authorization from the Lenca people, a direct violation of the Indigenous and Tribal Peoples Convention which was ratified in Honduras in 1995 (Global Witness, 2023; Rodriguez, 2016; Middeldorp, 2016; Lakhani, 2020). By the time Hernández became president in 2014, the appropriation of indigenous land and the sidestepping of conservational protections to enable the development of industrialized megaprojects had become a common practice in Honduras, “almost 30% of the country’s land was earmarked for mining concessions, creating a demand for cheap energy to power future mining operations. To meet this

need, the government approved hundreds of dam projects around the country, privatizing rivers, land, and uprooting communities” (Rodriguez, 2016, p.2). As a result of these government sanctioned projects indigenous and other rural communities began protesting their illegal displacement and advocating the application of state environmental protections. Cáceres as a vocal and public opponent of the Gualcarque dam project and other similar developments, spent years receiving threats, and being persecuted by local authorities for her sustained activism. Thus, despite continuously seeking police protection to safeguard her life “on 2 March 2016, unidentified assailants broke into the home of Berta Cáceres and murdered her in her bedroom” (Front Line Defenders, 2020). Berta’s murder received mass media coverage, sparking both regional and global outrage. However, at this point, it is vital to note that although Berta’s murder was tragic and distinctly motivated by economic and political interests, it was merely the final drop in a long string of threats, detentions, deaths and human rights violations that indigenous, environmental and human rights defenders had been subjected too by government, police and military actors for years. On the very day of Cáceres assassination, the human rights website *Defensores en Linea* (Defenders Online) posted a press release outlining that:

[...] repression of social movements and targeted assassinations are rampant...Honduran human rights organizations report there have been over 10, 000 human rights violations by state security forces, and impunity is the norm-most murders go unpunished (Rodriguez, 2016, p.2).

The continued latitude for human rights violations practiced against ecological and human rights defenders as well as socio-political protesters illustrates the weak rule of law within Honduras. This is evident because although the Honduran constitution explicitly protects freedom of expression and assembly, in practice these liberties have not been protected by state officials, particularly during socio-political movements. Calleros would suggest that this means that Honduras, like other Latin American countries, should be considered an illiberal (or partial)

democracy in which “democratically elected regimes, routinely ignore constitutional limits on their powers and deprive their citizens of basic rights and freedoms” (2009, p. 90). This classification of partiality coincides with Freedom House’s categorization of Honduras as being “partly free” (Freedom House, 2025a). One of the reasons for this classification is because instead of protecting protesters and human rights defenders, government security forces have opted for criminalizing socio-political activists, painting them as agitators and enemies of the state (Amnesty International, 2017). A portrayal that strongly adheres to the definition of criminalization which involves, “retrenching on well-established civil and political rights, rendering them synonymous with criminal behavior that must be legally sanctioned” (Doran, 2017, p.183) the Hernández administration was seeking to justify its use of criminalization as a political tactic of repression. As the legitimacy and continuation of Hernández’s presidency was being called into question during these expressions of socio-political activism, the government’s response was to redefine “basic rights and especially the civil and political rights of citizens [are] considered to be a nuisance” and as such “are under threat” (Doran, 2017, p.183). In other words, since the protection of civil and political rights did not adhere to the interests of the government, they were simply bypassed by the state’s security forces.

Even though the prosecution of Berta Cáceres and socio-political activists like her had commenced a few years before Hernández came to office in 2014, his government’s response to the manifestations in the aftermath of Berta’s murder have been severely criticized for its undemocratic, abusive, excessive and repressive nature. In 2017, Amnesty International informed that:

The Honduran government is deploying dangerous and illegal tactics to silence any dissenting voices in the aftermath of one of the country’s worst political [crises] in a decade, including preventing lawyers and human rights activists from visiting detained demonstrators (...) Security forces used tear gas, chased and arrested protesters. In some instances, they used firearms against

them. Levels of violence are comparable to those that followed the 2009 coup (Amnesty International, 2017).

This illustrates a continuation and intensification of undemocratic practices by state actors since the 2009 military coup, marking a clear decline in Honduras' democratic system. Therefore, we can contend that there was a de-democratization process during Hernández's presidency. It is exemplified by his government's willingness to sanction and more dangerously encourage the use of excessive force and violence by the state's military and police forces. As such, the use of these non-democratic tactics in response to the manifestations resulted in the injury and death of various protesters, "According to Global Witness data, at least 48 defenders were murdered in the country between [Berta's] death and the end of 2021" (Global Witness, 2023). A figure international organization like the United Nations and Amnesty International estimate to be much higher as the compilation of data during this time was extremely difficult due to a lack of reporting and the limitation placed on external auditors.

Socio-political instability continued throughout 2016, as citizens continued to protest the undemocratic practices of the government. Moreover, despite intense government pressure on the state's security forces to quell the civil unrest, the turmoil of 2016 was only heightened the following year due to the presidential elections. In 2017, Hondurans took to the streets to demonstrate against the participation of Hernández in the presidential elections, manifestations which were intensified after his unprecedented and highly contested 'victory'. The week after the election results were announced the *New York Times* reported that, "Hondurans marched in protest Sunday, demanding an impartial count of the results of last week's presidential election and chanting their opposition to President Juan Orlando Hernández's bid for a second term" (Malkin, 2017). Demonstrators contended that electoral fraud had taken place during the elections, making the results illegitimate. In response to the protests, state actors employed "excessive and lethal

force” (UNHCR, 2018), going so far as to suspend “constitutional rights” and calling “for the military to enforce a curfew and disperse protesters” (Olivares, 2017). As stated in the introduction of this thesis, the UNHCR recounted that at minimum 22 citizens were killed during the protests and roughly 1, 351 people were unjustly detained (UNHCR, 2018). The government’s response to the 2017 protests is a blatant example of the state employing criminalization as a tactic of repression. As Doran (2017) argues “criminalization includes a wide range of conduct from the enactment of legislation restricting basic rights of citizens to impunity for State officials responsible for human rights violations and refusal to open investigations” (p. 185). In this case citizens’ rights to free movement, assembly and speech were all being limited in the state’s effort to regain societal control. Furthermore, despite committing numerous human rights violations and abuses, state security forces were not held legally accountable for their crimes nor were investigations pursued. This is because criminalization “involves a new kind of intimidation and repression based on the antagonizing of civil and political rights, an essential part of democracy, as threats to national security and interest and the delegitimization of citizens, often paving the way for gross human rights violations that remain unpunished because they are seen as legitimate” (Doran, 2017, p.184). In other words, the prosecution of human rights violations and other similar crimes committed by state actors were not investigated as they were deemed to be legitimate and within the purview of the state’s authority.

State repression against protesters continued throughout 2017: however, despite employing violence and extreme measures, the state’s security forces were unable to dissuade the demonstrators. Consequently, in 2018 due to the persistence of the socio-political movement, President Hernández decided to implement “a policy on repression against those who protest in the streets to demand his resignation and accountability for the actions of authorities” (Sierra,

2019). The adoption of this policy illustrates a clear breakdown of democracy, as the government explicitly nullified basic civil and political liberties guaranteed under the constitution. Hence, as repressive practices continued across Honduras, in June of 2018 Amnesty International published the report entitled, *Protest Prohibited: Use of Force and Arbitrary Detentions to Suppress Dissident in Honduras*, which outlines:

[...] how the authorities not only used excessive force to repress peaceful protesters immediately after the controversial elections of 26 November 2017, but also arbitrarily detained and held protesters in deplorable conditions for months, denying them their right to due process and an adequate defence (Sierra, 2019).

The unlawful detention of protesters in collaboration with denying them due process and access to a lawyer, illustrates the arbitrariness of Honduras' legal system. As is discussed in Chapter 4, the rule of law in Honduras is conceived to function at the convenience of the state's actors, and not in service of its citizenry. The lack of judicial response to the crimes committed by state actors during protests highlights a clear lack of judicial autonomy within Honduras, which in turn has negatively affected the protection of civil and political rights. As Calleros proposes when "Judiciaries are not truly independent and the judicial apparatus is unable to check other government agencies, especially the executive and the military, individual rights and guarantees of due process are usually reported to be poorly protected (2009, p.32). This is precisely what transpired in Honduras throughout Hernández's two-terms as president: the judicial system was unable to place effective limits on the president's authority, which led to both an extension and an abuse of his power. Two key causes that led to the persistent socio-political movement whose primary objective was to oppose the government's abuse of power.

As such, in 2019 Hondurans took to the streets yet again this time, "prompted by President Juan Orlando Hernández's announcement of unpopular health and education reforms in April" (Freedom House, 2020a). The basis of these reforms was to divert money from health and

education services to increase Honduras's security and defence budget which had already incremented from "12.5% to 14.5% in the last decade" (Lakhani, 2019). An investment that did not seem to be garnering any positive results as Honduras remains one of the "most dangerous countries in the world outside a warzone" (Lakhani, 2019).

Furthermore, demonstrators took to the streets to accuse Hernández and the National Party of embezzling funds which in turn caused a drastic decline in the quality and access to health and education facilities. These public accusations started after, it was discovered that "at least \$350m was stolen from the state-run health insurance system, (IHSS)-some of which ended up in Hernández's 2013 election campaign coffers" (Lakhani, 2019). Again, the government and its security forces responded to the demonstrations with excessive force, "police used tear gas, pepper spray, rubber bullets and water cannons against protesters" (CIVICUS Monitor, 2019). In addition, in Freedom House's 2020 country report, the organization noted that the excessive force used by the authorities during clashes with protesters had resulted in the death of a minimum of six people by the end of 2019. The continued repression and criminalization of protesters by state actors coincides with the continued decline of democracy within Honduras, as without the respect for civil and political liberties democracy cannot hope to be sustained.

Moreover, as is illustrated in Chapter 4 through the interviews conducted during my fieldwork, the Hernández administration targeted human rights defenders. This represents an act that highlights an acceleration of de-democratization because if those set out to defend democracy are themselves criminalized and repressed how can a state be classified as democratic? In addition to the direct targeting of human rights defenders, the issue of security, increased difficulty accessing basic resources and growing allegations of corruption were three of the primary causes that incited caravans of thousands of Hondurans to flee the country between 2020 and 2021,

causing a massive migrant crisis within the region (Escalon & Pérez, 2020). By the end of 2021, approximately 1.15 million Honduran immigrants had sought refuge in the United States (Cramer, 2024), attempting to escape the growing rates of crime and corruption back home. This is indicative of weak democratic institutions, particularly a weak rule of law that is unable to adequately combat issues of crime and corruption within the country.

As thousands of Hondurans continued to leave the country, demonstrations in Honduras intensified. Citizens began to increasingly and more profusely call for the immediate resignation of President Hernández after his brother, Juan Antonio Hernández, was found to have ties to drug organizations. After his brother was arrested and convicted as a drug smuggler in the U.S., suspicions of corruption and a nexus to drug cartels mounted for the president, especially after a court document linked to his brother's case was released:

The document alleges that a man identified as 'co-conspirator 4' and later referred to as CC-4, took part in a conspiracy to use \$1.5m (£1.2m) in drug proceeds to bolster CC-4's presidential campaign. CC-4 is described in the document as having been 'elected president of Honduras in late 2013', when Juan Orlando Hernández won his first term in office (BBC, 2019).

By August of 2019, U.S. prosecutors had identified President Hernández and his predecessor as co-conspirators in the drug-smuggling operation led by Hernández's brother, placing the president under official U.S. investigation (Freedom House, 2020a). This police investigation would eventually lead to Hernández's arrest and extradition to the U.S. in 2022, only three months after leaving the presidency. Two years after his arrest in June 2024 after a lengthy trial, an American federal court sentenced now former president Hernández to "45 years in prison for cocaine importation and related weapons offenses" (United States Attorney Office Southern District of New York, 2024). The conviction of former president Hernández not only demonstrates a legacy of corruption that this thesis would argue was the basis of his entire presidency, but it also uncovers a deeper issue within the democratic institutions of the country, especially seeing as neither the

judiciary nor legislature were able to effectively counteract Hernández's overt abuse of power for two whole terms. It was only after Hernández lost American support and was placed under official investigation that his administration opted to allow the 2021 elections to proceed without significant interference, agreeing to partake in a peaceful transference of power when Xiomara Castro was elected as the new president.

3.4 From Hernandez to Xiomara Castro: Democratic Revival or Further Democratic Decline?

In January 2022, Xiomara Castro was sworn in as Honduras' first ever female president in history. Her election came through a record breaking 53% of the vote which ended the "12-year reign" of the country's two traditional political parties (Rodriguez, 2022). After years of repression under Hernández, Castro's election was considered as Honduras's hope for democratic upheaval. Both national and global actors had high hopes that Castro's election would mean a revival and reformation of Honduras's democratic system (O'Boyle, 2021). However, despite the realization of a relevantly transparent election and the successful transfer of power from Hernández to Castro, this thesis would contend that Castro has not met expectations regarding democratic reform. Rather, through the imposition of renewed and extended states of exception, sustained levels of crime and the continued use of anti-liberal tactics by state actors, Honduras's democratic system remains in decline.

Within less than a year of becoming president, Castro embarked on fulfilling one of her main campaign promises, which was to combat the rising levels of extortion and crime taking place within the country. As a means of fulfilling this promise President Castro sought to imitate El Salvador's renewed and extended states of exception policy which was imposed in March 2022 under the country's current President Nayib Bukele (Doran, 2024). Thus, in November of 2022 "Castro suspended constitutional rights in some areas of the country and rolled out a new set of security measures designed to combat the Mara Salvatrucha and Barrio 18 gangs" (López, 2024). Some of the constitutional rights that were suspended under the state of exception included freedom of circulation and reunion, "military police were allowed to make arrests, which should not be part of their brief, and search homes without a warrant" (Neau, 2024). At a time in which the legacy of security forces abusing their power was extremely fresh, the state of exception was

not widely well received. The policy has been criticized for its long-term imposition. Indeed, the extraordinary measures were supposed to be temporary but have been renovated on several occasions, remaining in effect throughout Castro's presidency (Neau, 2024). Moreover, unlike the relative success that happened in El Salvador "where the gangs were virtually dismantled" (López, 2024), albeit at the high cost of extreme democratic decline as attested to by Freedom House, "in Honduras, extortion and other crimes have continued" (López, 2024). The state of exception has made little progress in combating gang violence but by extending the authority of the military there have been in rise "in arbitrary arrests, extrajudicial executions and enforced disappearance across the country" (Neau, 2023a). Subsequently, since the implementation of the state of exception, the Office of the National Human Rights Commissioner in Honduras as received "286 reports of human rights violations between December 2022 and September 2023," in addition the Commissioner has also documented "944 attacks against journalists and human rights defenders" between January 2021 and September 2023 (Neau, 2023b). This illustrates that Castro's administration has not been successful at bringing down drug-related homicide and violence in Honduras. On the contrary, the attacks have been especially harsh against human rights defenders and members of the media. This is further supported by Human Rights Watch 2025 country report in which the organization found that:

President Xiomara Castro has made little progress in fighting corruption and restoring democratic institutions. Honduras continues to struggle with widespread corruption, a compromised judiciary and high levels of violence, and attacks against environmental defenders (Human Rights Watch, 2025a).

The lack of democratic improvement serves to showcase that despite a transference of presidential power (a minimum component of democracy) the weakness of the country's democratic institutions has not been adequately addressed. Mainly the judiciary has not been reformed so that it can function independently, from the other two branches without political interference.

Furthermore, the imbalance of power between the three branches of government which has been key in the de-democratization of Honduras has not been corrected, as state authority still skews in favour of the executive. However, the continual breakdown of democracy in Honduras is further evidenced by the recurrent criminalization of human rights defenders and the heightened restrictions that have been placed on civil and individual rights through the use of “Bukelist” strategies like the state of exception, which has not served to deter the consistent level of violence present throughout the country. This serves to illustrate that like the consequences of institutional flaws, the active (and presumably increasing) use of criminalization has been extremely detrimental to the preservation of democracy in Honduras. As such, criminalization can and should be used as a causal factor in the study of de-democratization.

In 2024, International IDEA-the Global State of Democracy Initiative released its annual review of Honduras’s democratic performance in which it signalled several areas of concern. First, the continual prosecution and violence against human rights defenders. Based on the findings of the Inter-American Commission on Human Rights, International IDEA outlined that the “murder of human rights and environmental activists position the country as one of the most violent in the region” (International IDEA, 2024). Similarly, Human Rights Watch reported that attacks on human rights defenders had intensified in 2023, “453 human rights defenders and journalist were harassed, threatened, or intimidated in 2024 and 15 were killed” (2025). This demonstrates that human rights defenders, actors who are strongly linked to the protection of democratic norms and principles are still being targeted within Honduras, a clear indication of the continued decline of the country’s democratic system. Secondly, the issue of violence has also shown little improvement under Castro despite the implementation of the state of exception. In June 2023, “a riot and fire started after clashes between rival gangs in a women’s prison resulted in at least 46

deaths. Less than a week later, 13 people were killed in a deadly shooting in the city of Choloma, believed to be linked to gang violence as well” (International IDEA, 2024). The continued violence throughout Honduras signals a weak rule of law and the ineffectiveness of Castro’s state of exception policy, as it has not been able to deter gang violence. Finally, despite claiming to be an advocate for democracy Castro like her predecessors has also applied anti-liberal electoral tactics. With the upcoming 2025 presidential elections Castro has been marred by scandals, claiming the executive has begun to persecute her political opponents (Frías, 2025). As at the time of writing this thesis this is an ongoing issue there is little writing on the situation, but the mere claim of electoral intimidation points to the fact that Castro is not immune to using coercive political strategies.

Overall, through an examination of Honduras’s democratic transition, the 2009 military coup d’état, the repression of the Hernández era, and the lack luster performance of the current Castro administration, this chapter has sought to prove that democratic decline in Honduras has been the result of the *pacts* made at the time of transition. Agreements that led to structural flaws in the country’s key democratic institutions, primarily the judiciary and an inequitable balance of power in favour of the executive branch. Moreover, because of this Honduras developed a weak democratic system that enabled the use of criminalization as mechanism of political repression as was illustrated through the examination of the post-coup era and Hernández’s time in office. The combination of these two time periods in which the prosecution and oppression of socio-political activists and human rights defenders was evident shows that criminalization is strongly linked to the breakdown of democracy of Honduras and thus could be used as a tool in the study of de-democratization.

In the following chapter the impact of criminalization in Honduras on de-democratization is further emphasized by analyzing the explicit experiences of human rights defenders, media personnel, protesters, indigenous and environmental activists. This analysis is conducted by recounting individual testimonials that were gathered through one-on-one interviews performed during my fieldwork. In Chapter 4 of this thesis, I aim to demonstrate that criminalization can and should be used as a causal factor in the study of de-democratization, a proposal that has not previously been considered within the literature.

CHAPTER 4: OBSERVING THE HONDURAN DE-DEMOCRATIZATION PROCESS THROUGH A CONTENT ANALYSIS APPROACH

Introduction

The subsequent chapter provides an in-depth exploration of the fieldwork that was realized for the first case study of this doctoral dissertation, Honduras. The testimonials which are analyzed throughout this chapter are predominantly comprised of human rights defenders and socio-political activists who have actively participated in protests to oppose what they recognize to be government sanctioned acts of repression, human rights violations, infringements of basic civil liberties and an abuse of the country's rule of law. This examination serves to illustrate that there is a strong connection between the criminalization of human rights defenders as well as socio-political activists and the de-democratization of the Honduran democratic political system.

Moreover, through the study of these interviews, which in Chapter 7 are explicitly compared with the fieldwork conducted on the second case study of this thesis, Nicaragua, this dissertation hopes to demonstrate two of its primary hypotheses. First, that the ability of government actors to employ extreme acts of violence and repression against human rights defenders and as a response to expressions of socio-political protest, suggests that criminalization can and should be used as a causal factor in the study of de-democratization. Second, based on the extensive testimonials of human rights defenders and demonstrators from both Honduras and Nicaragua it can be determined (as was discussed in Chapter 1 when presenting the history of criminalization) that criminalization has evolved from its traditional penal application and is currently being progressively and systematically employed by political actors, predominantly emanating from the executive office, as a tool/mechanism to target activists and human rights defenders whom they perceive to be socio-political opponents.

The primary objective within this chapter is to illustrate that there is a causative relationship between the use of criminalization by political actors against human rights defenders and socio-political activists and the de-democratization processes occurring in Honduras and Nicaragua (in the case of Nicaragua this is discussed in Chapter 6). The connection between criminalization and de-democratization based on both case studies illustrates a strong form of political repression. In her work on political repression, Jennifer Earl (2011) defines repression as “state or private action meant to prevent, control, or constrain noninstitutional, collective action (e.g., protest), including its initiation” (p. 263). In both the cases of Honduras and Nicaragua each country’s respective government is employing political repression as a form of control and deterrence against exercises of collective action. Consequently, this chapter intends to exhibit that criminalization is increasingly and methodically being employed by political actors in Honduras and Nicaragua as a tool of subjugation on those they categorize as socio-political dissidents, and that this form of organized repression is directly contributing to the breakdown of democracy occurring in both countries.

In presenting the findings of my research, the focus of this chapter is on the concepts of democracy, criminalization, socio-political protest, human rights, rule of law, institutional autonomy and de-democratization. Consequently, the chapter is divided into four main components. The first section addresses the interviewees’ conceptualizations of democracy. Based on their personal experiences as activists, human rights defenders, public servants and everyday Honduran citizens this component of the chapter seeks to determine the overall strength of Honduras’ democratic system.

The second segment of the chapter evaluates the reality of criminalization within Honduras, particularly examining the repression of human rights defenders, environmental activists,

indigenous people and civic protesters. The effects of criminalization are evaluated by exploring the severity and consistency of oppressive tactics that have been employed by government, police and military personnel.

Next, the third part of the chapter addresses the topic of judicial autonomy. More specifically, this dissertation seeks to ascertain the effectiveness of Honduras' rule of law. Grounded in the experiences of the interviewees this section focuses on the inefficiency of the legal system's procedural adherence to due process, enforcement of judicial equality and the protection of civil rights. Based on these testimonials this component of the chapter contends that there is a lack of institutional independence in reference to Honduras's judicial system and that this deficiency of autonomy has enabled and arguably fostered the criminalization of human rights defenders and socio-political protesters.

Lastly, the final section of this chapter assesses the process of de-democratization that is occurring within Honduras. This is done by examining three different time periods from the perspective of the interviewees' personal experiences: the 2009 military coup, the Hernández era (2014-2022) and the state of exception imposed by current President Xiomara Castro. By examining these distinct moments in Honduran history, which have been identified by the research subjects as three of the most definitive moments of massive governmental repression in the period of Honduran democracy, I hope to demonstrate that the breakdown of democracy currently taking place in Honduras is strongly related to the discernible rise of criminalization occurring within the country and as such criminalization should be used as a theoretical marker in the study of de-democratization.

ANALYSIS OF HONDURAN FIELDWORK

4.1 The Question of Democracy

As noted in the chapter 2, this thesis uses O'Donnell and Schmitter's (1986) procedural minimum definition of democracy. Throughout this dissertation the democratization process for both Honduras and Nicaragua have referred to the period from the 1980s in which transitions to democracy started in each respective country, until the late 1990s when democracy was consolidated. However, although it is clear based on the literature that democratization did occur in both case studies, what this thesis argues is that during the democratization processes of both countries there were structural flaws at the time of transition and democratization that impeded the construction of strong and independent democratic institutions, as was showcased in Chapter 3 with regards to Honduras, and as is illustrated in Chapter 5 with the case of Nicaragua. As a result of these underdeveloped and flawed democratic institutions, this thesis contends that both states' democratic political systems were founded on weak democratic norms and principles, factors which have profoundly contributed to the breakdown of democracy currently taking place in both states.

Furthermore, as discussed in Chapter 2, Linz & Stepan (1996) identify six *arenas* of democratic consolidation: stateness, civil society, political society, the rule of law, state bureaucracy and economic society. According to their regime typology it is only once all six of these arenas are established that democracy becomes the "only game in town" and that it "becomes routinized and deeply internalized in societal, institutional and even psychological life" (Linz & Stepan, 1996, p. 5–6). This section of the chapter explores these arenas through the experiences of the Honduran interview subjects. The objective of this analysis is to illustrate that although Honduras did democratize and currently partakes in a semblance of democratic practices such as regularly held elections, the reality is that the arenas Linz & Stepan discuss did not adequately

develop within the Honduran socio-political sphere, which signals an incomplete consolidation of democracy and the subsequent establishment of an overall weak democratic system.

As this thesis argues this is due in large part to the state's fragile democratic institutions which as proposed by Albertus and Menaldo (2018) were constructed on the basis of "authoritarian legacies" (p.249) and prejudiced agreements made at the time of transition referred to by O'Donnell & Schmitter (1986) as *pacts*, concessions which unfortunately have had the presumably unintended and extended negative effects of an overly centralized executive office, a poorly developed judicial system, an imbalance of power between the different branches of government (Calleros, 2009) and as this thesis proposes the intensification of political actors' proclivity to use criminalization as a means of repression against human rights defenders and socio-political activists.

4.1.1 What is Democracy?

As noted above, O'Donnell and Schmitter's (1986) procedural minimum definition of democracy centers on the political inclusion of citizens, specifically through the assurance of full suffrage. Moreover, to fulfill this objective and ensure the fortification of democratic norms and principles, their definition focuses on the importance of institutions, as well as emphasizing the central democratic practice of holding regular and competitive elections. However, as discussed in Chapter 2, O'Donnell & Schmitter's conceptualization of democracy does not reflect the modern-day realities of state-based repression and criminalization. Though it does acknowledge the importance of protecting civil liberties this is not a central aspect of their definition. Moreover, unlike the conceptualizations provided by the Honduran participants that is discussed in this section, O'Donnell & Schmitter's definition fails to explicitly address the importance of securing civil participation and defending human rights, two components this dissertation maintains are central for the implementation and preservation of a strong democratic system.

To understand democratic breakdown, one must first have an operational understanding of democracy. As a result, the opening question of the interviews I performed during my fieldwork was: *What is democracy?* By asking this question, I wanted to gauge what democracy meant to the participants both in theory and in practice. I sought to learn what institutions, norms and principles they classify as central elements of a functioning and effective democratic system. It was my reasoning that only by being able to provide a definition of democracy, could participants then proceed to evaluate whether their respective country could be classified as a democratic state, a question which is addressed later in this section.

When asked to define democracy, the answers that were most predominantly given by the majority of the 20 Honduran interviewees were: the protection of political freedom, having the right to vote, ensuring the "will" of the majority is respected/upheld, the protection of civil

liberties, the protection of human rights, and only having fairly elected government officials in positions of power.⁵ The participants concurred that the absence of these specific elements signalled either a very weak democratic system or an authoritarian political system merely masquerading as a democracy. In analyzing the different responses provided by the participants the one democratic feature that was consistently mentioned was the protection of individual rights. This observation on behalf of the interviewees coincides with the work of Juan Carlos Calleros (2009). Throughout his book, *The Unfinished Transition to Democracy in Latin America*, Calleros emphasizes the importance of protecting individual rights as a means of safeguarding a country's rule of law and its democratic system as a whole:

The protection of individual rights is in fact the only way to solve the apparent paradox found in the liberal democratic ideal, where individuals want both to be governed and to govern the governors. Majority rule is, then, truly democratic when it is rights protective at the same time. That is why human rights are widely associated with the rule of law within a consolidated democratic regime (2009, p.27).

Here, Calleros is illustrating that the protection of individual rights is key in the implementation of an effective majority rule system, a crucial aspect of a successful democracy. In line with Calleros' reasoning, the interviewees also identified the protection of human rights as a core element of any effective democracy. Throughout the duration of the interviews, participants tended to group the protection of individual rights with the safeguarding of human rights.

This collaborative pairing echoes the work of Nancy Thede (2005). Throughout her work Thede contends that within a democracy there is a clear connection between the protection of human rights and the preservation of individual civil liberties "human rights are considered to be civil and political rights; and individuals-especially those individuals organized as civil society"

⁵The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Honduran case study. As was alluded to in the introduction of this chapter the interviews of Honduran participants took place between June to September 2023.

(p. 11). Thus, when civil rights and human rights are not adequately protected within a democratic political system this is an indicator of a breakdown of democratic norms and principles. As a result, one of the most resounding findings of this question is that the participants all shared a strong sense that democracy should at the most basic level ensure the protection of citizens' civil and human rights and that failure to secure these rights is a clear sign that a country's democratic system is failing, as is the case of Honduras. This is supported by the fact that reports from Amnesty International, Human Rights Watch, Freedom House, the United Nations and Global Witness have all confirmed that Honduras has persistently failed to protect fundamental civic as well as human rights. For example, in 2022 Global Witness released a report on the continued human rights violations and attacks on indigenous communities taking place within Honduras:

Honduras has a long history of attacks against defenders, particularly those protecting land and the environment. In 2020, Global Witness documented 17 lethal attacks against them. We have also documented systemic violations against communities, such as those living in Intibucá protecting the Gualcarque River or those standing up to stop pollution in the Guapinol River (Global Witness, 2022).

The findings in this report illustrates that defenders in Honduras have been continually and systematically persecuted for their work by political actors, a sign that democracy in Honduras is unstable and that this instability is heavily linked to the systematic repression of human rights defenders and civic society.

Another important element signalled by the interviewees was that one of the main attributes of a democracy should be the allowance of active participation from its citizenry in the socio-political landscape. As such, of the 20 interviews of Hondurans I conducted, there are two that I would like to highlight in this section under the selected pseudonyms of the participants. The first testimonial I would like to feature is from a man, who elected to be called Alberto. Alberto has

worked as a social activist and human rights defender for more than 15 years and for him democracy is of the utmost importance as it centers around:

Participation, primarily the participation of civic society in political life, specifically it is participating in a country's politics at all levels: at the community level, at the level of the problems, and in the country's institutional structure. Democracy is the freedom to participate in the economic, social, political, or cultural decisions made in a country without fear of any form of retribution—that is what democracy should entail (Alberto, interview, August 29, 2023).⁶

The significance of participation is not only central to Alberto's personal definition of democracy, rather it also captures the general expectation of what most participants thought democracy should represent. The consensus amongst the interviewees was that participation is a crucial component of any democratic system, because it facilitates the incorporation of diverse perspectives, the fortification of public institutions and the promotion of civic engagement within the public realm. Moreover, participation is vital to democracy because “when citizens are involved in the decision-making process, governments become more transparent, accountable, and responsive to community needs, ultimately creating more just and sustainable societies” (Panagi, 2023). Therefore, when civic participation is limited within a political system, democracy cannot fulfill one of its primary functions as stated by O'Donnell and Schmitter (1986), the inclusion of citizens in political life and the subsequent protection of civic participation. As is argued later in the chapter, when civic participation is encumbered and citizens are not encouraged but rather hindered from participating in a country's political sphere democracy cannot be adequately upheld and eventually it can begin to breakdown.

The second definition of democracy I would like to share from the compilation of Honduran testimonials is from a man, who adopted the name José. José is an academic and

⁶All the testimonials that are provided throughout this thesis have been transcribed and translated by the author from the original Spanish to English. At the end of this document, in Appendix II, readers will be able to find a list of the original Spanish testimonial excerpts, in order of appearance, with their corresponding translation.

researcher who has studied democracy throughout his career. As a result of his convictions on what democracy should represent, José decided to become an activist, opting to participate in the socio-political protests that arose after the 2009 military coup. After witnessing the massive human rights violations that ensued in the direct aftermath of former president Zelaya's exile, José has continuously mobilized against what he believes are explicit acts of governmental political repression. Therefore, for José, there is a major difference between a theoretical and practical definition of democracy:

Well, the typical etymological definition we're taught is that the "people" of a state have the power. However, in practice we'd have to see which country in the world actually adheres to this idealistic model. A model whereby the people have the power, authority and control to administer, plan, and direct the State and hold the government accountable. Moreover, in theory democracy should be concerned with seeking the well-being of a nation's people as a whole. Yet, what we've called democracy, borrowing this term from the ancient Greeks, has fallen short of achieving true civic let alone national well-being. Thus, for practical purposes, we already know there is no such thing as true democracy in Honduras, because the people are not the ones in power, rather it's a select group of people that actually manage the country, essentially it is an organizational structure that administers a nation's public institutions, a structure in which more often than not the few are favored over the many (José, interview, June 29, 2023).

Throughout José's testimonial, the importance of participation is once again emphasized, José alludes to a pronounced deficiency regarding civic participation within Honduras, proposing that most Hondurans do not have the ability to participate which in turn hinders the country's democratic system. The importance of participation in relation to democracy can be better explained through the work of Carole Pateman (2012). Within her research, despite being very critical of the ways in which participation has been "added" to representative democracy, Pateman marks a clear connection between citizen participation and democracy:

Participatory democratic theory is an argument about democratization. That is, the argument is about changes that will make our own social and political life more democratic, that will provide opportunities for individuals to participate in decision-making in their everyday lives as well as in the wider political system (2012, p. 10).

In other words, Pateman is advocating for the implementation of true participation to take place, though it is important to note that her ideal of participatory democracy has never been adequately implemented, a point which mirrors José's opinion that no country in the world has truly embodied democracy as a political system. What we can learn from both José's interview and Pateman's work is that for a democratic system to be successful full citizen participation in the socio-political landscape is crucial, although as is argued below it is not sufficient to sustain democracy on its own merit.

In addition, to his commentary on participation, José's conceptualization of democracy also references some additional theoretical terms that he deems essential to the characterization of democracy such as accountability, organizational structure, and public institutions. As researchers, we can infer from José's definition that civic participation is a conduit to political accountability, a key element of any democratic system, as citizens want to know that their elected public servants will be held accountable for their decisions and actions once they are in office. For Laurence Bherer (2006) participation is a core component of maintaining accountability within a democratic system, however she proposes that the success of participation depends on the participatory mechanisms a country has in place:

Cela dépend de la forme de légitimation attribuée aux dispositifs participatifs ; ces derniers octroient de la légitimité aux décisions des gouvernants qui apparaissent dès lors convenables. Mais bien avant cette finalité, la façon d'organiser le cadre participatif indique qui sont les acteurs qui peuvent à bon droit s'exprimer. C'est ce que nous appelons la qualification citoyenne, entendue comme le processus d'attribution d'une représentativité reconnue comme juste et légitime à un ensemble de citoyens (individuels ou collectifs) désireux de s'exprimer (p.26).

Through Berner's argument, it is clear that participation is not always equally distributed within a political system which is why she contends that participation has not been sufficiently implemented within municipal politics. In the case of Honduras, the issue of participatory inequality is made evident through José's observation that the state tends to favour the needs of

the few over the well-being of the many. José's comment alludes to the issue of socio-political inequality regarding citizens ability to exert political influence through participation. Albertus & Menaldo (2018), would suggest that this inequality derives from the authoritarian institutions, incoming democracies inherited after the transference of power. They propose that because of their authoritarian lineage, many democracies have political influence and holdings that "are both unequal and prone to sharp elite biases" (p. 253). This illustrates that inequality of influence and power, particularly as it refers to citizens' ability to uniformly participate in the public sphere seriously weakens a democratic system as it creates a socio-political divide amongst the populace.

Lastly, from José's definition we can also deduce that merely participating in a country's political system through acts like voting is not enough to ensure governmental answerability or a well-balanced democratic system. A strong democracy also requires strong democratic institutions, which can be referenced from José's discussion of how an organizational structure that administers a country's institutions is a fundamental component of democracy. As noted in a policy brief composed by the Carsey School of Public Policy, institutional efficiency is an important element of a strong democracy because it indicates the existence of sound public institutions, including an independent judicial system, a transparent and fair electoral process, and an unbiased legislature that upholds the rule of law and protects human rights (Mallory, 2024). Thus, mere civic participation is not sufficient to uphold a state's democracy, rather this needs to be paired with the existence of sturdy democratic institutions. This is because it is through well-functioning democratic institutions that a government can effectively address societal challenges, promote citizen engagement, and ensure the overall resilience and credibility of its democratic system. The importance of democratic institutions is discussed more thoroughly in the following section.

Overall, through the 20 interviews that were performed for the case study of Honduras, the main conclusion regarding the definition of democracy, is that a democratic system must protect civic participation within the state's political landscape, safeguard human rights, uphold governmental accountability and be bolstered by the composition of strong public institutions. Consequently, when discussing the current process of de-democratization occurring in Honduras, this thesis contends that the absence or at the very least the limitation of these factors has been a key contributor of the country's democratic decline. As such, in the following subsection, I expand on how the absence of strong and independent democratic institutions within Honduras is a clear marker of its weak and declining democratic system, this is because as International IDEA, a global Initiative that supports democracy worldwide suggests, "the country finds itself in the midst of a grave political crisis that reveals its historical and chronic institutional weakness" (Zovatto, 2017).

4.1.2 The Relationship between Public Institutions and Democratic Resilience

Throughout this dissertation, it has been argued that the composition of weak democratic institutions at the time of democratization has had the residual negative impact of implementing a fragile democratic political system in both Honduras and Nicaragua. Accordingly, in both countries, we are now seeing their respective democracies crumble (albeit to varying degrees, a point which is discussed in-depth in Chapter 7) under the instability of underdeveloped judiciaries, legislatures and rule of law. As the Organisation for Economic Co-Operation and Development (OECD) proposes in their report, *Trust and Democracy* (2024):

[...] for a thriving democracy and the well-being of citizens, it is imperative that we strengthen our public institutions...governments must ensure that public services are not just accessible but efficient, the democratic process transparent and fair, government spending sound and accountable, and the integrity of public officials beyond reproach (p.1).

Consequently, it can be argued that there is a strong relationship between the strength of a nation's public institutions and its ability to maintain a strong democratic system whereby the needs of citizens are appropriately met. This point is further supported by Calleros (2009) as he contends that "the consolidation of democracy is to be obtained by means of setting up the proper institutions of a democratic regime" (p.3). He argues that a democracy cannot survive without the existence of strong democratic institutions. Subsequently, based on this correlation, within the context of my investigation one of the key questions I proposed was: *Do you think Honduras has strong and independent democratic institutions? Why or why not?* In posing this question, my primary objective was to determine whether the strength of Honduras' democratic institutions, was considered by Honduran citizens as an important/relevant factor when discussing democracy and eventually democratic decline.

When analyzing the results of this question, I initially found that there was a slight variation amongst the answers provided as 3 of the 20 participants, alleged that Honduras' democratic

institutions contained an adequate level of independence and could thus be considered relatively strong. However, upon closer evaluation, it was discovered that the 3 participants who provided this more positive outlook were acting public servants at the time of the interviews and thus their testimonials in comparison with the other interviewees carried a tone of diplomatic correctness. Yet, despite this small variation, I found that the remaining participants did uniformly agree that although there are democratic institutions present within Honduras, they are far from strong, and do not operate autonomously.

Consequently, one of the most relevant findings of this question, is that 5 of the interviewees made a point of mentioning that strong and independent democratic institutions had never truly developed within Honduras despite having transitioned to democracy in the 1980s. For example, the testimonial of the director of a prominent human rights organization in Honduras, who took on the name Rameses stated that:

Honduras began an atypical democratic process in the 1980s, and well a democracy to some extent was said to be instituted. But this process never truly consolidated due to the weakness of the country's "democratic" institutions and eventually the process of democratization was cut short by the 2009 coup d'état. The coup served to remind all Hondurans and the entire world the weakness of our so-called democracy and it showed the fragility of our institutions. Further, the coup served to weaken our institutions even more to the extent that we later had 12 years of a regime that failed to maintain all the country's democratic institutions (Rameses, interview, June 23, 2023).

The account provided by Rameses clearly illustrates that there is a deep-seated mistrust amongst Hondurans when it comes to the effectiveness of the country's democratic institutions. This is further validated as the other 12 participants described Honduras' democratic institutions as: weak, ineffective, a farse, dependent and manipulable⁷. This scepticism regarding the nation's democratic institutions is what led interviewee Alberto, a political activist and founder of a well-known political organization in Honduras, to argue that:

⁷As previously mentioned, the information provided here is a compilation of the answers provided by participants during the interviews conducted on the Honduran case study.

No never, in Honduras there has never been any strong or independent democratic institutions. The reality is that in the history of our country, there has never been a serious or prolonged process of establishing democratic institutions (Alberto, interview, August 29, 2023).

The cumulative ability of the interviewees to identify institutional weakness as an issue that directly affects the quality of Honduras' democratic system, showcases the correlation between having weak democratic institutions and de-democratization. As Calleros (2009) proposes one of the reasons why democracy in Latin America is declining "may be due to the persistent weakness of the institutions needed for democracy" (p.68) mainly a strong judiciary (a point which is discussed extensively in another section of this chapter). In other words, if a country does not contain strong democratic institutions that are both willing and able to uphold democratic norms and principles it is arguably only a matter of time before democracy begins to breakdown.

Furthermore, institutional weakness within Honduras has not only been identified as a problem internally but has also been acknowledged as a significant issue by external international organizations. For instance, the OAS, UN and Freedom House have all reported on the negative impact institutional weakness has played on the strength of Honduras' democratic system. In its recently released country report Freedom House conveyed that, "Institutional weakness, corruption, violence, and impunity undermine the overall stability of Honduras" (2024). Additionally, within its report Freedom House (2024) noted that Honduras' weak institutions have facilitated governmental corruption and hindered governmental openness. This resonates with the perspective of the interviewees, as the majority deemed that the democratic institutions in Honduras require more transparency and independence from the central government to effectively fulfill their roles. As a result, one of the primary concerns expressed by the interviewees, was the dependence of the country's democratic institutions on the central government:

When talking about strong and independent democratic institutions in Honduras, I feel like there are institutions that are supposed to fulfill that purpose, but unfortunately, they are not independent, the government controls them (Graciela, interview, August 18, 2023).

This critique on the lack of institutional independence comes from human rights defender, municipal council member and proud Lenca advocate, Graciela, who dubbed the influence and control of the government over the country's democratic institutions as a major issue facing Honduran democracy. The central government's ability to influence the state's legislature, judiciary and legal system is considered one of the chief problems that has caused democracy in Honduras to breakdown, particularly because there does not seem to be an adequate system of checks and balances in place to effectively constrain the power of the executive. According to Calleros, institutions play a vital role in the preservation of democracy because it is only through the creation and maintenance of strong institutions that the "correct functioning of the checks and balances system" can be applied to a country's political system (p.112). As Calleros (2009) points out there cannot be a successful democracy without independent democratic institutions, because a "government can become unaccountable unless proper checks and balances are established in the political system" (p. 15). Therefore, institutional weakness heavily hinders democracy because it enables the executive power to operate with limited restrictions making it less accountable for its decisions and actions. In the case of Honduras, this has been witnessed during both the presidencies of Juan Orlando Hernández in which he committed numerous illegal acts of violence without judicial deterrence and now as we are witnessing a similar pattern with current President Xiomara Castro, who continues to extend the power of the executive office through the imposition and prolongation of the state of exception (both topics are addressed more intently later on in the chapter).

Largely, the results of this question indicate that there is strong evidence to suggest that Honduras has weak democratic institutions, an issue which has comprehensively contributed to the current process of democratic decline taking place in the country. The lack of institutional autonomy has allowed the executive branch to become more centralized, an issue that was extremely evident during the administration of former president Hernández, as was discussed in Chapter 3. Moreover, the frailty of the country's democratic institutions has fostered civic distrust in institutional effectiveness, causing many citizens to consider Honduras a non-democratic state, which is illustrated in the following subsection.

4.1.3 Honduras: A State on the Mend or Another Causality of Democratic Decline?

On the foundation of the previous two questions, one of the main goals of my investigation was to determine whether the interviewees: *Would classify Honduras as a democratic state? Why or why not?* By asking this question, my intention was for participants to provide an answer grounded on their individual definitions of democracy as well as their categorization of the state's democratic institutions. As the interviews of Honduran participants were conducted in 2023, only a year after Xiomara Castro, wife to former exiled president Manuel Zelaya, had unprecedentedly been elected as the nation's first female president, this question was divided into two time periods. First, the right-wing administration of former president and now convicted felon Juan Orlando Hernández (2014-2021). And second, the left-wing government of current President Xiomara Castro (2022-present). With this division in mind, except for the 3 public servants who again opted for a more positive perspective categorizing Honduras as a democratic nation, the remaining participants were divided.

On the one hand, there were 11 participants who based on the long-term violence and corruption suffered under the administration of former president Hernández unequivocally characterized Honduras as undemocratic:

No, no. I've always said it's a mockery of democracy, or rather a copy of democracy. Democracy doesn't exist in Honduras (Cass, interview, July 12, 2023).

Cass, an environmental activist and a boastful member of Honduras' Mestiza community, voiced that democracy in Honduras is merely a façade. Similarly to Cass, a leader of the Garifuna community in Honduras argued:

There isn't any democracy in Honduras. There isn't even any respect. Not even close. To put it more directly, there is no sense of community or governmental protection (Caballero, interview, July 31, 2023).

This interviewee who took on the name Caballero⁸ extenuated the insecurity within Honduras as a prime reason it could not be labelled as democratic. He proposed that because insecurity in Honduras is not only limited to the rapid rise in criminal activity but has conclusively been aggravated by the repressive tactics employed by government actors to circumvent exercises of socio-political activism, that Honduras could not be considered a democratic state. Furthermore, Caballero put forth that if two constitutionally guaranteed rights like freedom of expression and freedom of assembly were not safeguarded by the law but instead punished by government actors when judged convenient for them, then how could the state be classified as democratic? This opinion at the time of the 2017 protests in Honduras was shared by Human Rights Watch, “The authorities can and should act to prevent violence and looting, but they need to guarantee the right to freedom of assembly without unnecessary or disproportionate force” (2017). Subsequently, throughout his commentary on government generated insecurity, Caballero was referring to the violence protesters had to endure under the presidency of Hernández. The excessive use of force and the continued violation of human rights committed by Hernández’s administration was documented by Amnesty International in 2019, a pivotal time for civic demonstrations against the government:

The government of President Juan Orlando Hernández has adopted a policy of repression against those who protest in the streets to demand his resignation and accountability for the actions of authorities. The use of military forces to control demonstrations across the country has had a deeply concerning toll on human rights (...) President Juan Orlando Hernández’s (JOH) message is very clear: shouting ‘JOH out’ and demanding change can be very costly (Amnesty International, 2019).

This communication from Amnesty International is but one example of the many international organization reports on the violence, insecurity, and government violations committed under the Hernández administration. It demonstrates a clear break from democracy, which this thesis would

⁸Caballero in English means gentleman

contend is strongly linked to the systematic and increased criminalization of human rights defenders and socio-political protesters by Honduras' political actors.

While still focusing on the presidency of Hernández, the other participants who expressed that Honduras cannot be considered as a democratic state listed a variety of reasons for their negative point of view mainly: the over centralization of the president's power, overt dependency of the legislature and judiciary on the executive, abuse of government power, violation of human rights, the ill-protection of civil rights, the repression of human rights defenders, a weak rule of law, the use of excessive force by military and police personnel, government corruption and a lack of electoral transparency⁹. The participants argued that due to the combination of all these factors they could not in "good conscience" say that Honduras is a democratic nation. The examples provided by the participants are all factors that have been reported as issues in Honduras by global organizations like International IDEA:

Serious allegations of irregularities in the 2017 elections led to massive opposition-led protests which were met with violence by security forces. These events prompted increased human rights and anti-corruption advocacy, as accusations against high-level officials of previous administrations for money laundering and drug trafficking grew, including against former President Juan Orlando Hernandez, who was convicted for drug trafficking in the United States in 2024 (2024).

Through this brief overview we can identify various indicators of democratic failure within Honduras that coincide with the allegations made by the interviewees, electoral irregularities, excessive use of violence, government corruption and increased human rights violations.

As Calleros (2009) suggests for a country to be considered democratic it must protect human rights, adhere to democratic norms and principles, equally enforce the rule of law and have adequate checks and balances as integral parts of the political system. Calleros (2009) contends

⁹As already mentioned, the information provided here is a compilation of the answers provided by participants during the interviews conducted on the Honduran case study.

that when these democratic principles are not adequately and consistently enforced it signals a declining democratic system. Similarly, on the international platform Honduras is not considered to be a fully democratic state but is instead classified as a country in democratic decline (Speck, 2021). This is further supported by the fact that Freedom House in its 2024 country report has once again categorized Honduras as merely “partially free” because despite having democratic structures in place the quality and execution of its democratic norms and principles is heavily lacking. Specifically, the “partially free” label reflects the continued repression of activists, human rights defenders and members of the free press:

Authorities systematically violate the constitution’s press freedom guarantees. Reporters and outlets covering sensitive topics or who are perceived as critical of the authorities’ risk assaults, threats, blocked transmissions, and harassment. Journalists have access to a protection mechanism that also supports human rights defenders and justice officials, but that mechanism is ineffective (Freedom House, 2024c).

The systematic repression of journalists and the fact that the protection mechanisms identified for the protection of human rights defenders and justice officials is considered to be ineffective by Freedom House is a clear example of Honduras’s weak democratic political system. This excerpt from Freedom House’s 2024 country report illustrates that even if it’s not explicitly being identified as criminalization within the international forum, the practice of repression being described in the report is criminalization at its core:

[Criminalization] involves a new kind of intimidation and repression based on the antagonizing of civil and political rights, an essential part of democracy, as threats to national security and interest and the delegitimization of citizens, often paving the way for gross human rights violations that remain unpunished because they are seen as legitimate (Doran, 2017, p.184).

In this case Freedom House, an internationally specialized NGO is using the repression of journalists as a marker of socio-political instability within Honduras. This is also extended when discussing the persecution of human rights defenders and protesters. The oppression of these two

groups has been substantiated by the global initiative, International Service for Human Rights (ISHR):

Defenders are subject to stigmatisation both in the media and by public officials, accused of conducting disinformation campaigns, or branded as traitors to the country, members of radical groups, or even terrorists. The Honduran authorities often resort disproportionately to military or police force, leading to arbitrary arrests of activists and excessive use of force during demonstrations (2015, p.5).

By reporting on the repression and intimidation used against journalists, human rights defenders and activists, both Freedom House and ISHR are making a clear allusion to the practice of criminalization, although the term is not explicitly employed. Furthermore, they are arguably using criminalization to measure the quality/stability of Honduras' democratic system. This serves to demonstrate that there is a literary gap regarding the strong relationship between criminalization and de-democratization, a gap this thesis hopes to help fill by demonstrating that criminalization can and should be used as a causal factor in the study of de-democratization.

On the other hand, with regards to the democratic label of Honduras's political system there were 6 participants who stated that Honduras was democratic but only to a certain degree. Those that stated Honduras was partially democratic did so based on the hope that the removal of former president Hernández from office and the election of Xiomara Castro could represent a revival of democracy within Honduras, "Hondurans desperate for change are betting on Castro to alter the nation's course. She's the only option we have to get rid of this narco-government" (Ernst, 2021a). As a result, interviewees like Gigi, a member of the press and proud representative of the afro-descendent community commented:

With President Castro we are still waiting to see. We are still waiting and hoping there will be a positive change. However, it's still new. They practically just started. There are two more years to go, but we're waiting to see what the final result will be; I hope it will be for the improvement of Honduras as a nation (Gigi, interview, July 11, 2023).

The testimonial provided by Gigi, illustrates the hope Xiomara Castro's election represented for a significant sector of the Honduran people, a hope that has regrettably since dwindled both nationally and internationally. On the national front, one interviewee noted:

There have not been any positive changes under Castro regarding the protection of civil and human rights. On the contrary, there have been many more deaths. Much more than before (Doctor, interview, June 30, 2023).

This comment made by prominent human rights defender, Doctor, illustrates that the hope Castro might have represented upon being elected president in 2021 has severely decreased amongst the Honduran population as they have not seen the changes, they were promised during her electoral campaign. This indicates that democracy in Honduras is still in decline despite a successful transference of power from Hernández to Castro in 2022.

At the time, the transference of power from Hernández to Castro provided the expectation that democracy in Honduras could be restored and ultimately strengthened, an expectation that has not been met to the standards Castro and her LIBRE party promised. Despite “partially delivering on promises to crack down on street crime, improve public services and welfare program” her “core campaign vows to restore institutionality, combat corruption, and deliver an international anti-graft commission” have not been fulfilled and “now, Castro's approval rating is falling as her anti-corruption initiatives seem to be sinking” (Suazo, 2024). The inability of President Castro to fulfill her electoral promise of rehabilitating the country's democratic institutions and bring down governmental corruption, despite inordinate amounts of socio-political pressure, and her decision to focus on imposing and prolonging a state of exception within the country illustrates the severity of the structural flaws that have long been present within Honduras's democratic political system since the time of transition and democratization.

As this thesis has continued to argue the structural flaws present within Honduras' democratic institutions are the result of anti-liberal agreements made at the time of transition, agreements which have heavily favoured the executive branch. Castro, like her predecessor Hernández before her, is now reaping the benefits of an overly centralized executive office. This has allowed Castro to implement a prolonged state of exception under which her administration has committed questionable acts of repression. The violence used by Castro under the umbrella of the state of exception has led Amnesty International to issue a global warning regarding Castro's repressive tactics:

Amnesty International raises concern about excessive use of force and other alleged human right violations perpetrated during the prolonged state of emergency since 2022; detention conditions; and the situation of human rights defenders, Indigenous Peoples and journalists (Amnesty International, 2025).

The repeated use of violence as a mechanism of repression demonstrates the continued fragility of Honduras' democracy. As is illustrated later in the chapter, under Castro's government the persecution and criminalization of defenders and activists have continued to take place in Honduras, which has hindered any immediate hope of democratic revival. This shows that not only is there a strong connection between the systematic use of criminalization by political actors and democratic decline, but it also illustrates that criminalization can and should be used as a causal factor in the study of de-democratization.

Therefore, in the case of Honduras one can conclude that despite retaining its status as a partially democratic nation within the international sphere, there is no denying that the country continues on a path of democratic decline. This is because of its weak democratic institutions, poor social engagement with its citizenry, centralization of the executive power and most importantly the increased use of repressive tactics by government actors to suppress human rights defenders and those they identify to be socio-political opponents.

4.2 *The Reality of Criminalization in Honduras*

Since 2009, Latin America has been considered as the most dangerous region in the world, with Honduras being identified as “one of the most violent countries in the world” (Human Rights Watch, 2025a). The violence in Honduras has traditionally been seen to derive from the country’s high levels of poverty, increased organized crime involving drug trafficking and street gangs who practice forceful rings of extortion against local businesses and neighbourhoods (Schulz & Graham, 2019). Yet, as Human Rights Watch, a prominent human rights organization, notes violence in Honduras also emanates from the repression, persecution and intimidation of human rights defenders, environmental activists, members of the press and protesters. This form of violence has been defined by the IACHR as criminalization which is, “the misuse of criminal law involv[ing] the manipulation of the punitive power of the State by State and non-State actors in order to control, punish, or prevent the exercise of the right to defend human rights” (IACHR, 2015, p.16). As has been argued throughout this thesis the methodical and progressive use of criminalization by political actors in Honduras has been a means of repressing human rights defenders and activists which have been labelled by public officials as socio-political opponents of the state, and this persistent use of criminalization has strongly contributed to the breakdown of democracy occurring within the country.

Based on Doran & Peñafiel’s (2017) definition of criminalization, which was provided in chapter 2, criminalization is used by government actors as a way legitimizing their illiberal actions in response to socio-political dissidents. As a result, “the criminalization of rights advocacy [has] facilitate[d] violence against citizens through the adoption of new laws or new legislative interpretations that label them as enemies” (OVCD, 2025). In other words, the use of criminalization is a way for government actors to justify their repressive tactics through the creation of laws, legislation and/or political structures that they use to portray their employment

of excessive force and violence against defenders and protesters as legitimate. As such, this section of the chapter analyzes the conceptualization of criminalization provided by the interviewees and use their individual and collective experiences to illustrate that criminalization is not only a consistent issue in Honduras that has strongly contributed to the country's democratic decline, but that criminalization is a mechanism/tool that can and should be used as a causal factor in the study of de-democratization.

4.2.1 What is Criminalization?

Criminalization is a relatively novel concept, particularly as it relates to the explicit violence and repression being used against human rights defenders. As such the definition of criminalization employed in this dissertation, as noted in Chapter 2, is only about six years old. It derives from the extensive work of Marie-Christine Doran. Doran's definition, as outlined in Chapter 1 and 2, provides a clear explanation as to how state actors can employ criminalization as a tool of oppression, particularly as it is used to discredit, punish and oppress human rights defenders and citizens considered to be menacing to the state. Doran argues that, despite Latin America being characterized predominantly in the literature as a continent afflicted with private and "depoliticized" violence, the human rights violations and criminalization against human rights defenders reveals the true nature of violence in Latin America, i.e. that state violence is still operating against those who defend rights, and this is highly contradictory to democracy (Doran, 2017). However, this connection must be further developed and taken to the precise question of the relationship that exists presently between criminalization and de-democratization.

This dissertation proposes that criminalization can and should also be used as a marker of active democratic decline and should serve as a causal factor in the study of de-democratization. The ability of state actors to employ criminalization as a tool of socio-political suppression is a clear indication of the breakdown of democracy, because if those earmarked to protect democracy (i.e. human rights defenders) are being increasingly and persistently targeted by state actors it is evident that the country's democratic political system is in decline, as is the present status of Honduras. This is because the work human rights defenders perform is closely linked to the protection of democratic norms and principles:

The persons, collectives, and organizations that defend human rights play a crucial role in strengthening democracy, the rule of law and the justice system, as well as in the struggle against inequalities (Global Justice, 2022).

Thus, if the custodians of democracy are being methodically criminalized within Honduras it is evident that there a deep flaw in the country's democratic system. Moreover, it illustrates that there is a causal strong relationship between the criminalization of defenders and activists and the state's de-democratization process.

Consequently, within the confines of my research, it was important to evaluate whether participants had an active understanding of what criminalization is, so that we could later identify whether they themselves had been victims of criminalization by state actors (results which are provided in the following section) and if so, how that form of victimization had affected their democratic perception of Honduras. Thus, I posed the questions: *Do you know what criminalization is? If so, how would you define criminalization?* When faced with these questions there was a small fraction of interviewees (5 participants) that attributed criminalization to the rising crime rate within the country, these participants related the term to increased drug trafficking activities. As a researcher, I can infer that this conceptualization of criminalization derives from the high and rising rates of crime that exist within Honduras. Moreover, this also highlights the fact that the concept of criminalization is not well-known nor avidly circulated amongst non-academic circles. Consequently, it is important to note that these same 5 participants (as they were unfamiliar with the term) explicitly requested a definition of criminalization, as they wanted to further their own knowledge base. Once an academic definition of criminalization was provided; they quickly identified what the concept entailed:

Now I completely understand, you are referring to when someone is punished for pursuing the protection of their rights, for example when human rights defenders are targeted. Or when someone is charged with a crime for something they didn't do, but rather to repress them for being against the government. Committing an improper act. For example, all the repression that occurred under the previous president Hernández, when all our rights weren't respected (Grace, interview, June 6, 2023).

The definition given by Grace, a Nicaraguan citizen who has lived in Honduras for more than 20 years and has experienced many civil disputes as a socio-political activist in both Honduras and Nicaragua, illustrates that even though there can sometimes be a disconnect between a concept and its definition, those who have experienced criminalization first-hand know exactly what the consequences of governmental subjugation and political persecution entail. Moreover, the methodological tools of content analysis show that although some interviewees did not explicitly know “criminalization” as a term, they were in fact describing the act of being criminalized and were subsequently, identifying the connection between criminalization and the breakdown of democracy.

As such, when criminalization was explained to these participants upon their request, using Doran’s definition, they quickly equated criminalization with concepts like injustice, repression, police harassment and governmental intimidation, all markers that criminalization has contributed to Honduras’ weak democratic system. As Doran (2017) suggests, “intimidation and violence are related to the purpose of criminalization which is precisely to obscure its political nature and present violence against citizens as an objective fact necessary to security” (p.188). This description of criminalization embodies the administration of former president Hernández. During his time in office, under the guise of improving and/or protecting national security, Hernández and his security forces committed many undemocratic acts especially in response to exercises of collection action. For instance, in 2017 after massive protests broke out nationwide in response to Hernández’s unprecedented re-election, his executive office responded with excessive and violent political tactics:

Faced with the widespread unrest, the administration of Juan Orlando Hernández established a country-wide state of siege, which suspended constitutional rights, briefly enforced a curfew, and deployed the military and police to suppress the protests. Within the first few hours of the siege, military police and the country’s national police forces killed four people, including a 19-year-old

bystander who was at the protest looking for her brother. According to the Committee of Relatives of the Detained and Disappeared in Honduras (Comité de Familiares de Detenidos Desaparecidos en Honduras – COFADEH) security forces had killed 30 people by the end of December (Abbott, 2018).

The repression employed by Hernández and his allies illustrates how the criminalization of human rights defenders and demonstrators has strongly contributed to the decline of democracy by ignoring the protection of civil liberties and using violence as a tool of political coercion against the Honduran population. The impact of the Hernández era is further explained later in the chapter, but what is important to note at this juncture is that during Hernández's time in office the persistent and organized use of criminalization by political actors was severely and systematically used as a mechanism of oppression against human rights defenders and those actors categorized as socio-political opponents.

Whereas some interviewees asked for a definition of criminalization to be provided, many participants were able to identify the key components of criminalization right away. These interviewees classified criminalization as being unfairly accused of a crime, being persecuted for political dissent, and being unfairly targeted for working as an environmental activist, human rights defender or exercising their civic right to protest. For Graciela, a human and indigenous rights defender of more than 20 years, criminalization is:

An attempt to delegitimize and demonstrate the illegality of mobilization and protest. It is a way for the government to pressure activists to stop their work. Also, it is a way of making human rights defenders and protesters look like criminals. To see a police or military officer violate state norms or laws, but making them feel like its valid, just because they are using “legal” measures to violate the right to legitimately protest. So, we see there, the many levels of criminalization (Graciela, interview, August 16, 2023).

Graciela's testimonial showcases that criminalization is being used by government officials to not only target and repress human rights defenders and civil protesters but is being employed with the objective of hindering their work, which is ultimately the protection of democratic norms and

principles, “Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights” (OHCHR, 2025a). Accordingly, by criminalizing human rights defenders and socio-political activists state actors are in turn going against the very institution of democracy, “as democracy is meant to ensure the principles of political freedom, freedom of expression, freedom of the press, freedom of assembly, freedom to peacefully protest and, the overall protection of civil liberties” (McCain Institute, 2023). Thus, the persecution of human rights defenders and civil activists serves as a clear marker of a declining democratic political system. This is explicitly expressed by socio-political activist Cass:

Well, for me to criminalize is to go against the very foundation of democracy. It is when the government or police put you on the same level of a criminal just for trying to defend your rights. So, for me, that’s it. I mean, it’s putting you on the level of a criminal, the lowest social stratum just for wanting to defend your basic civic and human rights. The right to life. The right to water. The right to aspire to a better future. The right to have your opinions count on the political platform. And just for having those aspirations, those desires, you are targeted and labelled as a criminal (Cass, interview, December 7, 2023).

Through her definition of criminalization, Cass makes a very significant contribution to this thesis as she clearly links criminalization to de-democratization. She does this by pointing out that to use criminalization is to go against democracy, which as a researcher employing interpretative content analysis an approach that, “draw[s] on researcher interpretations and insights to generate codes and create analytic categories or themes” (Drisko & Maschi, 2015, p.65), I understand this to mean that the use of criminalization contributes to the breakdown of democracy, i.e. to de-democratization. This helps foster the hypothesis that criminalization can and should be used as a causal factor in the study of democratic decline, especially as one can equate the rising use of criminalization in Honduras against members of the press, environmental and indigenous activists,

protesters and human rights defenders with the breakdown of democracy currently taking place in the country, which is further discussed down below.

4.2.2 Is Criminalization Occurring in Honduras?

After asking participants to conceptualize criminalization, I proceeded to inquire whether based on their individual definitions the interviewees *believed that criminalization was occurring within Honduras and if so, since when?* Contrastingly to the questions that had previously been posed, the response to this question was unanimous as all the participants agreed that criminalization has been a longstanding problem within the Honduran state.

The differentiation arose when discussing the point of origin. 9 participants pointed to criminalization being a more prominent issue since the 2009 military coup d'état,

Well, if we look at it from the stress of the coup d'état, every week we were labeled a narco-government, governmental repression ran rampant during that time. So, I would say that the coup is when criminalization in Honduras began (Kassandra, interview, June 30, 2023).

Kassandra, a lawyer and representative of the insular prosecution office of Honduras, like some of her fellow participants identified the coup as the starting point of criminalization as this was the first instance of military intervention in the country's political system since Honduras had transitioned into democracy. This line of reasoning has been supported by the North American Congress on Latin America (NACLA) which after the coup reported:

The coup halted the progress of democracy and knocked the country back into the past. Since the coup, corruption has spread throughout the country. Many crimes remain unpunished, and citizens have been unprotected by the failing justice system. The armed forces and police, which maintained direct control of the state until 1980, have renewed their presence. The coup has also polarized Hondurans. It has debilitated the government's bipartisanship and leadership and handicapped a judicial branch that is incapable of resolving human rights violations, increasing police inefficiency, corruption, and impunity, and reaffirming the presence of the military in the most conservative sectors of Honduras (Salomón, NACLA, 2012).

This report on the state of Honduras' socio-political system in the aftermath of the coup highlights the definitive use of criminalization by the country's political actors. Further, it illustrates that Honduras' democratic institutions were weakened even more during the post-coup era as the judicial system was poorly equipped to deal with the vast rise in corruption and human rights

violations happening across the country. This demonstrates a direct correlation between the systematic use of criminalization as a mechanism of repression and the decline of Honduras' democratic system.

Moreover, the post-coup era was a time in which the interviewees recall state actors exhibiting an overt abuse of power and violence, particularly through the extended authority granted to military and police personnel to subdue the protests that ensued after Zelaya's forceable removal from power. These accounts made by participants are supported by the reports received by Human Rights Watch during that period:

Human Rights Watch has also received credible reports of 29 cases involving threats or attacks against journalists, human rights defenders, and political activists in 2010. For instance, on April 8, Father Ismael Moreno—a Jesuit priest and human rights advocate—received a text message threatening to kill the family of a female coup opponent who had been raped by police officers. Father Moreno had been helping the woman and her family to leave Honduras. In early June 2010, Eliodoro Cáceres Benitez, a political activist, received three death threats by phone, stating that members of organized crime would kill him and his family. His son went missing on June 13; at the time of this writing, his whereabouts remain unknown. On September 15, police and military members attacked the offices of Radio Uno, a station that has been critical of the coup. They launched tear gas into the radio station's offices, broke windows in the building, damaged equipment, and seriously injured one person (Human Rights Watch, 2010).

This extensive account by Human Rights Watch captures just a few of the cases of persecution and repression that were reported during the 2009 post-coup era. It demonstrates that the government and its security forces willingly and methodically employed criminalization as a tool of subjugation and coercion against socio-political activists and human rights defenders. Consequently, the military coup of 2009 is remembered by the interviewees as an era of mass repression, in which human rights violations were the norm, and criminalization was the government's main mechanism of socio-political control:

From the time of coup, democracy in Honduras was limited. Criminalization and repression were the main practice of the day. The country was weakened and anyone seen as being against the government became targets (Kassandra, interview, June 30, 2023).

Comparatively, the other 11 participants also chose an event as the starting point of criminalization in Honduras, they identified the election of former president Juan Orlando Hernández in 2014 as the moment criminalization in Honduras began:

[...] criminalization in Honduras is framed by the oppression of protests, and this was never more evident than during the presidency of Juan Orlando Hernández, who not only exhibited anti-democratic behaviour during his first term in office but went the extra mile when he illegally pursued presidential re-election. We know that during both those periods that he remained in power, criminalization was a constant tactic used by the government, which is why many people feared that the state would morph into a dictatorship (Nicole, interview, June 19, 2023).

This declaration from lawyer and departmental delegate, Nicole illustrates that criminalization in Honduras was resolutely employed during the Hernández administration as a tool of civic oppression especially against human rights defenders. Further, her allusion to Hernández potentially becoming a dictator demonstrates the depths of his anti-liberal and repressive tactics.

As a result:

The UN special rapporteur on the situation of human rights defenders called Honduras one of the most dangerous countries for human rights defenders in Latin America. Activists say the government's Mechanism for the Protection of Journalists, Human Rights Defenders and Operators of Justice, created in 2015, lacks uniform criteria and is ineffective (Human Rights Watch, 2021).

Honduras being classified as the most dangerous country for defenders in Latin America during the presidency of Hernández highlights not only the ineffectiveness of his so-called mechanisms of protection for defenders but it also illustrates that the government and its security forces were the main perpetrators of violence against human rights defenders and other socio-political activists, "Excessive use of force by police and deployment of the military in public security operations continued in 2020" (Human Rights Watch, 2021). This shows that the excessive use of force and violence by state actors was a constant tool employed until the very end of Hernández's presidency. Furthermore, it serves to demonstrate the overall frailty of Honduras' democratic system.

The interviewees of this thesis identifying these two distinct events of mass repression as the points of origin for criminalization in Honduras is significant because it illustrates that for a problem like criminalization to be registered by the masses it must affect them directly or at the very least be shown to affect most of the population. This can be inferred because it took two major events for most Hondurans to identify criminalization as a governmental tool of repression, but the reality is that criminalization in Honduras had been taking place years before either the 2009 coup or the election of Hernández in 2014.

As was partially discussed in the third chapter of this thesis, criminalization in Honduras can be said to have been born during the country's democratic transitional period in the 1980s. During the 1980s, Honduras agreed to act as a training ground for American troops said to be fighting the spread of communism in Latin American. In exchange for regional access, U.S. forces agreed to back the local military in covert operations, "a U.S. trained military intelligence unit-the notorious Battalion 316-carried out a campaign of torture, extrajudicial killings, and state-sponsored terror against Honduran civilians" (CJA, 2025). This is merely one incident of many in which the Honduran state sanctioned U.S.-led "death squads" to use violence and criminalization throughout the 1980s as a means of subduing potential socio-political opponents. In the early 1980s, Honduras' government "began to engage in political violence and repression. In the years from 1980 to 1988, some 174 people permanently disappeared in Honduras, while about the same number "temporarily" disappeared (Kruckewitt, 2021, p. 170). These disappearances which were dubbed to be politically motivated were reported by the National Commission for the Protection of Human Rights in Honduras in 1994. As we can see from this brief historical overview criminalization as a mechanism of repression has had a long and violent history within Honduras. Further, it can be argued that criminalization in Honduras has coincided with times in which

democracy has been unstable such as during Honduras' transitional period in the 1980s, the 2009 military coup d'état and during the violent Hernández administration (2014-2021). During all three of these periods democracy in Honduras was considered to be in decline and/or weak which demonstrates that there is a strong correlation between criminalization and democratic breakdown, and that this relationship serves to prove that criminalization can and should be employed as a causal factor in the study of de-democratization.

After discussing the origins of criminalization in Honduras, the participants went on to address the groups of people they believe to be the primary victims of criminalization within the country. There were three main groups that were highlighted: environmental and indigenous activists, socio-political protesters and human rights defenders. It is important to note that due to heavy intersection these three groups are all considered to be defenders. However, for the purpose of this thesis and to adequately reflect the accounts of this dissertation's interviewees they are discussed separately.

A. Environmental & Indigenous Activists

The criminalization of environmental and indigenous defenders has a long trajectory in Honduras and around the world. In 2015, The Golden Environmental Prize did an exposé in which they examined a Global Witness report, *How Many More? 2014s Deadly Environment: the killing and intimidation of environment and land activists, with a spotlight on Honduras*, in which it was found that in 2014:

116 documented murders of environmental defenders took place in 17 countries, with indigenous victims accounting for 40% of the total killings. And while murder represents the most extreme end of the spectrum, activists are also vulnerable to intimidation tactics, death threats, beatings, false criminalization, arrests and other restrictions of freedom (The Goldman Environmental Prize, 2015).

This exposé pointed to the fact that the vulnerability of these environmental and indigenous activists primarily came from state actors, as government officials tended to favour financial gain and development over upholding previously established land and climate accords, “Environmental activists are being killed in Honduras over their opposition to mining” (Ferrucci, 2021). Subsequently, Western University’s Faculty of Information and Media Studies in 2021 delivered a report on the criminalization of environmental and indigenous activists citing the story of:

Two men shot Arnold Joaquín Morazán Erazo to death in his home in Tocoa, Honduras, one night in October 2020. Morazán was an environmental activist and one of 32 people criminalized by the Honduran government for defending the Guapinol River against the environmental impacts of a new iron oxide mine in the Carlos Escaleras National Park (Ferrucci, 2021).

This report demonstrates the propensity of state actors to criminalize ecological defenders for economic profit. The proclivity of the state to bypass climate agreements for economic benefits was also identified by environmental activist Gigi, as one of the main reasons why ecological and indigenous defenders are constantly targeted within Honduras:

The government knows upfront what projects they can pursue, as there are land agreements and environmental protections in place. But it seems that these are not enough, there should be specific laws to ensure our rights, and the government should have to comply with them. But as we can

clearly see they don't. Obviously, we're being criminalized because we represent an obstacle to their financial gain so unfortunately our rights are ranked at the bottom of the list (Gigi, interview, July 11, 2023).

Gigi's testimonial demonstrates that in Honduras civil liberties are being overridden by state actors in the name of economic development. In other words, democratic norms and principles are being traded in for tactics of intimidation and repression to target environmental and indigenous activists, a strategy that has been most evident through the internationally recognized case of Berta Cáceres.

The most prominent figure mentioned throughout all the interviews when discussing the criminalization of environmental and indigenous defenders in Honduras was Berta Cáceres. After years of activism defending the Lenca community and her work opposing the hydroelectric project in Aguas Zarca, Cáceres was murdered in her home on March 2, 2016 (Global Witness, 2023).

Yes, Berta Cáceres was killed defending her movement. She was always very good at defending social causes and inspiring others to join, but sadly that's exactly what got her killed (Kassandra, interview, June 30, 2023).

Kassandra's take on the murder of Cáceres illustrates the hardships faced by environmental and indigenous activists within Honduras. Cáceres' life was an inspiration for resistance against state and police brutality. Thus, because of her murder which was heavily linked to police inaction massive protests ensued throughout Honduras as is recounted by indigenous and environmental activist, Nicole, who protested alongside Cáceres on several occasions:

There were several protests across the country, protests to fight for personal freedom and human rights. Berta Cáceres was a huge inspiration for these movements. She was one of the main reasons why we protested for the protection of our environment, for the protection of our land, we were protesting for social justice, we were protesting for access to our natural resources. Overall, we were protesting for our rights and lives to be respected by the government (Nicole, interview, June 19, 2023).

The persecution and eventual murder of Cáceres and other environmental and indigenous defenders like her highlights the severity of criminalization in Honduras:

Environmental defenders in Honduras regularly report abuses linked to development projects. Many face threats, criminalization, and even death for speaking out. Honduras has the highest rate of killings of environmental defenders per capita in the world (Amnesty International, 2025).

Overall, the criminalization of indigenous and environmental activists in Honduras showcases the willingness of state, police and military personnel to circumvent the rule of law in favour of their own interests, even if that means employing anti-liberal tactics, which this thesis would argue is a clear indication of a declining democratic system.

B. Socio-Political Protesters

The second group that was widely discussed during the interviews in relation to criminalization was socio-political protesters. Throughout the discussions with the interviewees there were several triggers identified as the root causes of the protests that have taken place in Honduras over the past few years: the 2009 military coup, the murder of Berta Cáceres in 2016, the continual violation of human rights, the excessive use of violence by state actors, government corruption, allegations linking political actors to organized crime, and the unfair treatment and wages of the professors union¹⁰. The main takeaway from the description of these causes is that within Honduras protesting is considered by the citizenry to be a legitimate civic right, so long as it is performed peacefully. Further, the participants contend that because civic protest is a right it should be protected by the rule of law, something that is a rare occurrence in Honduras. On the contrary, state actors have heavily criminalized demonstrators for protesting in Honduras:

The Honduran government is deploying dangerous and illegal tactics to silence any dissenting voices in the aftermath of one of the country's worst political crises in a decade, including preventing lawyers and human rights activists from visiting detained demonstrators (Amnesty International, 2017).

This excerpt from an Amnesty International report demonstrates that the civil rights of protesters were infringed upon during the manifestations that took place during the Hernández administration. Consequently, the interviewees expressed that it was unjust for state actors to respond to exercises of collective action with unmeasured force and violence:

The response to protests by the government has been completely inadequate. They have used extreme measures of violence and even death as a way to repress protesters. They have turned a deaf ear to the people's clamor for justice. The people demand justice. The people are clamoring for freedom (Kemenei, interview, June 9, 2023).

¹⁰As previously mentioned, the information provided here is a compilation of the answers provided by participants during the interviews conducted on the Honduran case study.

Through the declaration of Kemenei, a long-time socio-political activist and working auditor, we can infer that the Honduran citizens that have participated in protests have suffered violations of both their civic and human rights at the hands of state actors. Police and military officials have employed criminalization as mechanism of repression to silence opposing voices and have consequently justified their actions as legitimate by claiming they were merely following presidential orders:

Well, there's a hierarchy, in Honduras. The Honduran National Police is civilian; however, the Secretariat of Security is designated, and the Secretary of Security obeys presidential orders. The same is true of the Armed Forces in this regard, as both the Armed Forces, their members, and the members of the National Police, despite being in uniform, are still part of the people. They come from the people; their origins are from the people, so you would think that their main role would be to protect the people. This is only in theory. However, this is not the case in practice. Instead, they are the long arm of the executive and use whatever tactics they consider necessary to uphold the well-fare of the political party in power. Therefore, what always justifies their actions is the fact that they are obeying the orders of the government. For that reason, I would say, there should be some better strategies, more checks and balances particularly when it comes to responding to civilian protesters, violence is not the answer (Pineda de Colores, interview, July 13, 2023).

The answer provided by Pineda de Colores¹¹, a human rights defender and journalist, highlights the role of the national police and armed forces in the repression of protesters within Honduras. A role which has avidly been criticized for overextending the limits of their power. As was reported by the UN Human Rights Office in 2018, “Members of the Honduran security forces, in particular the military police, used excessive – including lethal – force to control and disperse protests that erupted following November’s disputed presidential election.” This report from the UN Human Rights Office coincides with the explicit accounts of violence provided by the interviewees. Of the 20 participants in this investigation, 16 had actively participated in distinct socio-political protests from 2009 to 2021. In recounting their individual experiences, they described protesting as a difficult task as they had suffered, arbitrary detentions, human rights

¹¹ Pineda de Colores in English means A Pine Forest of Colours

violations, threats, as well as verbal and/or physical violence. As stated by Erika Guevara-Rosas, Americas Director at Amnesty International, “Honduras seems to be on a very dangerous free fall where ordinary people are the victims of reckless and selfish political games” (Amnesty International, 2017). As such, many of the participants expressed having felt demeaned by police and military personnel simply for exerting their civic right to peacefully protest. The use of excessive violence against civil protesters, illustrates a clear infringement of their civil liberties and human rights, moreover it demonstrates that criminalization has been weaponized by state actors as a form of socio-political subjugation. The employment of criminalization as a systematic mechanism of repression by state officials shows a strong relationship between criminalization and de-democratization, whereby the former can and should be used as marker of the latter.

C. Human Rights Defenders

The final group that was identified by the interviewees as the primary victims of criminalization in Honduras was human rights defenders. As stated in a proposal for a special issue entitled, *Deliberalization of Democracies? Regression of Rights and Criminalization of Struggles for Rights in Comparative Perspectives*, the UN defines human rights defenders as follows:

To be a human rights defender, a person can act to address any human right (or rights) on behalf of individuals or groups. Human rights defenders seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights (OHCHR, 2025a).

The interviewees recognized that human rights defenders (specifically human rights advocates, lawyers and staff of human rights NGOs) have been constantly targeted by state actors to delegitimize their work:

In Honduras, let's say, the most repressed community is human rights defenders. The state has used violence and intimidation to repress all those social and political organizations that work to protect any form of human rights (Alberto, interview, August 29, 2023).

This declaration by social activist, Alberto alludes to the consistent persecution human rights defenders have been subjected to within Honduras. This is supported by the findings of Peace Brigades Honduras-*PBI Honduras* which found that the criminalization of human rights defenders, especially women, had seen a dramatic rise over the last five years, “between 2013 and June 2018, 650 women defenders faced criminal prosecution” (PBI, 2020). This exorbitant number of criminalized female human rights defenders, which could be estimated to be much larger due to underreporting, exhibits a deep-seeded flaw within Honduras’ democratic political system. This is because again if human rights defenders, “the gatekeepers of democracy” (Kahle & Cirhigiri, 2024) are being targeted and oppressed by state actors how can it be said that the country’s democratic norms and principles are being upheld. On the contrary, the repression of human rights defenders signals a flaw in the Honduran democratic political system, in which government

officials have increasingly employed criminalization as a tool of oppression against agents they deem a threat to their political interests. As a result, in its 2022 regional report the IACHR marked the criminalization of human rights defenders as one of the most pressing issues facing Latin America. When discussing, Honduras, the report found that, “six murders of defenders were documented over the period of January-March 2022” (IACHR, 2022). The IACHR condemned the persecution and intimidation of human rights defenders and noted that they suspect that there are many more victims of state repression than the number that is reported.

The reality of the oppression human rights defenders face at the hand of state actors is dreadful as described by Alberto:

There has indeed been persecution against Human Rights Defenders in Honduras, it has been constant and relentless. There is a systematic persecution of these defenders, because they do not prioritize the economic benefits of local authorities or even the central government, their main objective is the protection of the citizens. As a result, human rights defenders have had to face constant threats, attacks, persecution, legal action and even death. That is the depth of the sacrifice one must be willing to make to defend human rights in this country (Alberto, interview, August 29, 2023).

The narrative provided by Alberto demonstrates how state actors have employed criminalization in an organized and systematic manner. It shows that political actors have employed tactics like repression and intimidation to undermine human rights defenders and their work, which in essence goes against the very foundation of democracy. For that reason, human rights defenders are considered to defend more than just human rights, they also protect civil rights and the overall sanctity of a country’s democracy, “Democracy as a form of government is a universal benchmark for human rights protection” (OHCHR, 2025b). Subsequently, if human rights and its defenders are being oppressed by the state than this is a strong symptom of a weak and failing democratic system.

Furthermore, since the highly publicized murder of Berta Cáceres in 2016, “the high levels of violence directed against defenders in Honduras have made it one of the most dangerous countries in the world for human rights defence” (FIDH, 2016). The increase in violence against human rights defenders corresponds with the fact that the state’s legal system is lacking the judicial authority needed to protect the civil liberties of human rights defenders:

The legal and judicial system in Honduras has failed to ensure justice and accountability for the most serious crimes and threats to the safety of human rights defenders, journalists and social communicators (OHCHR, 2023).

The inability of Honduras’ rule of law to adequately protect human rights defenders from state persecution or legal prosecution points to the fact that there is an imbalance of power between the state’s branches of government whereby the judicial branch is unable to effectively check the power of the executive. An issue which has permitted the executive to use criminalization unencumbered as a weapon of control against socio-political opponents, a point which is expanded upon in the following section.

4.3 The Lack of Judicial Autonomy in the Honduran Political System

As has been one of the predominant themes throughout the development of this doctoral dissertation, one of the main objectives of conducting my fieldwork was to evaluate the effectiveness and independence of one of Honduras's main democratic institutions, its judicial system. The purpose of assessing the efficiency of the country's rule of law is to determine whether this democratic institution can appropriately circumvent the power and authority of the executive office. This is important in relation to my theoretical framework, in which Calleros (2009) proposes that an "enduring democratic system" must have strong as well as independent political and judicial institutions (p. 16). In other words, to determine the strength of a country's democracy one must first define the potency of its judicial system and rule of law. As Calleros (2009) suggests when a country's judicial system is weak, this inevitably leads to an imbalance of power amongst the different branches of government, normally in favour of the executive office and when this occurs a breakdown of democracy is almost certain, as has been the recent trend throughout Latin America, including Honduras. Furthermore, Calleros suggests that due to the frailty of the judicial systems in Latin America democratization has yet to fully consolidate within this region:

With a picture of weak judicial power and disarray in the court systems, this work further argues that transitions to democracy in Latin America are unfinished, in spite of the electoral advances all over the region, precisely because of the incomplete construction of the rule of law (2009, p. 7).

As a result, this portion of the chapter seeks to evaluate two things, through the content analysis of the interview material: first, the effectiveness of Honduras' judicial system in relation to the protection of citizens' rights and, second, the overall institutional independence of Honduras' judiciary in relation to the power of the executive. By examining the reliability of Honduras's rule of law, my goal is to illustrate that the institutional weaknesses of Honduras' judicial system, has deeply contributed to the democratic decline taking place in the country, as well as to the increased

employment of criminalization by government actors as a systematic tool of socio-political repression.

4.3.1 Is the Judicial System in Honduras Effective?

When undertaking the question of the judicial system's institutional effectiveness in Honduras, my primary focus was on the protection of citizens' rights. As such, to address this topic I posed the question, *do you feel that your civil, social, and political rights are effectively protected by the Honduran judicial system?* Most participants (a total of 17) responded that they did not feel that their rights were adequately protected under the country's rule of law:

No, I definitely do not feel like our rights as citizens are properly protected by the country's judicial system or by the government. On the contrary, on many occasions it has been the very government that infringes on our rights with the help or maybe even the permission of the legal system. So, no sorry, although we have never had problems with ideology, we have had problems with practice. Which is why we've always had problems with institutional corruption (Salvador, interview, September 19, 2023).

The declaration provided by human rights defender Salvador, elucidates on the fact that the protection of citizen rights has not been successfully achieved within Honduras. Salvador mentions that Hondurans have never had a problem with ideology, meaning that in theory the judiciary has a constitutionally recognized role in which it must equally protect and enforce the country's rule of law. As per the Honduran Constitution (1982) the role of the judiciary is to administer justice and ensure the rule of law through independent and impartial judges, headed by the Supreme Court, however in practice this objective has not always been accomplished due to issues of institutional corruption. As such, the question of impartiality and institutional corruption has been a constant area of concern regarding Honduras' judicial system:

Political and business elites exert excessive influence over the Honduran judiciary, including the Supreme Court. Judicial appointments are made with little transparency. Judges have been removed from their posts for political reasons, and a number of legal professionals have been killed in recent years. Prosecutors and whistleblowers handling corruption cases are often subject to threats of violence (Freedom House, 2017).

This observation made by Freedom House in their 2017 country report illustrates the influenceability and weakness of Honduras' judicial system. An unprejudiced and unbiased legal

system is necessary in the maintenance of a democracy, but when this impartiality is marred by corruption the judicial system fails to adequately fulfill its role:

Whenever such corruption is permitted in the court system and is allowed to influence the outcome of judicial decisions at any level, the very notion of impartiality of the court disappears, giving way to complete judicial farce—because it would be partial, in fact (Calleros, 2009, 164).

In other words, allowing the judiciary's decisions to be influenced by external factors hinders its effectiveness as a democratic institution.

Additionally, the issue of impartiality is often tainted by socio-political affiliations which in turn corrupts the system and leads to an inequitable distribution of justice. Hence, one of the primary reasons most interviewees provided for the existence of an unequal rule of law in Honduras was based on access to socio-economic resources. For example, a journalist who took on the pseudonym Arca proposed that:

This consultation is very complicated. Perhaps as an entire population we could say yes, but this would only apply to the citizens with power and/or influence, let's say someone famous. For these Hondurans all their rights are always guaranteed, but if you consider a person with an insignificant amount of influence, there's not a lot to be done, your rights are protected only at the convenience of those in power (Arca, interview, June 20, 2023).

Arca and his fellow participants contend that the rule of law in Honduras merely favours those members of society with financial resources and subsequently ignores citizens that come from a more disadvantaged background. As argued by Calleros (2009) this inequitable distribution of justice leads to citizen disengagement with both the country's rule of law and its democratic system:

Whenever a judicial system fails to provide, in an impartial and prompt way, the protection and remedies of the law to common citizens, trust in the judicial branch and in the democratic process altogether fades precisely because the goods of democracy are not delivered to match the expectations created at the start of the democratic transition (p. 168).

In support of this argument several interviewees provided the example of the human rights violations that took place in state prisons over the course of 2023. For instance, in June of that

year, at least 41 women died during a riot in a women's prison in Tamara, "Most victims burned to death, others suffered gunshot and knife wounds" (CBC, 2023). Participants dubbed the tragedy an overt violation of human rights and a failure of the legal system to protect marginalized groups, in this case prison inmates. They claimed that the death of these prisoners illustrated the inequality that is intrinsic within Honduras' legal system.

Furthermore, most interviewees (a total of 14) suggested that the rule of law in Honduras is distributed in favour of the socio-political priorities of the government in power and their respective political party affiliations:

The truth is that when it comes to judicial efficiency and the protection of civil rights what really matters is whoever is governing. Almost always, I would say maybe 90% of the legal system's decisions are focused on the government in power and not so much on the interests of the people at a personal or national level (Tom, interview, June 20, 2023).

This account provided by social activist and human rights defender, Tom, illustrates one of Honduras's main issues when it comes to its judicial system, susceptibility to executive interference. A 2022 Country Report on Human Rights in Honduras issued by the U.S. Department of State found that Honduras' judiciary, "was poorly staffed, inadequately equipped, often ineffective, and subject to intimidation, corruption, politicization, and patronage" (p.7). The combination of these factors leads to the conclusion that Honduras's judicial system is ineffective, especially as it relates to the equitable distribution of justice and the protection of civilian rights. This ineffectiveness is further exacerbated by the institution's lack of autonomy.

4.3.2 Is the Judicial System in Honduras Independent?

The question of institutional independence regarding Honduras' judicial system is of great importance. Specifically, because a lack of institutional autonomy heavily incapacitates the judicial branch's ability to provide adequate checks on the power of the executive office, an issue which can result in a breakdown of a country's democracy. This is mainly because "a government can become unaccountable once in office unless proper checks and balances are established in the political system" (Calleros, 2009, p.15). Consequently, to address this topic I asked the interviewees: *Whether they believed the Honduran government influenced the judiciary's decisions and/or actions?* In response to this question, participants pointed to the fact that the judicial system in Honduras is seriously lacking organizational strength. Particularly, they argued that the judiciary lacks institutional independence, and that this absence of autonomy has allowed the executive office to exert a tremendous amount of authority over the decisions and actions of the country's rule of law. The influence of executive's power over the judiciary in Honduras can be seen through the influence of former president Hernández's administration in the appointment and removal of justices:

In 2012, Congress potentially violated the constitution by voting to remove four of the five justices in the Supreme Court's constitutional chamber after they ruled a police reform law unconstitutional. In 2013 (...) it also curtailed the power of the Supreme Court's constitutional chamber and revoked the right of citizens to challenge the constitutionality of laws. In 2015, questions were raised about the constitutionality of the ruling allowing indefinite re-election of presidents when one of the justices from the Supreme Court's constitutional branch attempted to rescind his approval of the decision (UNHCR, 2016).

This overview of Honduras' rule of law by the UNHCR illustrates the many occasions throughout Hernández's presidency that the country's judicial system had its institutional independence infringed upon for the convenience of the executive and his political allies in the legislature. Though the Supreme Court has attempted to exert its power like it did in 2015 by attempting to block the removal of the presidential term limits, the unfortunate reality has been that due to the

strong political influence of the executive office these attempts were all too easily thwarted. As such, political analyst and member of Garifuna community Victor, when asked about the influence of the government over the judiciary commented:

Of course. Of course. The judicial system in Honduras is completely influenced by the government. The central government constantly interferes in the composition of the judiciary. For example, there is a severe case of nepotism when it comes to judicial appointment. For instance, there was a family relationship between President Hernández and a justice of the Supreme Court. The Supreme Court justice was a cousin of President Hernández. I mean, everything here, all the power remains within small faction, right? So, since there's no separation of powers, there are rarely any defects in any of the decisions made. We continue to live like in the Middle Ages. Here, everything is done either by force or with violence. The law, which is what is supposed to make us civilized, doesn't abide by the rules, they only use them to their own advantage (Victor, interview, July 30, 2023).

This in-depth overview provided by Victor demonstrates the vulnerability of Honduras's judicial system. It shows that the country's judiciary is lacking in institutional autonomy which in turn has facilitated an increase in governmental corruption and democratic decline, "Honduras continues to face longstanding structural challenges, including systemic corruption, political interference in the justice system, [and] insecurity" (Human Rights Watch, 2024b). All these factors point to an unstable and weak democratic political system.

In addition to the executive's influence over the judiciary's decisions, the central government's explicit interference in the state's execution and interpretation of the rule of law has been a common practice within Honduras. However, the practice of judicial manipulation came under severe international scrutiny in the aftermath of the 2009 military coup when Supreme Court Justices were arbitrarily dismissed from their posts in order to ensure former president Zelaya's exile and the prompt election of a new interim president, "Amnesty International expressed its grave disappointment and concern as the Honduran Supreme Court yesterday confirmed the dismissal of three judges and one magistrate from their posts" (Amnesty International, 2010). The expulsion and appointment of Supreme Court Justices at the whim of the executive office, has

been a frequently employed tactic to ensure the desired political outcomes of the party in power. This was the same strategy employed by Juan Orlando Hernández to bypass the constitutional stipulation that prohibited a president to run for a second consecutive term, “he employed a dubious court ruling to ignore a constitutional prohibition against re-election and then won a second term in a 2017 vote that was marred by allegations of fraud” (Ernst, 2021b). This victory was only possible due to the appointments of Supreme Court Justices that shared Hernández’s political inclinations.

Overall, both governmental influence and interference in the judiciary’s composition and operations proves a grave absence of institutional autonomy. Moreover, as previously mentioned throughout this chapter it signals a dangerous imbalance of power amongst the three branches of government to the primary benefit of the executive office. The combination of institutional weakness on behalf of the judiciary has disabled its ability to effectively check the power of the executive which when paired with an imbalance of political power amongst the three branches of government has greatly contributed to Honduras’ de-democratization process, as is further examined in the following section.

4.4 De-democratization

Democratic decline in Honduras has long been characterized by governmental corruption, weak democratic institutions, a poorly developed judicial system, an overly centralized executive power, as well as the persecution and repression of human rights defenders and socio-political activists (Freedom House 2025). As mentioned in the introduction of this chapter, through the testimonials of human rights defenders, environmental activists, journalists and socio-political protesters, this thesis analyzes Honduras' de-democratization process through the individual experiences of the participants of this investigation.

To fulfill this objective, the final section of this chapter addresses the question of: *If you feel there has been a breakdown of democracy in Honduras, when do you think this democratic decline began?* In responding to this question there are two main events that are examined because of the responses provided by the interviewees: the 2009 military coup and the two-term presidency of the Hernández administration. Finally, as a purview to the current government of Xiomara Castro the final subsection of the chapter briefly assesses the impact of Castro's political reforms to date, particularly looking at the imposition and prolongation of the state of exception. The aim is to establish whether under Castro democracy in Honduras is on the rise, or whether it continues its democratic downfall trajectory.

4.4.1 The 2009 Military Coup

When discussing whether Honduran democracy has declined since democratization, most participants of the study concurred that there has been an overt breakdown of Honduras's democratic system:

Yes, there has been a decline in the strength of our democratic system over the last few years. This is mainly because we don't have the autonomy or power to simultaneously implement strong institutions and have a corrupt-free government. Laws are seldom upheld as they were intended in the constitution. For example, human rights in Honduras aren't protected as they should be they're governed by other higher authorities, who tell organizations like the police or legal system what's the company line or what protocol should be taken in the case of applying a law to some type of crime or a state problem. But this, this is not real democracy (Doctor, interview, June 30, 2023).

As can be inferred from the testimonial of the socio-political activist who requested to be referred to as the Doctor, de-democratization is currently taking place within Honduras, and this process of democratic decline has been clearly identified by its citizenry. Having established that de-democratization is happening in Honduras, my next step was to inquire if participants could identify when this process began. When posed with this question just over half the participants identified the 2009 military coup d'état as the moment in which democracy in Honduras started to breakdown:

For me, democracy in Honduras began to weaken since 2009, when President Manuel Zelaya was illegally removed from office and exiled to Costa Rica. Yes, this was the moment democracy began to crumble. It was the moment our freedom to elect our political representatives was trampled and our civil rights began to be limited by the government (Kassandra, interview, June 30, 2023).

The unprecedented removal of Zelaya was acknowledged by 14 participants as the moment de-democratization in Honduras began. Their categorization is supported by the work of Pérez & Wade (2023) who contend that:

The military coup that ousted President Zelaya marked a significant turning point in Honduran democracy and initiated a spiral of decline which saw the country immersed in 12 years of corruption, violence, and authoritarianism through the presidencies of Porfirio Lobo (2010-2014) and Juan Orlando Hernández (2014-2022) of the National Party. Legislation passed under the Lobo administration [which] expanded militarized policing powers and created two new dedicated units (p. 152).

In coherence with the argument made by Pérez and Wade who mark the 2009 coup as a definitive break in Honduran democracy, the interviewees provided a few additional reasons for identifying the 2009 coup as the starting point of democratic decline in Honduras: 1) that due process was not followed in Zelaya's exile, 2) the role of the military in his covert removal and 3) the countless violations of human and civil rights that resulted in the post-coup era¹². On the fifth anniversary of the 2009 military coup Alexander Main released an article retelling the devastating impact the coup had on Honduras's democratic political system:

Honduran state security forces executed the 2009 coup and carried out the violent repression that followed. Though a U.S.-sponsored "Truth Commission" identified a number of murders committed by police and military in the wake of the coup, no judicial action was taken, and the victims' families received no compensation. After Lobo took office, the repression continued in a more insidious form, with countless targeted killings and violent attacks against *campesino* leaders, journalists, LGBT activists (a significant resistance and LIBRE constituency), lawyers, and labor activists. Human rights groups noted the resurgence of widespread paramilitary activity for the first time since the 1980s (Main, 2014).

This article directly supports the claims made by the interviewees in identifying the coup as the pivotal moment of democratic breakdown in Honduras.

This observation is further reinforced by the fact that in the immediate aftermath of the coup international organizations and countries worldwide condemned the removal of Zelaya deeming it an illegal act that went against modern day democratic norms and principles:

The Permanent Council of the Organization of American States (OAS) adopted Sunday a resolution strongly condemning the coup d'état in Honduras and demanded the immediate and unconditional return of President José Manuel Zelaya Rosales to his constitutional duties (Organization of American States, 2009).

The United Nations General Assembly condemned the ouster of Honduran President Manuel Zelaya and called Tuesday for his immediate return to office. The world body adopted a resolution by acclamation calling on all 192 UN member states not to recognize any government in Honduras other than Zelaya's (CBC, 2009).

¹²Again, the information provided here is a compilation of the answers provided by participants during the interviews conducted on the Honduran case study.

The international criticism the 2009 coup received due to its illegality and its anti-democratic nature illustrates that it was an event that heavily contributed to Honduras' de-democratization process. Furthermore, Honduras was also under major international scrutiny due to the massive casualties and repressive tactics being employed by state actors in the aftermath of the coup. The post-coup era was a dark period in Honduras in which government, police and military officials over extended their powers, criminalized human rights defenders, protesters and anyone deemed to be an "enemy" of the state. It was during this time that the employment of criminalization as a mechanism of repression was massively used as a means of subduing socio-political dissents:

The de facto government curtailed civil and political liberties in the months after the coup. It imposed nationwide curfews that sometimes lasted up to 72 hours, often with little notice, and violently suppressed public demonstrations of support for Zelaya's reinstatement, reportedly resulting in the deaths of several protesters. Many media outlets and journalists reported harassment and threats, in addition to frequent power outages and blocked transmissions. The authorities temporarily shut down two radio stations and a television station in September, raiding their offices and confiscating equipment. Civil society organizations and human rights defenders also faced harassment, reporting increased surveillance, threats, and physical assaults. Many of these abuses were carried out under an executive decree issued by Micheletti in late September. It suspended civil liberties for 45 days, granting the police new powers of detention, banning all public meetings, and effectively licensing the security forces to act without regard for human rights or the rule of law. Micheletti reversed the decree under international pressure on October 5 (UNHCR, 2010).

This overt use of criminalization by state actors to subjugate human rights defenders and socio-political activists might not be the precise moment de-democratization began in Honduras, as criminalization and anti-liberal practices had already long been employed within the country, as mentioned earlier in the chapter, but the 2009 military coup can be said to have accelerated the democratic decline in the country by weakening civic engagement, trust in the country's democratic institutions and severely increasing the number of human rights violations being committed by state actors. A pattern which was further incremented during the Hernández administration.

4.4.2 The Hernandez Era

Aside from the 2009 military coup, de-democratization in Honduras can be said to have been exponentially accelerated during the presidential administration of Juan Orlando Hernández from 2014-2021. Participants of this doctoral study all agreed that under the government of Hernández democracy did not exist within Honduras, instead there was a regime that used coordinated acts of violence and repression to violate the most basic civil liberties and who trampled over the human rights of anyone deemed *persona non grata*, “Honduras’s ongoing violence and impunity have reduced personal autonomy for people in Honduras” (Freedom House, 2017). The hardship suffered by criminalized human rights defenders during the Hernández presidency is recounted by an environmental and human rights defender dubbed, *Ambientalista Catracha*¹³:

The presidency of Hernández represented difficult years for us, like the most painful and bloody decade, because human rights of all kinds were violated, there was persecution, criminalization, prosecution, and murder of activists, some with a more emblematic image, while others were from more communal and less recognized, but still so, so important and valuable. But even so, we never abandoned the streets amidst the mourning, the pain, the indignation over what was happening, pleading under the oppression not only of a regime controlled by the military establishment, but also by a drug trafficking system articulated with international networks. We had to move, and we had to defend and fight for our rights. And we continue to do so, of course, with very painful consequences, such as the murders of environmental activists, human rights defenders, and women. (*Ambientalista Catracha*, interview, August 15, 2023).

This vivid description of the adversity faced by human rights defenders during the administration of Hernández, clearly portrays a democratic system in rapid decline. This process of de-democratization is strongly connected to the persistent use of criminalization as a methodically tool of oppression on behalf of the government and its enforcement trifecta, composed primarily of police, military and even paramilitary personnel (BBC, 2018a). This showcases a link between

¹³*Ambientalista* is the Spanish word for Environmentalist and *Catracha* is a term used to refer to a woman from Honduras.

criminalization and de-democratization, whereby criminalization has evolved to become a clear marker of democratic decline.

Overall, Hernández's time in office was clouded in controversy and violence from the start. As mentioned throughout this chapter, during Hernández's administration Hondurans took to the streets to protest his government's abuse of power, human rights violations, excessive use of force, electoral fraud, nexus to organized crime, and the alteration of the constitution that enabled his presidential re-election in 2017 (Freedom House, 2017 & 2024). Time and again, the state responded to these protests with arbitrary arrests, threats, physical violence, the criminalization of human rights defenders as well as socio-political activists and in extreme cases deadly blows:

The period from 2014 to 2021 in which Hernández was in office was a time of complete democratic deterioration in Honduras. We were not living in a democracy rather we were in what I call a democratic dictatorship based on organized crime. It's been difficult and now we are trying to rebuild, we are currently in a new transition in where we hope to see democracy in Honduras restored but this will be an extremely difficult process (Pedro, interview, August 3, 2023).

This recounting by human rights defender, social activist and journalist, Pedro exemplifies all the suffering and violations endured under Hernández. It clearly stipulates that a stark democratic breakdown occurred throughout his presidency, especially with the continued dependence on the military for political control:

The government continued to rely on the armed forces to fight crime in 2016, and critics contend that too much power is concentrated in the hands of the military. Army officers have been found guilty of involvement in drug trafficking and other crimes. An increase in reported abuses, including murder, illegal detention, and torture has accompanied the militarization of domestic policing. Private security guards have also committed abuses (Freedom House, 2017).

The re-militarization of Honduras during Hernández's presidency saw the expansion of the armed forces' power. Power the country's primary security force heavily abused. The military was essentially weaponized by the government to commit acts of violence and criminalization that would repress and intimidate the country's human rights defenders and socio-political activists.

This targeted and systematic employment of criminalization is strongly linked to the continued breakdown of democracy in Honduras, and it serves to illustrate that criminalization can and should be used as a causal factor in the study of de-democratization.

Overall, through the compilation of testimonials and experiences of the interviewees, this thesis has found that de-democratization in Honduras has been an ongoing process of more than a decade, whereby government actors have increasingly employed criminalization as a tool to control socio-political dissents and undercut the work of human rights defenders. Despite the transference of power from former president Hernández to current president Xiomara Castro, this doctoral research contends that through the recurrent use of states of emergencies Honduras' democratic decline has been in certain ways exacerbated.

4.4.3 State of Exception under Xiomara Castro

As mentioned earlier in this chapter, the election of current President Xiomara Castro was initially portrayed as a moment of democratic rebirth in Honduras. Both Honduran citizens and international onlookers hoped that the inauguration of a new administration would bring in a new era of democratic stability within the country. However, this has not been the case. Almost immediately after taking office Xiomara Castro sought to emulate her Salvadoran neighbour President Nayib Bukele and imposed an extended state of exception throughout Honduras (Doran, 2024), which up until the composition of this thesis, remains active. Despite Castro and her government reporting that because of her political reforms and the implementation/prolongation of the state of exception gang violence and homicide rates have decisively declined, there have also been several adverse effects:

Between January and November 2023, Castro's security measures arguably drove a rise in armed clashes between state forces and armed groups, which were 45% higher compared to the same period in 2022. Most recorded violent incidents expectedly took place in the urban areas close to Tegucigalpa and San Pedro Sula, respectively in San Francisco Morazán and Cortés departments, where the government deployed 20,000 police officers in December 2022 to support anti-gang operations (Pellegrini & Pappalardo, 2023).

When asking the interviewees what they thought of Castro imposition of a state of exception in Honduras there was a mixed review. A small number of the participants (a total of 4) believed that implementing the state of exception was worth a try and that citizens should wait a bit more to see whether it garners positive results. It was the belief of these participants that the state of exception has been successful in mitigating violence in El Salvador and as such they were hopeful that it would help decrease violence and crime within Honduras. Since the time these interviews were conducted until now there has not been too much progress from Castro's policy, on the contrary it has increasingly received backlash as an ineffective policy.

The potentially negative outcome of the state of exception was predicted by more than half of the participants (a total of 14) as they were completely against the state of exception referring to it as an abuse of power and claiming that Castro was just another state actor relying on the military to safeguard and eventually prolong her power. They believed that this measure is authoritarian in nature and will only lead to more state sanctioned acts of police brutality, criminalization, profiling and even more overcrowded prisons:

No, no, we shouldn't have waited so long for all these massacres to happen. If we wanted to control crime, we shouldn't have waited for so many massacres to happen even now with the prison riots like in Támara prison. We shouldn't have waited for these things to happen to innocent people, not innocent women who had nothing to do with the socioeconomic and political problems in the country. They didn't have to; they shouldn't have died. So, I've said this since this government came into power. I can shout it internationally to all the media and all the national human rights organizations that things have been getting worse under Castro, and what they've done is sent a message that we're living in communist-run country (Doctor, interview, June 30, 2023).

The Doctor's indignation with Castro's policy illustrates a grander sense of disillusionment and defeat of behalf of human rights defenders and socio-political activists who have fought for years to restore democracy in Honduras but have seen little to no results. On the contrary, these defenders continue to be targeted by state actors and even killed. For instance, the recent murder of environmentalist Juan López is a clear demonstration that criminalization in Honduras is alive and well:

López was a member of the Comité Municipal de Defensa de los Bienes Comunes y Públicos (CMDBCP) of Tocoa, department of Colón, Honduras, and a tireless defender of the rights of local communities, fighting to protect the land and environment in the national park 'Montaña de Botaderos Carlos Escaleras Mejia' from the negative consequences of extractive activities on the Guapinol and San Pedro rivers (...) His murder represents a tragic loss not only for his family and community, but also for the ongoing struggle for justice (OHCHR, 2024).

The murder of López has once again caused international outrage, with international organizations like the UN, Human Rights Watch and Amnesty International calling for Castro and her government to launch an in-depth investigation to find the perpetrators of the crime. Yet one cannot

stop but recall the case of Berta Cáceres, that despite eventually convicting five men for her murder nearly two years after her death, it would seem that the real culprits have yet to be punished. Especially, as we are continually faced with the same situation.

What can be learned from Xiomara Castro is that democracy in Honduras cannot be rebuilt through more excessive demonstrations of military and police power. The use of violence and unwarranted force is the very approach which has led to the de-democratization process taking place within the country. Moreover, it is important to note that despite a successful transference of executive power from former president Hernández to current President Xiomara Castro, this transference of power does not represent the solution to the structural flaws that have been intrinsically embedded within Honduras' democratic political system since the time of transition and democratization. My thesis' findings show that there is an unequivocal relationship between the democratic decline occurring in Honduras and the use of criminalization by state actors as a mechanism for repression. Therefore, criminalization can and should be employed as a causal factor in the study of de-democratization.

The following two chapters undertake the task of further illustrating the strong causal relationship between the criminalization of human rights defenders and socio-political activists with de-democratization by analyzing the second case study of this dissertation, Nicaragua. The similarities and differences between an overt authoritarian regime (Nicaragua), and a state's whose democratic political system is significantly declining (Honduras) is assessed, through a comparative perspective in Chapter 7.

CHAPTER 5: THE CASE OF NICARAGUA AN EXAMPLE OF AUTHORITARIAN REGRESSION

Introduction

The subsequent chapter introduces and closely examines the second case study of this thesis, Nicaragua. Particularly, this portion of my dissertation, in direct parallel to the overview of Honduras that is provided in Chapter 3, analyzes the institutional establishment of the democratization process within the Nicaraguan state. This chapter is divided into four primary sections. The first part of the chapter provides an extensive examination of Nicaragua's transition to democracy which commenced through an internal conflict-driven process of liberalization between 1978 to 1979. In 1979, the Sandinista revolution, directed by the Sandinista National Liberation Front (FSLN), a revolutionary armed resistance at its core, "led a broad-based popular movement which overthrew the dictatorship of the Somoza dynasty" (Francis, 2020, p.4). The removal of long-term dictator, Anastasio Somoza Debayle, successor to both his father, Anastasio Somoza García, and brother, Luis Somoza Debayle, marked the end to the 43-year-old hierarchal authoritarian regime, the longest standing family dynasty in Latin American history (Staten, 2010). The commencement of Nicaragua's democratization process was predominantly dependent on the success of eliminating the Somoza family's long-term political control of the country. As such, given the importance of the Somoza's authoritarian legacy in prompting a revolution that would lead to the implementation of a democratic political system, the first section of this chapter begins with an overview of the Somoza family's time in power.

After examining the rise and fall of the Somoza dynasty the first section continues by analyzing the years of democratic transition which were engulfed in violence. Violence in Nicaragua continued throughout the 1980s, because despite the Sandinistas successfully

overthrowing the Somoza dictatorship in 1979 which subsequently garnered them both international and national support, the FSLN was perceived as a political liability by the United States, leading to an internal conflict that obstructed democratic consolidation for almost a decade. In other words, the primary reason for the delay in Nicaragua's democratization process was the outbreak of the Contra War which began between late 1980 and early 1981. The Contra War was a near decade long struggle that emerged between the newly instituted leftist-Sandinista government, and the U.S. backed counter-revolutionary group referred to as the *Contras* (short for *Contra-Revolucionarios* [Counter Revolutionaries]) who sought to overthrow the FSLN from power (Close, 2016). This internal dispute, which is also discussed in the first section of this chapter, was fuelled by relentless "US intervention via proxy" justified under the argument of Cold War fears regarding the spread of communism in Latin America (Jarquín, 2024, p. 147) and seemingly questionable Sandinista policies which served to slightly weaken their popular support (García, et al., 2019). The Contra War caused nation-wide instability throughout the 1980s, hindering Nicaragua's ability to fully transition into a democracy. In 1989, after years of violence a peace treaty was mediated, culminating in the realization of a presidential election in which a U.S. supported coalition led by Violeta Barrios de Chamorro, widow of prominent journalist of *La Prensa*¹⁴ and human rights advocate Pedro Joaquín Chamorro Cardenal, claimed victory (Kovalik & EBSCOhost, 2023). With the end of the Contra War and the realization of an internationally recognized presidential election in which a peaceful transfer of power took place, democracy in Nicaragua was considered by academia to have finally consolidated.

¹⁴*La Prensa* [The Press] is Nicaragua's oldest and most historic newspaper, founded in 1926. It has a long history of being critical of the government, opposing both the Somoza and Sandinista regimes. As a result, it has faced governmental acts of repression, including confiscation, censorship, and the exile of its staff.

Consequently, from 1990 to 2007, Nicaragua's political landscape was predominantly characterized by the transition from the Sandinista revolutionary government to a period of electoral democracy during which time three different administrations governed Violeta Chamorro (1990-1997), Arnoldo Alemán (1997-2002) and Enrique Bolaños (2002-2007) (Close, 2016). It is important to note at this juncture that despite losing the power of the president's office in 1990, the Sandinistas, under the continued leadership of Daniel Ortega, retained significant socio-political authority "governing from below" until Ortega's re-election during the 2006 general elections (Revista Envío, 2006). The continued influence of the Sandinistas and more importantly their persistence in returning to power eventually initiated a process of democratic backsliding most notably recognized through the creation of the Ortega-Aleman *pact* (2000), an agreement that was created to give both political actors (Daniel Ortega and Arnoldo Alemán) immunity from criminal prosecution, allow their respective political parties to control the state's main democratic institutions and most importantly lower the electoral threshold to facilitate Ortega's re-election. From 2000 until the present (2026 at the time of writing this thesis), Nicaragua has continued to experience a process of authoritarian regression as Daniel Ortega, and his administration have instituted a series of constitutional reforms to perpetuate and fortify his executive power whilst simultaneously weakening the state's democratic institutions. In addition, Ortega has increasingly employed criminalization as a mechanism of repression, a strategy which led Nicaragua to be recognized as a full-blown dictatorship in 2019 because of the state's response to the 2018 socio-political crisis (Ellis, 2022), factors which are intently analyzed throughout this chapter.

The purpose of studying the long and tumultuous process of democratization in Nicaragua within this chapter is to demonstrate that the country's democratic system was based on structural flaws present at the time of transition and democratization. More specifically, this chapter intends

to demonstrate that during Nicaragua's transition and democratization processes there were structural flaws that created a weak democratic political system, flaws Albertus & Menaldo (2018) would argue are the "legacies" of its "authoritarian predecessors" (p.263). Therefore, in agreement with my theoretical framework, which as discussed in-depth in Chapter 2 of this dissertation, is grounded in the works of Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986), and Doran (2017), this section of my thesis attempts to prove my first hypothesis which is that the structural flaws that resulted during the transition and democratization processes of Honduras and Nicaragua, led to the creation of fundamentally fragile democratic institutions and to a long-term imbalance of power between the different branches of government, issues which have profoundly contributed to the present breakdown of democracy occurring in each country respectively, whilst simultaneously facilitating the increased and targeted use of criminalization by political actors as an instrument for socio-political repression. This is most notable in the case of Nicaragua, because since the 2018 protests, during which the Ortega government responded to exercises of collective action with massive acts of repression and criminalization, the state has fully regressed into an internationally recognized dictatorship as of 2019.

To illustrate the long-term consequences Nicaragua's weak democratization process has had on its political system the remainder of the chapter is divided into three separate sections. As, "Nicaragua stands out as one of the most extreme cases of democratic decline in Latin America" (McConnell, 2020, p. 196) the second component of the chapter intently analyzes the factors that have led Nicaragua to regress back into authoritarianism. Specifically, this part of the chapter evaluates the political consequences of the *pact* brokered in 2000 between former president Arnoldo Alemán and current President (now internationally recognized dictator) Daniel Ortega, an agreement which as previously mentioned served to heavily weaken the country's democratic

institutions whilst further centralizing the country's political power within the office of the executive. Next, the third component of the chapter discusses the acceleration of de-democratization in Nicaragua through a brief overview of the 2008 municipal elections and the constitutional reforms of 2014, which enabled the further solidification of presidential power, and the dire repercussions of the nationwide socio-political protests that initiated in March of 2018, chiefly looking at the intimidation and repression of demonstrators.

Finally, the last portion of the chapter analyzes the causes of Nicaragua's complete authoritarian regression, particularly how the persistent and increased acts of human rights violations and criminalization by the country's government agents have caused Nicaragua's democratic political system to completely deteriorate and decline into a full-blown dictatorship. This is done by examining the exile and criminalization of human rights defenders and members of the press, referencing the nationwide closure of all human rights organizations and news outlets, the persecution of the Catholic Church, and the arbitrary arrests of political opponents. Furthermore, the chapter culminates by closely inspecting the most recent constitutional reforms of 2024 (which went into effect in January of 2025) that further consolidated the state's political power in the office of the executive while concurrently establishing a co-presidency for Daniel Ortega and his wife, Rosario Murillo. The final section of the chapter serves to prove that there is a strong causal relationship between de-democratization and criminalization and as such the latter can and should be used as a mechanism in the study of democratic breakdown.

5.1 Transition to Democracy

5.1.1 The Rise and Fall of the Somoza Family's Political Era

Nicaragua's transition to democracy was exceptionally long and briddled with obstacles. Its core democratic foundation can be found in the left-wing uprising known as the Sandinista revolution, which as mentioned above was led by the Sandinista National Liberation Front (FSLN) in 1979. The primary motivation of the FSLN and its revolution was removing the Somoza regime from power. Therefore, before examining the aspects of the Sandinista revolution and its role in Nicaragua's democratization process, it is important to first understand the Somoza family's time in power.

The Somozas' rise to political supremacy is strongly linked to the U.S. and their vested economic and political interests in Latin America and the Caribbean during the early 20th century. These interests significantly contributed to the start of the Banana Wars which took place from 1898 to 1934, a period in which the U.S. military occupied several Latin American countries, including Nicaragua (Crandall, 2014). The U.S. occupied Nicaragua for just over two decades from 1912 to 1933. This occupation was meant to safeguard American business interests, secure the establishment of a local-U.S. sympathizing government, and most importantly protect the United States' rights under the Bryan-Chamorro Treaty which allowed the implementation of American naval bases in Nicaragua while concurrently inhibiting the construction of a transoceanic canal by any other country (Orozco, 2025). However, American presence and interference in Nicaraguan affairs was not widely accepted amongst the population, which resulted in a locally organized insurrection to expel American forces from the country:

In 1926, the nationalist leader Augusto César Sandino led the popular uprising against the aggression towards Nicaraguan sovereignty. Sandino organized an army comprised of peasants and workers—especially from the mines and plantations—and some middle-class landowners. After six years of fighting against Sandino's army, and under international pressure, the U.S.

Marines withdrew from Nicaragua in 1933, but not before appointing Anastasio Somoza García as head of the National Guard in the country (González Arana, 2009, p. 233-4).

Anastasio Somoza García or Tacho as he was also known, was a middle-class military officer closely linked to the country's most prominent aristocratic families, and having been educated in the United States he devotedly served American interests within the region, which is why his rise to political power was strongly sponsored by the U.S. (Walter, 1993). In 1934, as an unofficial act of loyalty, the National Guard, under the direction of Somoza, assassinated Augusto César Sandino, who as mentioned above, had led the anti-American rebellion (Sierkowski, 2019). Just two years after Sandino's death in 1936, Somoza employed his American appointed control of the National Guard to climb the ranks and become the country's next president, "when he deposed the constitutionally elected president" Juan Bautista Sacasa (Close, 2016, p.22). Anastasio Somoza García's governmental rule quickly turned dictatorial as he remained president until his assassination in 1956, at which point his sons took over:

His sons Luis and Anastasio (Tachito) Somoza Debayle continued the line. Luis served from 1956 to 1963, while Tachito was president from 1967 to 1972 and 1974 to 1979. Theirs was a classical caudillo-style government in which the president was limited only by his perception of the possible (Close, 2016, p.23).

The ability of the Somoza family to consolidate and maintain their power for 43-years was due to four primary factors. First, as previously mentioned, was the president's control of the National Guard, which was an American created institution that acted as both Nicaragua's military and national police force (Millett, 1977). By ensuring control of the military and police the Somozas' had the power to suppress opposing political forces, dismantle institutional checks and balances, and enforce political control. Second, was the Somoza family's strong political backing by the Nationalist Liberal Party (*Partido Liberal Nacionalista* (PLN)) "which distributed patronage and mobilized the regime's supporters when necessary" (Close, 2016, p.23). This

alliance allowed the Somozas to keep their political opponents at bay. Third, was the family's cumulative wealth, which by 1979 was estimated to encompass "one-fifth of the country's arable land", which did not include the family's "extensive commercial and industrial holdings" (Close, 2016, p.23). The Somozas employed their wealth to ensure that the country's upper-class families were granted lucrative business ventures and that the military's personnel were comfortable, actions that helped secure these sectors' continual support in favour of the Somozas' political rule. Finally, as has been repeatedly mentioned throughout this section, the Somoza family enjoyed strong American patronage. The U.S. provided substantial military, economic, and political support for the Somoza dynasty from the 1930s up until the 1970s, viewing them as a key Cold War ally against communism. This support, which included aid and training for the National Guard, was strong and consistent for decades, even as the regime became increasingly corrupt and repressive (Morley, 1994). Consequently, the Somoza family was able to sustain their long-term political power due to their strong military background, strategic political alliance, sizeable familial wealth and American backing.

However, despite having a strong economic and political foundation the Somoza family's political prowess eventually began to weaken. This was principally because throughout the Somoza's four decades in power, the Somoza family and their contributors committed numerous acts of corruption and human rights violations, "amassing vast wealth at the expense of the populace" (Ray, 2023). An event that truly embodies the Somozas' corrupt ruling style and is often recognized as the starting point of the family's downfall is the governmental mismanagement of the 1972 Managua earthquake. The earthquake took place on December 23, 1972, in which "out of a population of 400,000, about 10,000 were killed. The earthquake and the fire that followed caused damage to property estimated at about £120 million" (Ambraseys, 1973, p. 427). In the

aftermath of this devastating natural disaster international aid poured into Nicaragua to help the government rebuild. However, the consensus amongst most Nicaraguans, its foreign visitors and the academic community was that the funds were misappropriated and that Managua was never adequately rebuilt:

They agree that the country's dictator, General Anastasio Somoza Debayle, used the international relief funds which flooded into the country after the earthquake to reward cronies and augment his own power rather than rebuild what had once been the vital centre of a thriving metropolis. This failed reconstruction of Managua is given credit for setting off the chain of events that led to the 1979 overthrow of the Somoza regime and the Sandinista revolution (Lee, 2015, p. 663).

In other words, Somoza's overt abuse of power in the face of a massive national crisis caused his administration to lose support from vital segments of society, including the Catholic Church and the private sector which all condemned Somoza's regime for their unwillingness to meet local citizens' and businesses' basic needs.

Somoza's unpopularity amongst Nicaraguans continued to grow in the following years, especially in the interim between 1975 and 1976 in which the National Guard, instructed by Somoza, "carried out a rolling crackdown against all those suspected of collaborating with the [Sandinista] guerrillas" (Sierakowski, 2019, p. 120-21), which by that point had organized an armed resistance to remove Somoza from power. During this period Somoza imposed a state of maximum repression in which his administration censored the press and threatened all potential socio-political opponents (unprecedentedly including the Catholic Church) with internment, torture, and other forms of severe punishment. In addition, in 1976 the National Guard clamped down on all suspected collaborators of the FSLN, substantially increasing their use of violence. As a result, several Sandinista group members were killed, including the Sandinistas' leader and founder Carlos Fonseca (Zimmermann, 2000). The increased and unrelenting use of excessive force, arbitrary arrests, torture and mass killings by the Somoza administration invoked stern

international criticism, especially due to Somoza's continual abuse of his citizenry's human rights. It was during this period that American support for the Somoza regime began to significantly wane, especially as the U.S. at the time was led by President Jimmy Carter whose political platform included the advocacy and protection of human rights (Lee, 2015).

Nonetheless, the United States only decided to officially abandon their support of the Somoza regime, after renowned journalist and leader of the Democratic Union of Liberation (*Unión Democrática de Liberación-UDEL*) Pedro Joaquín Chamorro was brutally murdered on January 10, 1978. Chamorro's assassination "led to heightened [civic] unrest and a general [nationwide] strike, further destabilizing Somoza's grip on power" (Ray, 2023). Chamorro's murder was the injection of energy the FSLN needed to fuel the Sandinista revolution which up until 1978 had been struggling to gain significant momentum. Chamorro's death inspired more Nicaraguans to take up arms and join the fight against Somoza's regime. Further, it made the United States who up until early 1979 had continued to covertly and begrudgingly support the Somoza administration, mainly to hinder the leftist Sandinistas from coming into power, to forsake their longtime ally completely, an action that heavily contributed to Somoza's eventual downfall.

Overall, understanding the Somoza family's political strategies (such as military prowess, amalgamation of financial resources, and the use of repressive tactics to quell socio-political opponents) for maintaining control of Nicaragua's political power is of particular importance because throughout this chapter parallels are made when discussing current President, Daniel Ortega and his perpetuation of power. In the meantime, the following section outlines the evolution of the Sandinista revolution and the movement's ultimate success in overthrowing Anastasio Somoza Debayle from power in 1979, the official starting point of Nicaragua's democratization process.

5.1.2 The Sandinista Revolution from Dictatorial to Revolutionary Rule

The Sandinista revolution was a long-standing armed socio-political movement primarily composed of farmers, students, and the middle class, sectors of society that decided to come together to demonstrate against the Somoza family's dictatorship in the hopes of putting an end to their authoritarian rule. Consequently:

The National Liberation Front was established in 1961, in response to years of repressive rule by the Somoza family and the inspiration of the Cuban revolution a few years earlier. In 1963, the movement renamed itself the Sandinista National Liberation Front (FSLN), drawing on the image and inspiration of historical Nicaraguan leader Augusto Sandino (Allison, 2006, p. 140).

The Sandinista revolution can be divided into two finite periods: first, 1978 to 1979 in which the Sandinista National Liberation Front successfully overthrew the Somoza dictatorship; and second, the decade of the 1980s which “saw the Sandinista government fight the U.S.-backed Contras in a bloody civil war” (Perrelló & Navia, 2020). This section of the chapter focuses on the first period analyzing the events that led to the victory of the FSLN over the long-standing Somoza regime. The second period of the Sandinista revolution is discussed in the succeeding section.

As alluded to above, the murder of the Sandinistas' founder and leader Carlos Fonseca in 1976 was a devastating blow to the revolutionary resistance, many including Somoza's administration believed it would mark the conclusive end of the revolution. During that period the FSLN was primarily divided into three separate factions which after the death of Fonseca lacked unity regarding a collective organizational goal:

For two years after Fonseca died, the leaders of the three tendencies never came together for discussion, never attempted to resolve political disputes. The Prolonged People's War tendency (GPP) and the Insurreccional Tendency (TI, or Terceristas) each had its own small guerrilla group: the first, led by Ruiz, was trying to avoid the National Guard in the deep montaña [mountain], and the second, led by Víctor Tirado, retreated across the Honduran border to reorganize. The GPP and the Proletarian Tendency (TP) each had its own student affiliate, its own network of Christian activists, its own farmworker and peasant allies...Although all three tendencies identified themselves as followers of Carlos Fonseca, all were moving away from the program and strategy

hammered out under Fonseca's leadership in the late 1960s and early 1970s (Zimmermann, 2000, p.206).

Fonseca's original vision on which he had based the creation of the FSLN was to implement a revolutionary vanguard regime in which the country's traditional political parties would be replaced with new entities that represented the interests of common workers and peasants. Yet, after his death the achievement of this goal did not seem possible, especially as there was a clear absence of centralized leadership amongst the distinct Sandinista factions.

Yet, in 1978 with the assassination of Pedro Joaquín Chamorro, the three tendencies rallied behind one ultimate mission which was to completely dismantle the Somoza regime and make way for a new government. The increased rise to arms of Nicaraguans after Chamorro's murder, as well as the separation of the U.S. from the Somoza dictatorship served to bolster the resolve and strength of the Sandinista movement. By the time of Chamorro's murder, the Sandinistas had been consistently protesting the Somoza regime for over a decade. However, after years of demonstrations and several failed attempts at negotiating with the Somoza administration what finally made this revolution viable was when the upper-class decided to join the struggle as they were no longer willing to abide by Somoza's excessive acts of violence and human rights violations, "Unlike other revolutions propelled solely by the working classes and radical Left, the anti-Somoza uprising was made possible by the traditional aristocracy's "betrayal" of the ruling family" (Jarquín, 2024, p. 45). Taking advantage of the collaboration from the country's affluent families and the steep decline in support for the Somoza regime (both locally and abroad), the Sandinistas began to take more drastic actions. In response to Chamorro's death which had been linked to Somoza's son as well as the National Guard, the Sandinistas carried out several attacks throughout 1978 (primarily spearheaded by the Terceristas, led by the Ortega brothers Humberto

and Daniel whom had become prominent leadership figures within the movement), including the rebellion of several cities across the country (Sierakowski, 2019).

In 1979, after some infighting amongst the different anti-Somoza resistance groups mainly the Broad Opposition Front, the Democratic Union of Liberation, and the “Twelve” representatives chosen from the Terceristas, the FSLN rose to the forefront as the leading opposition group that would lead the charge to overthrow the Somoza regime (Zimmermann, 2000; Sierakowski, 2019). As such, in preparation for Somoza’s downfall and the implementation of a new governing body, the FSLN held a meeting in Costa Rica to create a provisional government. On July 10, 1979, a directive named the Junta of National Reconstruction (*Junta de Gobierno de Reconstrucción Nacional*) was formed. The Junta was composed of five key members: Daniel Ortega (FSLN), Sergio Ramírez (“The Twelve”), Moisés Hassan (United People Movement-Movimiento Pueblo Unido (MPU)), Alfonso Róbelo (Food and Agricultural Organization (FAO) businessman), and Violeta Barrios de Chamorro (widow of Pedro Chamorro). Soon after the creation of this interim government Somoza’s regime fell:

Somoza, weakened by the widespread national movement against him, the cessation of political and military support from his former close ally, the United States government, the divisions within the National Guard, and the condemnation from the United Nations and the OAS, [he] decided to flee the country on July 17, 1979. He then chose—in conjunction with the Washington government—Francisco Urcuyo as his successor, tasked with negotiating with the provisional government. Later, faced with the final offensive of the FSLN, Urcuyo also fled the country (González Arana, 2009, p.253).

After the exile of Somoza, and the quick surrender of his successor, the Sandinista coalition marched on Managua victoriously entering the capital on July 19, 1979, marking the end of the Somoza dictatorship and the start of Nicaragua’s transition to democracy.

5.1.3 The Contra War: Concessions (*Pacts*) Made on the Road to Democracy

This segment of the chapter is divided into two sub-sections. The first part focuses on the immediate aftermath of Somoza's exile, specifically examining how the Sandinistas strategically influenced the distribution of power in the country's interim governmental order to ensure the maximization of their hegemony within the new political system. This section illustrates how the FSLN's dominating approach caused immense tension amongst the country's contrasting political forces. In addition, this segment of the chapter analyzes the factors that contributed to the outbreak of the Contra War, particularly the United States intervention through their support of the Contras and the Sandinistas' arguably contentious economic and political policies which were not the most conducive to the implementation and development of a strong democratic political system.

The second part of this section emphasizes the final years of the Contra struggle looking at the peace negotiations that led to the culmination of the conflict and the realization of a presidential election in 1990, an act which served to finally consolidate Nicaragua's democratic political system. By analyzing the concessions made to end the civil war and secure a peaceful transfer of power in the aftermath of the 1990 presidential elections, I propose that these agreements led to the creation of weak democratic institutions. Particularly, by employing O'Donnell & Schmitter's (1986) discussion of *pacts* made at time of transition, I suggest that this feebleness derives from the fact that Nicaragua's democratic institutions were founded on political concessions that favoured the preservation of power of outgoing political actors (in this case the FSLN under the direction of their leader Daniel Ortega) over the implementation of strong and independent democratic norms and principles. Moreover, I argue that it is because of this institutional weakness that authoritarian regression in Nicaragua was conceivably unavoidable.

A. The Aftermath of the Sandinista Revolution: The Outbreak of Civil War

After more than four decades of dictatorship, the FSLN's victory over Somoza's regime was well-received by most Nicaraguan citizens. The population which had been subjected to years of conflict and repression under the Somoza family was hopeful that a new era of peace and prosperity would begin under the directive of the Junta of National Reconstruction. Further, the new Sandinista-led government was also supported by international observers like the United Nations, who under the umbrella of UNESCO even awarded the Sandinistas with the *Nadezhda K. Krupskaya* award in 1980 for its national literacy campaign (Hanemann, 2005), one of the government's earliest social initiatives. However, despite their electoral and international support beginning a process of democratization in Nicaragua would not be an easy task primarily because:

[...] even though Nicaragua had prior experience with honest elections, it had been limited and by 1979 would have been nothing but a historical datum to all but very few Nicaraguans. As a result, any electoral democratic regime in Nicaragua had to be built from scratch and the builders would be the FSLN, whose original aim was to head a revolutionary vanguard regime (Close, 2016, p.88).

As the architects of the Sandinista revolution, the FSLN was determined to act as the new political leaders of Nicaragua, a goal they would advantageously pursue throughout the 1980s. With this objective in mind, first on the agenda was to dismantle the remnants of Somoza's authoritarian administration and work towards implementing a new political system, one which the Sandinistas would make sure to control. As such, three primary initiatives were set: first, to repeal the country's existing constitution; second, to dissolve the National congress and appoint a Council of State to act as a provisional legislature; and third, to disband the National Guard and replace it with a Sandinista-led national military, the Sandinista Popular Army (*Ejército Popular Sandinista-EPS*) (Europa Publications, 2001). This initial agenda illustrates the dominating methodology the Sandinistas employed from the start, mainly to implement a strong power base within the country's emergent institutional order by directing the state's newly created armed forces. The employment

of this stratagem is further evidenced by the fact that Daniel Ortega moved to appoint his brother, fellow FSLN revolutionary, Humberto Ortega to be Minister of Defense in 1980, a position he would maintain up until 1995 (one of the conditions to ensure a peaceful transfer of power in 1990, an arrangement which is discussed further down below). Similarly to Humberto, other *comandantes* [officers] of the FSLN were given key designations including Minister of the Interior, Minister of Planning and Minister of Agriculture and Agrarian Reform (Krujit, 2011). The appointment of Sandinista members to key institutional positions provided the FSLN with increased power in comparison to the country's other political forces, a fact that would quickly cause friction within the new governmental system.

From the beginning of the post-Somoza era, the Sandinistas made sure to emphasize that they were the accredited liberators of Nicaragua, and as such would be the ones to control the political authority of the state:

It gave 'bourgeois' parties no other option other than accepting this. By the end of its first five months in power, major strains were already emerging between the Sandinistas and the non-Marxist opposition. The break became quite obvious after the resignations of Violeta Barrios de Chamorro and Alfonso Róbelo Callejas from the Government of National Reconstruction in April and May of 1980, respectively (Hager, 1998, p. 140).

Neither Chamorro nor Callejas agreed with the FSLN's domineering approach to governance. Further, they did not approve of naming explicitly Sandinista officers to lead the country's main institutions of power (i.e. the state's top ministries and military forces). The Sandinistas' uncompromising position over who should hold control of the country's sprouting political system can be said to illustrate an early warning sign. This potential red flag can be seen in the FSLN's absolutist attitude in which they did not admit any sort of "debate over who should hold power.... [it] was [simply] not acceptable" (Hager, 1998, p.140). Eventually these domineering tactics caused the core of the Sandinista alliance to dissolve. By the mid-1980s, "the Sandinista coalition

had fragmented, with most of its politically mainstream members dropping out of the ruling junta, leaving the Cuban-backed hardliner Ortega effectively in charge” (Anderson, 2024). This demonstrates that during what was supposed to be a period of democratic transition, the Sandinistas were more preoccupied with fomenting and consolidating their own organizational power than in fostering political cooperation and instituting a strong democratic system.

Furthermore, during the immediate post-Somoza era the FSLN was predominantly guided “by Marxist principles and a belief in the destructive nature of the U.S.” (Scott, 2020, p. 154). As a result, the Sandinistas initiated:

[...] a political, economic, and security relationship with the Soviet Union in 1980. The political support began immediately. Economic assistance from the USSR, initially limited, grew with the desperate state of the Nicaraguan economy. Finally, the regime [also] received substantial military assistance (Scott, 2020, p.154).

The alliance between the Sandinista-led government in Nicaragua and the Soviet Union amid the Cold War period made the United States extremely nervous. Therefore, despite the Carter administration initially attempting to establish a cordial relationship with the new FSLN government, in 1981 the U.S. under the newly elected Reagan administration, citing Nicaragua’s close ties with Cuba and the Soviet Union, opted to support the creation of a counter-revolutionary group referred to as the Contras:

Reagan’s rise to the presidency marked a significant turning point. As early as January 1981, he suspended American aid to Nicaragua because of the Sandinista government’s relations with Cuba. That fall, the Reagan administration also approved funding for the Contras, an armed opposition force. When these funds were suspended by Congress in 1985, they amounted to \$100 million annually. The United States also authorized sabotage operations (mining the port of Corinto, destroying crops, etc.) in addition to imposing a total embargo on Nicaragua starting in 1985. From 1982 to 1984, the Contras grew from 500 to 15,000 members. (Perspective Monde, 1981).

The United States' financial support for the creation, training and operations of the Contras had major effects on Nicaragua's internal politics as it heavily contributed to the outbreak of the Contra War, a conflict which be discussed in-depth in the next section.

As the internal conflict with the Contras was beginning, the Sandinistas sought to further increase their political influence to combat the counter-revolutionary group. Hence, when the Junta of National Reconstruction sought to select a leader for their group and its new consultative body, the Council of State, Daniel Ortega used his status as leader of the FSLN to ensure his appointment to the position on March 4, 1981 (Europa Publications, 2001). In 1982, soon after assuming the post which essentially allowed Ortega to act as the state's interim president, the FSLN imposed a state of emergency in response to the Contra War, placing restrictions on the citizenry's freedom of expression and association. Although, this decision was accepted as legitimate by the United Nations, as it was dubbed a necessary measure by the government in response to the internal dispute, the decision was none-the-less concerning amongst Nicaraguan citizens as it infringed upon core democratic rights (an issue which is discussed more in-depth later in this section), an act that was worrisome at the time since the country was meant to be transitioning to democracy (Hager,1998). Moreover, the imposition of these limitations was also criticized by the country's political opposition as the restrictions greatly favoured the Sandinistas during the realization of the 1984 general elections:

Given that no political party in the country had any practical experience with electoral democratic politics, the playing field was titled to the governing party's advantage, as the FSLN *comandantes* could continue publicizing the policies of the departments they led (Close, 2016, p.88).

In other words, the Sandinistas could openly campaign while their opposition was effectively prohibited from organizing and rallying political support, profoundly skewing the election in favour of the FSLN.

The organization of the 1984 general elections, Nicaragua's first true democratic test, was an event that increasingly illustrated the underlying hostility between the Sandinistas and their conservative political opponents. In the period leading up to the elections the FSLN's opposition "roundly criticized the revolutionaries for postponing elections until their sixth year in office" (Close, 2016, p.88-89), despite the timeframe for the elections being sanctioned by the UN. The opposition argued that the FSLN had been ruling for years without having been officially elected and this did not embody the essence of a true electoral democracy. Additionally, the organization of the elections was called into question as the country had not yet implemented a new constitution (a new constitution would not come into effect until 1987) to outline how the electoral proceedings should take place. Rather, the 1984 elections were merely guided under a new electoral law drafted earlier that same year, which solely outlined the procedures to be followed and the positions to be elected. Overall:

The electoral process was marked by a high degree of "open-endedness," taking the form of continuous bargaining between the FSLN and opposition groups over electoral rules and structures, as well as more general aspects of the political system and public policies (Cornelius, 1984).

However, despite these concerns from the state's political opposition the elections proceeded as planned. During the elections, the Sandinistas welcomed external observers to illustrate transparency in the proceedings and provide legitimacy to their inevitable victory. These initial elections represented Nicaragua's transition into an electoral democracy as they were widely recognized by international observers as acceptably free and fair (Cornelius, 1984). By holding a competitive election, the Sandinistas had hoped they could discourage any further American intervention within the country, because in addition to the pushback the FSLN was receiving from their political opponents, the Sandinistas were also facing extreme international pressure from the United States, particularly through their support of the Contras.

The fact that the FSLN was a leftist-revolutionary political party was worrisome to the U.S. (and had been since the beginning of the Sandinista revolution), especially as they were in the midst of the Cold War with the Soviet Union and feared that a Sandinista-led Nicaragua would only perpetuate the spread of communism within Central America (Prevost, 1987). As previously mentioned, the fear of communist expansion led the U.S. to fund, arm and train the anti-Sandinista Contra rebels, as early as 1981. The Contras were mainly composed of former National Guardsmen who upon Somoza's downfall were forced to flee the country (many residing in neighbouring Honduras) and wanted to return to power in Nicaragua (Prevost, 1987). Consequently, in order to weaken the Sandinistas' hold on power, the United States, led by President Ronald Reagan, implemented undercutting economic policies such as: cutting off financial aid, pressuring international banks so they would not lend the Sandinista government any funds, and reducing the U.S.' sugar imports from Nicaragua (one of the country's main sources of income) (Cabestrero, 1985). The United States' opposition to the Sandinista government was persistent until they finally left power in 1990, Regan's administration continuously intervened in the Contra War, even after Congress banned any further involvement in 1983, which eventually led the U.S. to illegally fund the Contra insurrection through the controversial Iran-Contra Affair (McPherson, 2006). By supporting and financing the Contra forces the U.S. helped start and foster the Contra War, engulfing Nicaragua in a civil dispute that from 1980 to 1987 saw approximately 43,176 Nicaraguans "killed, wounded or kidnapped" (Tyroler, 1988, p.1).

As the United States continued to intervene in the ongoing Contra War, the Sandinistas were still trying to govern and maneuver the state's dire economic situation. In an attempt at alleviating the financial and social strains on the country the Sandinistas implemented an array of policies throughout the decade of the 1980s. From 1979 to 1990, the FSLN instituted an assortment

of policies that although being well within their purview as the ruling political party received some criticism, particularly from citizens in the Atlantic Coast of the country who claimed that the policies were economically and ethnically dividing (García et. al., 2019). These policies included: state control over the economy, censoring the press, the suspension of civil liberties, and infringing on the land rights of indigenous communities, mainly those of the Miskito people. Even though all these policies were legal it could be argued that their imposition did not prioritize the country's transition to democracy, rather they focused on fomenting the FSLN's power and dealing with the state's ongoing civil war.

Upon coming into power in 1979, the Sandinista government imposed a milieu of economic and social reforms intended to meet the financial needs of small farmers and the peasant class, this was done primarily through the redistribution of land and resources that were seized after Somoza's exile (Rouquié, 1992; Brown, 1996). Although these reforms were initially welcomed by the working class, issues began to arise when the FSLN, in an attempt to further integrate and control the economy, opted to weaken the private sector by appropriating "unused" farmland and confiscating the finances of citizens who were absent from the country for a period of at least six months (Hager, 1998). This seizure of land and goods was viewed negatively by many Nicaraguans as it was deemed as an unjust and illegal way of redistributing the country's wealth in favour of the Sandinistas' economic agenda. The maximization of the Sandinistas' financial power was also addressed when drafting the new constitution in 1987. There were two specific articles in the constitution that served to concentrate control over the economy in the power of the presidency:

The first is Article 150.4, which gives the president decree powers in fiscal matters (taxing and spending) as well as administrative affairs; the other is Article 150.13 which empowers the president to direct the country's economy (and) determine its economic and social policy and program" (Close, 2016, p.91).

Although it could be argued that the imposition of these clauses were only made possible due to the Contras constant attacks which necessitated greater economic and political control by the FLSN, employing the constitution to ensure hegemony over the economy is also an example of how the Sandinistas overextended their position to maximize their control over the State's political and economic structures. This is illustrated further by how the Sandinistas used the creation of the 1987 Constitution to endow the president with overreaching powers, essentially "creating a hyperpresidential system" (Close, 2016, p.98). A construct that caused a severe imbalance of power within the state's institutions and made it "impossible to implement a system of checks and balances" (Close, 2016, p.98). Albertus & Menaldo (2018) would argue that this was the Sandinistas way of creating "a firewall" against "political incumbents and their allies" (p. 141). Essentially, the FSLN used the creation of the 1987 Constitution to perpetuate their authority and protect their interests against the possibility of a future presidential authority, that again although not illegal can be recognized as an early warning sign of what in later years would be identified as autocratic tendencies. Consequently, this centralization of political power was an issue (which would not be amended until the second half of Violeta Chamorro's presidency in 1995) that contributed to the overall implementation of a weak democratic political system.

Another Sandinista policy which was not particularly well-received by the population was their infringement of civil liberties. As mentioned earlier in this section, in 1982 the Sandinistas instituted a state of emergency during which they suspended certain civil rights such as: freedom of the press, freedom of association, and habeas corpus (DeYoung, 1982). Media censorship was also widespread during this time as the FSLN seized control of both television and radio stations. Even more, the FSLN also targeted the written press orchestrating "a strike against La Prensa, the country's only independent newspaper" (CIA, 2007). This was widely criticized due to the legacy

and association of Pedro Jaquin Chamorro and his wife, Violeta Chamorro (former Junta member) with the newspaper. Further, the imposition of the state of emergency also included “the denial of the right to hold rallies” (The New York Times, 1982). An impediment that limited citizen’s ability to legally voice their concerns in an open forum and/or protest government measures they were against. Moreover, it incapacitated the opposition from holding public political campaigns which directly undermined their ability to foster electoral support. The suspension (although temporary) of these basic civil rights did not foster democracy in Nicaragua during the 1980s, rather it caused concern for the future of Nicaragua’s political system.

The Sandinistas claimed that the state of emergency was a necessary measure for the safety of the Nicaraguan people, a claim which was accepted by international observers. They blamed the United States for the imposition of the policy justifiably asserting that they were being threatened by the U.S. through their “covert operations” and dealings with the Contra counterinsurgents (The New York Times, 1982; Walters, 1985). However, the intervention of the U.S. in the Contra War and the numerous terrorist acts committed by the Contras including “the torture, rape and murder of civilians” (Kovalik, 2018), does not serve to justify the human rights abuses committed by the Sandinista government throughout the 1980s, especially in relation to their mistreatment of prisoners and the Miskito people. Throughout the FSLN’s initial time in power “close to 400 [government-led] cases of killings and disappearances in total since 1981 [were reported] (...) and some 600 were imprisoned” (West, 1992, p. 397). Similarly, the government’s mistreatment of the Miskito people on Nicaragua’s Atlantic Coast was a chief point of condemnation, which arguably caused many Miskito community members to join the Contra counterinsurgents as their only alternative to the violence and discrimination they were experiencing under the Sandinista government:

The combination of group-based discrimination, abuse, and perceived disregard for traditional group hierarchy forced the Miskítu to adopt the Contras' "armed solution" to the conflict. The policies and attitudes of the Sandinista government, supported by a variety of ethnocentric assumptions, proved only effective in reinforcing a sense of exploitation of human and natural resources in the Coast and destabilizing traditional tribal land (García et. al., 2019, p.76-77).

As a result of Contra activity in the area, around 10,000 Miskitos were forcibly relocated from their ancestral lands, and their villages were massively destroyed. This caused several prominent Miskito leaders to flee the country to Honduras and join the Contra movement, they "declared themselves in armed struggle against the government" (Hale, 1994, p. 2). The Sandinistas ill-treatment of the Miskito people was widely criticized for human rights abuses, including forced relocation, village destruction and mass violence (Organization of American States, 1982). Although, both sides committed acts of terror and human rights abuses under the guise of war, it is fair to say that the Sandinistas' actions against prisoners and the Miskito people were not only reprehensible, but they also obstructed the establishment of democratic norms and principles during the 1980s.

Finally, in 1983, in order to rally additional forces to combat the Contra rebels the Sandinista government decided to impose national conscription under the Patriotic Military Service (SMP) act, which was extremely unpopular amongst the Nicaraguan population forcing many young men to escape the country to avoid being drafted (Kinzer, 1984). Many Nicaraguan citizens protested the conscription stating that it violated citizens' civil rights and directly infringed upon the Sandinista revolution's original political platform of freedom. This is another example of a Sandinista imposed policy that arguably weakened their support amongst the Nicaraguan population and hindered the democratization process of the state. Consequently, the combination of these policies fueled the Contra War as it provided the United States and the Contra radicals with the justifications they needed for their anti-Sandinista movement.

Overall, the combination of the Sandinistas' monopolistic approach to controlling Nicaragua's new governmental order in the post-Somoza era in conjunction with the imposition of questionable and relatively unpopular social, economic and political reforms hindered their time in power. Moreover, Daniel Ortega's hardliner ruling style caused severe political disunity amongst the country's political parties and served to delay the consolidation of the state's emergent democratic system.

B. The End of the Contra War: Agreements made for the 1990 Transference of Power

By 1988, the Contra War had been ongoing for several years causing massive civilian casualties, numerous human rights violations (from both sides) and “direct economic losses” of \$275.4 million dollars in 1986 alone (Tyroler, 1986, p.1). As a result, in the hopes of putting an end to the conflict the international community rallied together to facilitate a peaceful resolution to the fighting through a series of negotiations. The costs of the struggle on the Nicaraguan economy, in addition to mounting international pressure to end the war in favour of focusing on the implementation of a democratic political system led Ortega to take the initial step towards reconciliation:

In January 1988 the President of Nicaragua, Daniel Ortega, startled the world by announcing at a summit meeting of Central American presidents that the Sandinista government had reversed its long-held refusal to negotiate directly with its counter-revolutionary opponents, usually known as the contras. This position contrasted with the one he had taken the previous fall supporting only indirect talks (Barlow, 1993, p.67).

Ortega’s newfound willingness to negotiate openly with the Contra counterinsurgents marked the beginning of the end of the longstanding civil dispute. From 1988 to 1989 political negotiations between the FSLN and Contras took place to hammer out agreements that would peacefully conclude the confrontation, “for six months [Ortega’s] government and the contras engaged in very difficult stop-and-start negotiations until they broke down over ‘guarantees’ for ‘democratization’ in Nicaragua” (Barlow, 1993, p.68). To begin with, in March of 1988, peace talks took place in Sapoá, Nicaragua, in which the Sandinista government and representatives of the Contra rebel forces met to negotiate a ceasefire and peace treaty, which would be referred to as the Sapoá Accord. The chief contents of the truce, which built on the previous Esquipulas Peace Agreements (I & II) which took place in 1987, included instituting a temporary ceasefire, providing the necessary circumstances for the demobilization of the Contra forces, and affording

assurances for the democratization of Nicaragua's political system (United Nations, Acuerdo de Sapoá, 1988). The successful approval of the Sapoá Accord was considered an important first step towards conflict resolution and democratic consolidation in Nicaragua.

Following the successful implementation of the Sapoá Accord, in mid-1989, a regional peace agreement was mediated in Tela, Honduras. The negotiation of what would be entitled the Tela Accord was orchestrated and signed by five Central American presidents in which they all agreed to implement a plan for the voluntary disbandment of the Contra rebels both in Nicaragua and throughout the region. Further, to guarantee impartiality and effectiveness in its application, it was decided that the contents of the proposition would be supervised by external observers, the United Nations (UN) and Organization of American States (OAS) (United Nations, Tela Declaration, 1989). In return, for the Contra forces agreeing to peacefully demobilize:

[...] the Sandinistas agreed to release most of the 3,300 contras and former national guardsmen who were still in prison and to prepare the way for national elections. As part of these arrangements, the five governments promised to halt all aid, other than humanitarian assistance, to insurgents in neighboring countries. The Nicaraguans further agreed to permit all political parties' full access to the mass media and make whatever legislative and electoral reforms were necessary to 'allow political actions and organization in the broadest sense.' There would be a four-month period for the opposition parties to organize, followed by a six-month campaign culminating in presidential, legislative, and municipal elections on 25 February 1990 (Schulz, 2018, p. 252-253).

With the ratification of the Tela Accord in August of 1989, the Contra War was finally coming to an end, and as such the Sandinistas returned to Nicaragua to prepare for the upcoming presidential elections.

As promised, the 1990 general elections in Nicaragua were held on February 25, in which the ruling FSLN went head-to-head with the American-backed National Opposition Union (UNO). The UNO was a newly formed political coalition under the leadership of Violeta Chamorro. It was composed of fourteen political parties that widely represented the country's political opposition,

factions that decided to come together in the hopes of defeating the Sandinista government in the upcoming election (Miller, 1991; Wells, 2023). Initially, opinion polls had predicted a win for the FSLN (Anderson, 1995) particularly as they still enjoyed a relatively strong electoral base, but in an unexpected shift, which some critiques attribute to the Nicaraguan people's desire to put a definitive end to the Contra War and American interference (Close, 2016), the UNO claimed victory in a "55-41 per cent split in favour of the US-sponsored coalition UNO (...) a 14 per cent difference leading to a 10-seat majority in the National Assembly" (Dyson, 1994, p.425). However, the newly elected president would not officially take power until April 25 of that year, which provided the outgoing Sandinista government sufficient time to negotiate some agreements (*pacts*) that would guarantee that they would maintain influence within the country's new political landscape.

In exchange for ensuring a peaceful transference of power in April of 1990, Chamorro and her representatives were forced to make several allowances to the FSLN. First, and most importantly for the Sandinistas, Daniel Ortega was able to procure that his brother Humberto Ortega would retain his position as head of the military, "Chamorro would respect the integrity of the armed forces as an institution and appoint ministers of defence and interior who would not be viewed as enemies by the Sandinistas" (Pastor, 1990, p. 23). Ensuring that a prominent member of the FSLN continued to lead the country's military was a significant compromise for Chamorro, particularly as the majority of her party did not agree with the decision. The UNO argued that this concession would only guarantee that the Sandinistas would retain significant power and authority within the country's new political construct. Nevertheless, despite this contention Chamorro agreed to the condition maintaining that it was the only way to ensure both the FSLN and military would cooperate during the state's transitional period. O'Donnell & Schmitter (1986) would

contend that Chamorro made this *pact* not only to appease the Sandinista military but to confirm that they would not be targeted under the UNO's new government which in turn would facilitate "their eventual acceptance of a democratic opening" (p. 28). However, this did not have the explicit desired effect. Even though the FSLN conceded executive power to the UNO, they used the political influence they retained through the leadership of the military to consistently undermine Chamorro's administration, a point which is discussed more fully in the following section.

Second, the UNO also agreed to pass legislation that would grant amnesty to all Sandinista officials and Contra rebels that had committed political crimes and human rights violations since 1979. This was also an important political concession on behalf of the outgoing Sandinista government as it would allow the Contra warlords to go free and avoid any legal prosecution for their crimes. As outlined by Pion-Berlin, in Calleros' book, *The Unfinished Transition to Democracy in Latin America* (2009):

Decisions to prosecute would have relieved the families of the victims, while creating anxiety and fear within the armed forces. Decisions not to prosecute would have calmed the armed forces but would have left old wounds unhealed and justice not served (p.118).

In other words, even though the agreement to forgo the prosecution of Sandinista officers and Contra counterinsurgents was arguably a necessary decision to ensure democratic consolidation in Nicaragua, the consequences of this choice meant that political actors that had committed serious crimes were not punished for their actions, on the contrary they were permitted to continue to participate within the state's new political forum. This permissible position from Chamorro, allowed the Sandinistas to retain their authority as an acting political party (in fact the country's prime opposition party from 1990 until 2007 when they returned to power). To be fair this concession also allowed influential Contra members who returned to Nicaragua to hold considerable influence in the state's new political landscape. As Calleros argues, "In Latin

America any position adopted to facilitate the [democratic] transition without jeopardizing a return of authoritarianism, has proved to be highly unstable and only temporary” (2009, p.118). As such, by opting to not punish the Sandinistas or Contra rebels for their crimes, an amnesty that was secured under the terms of the Esquipulas Peace Agreements, Nicaragua’s newly established democratic system was arguably based on some undemocratic principles, mainly injustice and unaccountability, a signal of the establishment of a potentially weak democratic system.

Third, the final concession made to secure Nicaragua’s democratic consolidation under the Chamorro administration was a guarantee that the incoming government would respect the land titles of the peasantry that had benefitted under the FSLN’s redistribution of land and wealth during the 1980s, “the UNO confirmed its commitment to maintain land reform, and both sides agreed to deal with the problems of expropriated property within the law” (Pastor, 1990, p.23). This concession benefitted the Sandinistas (although temporarily, as property issues were later subject to adjudication) as it allowed them to preserve the support of the peasants and farmers that had profited under their time in office. Moreover, it served to endorse their revised no “bourgeois nonsense” political platform that portrayed them as being champions of the people, a mantra that would eventually help them return to power in 2007 (Ruiz, 2025). By granting the Sandinistas this allowance the UNO empowered them to retain their political influence and electoral support, an act that would permit them to learn from past mistakes and return to power with a more embolden and autocratic strategy in 2007.

Largely, the concessions made in favour of the Sandinistas, although allowing for the consolidation of democracy (a consolidation this thesis would contend was incomplete as measured by the underdevelopment of Linz & Stepan’s (1996) six arenas of democratic consolidation, as is illustrated in what follows of the chapter), also ensured that the FSLN retained

notable power within the country's new political system, mainly these concessions allowed them to secure significant authority within the state's new institutions as is demonstrated in the subsequent section.

5.1.4 “Ruling from Below”: The Role of the Sandinistas in the New Political Landscape

Despite losing the 1990 general elections, the Sandinistas, still under the leadership of Daniel Ortega, did not forgo their political authority within Nicaragua. On the contrary, after their electoral defeat the FSLN immediately adopted a strategy of “ruling from below” to maintain political influence and resist the advances of the incoming Chamorro administration (Wallis, 1990). As a result in 1990, the FSLN moved to implement a plan which consisted of: becoming the country’s main opposition party in the hopes of eventually regaining the authority of the president; using their control of the military to retain political influence; undermining the incoming government’s attempts at political and economic reform through the organization of strikes, protests and the creation of civil unrest; and, inhibiting the new administration from fully consolidating its power by taking advantage of their internal tensions.

To begin with, the Sandinistas moved to transition into their new role as the country’s main political opposition party. A shift which was not particularly difficult, because despite losing the presidency, the Sandinistas still preserved significant political support as there was a general feeling among the Nicaraguan people that the Sandinistas has been robbed of their power by the Contras and the United States. Alejandro Bendana, a reporter from the North American Congress on Latin America (NACLA) contends that during the 1990 elections, the U.S. had “transformed the election into a virtual referendum on the war” whereby the choice was framed to Nicaraguans as, “continued war and resistance with the Sandinistas on the one hand, and an end to war and aggression on the other” (2004). Therefore, the Nicaraguan citizenry was in favour of the Sandinistas maintaining an important position within the state’s new political order. Consequently, “as of 1992, the FSLN was maintaining a significant political presence in Nicaragua and was involved in a process of transformation and internal reform” (Vanden et al., 1994, p. 527).

Although the UNO was officially in power, the Sandinistas held a significant number of seats within the National Assembly, having won a total of 39 out of the potential 92 seats during the 1990 election (Close, 2016, p.94). This made the FSLN the largest single-party within the legislature and effectively transformed the Sandinistas into the state's official opposition party. This allowed the FSLN to act as a potent electoral force participating in the country's next three presidential elections in 1996, 2001 and 2006. By the third election, after instituting a *pact* with then-president Arnaldo Alemán in 2000, the Sandinistas were finally able to reclaim victory, officially retaking the presidency in 2007, a point which is explained fully in the following section. By becoming the state's official opposition party, the FSLN remained a strong political force, enabling them to participate and influence important national decisions.

Additionally, the FSLN's retention of control over the country's military and police forces, secured through the negotiations with Violeta Chamorro prior to her administration taking power in April of 1990, gave the Sandinistas significant leverage within the country's political and institutional structures, especially regarding the military. As discussed in the work of Mark Ruhl, during the 1990s, The Latin American Monitor observed that "the armed forces have (...) sufficient power to exercise a virtual veto over President Chamorro's government [...] Under laws passed by the Sandinistas just after their defeat, the EPS [Ejercito Popular Sandinista] also enjoyed virtually complete legal autonomy from civilian authority" (Ruhl, 2003, p.117). Specifically, just after losing the 1990 election, the FSLN quickly instituted the:

EPS Military Organization Law 75 to block presidential control of the armed forces. Although this law gave newly elected President Chamorro the title of Supreme Chief of the Armed Forces, it delegated her no specific powers over the EPS. Control of the military's organization and operations instead rested entirely with its commander-in-chief, defined in the law as the highest-ranking officer in the army (i.e., Humberto Ortega), and an advisory Military Council (Consejo Militar) composed of his senior EPS officers (Ruhl, 2003, p.119).

As a result, the FSLN was able to employ their continued authority over the state's armed forces to ensure their influence over the government's decisions essentially shaping the trajectory of Nicaragua's developing political structure, an authority they would continue to enjoy until the constitutional reforms of 1995. This weakened the ability of Chamorro's administration to effectively implement a strong democratic system, as the military was being used as an institutional chess piece within the new political order. A strategy which directly contradicts what Calleros (2009) contends should be the role of the armed forces within a transitioning democratic system. According to Calleros, "The role of the army in a democratic context is to be restricted just to national defence purposes, without military interference in the design or implementation of public policies" (2009, p. 36). However, in the case of Nicaragua the military and police forces, which were controlled by the Sandinistas, were being used to hinder the Chamorro government's authority, which as proposed by New York Times journalist, Uhlig established "a tenuous arrangement of shared power" between the FSLN and UNO (1991, p.402). This in turn fractured the UNO's ability to implement a strong democracy as, "the continued presence of an irregular armed force not accountable to civilian leaders in the government constituted a serious obstacle to forging the consensus necessary to consolidate liberal democratic rule" (Williams, 1990, p.27). Simply put, a strong democratic system could not be established because one of the country's most essential institutions was controlled by political actors not in power, the Sandinistas, who used their authority not to further democratic consolidation but to garner their political party's own organizational gain.

As another means of undermining the incoming Chamorro administration, the Sandinistas began to take advantage of the national strikes taking place against the government and took to the task of fostering civic unrest to obstruct Chamorro's time in office. For example:

Soon after the elections, the Sandinista-affiliated public employees' union staged a walk-out in protest against Chamorro's suspension of the civil service law. This was followed, in early July, by a general strike sponsored by the *Frente Nacional de Trabajadores* (FNT) [National Workers Front], the umbrella organization of Sandinista-affiliated trade unions (Williams, 1990, p. 25).

The primary purpose of these demonstrations was to unbalance the new government, foster and augment their unpopularity amongst the citizenry, and provide the FSLN with the opportunity and ascendancy to intervene in political decisions. As such, the Sandinistas continued to employ their authority over the military to incapacitate the Chamorro administration from effectively retaliating against the protests and general unrest. As reported by RefWorld, the United Nations High Commissioner for Refugees', leading global law and policy database, during this period the Chamorro administration was facing a "crisis of governability" (1994). RefWorld contends that Chamorro's government lacked "any effective state mechanism" to respond to the country's ongoing socio-political crisis (1994). The organization of strikes, protests and civil disturbances was a persistent strategy of the FSLN throughout Chamorro's presidency. The Sandinistas tactically planned these types of demonstrations to dispute amendments to the military, land reforms, redistributions of wealth and the imposition of neoliberal economic policies. By causing the conflicts and necessitating a mediated resolution (normally led by the FSLN) the Sandinistas found a way to efficiently insert themselves within the UNO's decision-making process, which according the New York Times journalist Uhlig, "Far from undermining public support for the Sandinistas, as government officials tried to suggest, the use of strikes and public confrontations had the effect of strengthening it" (1991, p.417). Overall, the realization of these public rallies was exploited by the FSLN to divert some of the proposed changes brought forth by the UNO, causing major rifts within the ruling-party and making Chamorro's government relatively ineffective.

Taking advantage of the cracks within the UNO's party, was key to the Sandinistas' strategy of "ruling from below". From the moment they came into power, the UNO was already at

a decisive organizational handicap in comparison to the FSLN, particularly due to their inexperience, political variation, and overall disunity. As previously mentioned, the UNO was composed of an amalgam of fourteen different opposition parties which upon:

[...] realizing that no opposition party alone could defeat the Sandinistas...banded together in one umbrella coalition: the United Nicaraguan Opposition (Unión Nicaragüense-UNO). The coalition was not an easy one, given the historical divisions among the opposition parties (Anderson, 1995, p.87-88).

The disparities amongst the different parties that comprised the UNO fractured the Chamorro administration from the beginning, especially as there was deep resentment amongst the different opposition leaders given the fact that only FSLN representatives and “Chamorro’s personal advisers participated in the discussion prior to negotiating the transition agreement” (Williams, 1990, p. 26). The discontentment amongst the UNO’s political council became even more evident during the July 1990 general strike when in unison with the Superior Council for Private Enterprise (*Consejo Superior de la Empresa Privada-COSEP*) the council directly challenged Chamorro’s presidential authority by claiming she was incapable of dealing with the national crisis and subsequently forming a National Salvation Committee to mediate the conflict in conjunction with the FSLN (Revista Envío, 1990). The deep ideological divisions that caused intense disunity amongst the UNO reached a climax within the confines of the National Assembly, where unlike the FSLN who presented a united front before the other members of the legislature, the UNO continuously varied on an array of important issues. This is illustrated in the conflict that arose in June of 1991 regarding the matter of the Sandinista-held state property, an issue on which Chamorro’s coalition critically disagreed. Chamorro and her chief aide, Lacayo, opposed efforts to recover government property transferred into Sandinista hands during the final weeks of the FSLN’s time in office. However, the persistent and growing public outrage over the gage of the transfers pressured the government to address the distribution of resources especially as “The

Sandinista government [had] distributed abandoned land and houses to over 125, 000 families representing about 700,000 Nicaraguans (Tinker, 1992, p.73). The impasse surrounding the redistribution of farmland, property and other resources led to a definitive break in Chamorro's coalition, leading to the creation of a new conservative bloc whose main objective was inhibiting Chamorro's power of veto within the National Assembly and subsequently hindering the continuation of Sandinista political power. The arguments amongst the UNO opposition leaders eventually caused the coalition to completely dissolve in 1995, just time for the 1996 general elections in which Arnoldo Alemán, leader of the Constitutionalist Liberal Party (*Partido Liberal Constitucionalista-PLC*) claimed victory.

The dissolution of the UNO political party illustrates the effectiveness of the Sandinistas political strategy. The FSLN was able exploit the political differences of the ruling-party to undermine the government's authority and maximize their own institutional influence. This was enabled by the *pacts* made during the transitional period of 1990. The concessions made during that time significantly favoured the Sandinistas, which subsequently debilitated the incoming government. Through the agreements made to ensure the consolidation of democracy, the FLSN guaranteed their continual influence within the state's new political landscape, though it is important to note that this power was weakened during the constitutional reforms of 1995 (which is outlined in the succeeding section). What this section of the chapter intends to illustrate is that despite the successful implementation of democracy during the 1990s, the Sandinistas' continued influence in the development and implementation of the country's democratic institutions, arguably made them more susceptible to erosion as a result of their continued political interference which prioritized their return to the president's office over the implementation of strong democratic norms and principles, as is demonstrated through the analysis of the *pact* which was

implemented by Daniel Ortega and Arnoldo Alemán in 2000, an event which is identified as the beginning of democratic backsliding in Nicaragua.

5.2 The Initiation of Democratic Backsliding

5.2.1 The Ortega-Alemán Pact: The Decline of Nicaragua's Democratic Institutions

Despite the political tensions of the UNO party and the realization of social demonstrations, the decade of the 1990s has been largely considered to be a period of relative peace and stability within Nicaragua (especially when compared with the previous years of revolution and civil war). The international and academic community both view it as an era in which the country had made significant strides towards democratic consolidation, especially through the successful transference of power in the general elections of 1990 and 1996, as well as the constitutional reforms of 1995 (Close, 2016). The elections of 1996 were predominantly made possible through the constitutional amendments of 1995. These reforms were imposed to address some of the legislature's most pressing concerns regarding the distribution of power as outlined in the 1987 national constitution. As such, some of the most important amendments included: decentralizing the power of the executive by increasing the authority of the legislature, instituting presidential term limits, expanding the Supreme Court from nine to twelve seats, eliminating military conscription, and transforming the armed forces from a Sandinista-run institution into a more civilian accountable entity renamed the Army of Nicaragua (Merino Menjívar, 2025). These reforms were hard fought between President Violeta Chamorro and the National Assembly. In addition, the amendments were not supported by the FSLN as they effectually weakened their overall authority. Yet, through their eventual ratification these amendments helped to partially pacify the growing disillusionment with the country's new political system due to what were classified as the broken promises of the Chamorro administration (Anderson, 1995). Furthermore, the reforms of 1995 helped ensure the participation of the opposition parties during the state's

1996 general elections, effectively inaugurating a liberal democracy within Nicaragua (Martí i Puig, 2019, p.2), when Arnold Alemán, leader of the right-wing PLC, rose to power in 1997.

Considered partially successful due to its ability to implement economic reforms, Alemán's presidency was predominantly clouded in numerous accusations of corruption, for which the president would eventually be convicted in 2003. As discussed in the introductory chapter of this thesis, because Alemán was facing serious allegations of fraud, in 1999 the president saw the benefit of constructing a bi-partisan agreement with opposition leader Daniel Ortega to amend the constitution which among other things would overtly grant the ruling-PLC and incumbent FSLN increased power over the state's primary institutions (Bendana, 1999). In addition, one of the main objectives of the *pact* was for both Alemán and Ortega to evade legal prosecution, as they were both facing criminal charges as of 1998. As such, the drafting of the *pact* (*pacto*) was very secretive and clouded in mystery:

Compared to the 1995 reforms, the process leading to the 2000 constitutional reforms lacked any mechanism for public input (...) the 2000 reforms were the product of negotiations between the leadership of the two dominant parties, the PLC and FSLN (Walker & Williams, 2010, p. 496).

The clandestinity of the negotiations between Ortega and Alemán caused the agreement to be widely criticized and for the legitimacy of its contents to be called into question both by the Nicaraguan people and by the country's political parties (including members of the PLC & FSLN). Nevertheless, based on the negotiations of 1999, the covert Ortega-Alemán *pact* went into effect in 2000, enabling the country's constitution to be sternly modified. The creation of the Ortega-Alemán *pact* is heavily regarded as the starting point of democratic backsliding within Nicaragua particularly because it: granted two leading political actors immunity from criminal prosecution, it led to the fundamental weakening of the country's already precocious democratic institutions,

and it imposed electoral reforms that would facilitate Ortega and the FSLN's return to power during the 2006 general elections.

As previously stated, one of the primary reasons for the creation of the *pact* was to institute a safeguard for Ortega and Alemán who were both facing criminal charges, “the main driving force behind the *pact* [was] the need for both Alemán and Ortega to save their own skins and avoid facing the prospect of jail” (Bendana, 1999, p. 20). In 1999, Alemán “was accused of helping to divert nearly \$100m of state funds into his party's election campaign” (BBC News, 2003) and in 1998 Ortega faced criminal charges of sexual assault against his stepdaughter Zoilamérica Ortega Murillo (Davison, 1998). As such, both political actors intended to use the construction of the *pact* to impose constitutional amendments that would guarantee them prosecutorial immunity. This was mainly achieved through the imposition of reforms to amend the composition of the state's judiciary and legislature:

The number of Supreme Court justices was raised from twelve to sixteen (nine PLC and seven FSLN) and the Supreme Electoral Council magistrates from five to seven (four PLC and three FSLN). Also, the Office of Comptroller General was made into a collegial body with five members elected by the National Assembly. This was a blatant attempt by Alemán to remove from office the sitting comptroller general, Agustín Jarquín, who had been investigating the president's involvement in several corruption scandals (Walker & Williams, 2010, p.497).

By revising the county's judiciary, the *pact* fundamentally granted Ortega and Alemán complete control of both the Supreme Court and the lower courts, which allowed them to appoint judges that were biased to their institutional and personal interests and would therefore be sure to block any investigations and overturn any convictions against the political leaders. This demonstrates a clear infringement on democracy, as the agreement between Ortega and Alemán fomented widespread impunity and a detrimental imbalance of power between the state's institutions. As Calleros (2009) argues this type of agreement would create “an agency (...) beyond the system of checks and balances of the constitutional democratic system, creating large spaces of impunity that

constantly affect the quality of democracy and the ability of the polity to protect individual rights” (p.38).

Moreover, the changes made to the legislature not only contributed to an imbalance of power amongst the three branches of government, as is illustrated down below, but were also widely motivated by personal gain, particularly in the case of Alemán who was trying to hinder the investigations being brought against him. Consequently, apart from altering the judiciary and legislature, the political actors also implemented a clause that would grant the outgoing president and main opposition leader permanent seats within the National Assembly. Simply put, the *pact* would grant, “the ex-president and ex-vice president, who cannot be re-elected immediately, lifetime seats in the national assembly; [while doing] the same for the presidential candidate who finishes second” (Telleria, 2011, p. 37). The inclusion of this stipulation added another layer of protection for Ortega and Alemán, because members of the National Assembly are automatically immune from criminal prosecution. Similarly, to reinforce their legal exemption, the *pact* also included a stipulation which required a two-thirds vote in the National Assembly to suspend presidential immunity, a clause that would further protect the party leaders from legal prosecution as the National Assembly was predominantly controlled by the PLC and FSLN. All in all, the fact that Ortega and Alemán were able to institute a “caudillo-like” (Telleria, 2011) agreement to escape the legal repercussions of their illicit actions clearly illustrates the frailty of Nicaragua’s democracy, specifically the vulnerability of its democratic institutions.

As such, one of the core elements of the *pact* which has been strongly linked to the decline of democracy in Nicaragua, is the erosion of the state’s main democratic institutions chiefly: the Supreme Court, the Supreme Electoral Council (CSE), the Comptroller General’s Office, and the

Public Prosecutor's Office. All these institutions were altered to split the appointment of members between the PLC and FSLN political parties, which granted them absolute institutional authority:

The pact gave the governing party (the PLC) and the “second political force” (defined by the electoral outcome, but in practice the FSLN) control over leadership selection in state institutions. The PLC and FSLN proceeded to jointly pack the Supreme Court of Justice (CSJ), Supreme Electoral Council (CSE), and the Comptroller General's office to reduce horizontal accountability. The two parties enjoyed a virtual duopoly on the institutions of state, in which third parties were offered no representation whatsoever (McConnell, 2020, p.12).

This transformed the state's institutions responsible “for holding the government accountable (...) [into] partisan tools of the FSLN and PLC, and small parties were excluded from representation at the highest levels of the state” (McConnell, 2024, p. 200). Consequently, the *pact* has been credited with initiating Nicaragua's regression into authoritarianism, as it significantly concentrated the state's political power in the hands of two “caudillos” (Telleria, 2011), Ortega and Alemán. Furthermore, it inhibited smaller parties from effectively participating in Nicaragua's political landscape as the country's central democratic institutions were all controlled by the PLC and FSLN. This led to the virtual elimination of horizontal accountability, which as defined by Schedler (1994) in Calleros' work (2009) refers to the “capacity of state institutions to check abuses by other public agencies and branches in government” (p. 88). The stark decline of horizontal accountability within the state's democratic institutions has been an important contributor of democratic decline in Nicaragua, because it decisively incapacitates the judiciary and legislature's ability to place operational checks and balances on the power of the executive. Consequently, the lack of accountability by the government and its respective institutions was also broadly opposed by the Nicaraguan citizenry:

[...] citizen-organized civil networks (many of which were linked to or supported by NGOs) protested over the reduction of “accountability spaces” due to the agreement between Alemán and Ortega as well as the policies to facilitate the government's control over and intervention in NGOs, particularly after the tragedy of Hurricane Mitch, where the episode of the incompetent and corrupt management of the disaster by the Alemán administration stood out (Martí i Puig, 2015, p.307).

Nicaraguans were extremely unhappy with the corruption of Alemán's administration and did not approve of the increasing lack of governmental accountability that was being fostered under the implementation of the *pact*. In general, the susceptibility of Nicaragua's institutions to the amendments imposed by the Ortega-Alemán *pact* can be said to indicate a weak system of checks and balances, as the legislature and judiciary were unable to impede the constitutional reforms from going into effect. The lack of strong checks and balances within the Nicaraguan political system can be tied to the FSLN's ability to remain a potent political authority within the country since the Sandinista revolution in 1979, which enabled them to effectively insert themselves into the state's institutions and subsequently shape the country's political structures. Furthermore, the susceptibility of Nicaragua's democratic institutions is a clear marker of the state's overall weak democratic system, which throughout the presidency of Alemán served to institute a partisan political system that laid the foundation for democratic decline and the return of Daniel Ortega to the president's office in 2007.

Consequently, the final aspect of the Ortega-Alemán *pact* that comprehensively contributed to Nicaragua's democratic backsliding was the inclusion of electoral reforms. By 1999, Ortega and the FSLN had already experienced two electoral defeats, and they were poised to also lose the upcoming 2001 general elections. Consequently, Ortega sought to employ the *pact* to lower the required percentage of the vote needed to be re-elected and subsequently impose constraints on the formation of new political parties:

Two of the most damaging reforms were the lowering of the percentage of votes required to win an election in a first round from 45 to 40 percent (or to 35 percent if the leading party has a 5 percent lead over the other parties), and the new requirement that aspiring political parties garner 3 percent of loyal endorsement from registered voters in order to register for an election (Freedom House, 2007).

These amendments to the country's electoral laws essentially eliminated the participation of independent candidates from the state's general elections whilst also raising the conditions for the creation of new political parties. It additionally excluded the involvement of minority opposition leaders within Nicaragua's political forum. This effectually turned Nicaragua into a predominantly two-party system, in which the PLC and FSLN reigned supreme. Limiting political participation is a clear infringement of democratic norms and principles as it limits the ability of the polity to hold free and fair elections. Albertus & Menaldo (2018) propose that "restricted or less consequential political participation" are often the result of preceding authoritarian legacies (p.269). Since his electoral defeat in 1990, Ortega changed his leadership strategy within the FSLN, to one that was much more self-serving:

Since 1990 Daniel Ortega, who served as Secretary General of the FSLN Party, triumphed in all of the internal battles of the party and ultimately his faction controlled the FSLN's entire organizational capacity, shaped the FSLN to his preferences despite the electoral defeats of 1990, 1996, and 2001 [...]. The "successful" adaptation of the FSLN to electoral defeats and institutional change meant a profound change to the extent that it became dependent on the will of its leader (and his wife Rosario Murillo) and that it recruits its members *en masse* via the state and expels the dissidents (Martí i Puig, 2015, p.308).

Whilst awaiting re-election Ortega focused on laying the groundwork both internally within the FSLN and externally within the state's institutions to ensure that once he regained power there would be seldom a political force that could oppose him. Subsequently, the implementation of electoral reforms during the creation of the *pact* had the effect desired by Daniel Ortega as they facilitated his re-election during the 2006 presidential elections in which he won with only 38% of the total vote (Replogle & McKinley Jr., 2006), a victory that without the constitutional amendments of 2000 would not have been possible. Ortega's electoral triumph in 2006, marks the solidification of democratic breakdown in Nicaragua as it was the first step in the country's return to dictatorial rule.

In sum, the Ortega-Alemán *pact* was the start of authoritarian regression within Nicaragua as it fomented judicial impunity, an overt decline of horizontal accountability, an imbalance of power between the different branches of government, and a detrimental revision of the state's electoral laws. The combination of these constitutional amendments not only allowed Ortega to regain power in 2007 but has also facilitated his ability to perpetuate his time in office through the imposition of even more restrictive constitutional reforms and the employment of repressive political strategies as is discussed in what follows.

5.3 *The Acceleration of De-Democratization*

5.3.1 **The 2008 Municipal Elections & The Constitutional Reforms of 2014**

After experiencing three consecutive electoral defeats, 2006 marked the end of the Sandinistas long wait to regain the executive branch's power. After his re-election, Ortega adopted a much more moderate approach than the one he had employed during the 1980s. This was in part due to his conversion to the Evangelical faith, a very conservative religious denomination that had been growing in popularity in Nicaragua over the last few decades (Collins, 2024). This was a significant and strategic change for Ortega, as he used his conversion during his presidential campaign to foster electoral support:

Ortega also won because of his efficient campaign, projecting the image of a New Ortega, effectively campaigning against his own former image of a leftist, anti-American guerrilla leader. Three elements were decisive in Ortega's successful electoral campaign: his new and trustworthy image, his new rhetoric of peace and reconciliation, and his good relations with all churches in Nicaragua (both Catholic and Protestant) and especially their leaders (Gooren, 2010, p. 49).

In addition to his "New Man" platform, Ortega's main political rhetoric was one of reconciliation and reconstruction emphasizing "he would work to eliminate poverty...[assuring] investors he was open to business and [promising] to 'create a new political culture' that would 'put the Nicaraguan people, the poor first'" (The Guardian, 2006). This approach allowed him to foster greater support amongst the citizenry (which was necessary as Ortega's popularity was low), which in cohesion with the FSLN's dominance of the state's main institutions left Ortega virtually unopposed. This was because upon returning to power, the Sandinistas were at a decisive institutional advantage as they were greeted with a judicial and legislative branch of government that had been restructured in their favour during the implementation of the Ortega-Alemán *pact*. Further, despite Ortega's government not holding the majority of the seats within the National Assembly, the state's political

opposition was severely fractured and as such there was no definitive political challenger to the FSLN's power (Martí i Puig, 2016).

Therefore, within the first year of his presidency Ortega made several decisions to further cement his political dominance. Particularly, during the 2008 municipal elections Ortega and the FSLN proceeded to exert their newly reinstated presidential power to heavily interfere in the realization of the local electoral proceedings. First, the Sandinistas employed their control over the CSE to revoke the legal status of the Conservative Party and the Sandinista Renewal Movement (MRS), a faction of the FSLN that had separated after their stern opposition to the ratification of the *pact*. Although, to justify their decision the FSLN cited “non-compliance with electoral laws” (Martí i Puig, 2016, p. 243) the real motivation behind their pronouncement was to crucially weaken the primary opposition forces still present within the country. Second, the Sandinistas moved to obstruct the accreditation of the external observer missions from the OAS and the Carter Center to avoid their supervision of the electoral proceedings. The Sandinistas did not want the elections to be externally regulated as this would directly inhibit their ability to affect the elections' outcomes. Third, the FSLN exercised their partisan power to control the voter rolls and voter registration process, which helped them filter both incumbent and citizen participation to their advantage (Close, 2016).

Finally, the FLSN opted to ignore the numerous accusations of fraud that had emerged in the mayoral electoral races, especially in the cases of Managua and León, two of the state's most important cities (Martí i Puig, 2016, p. 243). The Sandinistas employed these tactics during the 2008 elections, as a means of trying to undermine the independence of local governance and as an attempt to ensure that the FSLN could quell any municipal uprisings or locally organized resistance to their rule. The elections of 2008 are often referenced as being the last true examples of

competitive elections within Nicaragua, as participation in all subsequent electoral proceedings were highly limited and confined under the FSLN's authoritarian restraints (Anderson & Dodd, 2009), a clear indicator of the continued de-democratization process of Nicaragua's political system. In the years that followed, Ortega's government continued to foster political dominance through:

[...] increased concentration of public and private resources in the hands of relatives and close allies (...) [including holding] tight reins on the administration of the state, including the Army and the Police, allegedly independent agencies, the electoral machinery and the judicial system (Martí i Puig, 2019, p. 2).

These manoeuvres are arguably very similar to the political strategies employed by the Somoza regime throughout its longstanding time in office, as they were all actions that served to centralize the state's political power in the hands of the president (and members of his family). Accordingly, due to his growing political prowess Daniel Ortega was unsurprisingly able to once again claim victory during the 2011 general elections. However, despite securing his second consecutive term in office Ortega had greater ambitions than one mere re-election he wanted to perpetuate his time in office indefinitely which led to the creation of the constitutional amendments of 2014.

By the end of 2013, which had been a year consumed by the fallout of the *campesino* [peasant] movement, which had formed to protest the construction of a transoceanic canal that the FSLN had pre-approved without the necessary authorizations from the pertinent indigenous and farmer communities (this movement is discussed in-depth in Chapter 6 of this thesis), the Sandinistas now had their sights set on constitutional reform. To further propagate their power, "the FSLN [moved] forward with a packet of constitutional changes, including the abolition of presidential term limits" (Freedom House, 2014). In addition, to the removal of presidential term limits the constitutional reforms also included a provision that would allow a presidential candidate

to run indefinitely for re-election and removed “the requirement for a minimum 35% of the vote to be elected president” (BBC, 2014).

As the main objective of these reforms were to further expand the powers of the presidency and allow Daniel Ortega to participate in the 2016 general elections (and all elections thereafter), the amendments were heavily criticized as being undemocratic. International observers and opposition leaders claimed that the proposition of these reforms was just another way for the Sandinistas to expand their power by allowing Ortega to remain president in perpetuity, an act that served to effectively erode electoral democracy within the Nicaraguan state. This is further illustrated through the comments made by then-opposition legislator Alberto Lacayo who went so far as to openly compare Ortega to former dictator Anastasio Somoza ironically stating, “We do not need a Somoza, sorry, an Ortega forever” policy (BBC, 2014a).

Yet, despite the controversy surrounding the proposal of the amendments the Sandinistas went forth with the reforms and presented the bill before the National Assembly, who being predominantly controlled by the FSLN, promptly approved it in a vote of 64 to 25 making it law on February 10, 2014 (BBC, 2014b; Coleman, 2014). The ratification of these constitutional reforms served to further solidify Daniel Ortega’s authoritarian rule, concentrating the state’s political power even more within the office of the president. This was accomplished by using the reforms to augment the president’s control over the military and police forces, which the FSLN had previously lost during the constitutional amendments of 1995. Moreover, the 2014 reforms also gave the president the power to rule by decree which would make vetoing Ortega’s decisions an increasingly impossible task. Conclusively, the 2014 constitutional amendments were an important stepping stone in the state’s de-democratization process, as they helped fortify the political power and longevity of the president. A point that is further evidenced by the fact that

Ortega was able to secure his third consecutive presidential victory during the 2016 general elections virtually unopposed. In the next section, the conclusive breakdown of democracy in Nicaragua is demonstrated through an examination of the national socio-political crisis that emerged because of Ortega's repressive governmental response during the protests of 2018.

5.3.2 Nationwide Socio-political Protests (2018)

The protests of 2018 have been classified as a definitive moment in the absolute dissolution of Nicaragua's democratic system. The demonstrations erupted on April 18, 2018, after Ortega's government put forth a proposal for the implementation of social security reforms, meant to address the growing economic deficit of the Nicaraguan Social Security Institute (*Instituto Nicaragüense de Seguridad Social-INSS*). The reforms essentially consisted of reducing the country's pension plan by 5%, which led to the realization of an initially moderate and peaceful demonstration by the country's retirees and university students (Bastien, 2018, p.15). However, the administration's repressive response to the protests, which consisted of government-sanctioned police, military and even paramilitary violence quickly escalated the situation, "Three people, among them a police officer, were killed on 19 April amid attempts by the security forces to suppress the demonstrations" (BBC, 2018a). The government's employment of excessive force including the use of "pro-government groups, popularly known as 'grupos de choque' (shock forces)" (BBC, 2018a), to subdue the largely student-led demonstrations caused immediate public outrage. Therefore, after five days of intense civil unrest, Ortega finally decided to cancel the implementation of the social security reforms in an attempt to quell the protesters' demands. However, by that time it was too late, primarily because the "protests were expressing something much larger, as more than a decade of accumulated grievances over the regime's abuse of power, manipulation of the electoral process, and co-optation of institutions exploded" (Morris, 2019, p.62).

Additionally, Nicaraguans could not abide by the unjustified use of violence against protesters which as reported by Human Rights Watch on the accounts of journalists, the Red Cross and civil observers had led to approximately 435 injured, 242 hospitalizations, and least 63 deaths from April 18 to April 25 (Human Rights Watch, 2018). Consequently, by the end of the month the application of

intense governmental suppression served to transform the protests into a full-blown anti-governmental movement, widely known as the *Movimiento 19 Abril* (April 19 Movement), that through the organization of weekly protests demanded the immediate resignation of President Daniel Ortega and his wife/vice-president Rosario Murillo. In the months that followed, the demonstrations against Ortega and his regime heavily intensified resulting in a massive death toll and the displacement of tens of thousands of Nicaraguans who were forced to flee the country. These were two of the direst consequences of the protests both of which are discussed in what follows of this section, because not only did they receive the most international coverage, but because they served to prove that democracy in Nicaragua was over.

The 2018 protests, led to a national socio-political crisis that due to the ongoing struggle between Ortega's authoritarian regime and demonstrators has caused massive casualties amongst the population. The Inter-American Commission on Human Rights (IACHR) reported that "at least 355 individuals died during the repression of social protests over the period [of] April 18, 2018–July 31, 2019" (2021a). This number is the result of several confrontations between protesters and the state's military, police and paramilitary agents who have opted to use high calibre weapons:

Amnesty International has documented police and pro-government groups armed with AK-style rifles; Dragunov, Remington M24, and FN SPR sniper rifles; RPK and PKM machine guns; and even shoulder-launched PG-7 rocket-propelled grenades. Some of these are weapons of war that are prohibited for use in public security operations (Amnesty International, 2018a).

This illustrates the unwarranted use of excessive violence being employed by Ortega's administration, an undemocratic alternative to the peaceful negotiations that were attempted by the UN and OAS throughout 2018. Furthermore, because all attempts at national dialogues (mediated by the external observers formerly mentioned) failed to reach a resolution to the conflict, Ortega's regime decided to double down and adopt a strategy of repression, characterized by the extreme use of force, based on which it has gone so far as to employ deadly force against its own citizenry:

The Nicaraguan authorities have turned on their own people in a vicious, sustained and frequently lethal assault on their rights to life, freedom of expression and peaceful assembly. The government of President Ortega has then shamelessly tried to cover up these atrocities, violating the victims' rights to truth, justice and reparation (Amnesty International, 2018b).

The blatant use of violence against Nicaraguans illustrates the fundamental breakdown of democracy in Nicaragua, as citizens' most basic civil rights have been violated. This breakdown of democracy is illustrated through Calleros' (2009) discussion of the responsibilities of a democratic state, which under the guidelines of the IACHR, includes the protection of citizens' fundamental rights within the state's legal framework (p. 148). In the case of Nicaragua, Ortega's administration has not only failed to secure its citizenry's basic civil liberties but has been the main perpetrator of the violations they have been subjected to:

The strategy for repression appears to have been directed from the highest levels of government. President Daniel Ortega and Vice-President Rosario Murillo repeatedly demonized demonstrators and denied that people were being killed, while public officials denied victims medical attention, mishandled evidence and refused to order autopsies and other forensic examinations (Amnesty International, 2018b).

Through the protests of 2018, the frailty of Nicaragua's judicial system has become even more evident. First, Nicaragua's Supreme Court has not been able to check the power of the executive or prohibit the use of the country's armed forces from executing oppressive military operations against the citizenry. And, second Nicaragua's lower courts have not been able, or even worse willing, to pursue any form of legal action against the officials that have violated citizens' civil liberties and human rights. As is discussed more fully in the following section, the violations of human rights throughout the 2018 protests and its aftermath have been a rampant problem in Nicaragua:

Human rights violations documented by OHCHR include disproportionate use of force by the police that sometimes resulted in extrajudicial killings; enforced disappearances; obstructions to access to medical care; widespread arbitrary or illegal detentions; prevalent ill-treatment and instances of torture and sexual violence in detention centres; violations of freedoms of peaceful

assembly and expression, including the criminalization of social leaders, human rights defenders, journalists and protesters considered critical of the Government (OHCHR, 2018a p.7).

This report by the OHCHR illustrates how Ortega and his collaborators have used their strategy of repression to criminalize exercises of collective action and any actor/entity considered to be an opponent of the ruling-party (an approach similar to the one that was applied during the 2013 *campesino* movement, which is discussed in the next chapter). Ortega's application of criminalization against demonstrators has been increasingly employed as a mechanism of repression which as Doran (2017) would contend:

[...] facilitates serious human rights violations (torture, arbitrary imprisonment, sexual violence, assassination, and forced disappearance) against mobilized populations, and these violations almost always go unpunished (p.185).

In other words, Ortega and his contributors have used their position of power to criminalize their socio-political opponents, committing acts of abuse and human rights violations without fear of legal reprisals. Moreover, both Ortega and Murillo have worked to systematically demonize their socio-political dissidents referring to them as “terrorists” or “enemies of the state” (Human Rights Watch, 2019). As a result, tens of thousands of Nicaraguans have fled to neighbouring countries (primarily Costa Rica) to seek asylum. The United Nations has calculated that from the period of 2018 to 2020, “more than 100,000 people in Nicaragua have sought asylum abroad, reportedly fleeing persecution and human rights abuses” (United Nations, 2020). This exorbitant figure demonstrates the severity of the conflict in Nicaragua which has caused families to be separated and forced thousands of Nicaraguans to resettle outside their native homeland. Consequently, due to the escalation of the conflict and the continued use of repressive tactics by Ortega and his contributors:

Nicaragua's status [by Freedom House] [has] declined from Partly Free to Not Free due to authorities' brutal repression of an antigovernment protest movement, which has included the arrest and imprisonment of opposition figures, intimidation and attacks against religious leaders,

and violence by state forces and allied armed groups that resulted in hundreds of deaths (Freedom House, 2019).

This classification by Freedom House based on their country report from 2019, serves to demonstrate the complete deterioration of Nicaragua's democratic political system. It illustrates that the country's growing trend of authoritarian policies, consolidation of political power in the hands of the president and most recently the overt criminalization and persecution of socio-political opponents has led Nicaragua to completely regress back into a dictatorial regime. This authoritarian regression demonstrates that there is a strong causal relationship between criminalization and de-democratization and as such the former can and should be used as a mechanism in the study of democratic breakdown, a point which is reinforced in the final segment of this chapter.

5.4 The Complete Breakdown of the Democratic Political System: A Regression into Dictatorship

5.4.1 Weaponizing Criminalization as a Mechanism of Repression

The use of criminalization as a tool of oppression has been a growing trend in Latin America. In the case of Nicaragua, criminalization has been progressively and systematically weaponized as a mechanism of repression against all social and political actors considered to be opponents of the Ortega-Murillo regime.

Consequently, this final segment of the chapter is divided into two subsections. The first part provides an overview of the repressive tactics used against human rights defenders, journalists, members of the Catholic Church and political opponents. This examination is used to demonstrate that there is a strong causal relationship between criminalization and democratic backsliding, and as such criminalization can and should be used as a theoretical instrument in the study of democratization.

The second part culminates the chapter with a brief analysis of the latest round of constitutional amendments that were introduced in 2024 and ratified in 2025. These reforms were instituted to establish a co-presidential system between Daniel Ortega and his wife Rosario Murillo. This latest act by the Ortega administration to consolidate the power of the president is used to reaffirm that Nicaragua has fully regressed into a dictatorship implementing a familial dynasty that is comparable to that of the Somoza regime.

A. Human Right Defenders & Members of the Media

Since the initiation of the socio-political crisis in 2018, Ortega's regime has intensified its control over the Nicaraguan people. Specifically, they have concentrated their efforts on eliminating all actors perceived to be contrary and/or detrimental to their power:

In their pursuit of absolute control, the Ortega-Murillo (...) [regime] (...) has made every effort to close all civic space in Nicaragua. They do this through the persecution and criminalization of any persons or organizations identified or perceived as opponents of the government (Hernandez-Roy, 2024).

In other words, criminalization has been employed by the Ortega-Murillo government as an instrument of socio-political repression, used to maximize their control over the Nicaraguan people. As defined by Doran (2017):

Criminalization is a specific form of retrenching on well-established civil and political rights, rendering them synonymous with criminal behavior that must be sanctioned legally, and tolerates abusive behavior by state agents toward human rights defenders, who are viewed as enemies (p.183).

In Nicaragua (like in most democratic nations [Nicaragua was identified as a democratic state up until 2018]), human right defenders have traditionally been considered the gatekeepers of democracy. Therefore, they have been consistently the targets of political intimidation by Ortega's government since his return to power in 2007.

The targeting of human rights defenders has been a way for the Ortega regime to obstruct their work in the promotion and protection of democratic norms and principles. Thus, once the 2018 demonstrations commenced, the persecution of human rights defenders and members of the press (a sector of society that has also worked diligently to hold the government accountable) relentlessly intensified. The main reason for this uncompromising harassment was that both human rights defenders and journalists were on the frontlines of the 2018 demonstrations protesting the abuses of power committed by the Ortega regime and demanding that the administration be held

answerable for their unlawful actions. As a result of their active participation in the manifestations Ortega and his collaborators decisively besieged human rights defenders and members of the press:

The government has also targeted those who expose its abuses, including independent journalists and human rights defenders. Several of the human rights defenders and journalists targeted during the crackdown had been longstanding critics of Ortega and had already been victims of harassment before the protests started. Police and armed pro-government groups have harassed, intimidated, assaulted, and detained journalists (Freedom House, 2019).

The persecution of human rights defenders and members of the media has been a highly criticized strategy of the Ortega administration, especially as the main objective has been to limit the divergent socio-political actors present within the country. It is important to reiterate that the Ortega-Murillo government has been officially identified by Freedom House as a dictatorship as of 2019, but from 1990 until 2018 they were classified as a “partly free” democratic nation. This is important as criminalization is a tool traditionally employed by democratic states, but as of 2019, in Nicaragua, criminalization is being increasingly used by an overtly authoritarian regime, which only operates as if it were democratic. Consequently, between 2018 and 2024 the government has moved to close over 5 000 non-governmental organizations (NGOs), including human rights organizations, non-profits and churches (Robles, 2024). Further, the government has closed all independent media outlets and now controls all public information disseminated throughout Nicaragua (Organization of American States, 2024). This has forced many journalists to resort to covert reporting via social media platforms.

The Ortega administration has criminalized both human rights defenders and members of the press as a form of “legitimization of a state that sacrifices human rights in the name of a certain idea of security and democracy in which human rights defenders are viewed as enemies” (Doran, 2017, p. 200). In this case, the Ortega-Murillo dictatorship is not defending their version of democracy but rather they are protecting their overarching control over the Nicaraguan state’s

political system. Overall, the criminalization of human rights defenders and journalists because of their participation in the 2018 protests, in cohesion with the mass closure of their respective organizations has heavily contributed to the complete erosion of democracy in Nicaragua, as the government has worked to eliminate the presence of all independent and democratic institutions within the country. This is additionally illustrated through Ortega's persecution of the Catholic Church and its clergy members.

B. Catholic Church

Like most Latin American countries, Nicaragua's most predominantly practiced religion is Catholicism. Therefore, one of the most egregious acts committed by the Ortega-Murillo regime has been their unparalleled maltreatment of the Catholic Church and its members. The Catholic Church and its clergy have been targeted by Ortega's regime because:

Religious organizations provide a key social scaffolding in Nicaragua. Religious institutions and their leaders are deeply entrenched within the communities they serve, a feature which makes them a threat to the Ortega-Murillo regime's authoritarian political project (Hernandez-Roy, 2024).

Subsequently, the now autocratic government has victimized the Catholic Church through a systematic embargo of the institution which has consisted of the arbitrary arrests, long-term imprisonment, and exile of clergy members. These actions by the dictatorship have been widely viewed as a defensive and pre-emptive response to the Church's criticism of the regime's undemocratic and antiliberal actions, in addition to its role in supporting the demonstrators during the 2018 manifestations.

One of the most prominent examples of an imprisoned high-profile clergy member is Bishop Rolando Álvarez, who along with other members of the Church, was jailed for over a year on accusations "of supporting massive 2018 civic protests that [Ortega] claimed were a plot to overthrow him" (NPR, 2024). Once Bishop Álvarez was released in 2019, he along with 222 other prisoners were promptly exiled to the United States, "in a deal brokered by the U.S. government" (NPR, 2024). Soon after being released and deported to the U.S., the prisoners in an unprecedented move by the Ortega regime, were all stripped of their Nicaraguan citizenship.

Since the example set in 2019, the Ortega-Murillo dictatorship has continued to release and exile prisoners as a sign of supposed good faith, but always upon their removal from the country their citizenship is illegally taken away. In addition to exiling Bishop Álvarez, the Ortega-Murillo

dictatorship did not relent on its crackdown of the Catholic Church. Therefore, in July of 2022 they proceeded to deport a total of eighteen nuns (from a longstanding order that had been founded by Maria Teresa). After removing their legal status within the country, “They were escorted by police to the border and crossed into neighbouring Costa Rica on foot. Their organisation is among the latest to be shut down as part of a crackdown on anyone deemed to oppose President Daniel Ortega” (Buschschlüter, 2022). The targeting of the Catholic Church and its members has been another way for Ortega’s administration to target actors and institutions perceived as threats of the authoritarian leader and his ongoing rule. Moreover, the persecution of the Catholic Church serves as an additional example of the total breakdown of democracy in Nicaragua as it illustrates that the country has completely reverted into a dictatorship that does not admit the presence of any actors perceived to be socio-political adversaries.

C. Political Opponents

The last group that is discussed in this chapter is political opponents, who have been relentlessly and illegally targeted by the Ortega-Murillo regime. Despite having clearly reverted into a dictatorship since the 2018 socio-political demonstrations (as recognized by Freedom House in their 2019 country report), the Sandinistas still held the general elections scheduled to take place in November of 2021. In the leadup to the election Ortega and the FSLN overtly criminalized political opponents to inhibit their participation in the upcoming electoral proceedings:

At least half a dozen likely presidential contenders had been detained ahead of the vote, clearing Ortega's path to another five years in office. Though five other presidential candidates were listed on the final ballot Sunday, none were seen as strong challengers (Hu et. al., 2021).

As a result of the illegal detention of presidential candidates the results of the election, which saw Ortega win a fourth consecutive presidency, were not considered to be legitimate by either international or national observers. On the contrary, the election was widely condemned by the international community as a "sham" or "farce" (Hu et. al., 2021) due to the imprisonment and disqualification of opposition leaders and presidential candidates in the months leading up to the vote.

Additionally, even though the next general elections are not scheduled until November of 2027, the systematic targeting of political opponents by the authoritarian government has not let up. The Ortega-Murillo regime continues to suppress all opposition actors before they can establish an electoral base or an institutional foothold within the National Assembly. Furthermore, it is important to note that the criminalization of political opponents is not a new tactic by the Sandinistas, but since 2018 they have become more brazen and explicit in the employment of repressive tactics. The Sandinistas have focused on the establishment of constitutional reforms that expands Ortega's authority as president and effectually weakens the power of the state's

institutions as was done through the reforms of the Ortega-Alemán *pact* (2000) and the amendments of 2014. Most recently, in 2024 the regime proposed another set of constitutional reforms that would serve to further tighten their grip on the state's political power through the institution of an "official" co-presidency between FSLN leader Daniel Ortega and his wife/long-time vice-president, Rosario-Murillo.

5.4.2 Second Round of Constitutional Reforms (2024)

In 2024, the Sandinistas presented another set of constitutional reforms before the National Assembly. The proposed amendments which would swiftly be approved by the legislative body and go into effect in January of 2025 included five main stipulations: the further centralization of the power of the president, extending presidential term limits from five to six years, granting the government the power to remove citizenship for acts of treason, enabling the censorship of the press under a state of emergency and promoting the position of the vice-president to the role of “co-president” (Human Rights Watch, 2025b). The reforms were drafted to further weaken the separation of powers between the different branches of government principally by increasing the control of the executive over the country’s legislative, judicial and electoral bodies (Merino Menjívar, 2025). Essentially the ratification of these constitutional amendments by the National Assembly served to institutionalize the Ortega-Murillo regime as a full-blown dictatorship.

In sum, democratic backsliding in Nicaragua officially began with the constitutional amendments of 2000 which were instituted through the Ortega-Alemán *pact*; then de-democratization accelerated through the constitutional reforms of 2014 which most notably extended presidential term limits; next, a complete breakdown of democracy resulted from the mass repression and criminalization of demonstrators during the 2018 protests; and finally due to the constitutional reforms of 2024 Nicaragua has officially instituted an authoritarian regime by establishing a co-presidency under the leadership of Daniel Ortega and Rosario Murillo. As has been demonstrated throughout this chapter, during Nicaragua’s de-democratization process the Ortega-Murillo regime has progressively and methodically employed criminalization as a mechanism of repression against protesters, human rights defenders, journalists, the Catholic Church and political opponents. Furthermore, Nicaragua’s democratic political system has

completely eroded since the 2018 socio-political protests, officially being recognized as a dictatorship by Freedom House as of 2019, causing a comprehensive regression back into a familial dictatorial dynasty spearheaded by Daniel Ortega and his wife, Rosario Murillo, whom ironically under the FSLN, were key contributors to the downfall of the Somoza family dictatorship in 1979. In the following chapter of this thesis, I present the findings of the Nicaraguan interviews which were entirely composed of exiled Nicaraguans in Costa Rica. The analysis of my field work serves to illustrate that there is a strong relationship between criminalization and de-democratization, and consequently criminalization can and should be employed as a theoretical instrument in the study of democratic breakdown.

CHAPTER 6: EXAMINING NICARAGUA'S DEMOCRATIC BREAKDOWN THROUGH A CONTENT ANALYSIS APPROACH

Introduction

This chapter provides a comprehensive examination of the fieldwork that was conducted for the second case study of this thesis, Nicaragua. This chapter contends that the use of criminalization to respond to exercises of collective action and intimidate political opponents is a clear form of political repression. In her book, *Protest, Repression and Political Regimes: An Empirical Analysis of Latin America and Sub-Saharan Africa*, Sabine Carey considers how political regimes use repression to address popular protest. In establishing that there is a definitive relationship between political regimes' use of repression to respond to acts of dissent, Carey posits that, "The more democratic a country is, the less repressive is its government" (2009, p. 17). In other words, she argues that a country's democratic system needs to be relatively fragile to allow for an explicit use of political repression. As this dissertation has continuously argued, in the cases of Honduras and Nicaragua, both their democratic political systems were relatively weak from the time of transition which has consequently facilitated the increased use of repression and criminalization by political actors and successively led to the breakdown of both country's democratic systems (albeit to differing degrees).

Based on the 30 Nicaraguan interviews of human rights defenders that were presented earlier, to illustrate the relationship between criminalization and de-democratization, this chapter studies the concepts of democracy, de-democratization, criminalization, socio-political protest, human rights, rule of law, and institutional autonomy. Accordingly, the chapter is divided into four primary sections. The first section addresses the participants' conceptualizations of democracy. Based on their personal experiences as socio-political activists and/or human rights defenders this

segment of the chapter seeks to evaluate the overall strength of Nicaragua's democratic system proposing that its weak composition from the time of transition has led to authoritarian regression.

The second part of the chapter builds on the discussion of criminalization in Nicaragua provided in Chapter 5. To examine the origins and severity of criminalization within Nicaragua, this section of the chapter assesses the repercussions of the repression applied to the participants of the *movimiento campesino* [peasant movement]¹⁵ which initiated in 2013. This section also examines the governmental violence used against the *movimiento Abril 19* [April 19 movement], a social mobilization that organized mass national demonstrations throughout the 2018 socio-political crisis. The consequences of criminalization are determined by examining the degree of violence and illiberal devices employed by the state's government agents, police, military and the unofficial actions of the state's paramilitary forces.

In continuation, the third component of the chapter discusses the lack of institutional independence within Nicaragua. Specifically, this component of the chapter evaluates the efficiency of Nicaragua's rule of law. Based on the experiences of the research subjects this section concentrates on the ineffectiveness of the state's legal system as it relates to the implementation of due process, protecting civil rights, and enforcing the equal application of justice. Based on the declarations of the participants this section of the chapter contends that there is a lack of institutional independence in reference to Nicaragua's judicial system and that this deficiency of autonomy has enabled and arguably promoted the increased and massive criminalization of human rights defenders and socio-political protesters.

¹⁵The peasant movement in Nicaragua emerged in 2013 to oppose the interoceanic canal project (Law 840), which threatened to expropriate the land of local farmers and indigenous community members.

Finally, the last section of this chapter addresses Nicaragua's authoritarian regression into a dictatorial regime. This is done through an investigation of the repercussions of the 2018 manifestations, particularly the increased level of human rights violations and repression exercised by the Ortega-Murillo administration, the migratory impact the ongoing socio-political crisis has had on the country and the high-level of political consolidation of the president's executive power which has encompassed the dismantling of the state's primary structures of checks and balances. In addition, this section of the chapter also provides an examination of the reality of the adversities being faced by exiled Nicaraguans abroad, mainly being stripped of their assets and citizenship, facing economic and emotional hardships, and being the victims of transnational repression. Through the analysis of the Nicaraguan interviews, I intend to demonstrate that the breakdown of democracy that has taken place in Nicaragua is explicitly related to the discernible rise of criminalization occurring within the country and as such I reinforce the argument that criminalization can and should be used as a causal factor in the study of de-democratization.

ANALYSIS OF NICARAGUAN FIELDWORK

6.1 *The Question of Democracy*

The ability to define democracy and identify the components of a democratic political system was a quintessential aspect of my fieldwork, as only by illustrating a working knowledge of democracy could I then proceed to question participants on the concept of de-democratization. As mentioned in previous chapters of this dissertation, this thesis observes O'Donnell & Schmitter's (1986) procedural minimum definition of a modern political democracy, whereby public officials are held accountable for their actions in the public realm by the state's citizenry and competitive elections are projected to take place ensuring the "minimum" expectation of full suffrage and the protection of civil liberties. However, as has been noted in both Chapter 2 and 4 of this dissertation, despite O'Donnell & Schmitter's definition outlining the parameters needed for a regime to be classified as democratic, its primary focus is institutional concentrating on the establishment of strong rules, procedures and state structures. Furthermore, even though O'Donnell & Schmitter do recognize the significance of protecting civil liberties within a democracy, they do not explicitly discuss the importance of protecting civil liberties and citizen participation against acts of state-based violence, repression and/or criminalization. This missing element from O'Donnell & Schmitter's definition however is a central aspect of the conceptualization of democracy that has been provided by the Nicaraguan (and Honduran) interviewees as is discussed throughout this section.

In reference to Honduras and Nicaragua, the argument maintained throughout this thesis is that during the democratic transitions of both countries, strong democratic institutions and state structures were not adequately developed. On the contrary, during the period of the 1980s, in which both states initiated their transitions to democracy weak democratic institutions were established mainly as the result of what O'Donnell and Schmitter (1986) refer to as *pacts*, biased agreements

that favour and protect outgoing authoritarian actors from legal prosecution and enable them to retain a semblance of their political authority within the country's new political landscape in exchange for their cooperation in ensuring a peaceful transition to democracy. These concessions made at the time of transition have consequently had long-term negative effects on the consolidation of democracy in both Honduras and Nicaragua.

Even though according to academia both states were technically able to consolidate their democratic systems during the 1990s, this consolidation could be argued to be incomplete according to the six *arenas* of democratic consolidation proposed by Linz & Stepan (1996). For Linz & Stepan democratic consolidation only results from the complete interaction and implementation of all six arenas. However, in the cases of Honduras and Nicaragua the institutionalization of all six arenas was not complete, particularly as it refers to civil society, political society and the rule of law. The *pacts* made at the time of transition inadvertently led to the formation of an overly centralized executive office, an underdeveloped judiciary, and a pronounced imbalance of power between the different branches of government, components Calleros (2009) would argue are strong indicators of a weak democratic system and an incomplete transition to democracy. Furthermore, this thesis contends that the concessions made during the transition and democratization periods of Honduras and Nicaragua have enabled the heightened inclination of political actors to employ criminalization as a mechanism of repression against human rights defenders and socio-political protesters.

Therefore, the subsequent section analyzes the arenas discussed by Linz & Stepan (1996) through the individual experiences of the Nicaraguan research subjects. The primary goal of this examination is to demonstrate that even though Nicaragua did undergo a democratization process in which democracy would seem to have consolidated, the reality is that this consolidation was

incomplete due to the underdevelopment of the six arenas, which this thesis argues led to structural flaws and the implementation of a weak democracy in Nicaragua, one that was propended to authoritarian regression.

6.1.1 Defining Democracy: Is Nicaragua a Democratic State?

O'Donnell and Schmitter's (1986) procedural minimum definition of democracy focuses on the inclusion of all citizens within the public realm, particularly through the guarantee of full suffrage. To achieve this objective and foster the strengthening of democratic norms and principles, their definition centers on the importance of establishing strong political institutions and structures, in addition to holding regular and competitive elections, a key component of a democratic political system. However, the mere assurance of suffrage is not sufficient to ensure civil participation as it does not address issues of inequality, citizen disempowerment or the violation of human rights.

Therefore, given the importance of understanding the definition of democracy one of the initial questions I asked during my interviews with the Nicaraguan participants was: *What is democracy?* The intention behind posing this question was to determine what democracy entailed for the interviewees both theoretically and practically. I wanted to identify what norms, principles and structures they recognized as key factors of an efficient democratic political system. Furthermore, by asking this question I was able to provide a concept of democracy for the participants based on their own definitions, which they could then employ to assess whether Nicaragua could be identified as a democratic nation, a secondary question which is cohesively examined down below.

In requesting a definition of democracy, the 30 Nicaraguan interviewees provided a wide array of answers that predominantly concentrated on the protection of basic civil liberties such as: freedom of speech, freedom of mobility, freedom of assembly, freedom of the press, free and open elections, the assurance of human rights, governmental transparency and the promise of public

safety.¹⁶ One of the interviewee's testimonial that encompasses these components in his definition of democracy is the one provided by human rights defender and advocacy lawyer of more than 30 years, ALS:

In conceptual terms democracy is the election of a government through the will and participation of its citizens who, through an exercise, choose their authorities within a framework that guarantees the principles of legality, transparency, and popular will for the election of their public authorities. As elected officials these authorities enter into an agreement in which they promise to govern, from a democratic political framework, ensure the socioeconomic development of a nation, and most importantly guarantee the protection of their citizens basic civil liberties and human rights (ALS, interview, July 16, 2022).¹⁷

The definition of democracy provided by ALS serves to illustrate the importance of participation, ensuring the general will of the public, and protecting the doctrines of legality, transparency, civil liberties and human rights. This conceptualization of democracy highlights that O'Donnell & Schmitter's procedural minimum definition of democracy does not adequately emphasize/prioritize the importance of protecting civil liberties and ensuring civic participation within a modern democratic system. Rather, the definition of democracy provided by ALS strongly adheres with the principles outlined by the non-partisan organization, Freedom House which advocates for the protection of democracy and human rights on a global scale. Fundamentally, Freedom House defines democracy as "government by the people", a framework whose core principles and institutions must "protect basic rights" (2024c). This straightforward definition of democracy is shared by a research subject that has been a long-term socio-political activist in Nicaragua and is presently a member of the Nicaraguan Exile Unit in Costa Rica (UEN), Isaac who defined democracy as:

¹⁶The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

¹⁷All the testimonials that are provided throughout this thesis have been transcribed and translated by the author from the original Spanish to English. At the end of this document, in Appendix II, readers will be able to find a list of the original Spanish testimonial excerpts, in order of appearance, with their corresponding translation.

The power of the people and for the people. Democracy is where there is freedom of expression, where there is respect for private property, and where freedom of thought and autonomy are also respected. Democracy protects citizens' rights and freedoms. It also guarantees their human rights will be protected. That is how I define democracy. And as such it is something that I also believe has not existed in Nicaragua (Isaac, interview, July 16, 2022).

Isaac's testimonial illustrates the basic principles that Nicaraguans expect a democracy to uphold, particularly the protection of civil liberties and human rights. His interview also alludes to the fact that the inability or unwillingness of a government to assure the protection of these rights is a clear marker of a faulty or incomplete democratic system. As Calleros (2009) proposes a measure of a state's real commitment to democracy is their ability and willingness to protect human rights (p. 3), thus if a country is unable to ensure its citizenry's human rights, then it cannot be considered a true democracy, as is the case in Nicaragua. This is further evidenced by Freedom House's definition of democracy which emphasizes the importance of protecting human rights:

Critically, democracies uphold the principle that all human beings are entitled to fundamental rights, including but not limited to the right to free expression, the right to associate and organize, the right to practice one's religious faith or nonbelief, and the right to privacy, to name just a few. Citizens in a democracy also have the right to participate in the election and administration of their own government. But no democratic government, however freely elected, has the authority to violate fundamental human rights, to which both citizens and noncitizens are entitled (2024c).

Unfortunately, in Nicaragua the protection of human rights has not been guaranteed under its political system. On the contrary, the current longstanding regime of Daniel Ortega and Rosario Murillo has systematically employed the violation of human rights as a "strategy of repression" (Amnesty International, 2018c) to discourage all forms of socio-political dissent. Therefore, despite Ortega repeatedly denying the overt violations of human rights committed by his administration against the Nicaraguan people, Amnesty International has reported:

It's shameful that the government of President Ortega is denying the undeniable. There is a wealth of evidence, including thousands of testimonies, to show that the Nicaraguan state has committed terrible human rights violations and continues to do so on a daily basis (2018).

This declaration by the reputable global organization, Amnesty International illustrates a clear breakdown of democracy within Nicaragua, as protecting human rights is considered a fundamental principle of any democratic state. Thus, one of the main findings for this initial question regarding the definition of democracy is that civic participation, the protection of civil liberties and the defence of human rights violations need to be reflected in any strong conceptualization of what a democratic system should entail. Consequently, the conclusions of this question, also serve to further the argument that O'Donnell & Schmitter's procedural minimal definition of democracy should be revisited to illustrate the importance of protecting civil liberties and defending human rights from state-led violence and repression, considering the increasing levels of criminalization evidenced by the cases of Nicaragua and Honduras.

The continued and increased violation of human rights by the Ortega-Murillo regime was one of the most widely cited reasons amongst the Nicaraguan interviewees for providing a negative response, when asked *if Nicaragua could be classified as a democratic state?* When posed with this secondary question the Nicaraguan participants unanimously concurred that based on their previously given conceptualizations of democracy, Nicaragua could not be considered a democratic country. In particular, the interviewees agreed that democracy in Nicaragua did not exist due to the Ortega administration's persistent repression of the Nicaraguan people and the numerous violations of human rights committed by the state's political agents (mainly the government, military and police forces). For example, one of the leaders of the April 19 movement who selected the alias *Patria*¹⁸ responded by stating:

No, Nicaragua is not a democracy! It is entirely an authoritarian state where the voice of those at the top prevails. It doesn't necessarily have to be the president, but rather the entire administrative board, political actors that to use a redundant phrase, use the country for their own benefit. In other words, there are no laws, no justice, no democracy. Unfortunately, there is only repression and

¹⁸*Patria* is a Spanish word that refers to one's native country or homeland.

violence against those who seek democracy and justice. Nicaragua is a dictatorship (Patria, interview, August 23, 2022).

This dictatorial classification by Patria corresponds with the observation of international and human rights organizations like the United Nations (UN), Freedom House, Organization of American States (OAS), and research institutions like International IDEA, and Latinobarometer which have widely dubbed the government of Nicaragua under the present administration of President Daniel Ortega and vice-president Rosario Murillo as a full dictatorship since the fallout from the 2018 manifestations. Similarly, Esther, a research subject who was an active member of the student movement during the 2018 protests and a strong supporter of the PLC political party declared:

No, absolutely not Nicaragua is not a democratic state. In fact, just yesterday or the day before, I was talking to my husband, and I told him how wonderful it is here in Costa Rica because the government encourages citizens to participate and when they vote, the vote is respected. In Nicaragua, the participation of citizens is blocked, and elections are determined by the politicians in power. So, democracy in Nicaragua has been completely lost (Esther, interview, July 25, 2022).

This statement by Esther emphasizes the importance Nicaraguan citizens place on civic participation. Moreover, one can infer from her response that the realization of transparent elections free from governmental interference is also a vital component of Nicaraguans' conceptualization of democracy. This because as noted by Freedom House (2024c) "flawed elections" heavily contribute to the "deterioration" and "decline" of democracy, as such electoral fraud and government interference are both widely considered as indicators of de-democratization. Since recent electoral proceedings in Nicaragua, mainly the 2021 general elections, have been marred by serious accusations of administrative mismanagement, corruption and intervention (a point which is discussed in-depth later in the chapter) it is clear that, the state's democratic system has completely eroded.

Additionally, the Inter-American Dialogue (IAD), a think tank and nonpartisan forum for leaders in the Americas, has also documented Nicaragua's authoritarian regression linking it to an "environment of severe repression" in which "Mafia-like police officers have extorted businesses, Catholic leaders have been persecuted for supporting democracy, citizens (even US citizens) have been detained and unfairly sentenced to long jail terms, and civil society organizations have been shut down" (2025). This report from the IAD is just one example of the many assessments that have been made by organizations, including those at the highest international level, on the decline of democracy in Nicaragua. This highlights that the international community supports the claims of the Nicaraguan interviewees dubbing Nicaragua as a non-democratic nation.

As a socio-political activist who has been continuously targeted by government actors for being one of the leaders of the peasant movement in rural Nicaragua since 2013, research subject, Esperanza proposed that the oppression of Nicaraguans and the infringement of citizens' rights have severely hindered Nicaragua's ability to develop a true democracy within the country:

When you consider the word, democracy you associate it with the protection of rights. But when we look at the world's poorest countries, like Nicaragua, these are the countries where rights are most often violated. People don't have basic rights because the government is too corrupt. Therefore, poor countries aren't interested in having young people, in having new generations be educated and well-rounded, or in them prioritizing education, because it's not in their best interest to have thoughtful and capable citizens (...) What we see today in Nicaragua, is continued persecution carried out by the same government, the same dictatorship, the same regime who is against protecting the people's rights. So, the word democracy is sometimes not understood in countries like Nicaragua because what you see is a machine that talks about the concept of democracy, to deceive the world, but in the end, only focuses on developing alliances and imposing a dictatorship. In reality, Nicaraguans have had a very sad history because we've never been able to establish a true democracy, because a democracy is one where there is freedom of expression, where you can decide and think differently, but that doesn't exist in Nicaragua (Esperanza, interview, July 23, 2022).

This testimonial by Esperanza exemplifies that the protection of citizens' rights has not been prioritized by the Nicaraguan government, a fact which has incapacitated the implementation of a strong and complete democratic system. The frailty of Nicaragua's democracy since its period of

transition is explicitly discussed by interviewee Flor, the wife of an ex-Sandinista military officer, who was forced to flee Nicaragua with her children in 2018, after her husband appalled by the government's continued abuse of power during the protests opted to desert the armed forces and seek political refuge in Costa Rica:

Democracy has always been very weak in Nicaragua even during Violeta Chamorro's time, which was in the 90s. I was very young, I think I was only 19. I think that's when things started to happen. And, I mean, for me, seeing many Nicaraguans waging war against Violeta Chamorro and her attempts at implementing a democratic system, they did not let her govern. Then there was Bolaños, who also tried to institute democracy but again there were demonstrations. As Daniel Ortega said, "We will govern from below." So, he manipulated things to his advantage during both those administrations. During both those periods the government made attempts at democracy and protecting human rights. But they were unsuccessful and after that, you didn't see democracy in Nicaragua it never really developed (Flor, interview, July 30, 2022).

This account by Flor demonstrates that the consolidation of democracy in Nicaragua was incomplete from the time of transition in the 1990s, particularly as the country's political system did not adequately develop democratic norms and principles like the protection of human rights. This is supported by the work of David Dye (2004) who in his book, *Democracy Adrift: Caudillo Politics in Nicaragua*, proposes that during the mid-1990s Nicaragua briefly appeared to be making democratic progress but like "more than 100 countries that embarked on democratization starting in the 1980s [did] not consolida[te] their 'transition' to democracy" (p.2). Dye contends that despite attempts at democratization the authoritarian tendencies of political actors like Daniel Ortega and Arnaldo Alemán made the consolidation of democracy in Nicaragua virtually impossible. This supports Calleros' (2009) argument that the breakdown of democracy currently taking place in Nicaragua, is the result of incomplete transition processes (p.2). Dye's argument also echoes the work of Albertus & Menaldo (2018) who argue that a democratic transition does not necessarily signal the implementation of a strong democratic system, as these transitions are typically negotiated and shaped by outgoing authoritarian elites whose "legacy" heavily influences

the trajectory of the new political system, most often to their own benefit so as to maintain their individual power and wealth.

In general, the conceptualizations of democracy provided by the Nicaraguan participants and their unanimous categorization of Nicaragua as a non-democratic authoritarian regime demonstrates that Nicaragua does not meet the minimum requirements of a democracy as outlined by O'Donnell & Schmitter. Further, it highlights that O'Donnell & Schmitter's definition can be considered incomplete, especially as it does not address the importance of protecting citizens' human rights from acts of state-driven socio-political repression and criminalization. More poignantly, the participants' experiences serve to illustrate that the consolidation of democracy in Nicaragua during the 1990s was incomplete as strong norms, principles, structures, and institutions were not sufficiently developed during its transitional period, especially regarding the protection of civil liberties and human rights. As mentioned above, this bolsters the argument made by Calleros (2009) that incomplete transitions to democracy in Latin American have led to democratic systems that are more susceptible to regress into authoritarianism, as is the case of Nicaragua. As is discussed in the subsequent section, the incapability of the Nicaraguan state to effectively ensure basic civil rights is deeply rooted in the frailty of its democratic institutions.

6.1.2 The Correlation between Strong Democratic Institutions and Democratic Longevity

The creation and implementation of strong institutions are vital for the durability of any democratic political system, particularly because they serve to implement the state's rule of law, protect citizen's civil liberties, ensure governmental accountability and establish a framework for good governance. The non-profit organization the Research Triangle Institute (RTI) has identified the importance of strong institutions and good governance as "dual pillars [that] form the foundation for prosperous and stable [democratic] societies" (2023). RTI recognizes that strong institutions are the backbone of democracy as they enable citizen participation, mediate social, economic and political differences as well as prevent the centralization of power within a state. Similarly, for Calleros (2009) the establishment of "functional institutions" serves "as checks and balances within a democratic political system" (p.35). For Calleros, the existence of strong institutions is a crucial component to the implementation and resilience of a democracy.

However, as this thesis has argued in the cases of Honduras and Nicaragua, structural flaws present at the time of transition and democratization led to the creation of fragile democratic institutions, which has facilitated the subsequent de-democratization processes currently taking place in both countries. As a result, when the Nicaraguan participants were asked *whether they believed Nicaragua has strong and independent democratic institutions? Why or why not?* all the interviewees coincided in that Nicaragua does not have strong or independent public institutions. Conversely, the participants overwhelmingly agreed that the state's primary institutions mainly the electoral process, legislature and judiciary have all been taken over by the executive branch and are consequently controlled by the Ortega-Murillo regime.¹⁹

¹⁹The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

The opinion that democratic institutions are non-existent in Nicaragua is concretely expressed by a research subject who selected the pseudonym Caribe Tagni, a journalist and member of the rural movement of Nicaragua's Atlantic Coast:

There are no democratic institutions in Nicaragua. There is no democracy in Nicaragua, nor in its institutions. It was lost a long time ago. There is no democracy because the judicial bodies, as such, do not act democratically, adhering to the law. They do not adhere to what the political constitution or the penal code states, or to what the commercial code says, because it imprisons people. So, there is no institutional democracy, no separation of powers. In addition, there is no electoral freedom within the country. There is only one line of obedience: that of *Ortegismo*,²⁰ for Daniel Ortega and his wife Rosario Murillo. This is what the Nicaraguan people must adhere to. It is an authoritarian line of power, so there is no institutional democracy (Caribe Tagni, interview, July 10, 2022).

The testimonial shared by Caribe Tagni explicitly highlights that Nicaragua's public institutions are heavily controlled by the president's office, which has hindered any form of institutional autonomy or ability to enforce democratic norms and principles. In his interview, Caribe Tagni emphasizes the frailty of Nicaragua's judiciary, electoral processes and separation of powers. The observation regarding the weakness of Nicaragua's institutions and their control by President Daniel Ortega is supported by the academic work of Professor Maria Puerta Riera of the Australian Institute of International Affairs who contends that:

Daniel Ortega has designed an institutional framework based on the rearrangement of the branches of government and the control of the electoral processes. This has allowed his government to retain power without the burden of checks and balances (...) The diminished legitimacy Ortega now faces is a consequence of the weak institutions he himself constructed, the most critical being the faulty elections to stay in power. The 2016 presidential election showcased the erosion of political institutions by rejecting electoral observation, removing opposition members from Congress, and barring them from running for office. In addition, the growing political prominence of the Ortega family has deepened the deterioration of institutions, especially after Rosario Murillo, Ortega's spouse and first lady, was elevated to the vice-presidency in the 2016 election. The situation bears striking similarities to the ousting of Nicaraguan dictator Anastasio Somoza in 1979, both in corruption and nepotism (Puerta Riera, 2022).

²⁰*Ortegismo* refers to the political ideology and authoritarian system associated with Daniel Ortega, the long-time leader and current president of Nicaragua. It is distinct from the broader Sandinista movement from which it emerged.

In her report entitled, *Ortega's Grip on Power and the Demise of Democracy in Nicaragua* Professor Puerta Riera clearly illustrates the causal relationship between the erosion of Nicaraguan democracy and the weakness of the country's institutions, a frailty that has made them susceptible to being influenced and controlled by the executive office, particularly if one examines the state's electoral processes and judicial system.

As discussed in the fifth chapter of this dissertation, since returning to power in 2007, Ortega and his FSLN administration have launched a series of constitutional reforms (in 2000, 2014 and 2024) to tighten their control over the state's public institutions and minimize the ability of the legislative and judicial branches of government to check the power of the executive. Most recently, in January 2025 they have ratified the constitutional reforms proposed by the Ortega administration in late 2024. These modifications entailed "amending 148 out of 198 articles" of the national constitution to "profoundly transform the country's political system, reinforcing the Executive's influence over [the] other branches of the state" (Paolanti & Saccoliti, 2025). The imposition of these new reforms extends the power of the president and vice-president even more, allowing for the establishment of a co-presidency, the continued perpetuation of their executive power and the Sandinista political party's control of the state's core institutions.

As argued by the academic authors Bruce Magnusson and John Clark (2005), for democracy to survive "bad leaders" institutions "require a certain level of participation and agency" (p.569), two components that are blatantly absent in the case of Nicaragua. Public institutions in Nicaragua lack independence as they are strongly controlled by the current authoritarian regime. The institutional control by the Ortega-Murillo administration is evident to nationals such as the interviewee whose pseudonym is 3030, a prominent member of the

movimiento campesino [peasant movement] and present member of Nicaraguan Exile Unit in Costa Rica, who declared that:

The branches of government in Nicaragua are absolutely not independent. The government, or dictatorship as it can currently be called, came to power through political agreements or *pacts*, therefore none of its institutions or branches of government, as they are currently being managed, possess any legitimacy. They are not authentic. Ortega and his entire group control all the branches of government, and consequently, all the institutions of the state, there is no institutional independence, there is no democracy (3030, interview, July 11, 2022).

The declaration provided by 3030 not only explicitly concurs with the conclusion that Nicaragua's institutions are not independent, but he also identifies a root cause for this lack of autonomy, the establishment of "political agreements or pacts" (3030, interview, July 11, 2022). 3030 contends that these deals have served to hinder the balance of power between the different branches of government.

By using interpretative content analysis, which calls "on researcher interpretations and insights" (Drisko & Maschi, 2015, p. 65), to examine 3030's testimonial one can interpret that the interviewee is implicitly referencing the Ortega-Alemán *pact*. An agreement that was brokered in 2000 between left-wing FSLN leader, Daniel Ortega and right-wing Constitutionalist Liberal Party (PLC) leader, Arnaldo Alemán. Amongst its various stipulations such as the lowering of electoral requirements (which was the stipulation that allowed Ortega's re-election during the 2006 general elections), granting parliamentary immunity to both Ortega and Alemán so they could avoid criminal prosecution (Alemán was facing charges of fraud and corruption, while Ortega was accused of sexually assaulting his step-daughter), the *pact* was first-and-foremost a strategic power-sharing agreement that restructured Nicaragua's institutional control to benefit both actors' respective political parties (Abierto, 2021; IACHR, 2021b). Specifically, the confines of the pact included several provisions regarding the re-organization of the state's main institutions. These stipulations are analyzed by journalist Sergio Ramírez. In his Open Democracy article, entitled

Nicaragua's Hijacked Democracy, Ramírez outlines the central institutional changes that took place because of the *pact* mainly:

The supreme court, enlarged from seven to seventeen members, was shared out 50:50, and the judges' line up according to their political allegiances, also conspiring to vote on judicial cases along political lines. The *Contraloría General* [Comptroller General] was converted into a collegiate body made up of five *contralores* (comptrollers). The only purpose of these enlargements [was] to give the *caudillos* [Ortega and Alemán] posts to hand out, and also to allow them to create power balances (Ramírez, 2005).

In other words, the expansion of Nicaragua's primary institutions i.e. the Supreme Court, Comptroller General's office and Attorney General's Office was a political strategy by Ortega and Alemán that would allow them to appoint officials that would sympathize and proceed according to the interests and needs of these political actors. Furthermore, it allowed the two parties to split the control of the state's key institutions "50:50" (Ramírez, 2005). In general, the implementation of the *pact* served to profoundly weaken Nicaragua's institutions and caused a pronounced imbalance of power between the different branches of government, primarily because it allowed the executive office greater control and authority over the legislature and judiciary.

The negative impact of the Ortega-Aleman *pact* on the independence of the state's institutions is further explained by Nicaraguan participant, Mariana, a former Sandinista-militant and current human rights defender and socio-political activist who claims:

There is a complete lack of independence amongst the state's institutions and between the different branches of government. Even long before 2018, public institutions were subject to partisan directives that were instituted by the Ortega-Alemán pact. This turned Nicaragua into a two-party system in which the two major parties, the PLC and the FSLN, had co-opted state institutions, appointments, processes, and the National Assembly. This resulted in the creation of laws that further weakened the country's institutions and corrupted every signal political process in the country. For example, free, transparent, and democratic elections, preventing the co-optation of power and nepotism. I think the pact fostered institutional weakness and consolidated the president's power, and that has resulted in the dictator we have now (Mariana, interview, July 28, 2022).

The extensive declaration given by Mariana clearly illustrates the long-term consequences the *pact* has had on the state's institutions, primarily the co-optation of political authority, the imposition of a two-party system, and the imposition of an imbalance of power amongst the different branches of government. As stated by Committee of Illegitimate Debt writer, Eric Toussaint, the *pact* allowed Ortega and Alemán to “have more loyal representatives in the [state's] institutions (...) [so] they [could] strengthen their presence in such institutions as the Electoral Council, the Court of Auditors and the Supreme Court” (Toussaint, 2018). Consequently, due to its intrinsic weakening of the state's institutions the *pact* was identified by 24 Nicaraguan research subjects as one of the main events that led to democratic breakdown within Nicaragua (as is discussed more in-depth in the following section).

Overall, through the declarations of the Nicaraguan participants, it is evident that institutional independence is heavily lacking in Nicaragua, as the state's primary institutions are controlled by the executive office, a point which has caused a severe imbalance of power amongst the state's different branches of government, strongly benefitting the executive branch. This dissertation contends that the proclivity of Nicaragua's institutions to be controlled by the central government is the result of the structural flaws present at the time of transition. Moreover, from the declarations of the Nicaraguan interviewees it is evident that the decline of institutional independence in Nicaragua has strongly contributed to the state's overt breakdown of democracy.

6.1.3 The Deterioration of Democracy in Nicaragua

After tackling the conceptualization of democracy and the relationship between a state's democratic institutions and democratic longevity, my line of inquiry proceeded to examine the question of de-democratization. Specifically, I asked the participants *whether they believed democracy in Nicaragua had deteriorated over the last few years and if so, was there was any event they thought had been the cause of this democratic breakdown?*

When posed with this two-part question all participants agreed that democracy has severely declined in the last few years, claiming that democratic norms and principles were not protected under the current administration particularly as the Nicaraguan citizenry has lost the assurance of basic civil liberties such as freedom of speech, freedom of association, freedom of the press and freedom of movement.²¹ In addressing the second part of the question, as noted above, 24 participants (a considerable majority) signalled that this democratic decline has been taking place in Nicaragua since the implementation of the Ortega-Alemán *pact*, an agreement which enabled the return of Daniel Ortega in 2007. One of the interviewees which credited the *pact* with commencing democratic decline in Nicaragua, was Patria one of the leaders of the April 19 movement who throughout 2018 actively protested the continued abuse of power by the Ortega-Murillo regime. He claimed that:

The famous Ortega-Alemán pact came to seal the political future of Nicaragua in a big way. It allowed the FSLN and PLC to control the state's institutions, co-opt the executive power and almost eliminate all the checks and balance structures of the country. This not only weakened Nicaragua's institutions and allowed Daniel Ortega to be re-elected, but it effectively caused democracy in Nicaragua to breakdown (Patria, interview, August 23, 2022).

²¹The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

The sentiment that the bi-partisan agreement between Ortega and Alemán caused democracy in Nicaragua to decline is shared by fellow Nicaraguan participant Pedrito, a socio-political activist who also joined the April 19 movement and participated in over a dozen marches throughout Nicaragua before being forced to escape the country for fear of his life:

Daniel Ortega and Arnaldo Alemán made a pact, and that pact was illegitimate because we didn't vote for it, and it imposed policies that the Nicaragua people were not in agreement with. Therefore, the pact truly brought our country down, it caused democracy to completely erode. It led to what we're going through now, it led to the crisis of 2018, which has been truly awful. My mother says that not even under Somoza did there end up being as much death as there is now with Daniel Ortega (Pedrito, interview, July 14, 2022).

This emotive declaration by Pedrito illustrates that the *pact* is considered by most Nicaraguans as the moment that the de-democratization process of Nicaragua officially started. This evaluation is supported by authors like Salvador Martí i Puig and Macià Serra (2020) who contend that the “process of de-democratization has been taking place in Nicaragua since 2000” (p. 117) when the political leaders Daniel Ortega and Arnaldo Alemán instituted a “Governance Agreement” which “made the judiciary and the election administration (CSE) more partisan” (p. 120). This demonstrates that the *pact* heavily weakened Nicaraguan democracy by politicizing the judiciary and electoral system, a political strategy which arguably paved the way for the current authoritarian regime of Daniel Ortega and Rosario Murillo.

Despite most of the interviewees referencing the *pact* as the event that caused democratic backsliding in Nicaragua, there were 6 participants that noted that the complete deterioration of democracy had only become overtly evident to the entire Nicaraguan population once the 2018 socio-political crisis started. For instance, research subject Frank, who acted as a longstanding political candidate at the municipal level throughout the mid-2000s, and who turned into a socio-political activist during the 2018 socio-political crisis claimed:

2018 was the last drop in a glass that had been filled to the rim with governmental abuse and corruption for over a decade. When the government proposed the social security reforms that would lower the pensions of retired Nicaraguans, the people finally exploded. People were no longer willing to sit back and abide by the corrupt money-grabbing policies Ortega and his administration were implementing. Demonstrations broke out across the country and when the government responded with violence it was over, we knew as a people that Ortega had to be removed from office, an objective Nicaraguans continue to strive for even years later (Frank, interview, July 30, 2022).

From Frank's recounting of events, it can be inferred that the 2018 protests do not necessarily mark the beginning of de-democratization in Nicaragua, rather it indicates an important acceleration and intensification of democratic decline, in which the government's autocratic tendencies reached a climax, one that the population was no longer willing to accept. The negative effects of the 2018 socio-political crisis and its influence on Nicaragua's de-democratization process is further explained by members of the press such as *Article 19* reporter, Jorge Mejía Peralta who proposes that since the 2018 protests:

Nicaragua has been democratically backsliding, with criminalisation, persecution and violence against journalists and other dissident voices, and with detrimental impacts on civic space. The administration has resorted to a battery of legal and coercive tools; notable among them are the modification of laws such as those on 'foreign agents' or 'cybercrimes', as well as sanctions for spreading 'fake news' or committing 'treason'. These ambiguous laws have been used to punish dissent and strengthen state repression (2025).

From this journalistic overview of Nicaragua's authoritarian regression, one can note that the amplified and systematic use of criminalization as a mechanism of repression against human rights defenders and socio-political activists is closely linked to the de-democratization of Nicaragua's political system and as such it can be argued that criminalization can and should be used as a theoretical instrument in the study of democratic decline.

The increased use of violence and repression by the Ortega-Murillo regime since the 2018 protests is a main element discussed by Nicholas Hove, an associate member of the Immigration

& Human Rights Law Review. In his article entitled the *Extreme Repression and the Erosion of Democracy Under the Ortega Regime in Nicaragua*, Hove contends that:

President Daniel Ortega's regime has effectively eroded Nicaragua's democracy, turning the country into a totalitarian state. Nationwide anti-government protests in 2018 initiated a drastic turn away from democracy, which has led to the escalation of government abuses that persist to this day. A series of corrupt presidential elections and severe government crackdowns against dissidents has created a system where Ortega possesses supreme, unchecked power over the country and its electoral processes. The Ortega-led government has violated, and continues to violate, its citizens' human rights by repressing and harming its political dissidents and dismantling power from all opposition (2024).

This analysis by Hove, indicates that the 2018 protests should be earmarked as an important event in the breakdown of democracy within Nicaragua. Furthermore, this overview illustrates that the 2018 socio-political crisis should be recognized as the occurrence that led Nicaragua to officially return to dictatorial rule in 2019, primarily as it gave way to the open and massive repression of socio-political dissidents by the state's government agents. Nicaragua's regression into a dictatorship is recognized by Freedom House's categorization of the state as an "unfree nation" in their 2019 country report (Freedom House, 2019).

Conclusively, based on the testimonials of the Nicaraguan interviewees, there are two pivotal events that have been key to Nicaragua's de-democratization process; first, the Ortega-Aleman *pact* (2000) which served to initiated democratic backsliding in Nicaragua through the revision of the country's institutional and electoral processes; and second, the socio-political crisis of 2018 which heavily accelerated the state's path to authoritarian regression leading Nicaragua back to dictatorial rule. The importance of these key events is further discussed in Chapter 7. In this chapter, it is important to note that because of these critical events, criminalization has been increasingly and systematically employed by the country's government officials as a mechanism of repression to target those actors perceived to be socio-political opponents, a point which is deliberated thoroughly in the subsequent section.

6.2 *The Extent of Criminalization in Nicaragua*

Criminalization is a socio-legal tactic that is increasingly being employed throughout Latin America. It often involves the “harassment, intimidation, physical and psychological assault and in particular the use of public defamation” to discredit socio-political opponents (OHCHR, 2012). In the case of Nicaragua, criminalization has been weaponized as a mechanism of repression by the state’s political actors, mainly those stemming from the president’s office, to systematically oppress the work of human rights defenders and socio-political activists. In general, human rights defenders are the targets of repression because they “are essential actors who work to build inclusive societies and uphold democratic values” (The Diplomatic Service of the European Union, 2025), an objective that in the case of Nicaragua is presently contrary to the political interests and autocratic tendencies of the Ortega-Murillo regime. The growing and systematic use of criminalization by political actors as an instrument of repression, indicates a strong causal relationship between criminalization and de-democratization. As such, the following section serves to analyze the extent of criminalization within the Nicaraguan state.

The first component of this section addresses two primary questions. First, *what is criminalization?* And second, *is criminalization occurring in Nicaragua?* These questions are answered based on the personal experiences of the Nicaraguan interviewees, all of which have experienced some form of criminalization from state officials (including government, police, armed forces and paramilitary agents).

The second part of the section then uses the participants’ conceptualization of criminalization to assess the repercussions it has had on Nicaragua’s political system. This is done by examining two different sectors of society that have been specifically targeted by the Ortega-Murillo regime: members of the peasant movement and supporters of the April 19 mobilization. Both these groups are composed of human rights defenders and socio-political activists who have protested the abuse

of power and human rights violations committed by the Ortega government. It is important to note that since the 2018 demonstrations both these groups have joined forces to protest the government's growing acts of corruption and increased use of criminalization as a tool of socio-political repression. Yet their individual struggles and governmental persecution merit separate discussions. Overall, this segment of the chapter is used to demonstrate that not only does criminalization exist in Nicaragua, but that it has become a common-practice methodically employed by the Ortega-Murillo regime to besiege actors they identify as socio-political dissidents.

6.2.1 What is Criminalization? Is Criminalization Occurring in Nicaragua?

As was outlined in the chapter 2, this dissertation adheres to the definition of criminalization presented by Doran (2020). Her extensive explanation of criminalization encompasses the work of the Inter-American Commission on Human Rights (IACHR) and the conceptualizations of authors like Müller, Grasso & Bessant and Peñafiel. Collectively under the umbrella of Doran's work this definition of criminalization essentially describes a mechanism that is employed to justify the misuse/misinterpretation of the country's legal system, in some cases creating legislation or other political structures to intimidate, persecute, wrongfully accuse and/or imprison human rights defenders and activists who have been branded as socio-political opponents by the state. This is a practice that according to the United Nations High Commissioner for Human Rights, Michelle Bachelet, is extremely worrisome. In the case of Nicaragua, Bachelet states that she is, "deeply concerned about the apparent lack of due process and increasing criminalization of dissent in Nicaragua" (OHCHR, 2019). This statement by Bachelet signals that in Nicaragua the practice of criminalization by state agents is a serious issue on the rise.

In addressing the concept of criminalization, I wanted to ensure that the participants had a working understanding of its definition before discussing its existence and impact in Nicaragua. Consequently, to gauge the interviewees comprehension I asked, *what is criminalization?* Although (similarly to the case of Honduras) there was a small pool of participants (a total of 5) that equated criminalization with growing crime rates, most of the participants (a total of 25) defined criminalization within the context of Nicaragua as a mechanism that has been used by the Ortega-Murillo regime to intimidate and place illegal charges against those people who represent an

opposition to their power and the prolongation of their political rule.²² The research subject whose alias is ALS, a human rights defender who has fought for the implementation of democracy within Nicaragua, defined criminalization as:

A mechanism used by the dictatorship to justify the imprisonment and illegal kidnappings of those they consider hostile to their human rights violations. In my case, no, I have not only been criminalized, but also delegitimized and discredited, because these are instruments and tools of every dictatorship. To legitimize their actions, they discredit the work of human rights defenders, and they slander and demonize us. They publicly discredit us by making false accusations. Today, all human rights defenders, including myself, are accused of being terrorists, of being people who, through our actions, have caused destabilization against the government and its interests. Accusations which are egregious and simply untrue. Therefore, criminalization can be said to be a practice that the regime employs to justify or legalize its countless human rights violations (ALS, interview, July 16, 2022).

The definition provided by ALS equates criminalization with the imposition of false accusations by government agents and the utilization of smear campaigns to disrepute socio-political dissidents, mainly human rights defenders. Specifically, ALS references how human rights defenders have been relentlessly criminalized by the Ortega-Murillo regime to discredit and delegitimize their work.

This account of events is supported by the Front Line Defenders who have reported that since 2018 human rights defenders in Nicaragua “have been the subjects of smear campaigns and intimidation” (2018). Moreover, the report notes that “Criminalisation and smear campaigns against human rights defenders [have] hinder[ed] their ability to continue their work on the protection of human rights, which are being severely undermined in the context of the crisis engulfing Nicaragua” (Front Line Defenders, 2018). It is important to note that criminalization has been used as a mechanism of repression against human rights defenders as a means of removing

²²The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

their ability to hold the government accountable for their countless human rights violations which include the “excessive use of force, use of criminal laws to unjustly criminalize activists and dissidents, attacks on civil society and forced exile” (Amnesty International, 2023). As human rights defenders have openly criticized these repressive tactics and called for the Ortega government to be held responsible, they have been labelled as socio-political dissidents and as such have been targeted by the state’s political actors.

Another definition of criminalization was provided by interviewee Chonta, an ex-Sandinista military officer who noted that defining criminalization was not an easy task especially for someone who had been forced to execute this practice:

The use of criminalization in Nicaragua has caused the country to become completely unstable. This is because criminalization is essentially a mechanism of repression which the Ortega government has decided to exploit. The government forces its police and military personnel to partake in this practice. They are forced, manipulated, bought or if they do not comply eliminated. In my case, I no longer wanted to be forced to use violence against my own people, so I had to flee the country to save my life. Currently, the police, paramilitaries, or members of the Sandinista National Liberation Front, who have been military personnel have become the FSLN's hitmen, used to repress the people. That’s what criminalization is, it’s a form of governmental repression (Chonta, interview, July 30, 2022).

This interview directly shows that the Ortega government has chosen to “exploit” criminalization as a tool of socio-political repression. In addition, Chonta’s declaration showcases that the Ortega-Murillo regime employs tactics of coercion, monetary incentives and/or manipulation to “force” military and police officials to utilize criminalization on their behalf as a way of deterring dissent. Therefore, this classification of criminalization as a mechanism of repression, supports the argument this thesis has been making that the political actors of Honduras and Nicaragua, specifically those emanating from the president’s office, are increasingly and systematically employing criminalization as an instrument of repression against human rights defenders and activists which they perceive to be socio-political opponents.

The use of criminalization as a mechanism of repression has also been recognized by international observers including the United Nations, Organization of American States and Amnesty International. In mid-2018, Amnesty International reported that the Nicaraguan “government maintains [its] strategy of repression and criminalizes the right to protest.” The right to peaceful protest should be guaranteed within a democratic system and when this right is criminalized like in the case of Nicaragua, it is clear sign of democratic erosion. Vanessa Williamson and Kathryn Tenpas of the Brookings Institute, a nonprofit public organization, contend that, “The right to protest is an essential part of democracy, and also a critical political tool that ensures the electorate can hold the government accountable” (2025). As explained earlier, in Nicaragua the right to protest has been explicitly banned since 2018, with demonstrators like interviewee, Jeronimo, a human rights defender declaring:

Citizens in Nicaragua not only do not have the right to express themselves freely but are also forbidden from openly protesting or criticizing the government. In theory, the police and public authorities must guarantee the right to protest, provided that neither human lives nor property are violated. But in Nicaragua it’s the opposite, under the orders of Ortega, the police and military are the ones actively punishing citizens for demonstrating or publicly voicing their opinions against the government (Jeronimo, interview, July 20, 2022).

Here, Jeronimo elucidates how the government employs military and police agents to essentially forbidden exercises of collective action. The governmental ban on protests in Nicaragua, an overt infringement of a basic civil right, is a political strategy by the Ortega-Murillo regime to deter public criticism and socio-political dissent. This can be seen in the “arbitrary use of the criminal justice system by the government of President Daniel Ortega to silence those who protest against him” (Amnesty International, 2018c). This report by Amnesty International not only condemns the actions of the Ortega administration but explicitly recognizes that criminalization is a growing issue within Nicaragua. A problem this thesis would argue has directly expediated the breakdown of its democratic system showcasing the strong link between criminalization and de-

democratization.

As all 30 Nicaraguan participants were citizens who had been forced to flee the country after being persecuted for their involvement and/or support of the 2018 socio-political protests, it was not surprising that when asked *if criminalization was occurring in Nicaragua*, all the interviewees agreed that criminalization does exist in Nicaragua. However, they also supported the affirmation that it has become a progressively used practice by the Ortega-Murillo regime. Fernando, a student activist and member of the Constitutionalist Liberal Party (PLC) who joined the protests in 2018 to demand the immediate resignation of Daniel Ortega and his wife/vice-president Rosario Murillo in response to the violence exercised by the state's political actors, described criminalization as a mechanism that has always been present in Nicaragua but that was more openly and massively employed as a result of the 2018 protests, as we can see in this excerpt:

Criminalization has always, always existed in Nicaragua. It's just that after 2018; it was practiced more blatantly. Before, the government did it covertly, quietly, but they've always done it. They've always repressed, imprisoned, or murdered people who oppose them. But they did it quietly. Today, they do it openly. Today, they carry out repression, surveillance, harassment, and aggression against citizens brazenly. They don't care if human rights organizations notice, they don't care about being caught on video, they don't care about anything at all, there is no fear of reprisal or any legal accountability. If you're a member of the opposition, they won't let you live in peace in Nicaragua. Every day there will be a patrol car outside your house, and if you don't comply, then they'll use force or external agents to inflict violence on you. So, criminalization in Nicaragua today is so extreme that the government even rewards police officers, military officials and paramilitary members for doing these kinds of things. Criminalization is simply an everyday practice that occurs in Nicaragua (Fernando, interview, July 21, 2022).

Fernando's account clearly identifies that criminalization has been a longstanding practice that the government has employed to respond to opposing actors within the country but has now become an unconcealed tool, one that is used to define the regime's autocratic nature. Fernando's interview reveals that the utilization of criminalization in Nicaragua has significantly intensified since the 2018 socio-political crisis. Moreover, it demonstrates that since the 2018 protests the Ortega administration has openly practiced criminalization in Nicaragua on a larger scale, overtly

targeting actors perceived as socio-political dissidents. The willingness and ability of the Ortega regime to practice criminalization on a nation-wide platform distinctively indicates the complete breakdown of democracy in Nicaragua since the 2018 demonstrations.

The identification of criminalization as a longtime practice within Nicaragua is supported by the criminalization of indigenous activists and farmers during the peasant movement which initiated in 2013. In 2013, the Nicaraguan Peasant Movement was an active resistance against the administration of Daniel Ortega. The movement's primary focus was the defense of land and ancestral rights against megaprojects, such as the Interoceanic Canal. During this period the peasant movement denounced the Ortega government for their use of repression, intimidation and human rights violations, including forced disappearances (National Council in Defense of Our Land, Lake and Sovereignty, 2025). The repression of members of the peasant movement illustrates that criminalization was a practice employed by the Ortega government for a minimum of five years prior to the outbreak of the 2018 protests. This is supported by the interviews of indigenous and farmer activists which are analyzed in the succeeding section. What is vital to understand at this point is that criminalization has a long history in Nicaragua that covers a period of over a decade. The transformation has been that criminalization is currently employed out in the open with minimal restrictions or contemplations for legal procedures, whereas before it was used more discretely to avoid massive backlash, such as the widespread criticism that was experienced during the 2018 socio-political crisis.

Based on the definitions and experiences of the Nicaraguan interviewees in correlation with the reports of international observers, it has become apparent that criminalization is not only occurring within Nicaragua, but more importantly that it has been increasingly and systematically utilized by government agents on a massive scale as a mechanism of repression. As reported by

Amnesty International, criminalization in Nicaragua, “has been extended to society as a whole and now affects anyone perceived as a threat to official policy or the state narrative” (Amnesty International, 2024a). This recent report by Amnesty International highlights the expansion of criminalization within Nicaragua. It demonstrates that criminalization has expanded in the country since the 2018 protests and is being more concretely employed as an instrument of oppression by the Ortega-Murillo regime to lay siege on actors deemed detrimental to the perpetuation of their political rule. The progressive utilization of criminalization has heavily contributed to the de-democratization of Nicaragua’s political system and as such it can be argued that criminalization can and should be used as a marker of democratic decline. The ramifications of criminalization in Nicaragua are further illustrated in the following section through a discussion of two sectors of society that have been targeted by the Ortega administration.

6.2.2 The Repercussions of Criminalization in Nicaragua

As illustrated in the previous section, criminalization is a mechanism of repression that has been employed by the Ortega-Murillo administration for several years. Therefore, this section of the chapter examines the repercussions of its use against two specific groups: the peasant movement that commenced in 2013 and the April 19 movement which formed in 2018.

It is important to note there is significant intersection amongst these two mobilizations as many members of the peasant movement and April 19 movement identify as human rights defenders and/or socio-political activists. In addition, there are members of the peasant movement that joined forces with the April 19 movement to protest the abuses of power and human rights violations committed by the state in the wake of the 2018 socio-political crisis. However, based on the retellings of the Nicaraguans participants there is sufficient cause to justify analyzing these two groups separately, especially to concretely illustrate the trajectory and development of criminalization within the Nicaraguan context.

A. *The Peasant Movement*

The peasant movement or *movimiento campesino*, is a socio-political association which formed in Nicaragua to lobby for the protection of agrarian rights. The movement gained global recognition and prominence in 2013 when they protested the implementation of Law 840 (also referred to as the “Canal Law”), a regulation which granted a Chinese owned company the rights to build a massive Interoceanic Canal through the land of indigenous communities and local farmers, without getting their approval (Expediente Abierto, 2021).

The movement was led by socio-political activists and was primarily composed of farmers and indigenous community members who banded together to organize several protests, in which they demanded the government repeal the law. However, their demands were not met, instead the government responded to the manifestations with overt acts of criminalization. Instead of compromising and addressing the concerns of the peasant movement, the state opted to criminalize these exercises of collective action/social protest (Rojas-Paez, 2014). As a result, members of the peasant movement faced severe government repression including the loss of their land, persecution, arbitrary arrests and excessive violence. As reported by the non-governmental organization, CIVICUS Global Alliance which specializes in civil rights and citizen action, these persecutions “are part of an ongoing government campaign to crush protests by Nicaraguans against the construction of an Inter-Oceanic canal (...) a project that threatens campesino lives, livelihood, land, water and environment” (2018). The consequences of these acts of oppression are recounted by Nicaraguan participant whose pseudonym is El Viejo del Sombreron²³, an indigenous activist and leader of the peasant movement in one of Nicaragua’s southern municipalities:

In my case, I lost everything for participating and acting as a leader of the peasant movement. In my pursuit of justice in which I simply wanted my rights as a Nicaraguan citizen to be respected, I lost my farmland, my home and my peace of mind. The government persecuted me for acting as

²³*El Viejo del Sombreron* translates to the old man with the giant hat.

a leader of the movement and they confiscated all my belongings. Eventually, I had no other option but to leave Nicaragua to save my life and the life of my family (El Viejo del Sombreron, interview, August 18, 2022).

This interview by El Viejo del Sombreron which recounts the governmental persecution that besieged members of the peasant movement, primarily characterized by intimidation tactics, threats and the confiscation of land, is supported by the international non-governmental organization, Peace Brigades International (PBI) which has reported that “thousands of Nicaraguan peasants (“campesinas”, “campesinos”) have gone into exile, entire families were forced to seek safety in Costa Rica, [losing] their capacity to mobilise and lead social processes in Nicaragua [which] has signified a loss of territorial land” (PBI, 2021). The criminalization experienced by members of the peasant movement has had long-term consequences including displacement, illegal detentions, and the confiscation of property/land rights. However, these illegitimate governmental practices did not face any legal repercussions or massive backlash from the rest of the Nicaraguan population, this because members of the movement were portrayed negatively and blamed for causing socio-political instability within the country (PBI, 2021).

Nevertheless, despite the peasant movement being severely criminalized by Nicaragua’s political actors, many members of this socio-political mobilization decided to participate in the national demonstrations of 2018. The farmer and indigenous activists that were interviewed during my fieldwork claimed that even though their demonstrations had not received national recognition as a legitimate movement in 2013, let alone any support from other sectors of society, they viewed the emergence of the 2018 protests as an opportunity to shed light on the abuses they had been suffering for five years under the Ortega administration, a period in which they had been relentlessly vilified and depicted as agitators. The decision to join the 2018 protests is explained

by the research subject, Ulises, a student activist, professional journalist and peasant movement participant who declared:

By the time the 2018 protests started, we had already been dealing with years of human rights violations. Specifically, the criminalization of peasants by the Ortega regime. Members of the movement including myself had faced forced displacement, the appropriation of our land, persecution, intimidation and constant threats. Yet, despite this constant violation of our rights it seemed that the rest of the country did not acknowledge or even care about the difficulties we were facing. Then came the issue of the INSS Social Security reforms and the country erupted finally beginning to recognize the abuse of power we had long ago identified. But again, by that time it had been years of weariness, years of silence, of seemingly turning a blind eye. And then this aggression against the elderly through the social reforms stirred up our feelings and reignited the movement on a larger scale. But I think the assassinations were what finally triggered that mass national disillusionment. And as a result, one of the first groups to join this new movement was the peasant sector, because we knew that this was an opportunity for potential change that we could not let pass us by (Ulises, interview, August 15, 2022).

This retelling by Ulises demonstrates the long trajectory of criminalization in Nicaragua. It illustrates that Nicaragua's government actors, i.e. the Ortega-Murillo regime, had long been employing criminalization as an instrument of repression to respond to acts of collective action even before the eruption of the 2018 socio-political crisis. However, it also demonstrates that the use of criminalization by the Ortega government in 2013 was not widely recognized as an issue by the rest of the Nicaraguan citizenry, mainly because up until this point criminalization was not a political strategy that was overtly practiced. This demonstrates that for criminalization to be acknowledged as an illegitimate/repressive government mechanism, it must target a larger sector of society, as was the case in 2018. In 2013, the Ortega administration only employed criminalization against peasants and members of the indigenous community, a small percentage of the Nicaraguan population, as such it did not directly impact most of the country.

Moreover, the main use of criminalization in 2013 was to subdue the members of the peasant movement whom the government categorized as socio-political dissidents. Specifically, according to the state's political actors the peasant movement was against progress and their

objections to important development projects were only getting in the way of the country's financial prosperity (Horton, 2013). However, this was not the case, the peasant movement was centred on the protection of the environment and the recognition of indigenous land rights. The motivation of the peasant movement is explained by Nicaraguan participant, Esperanza, a prominent peasant movement leader and human rights defender:

Ortega's repression of farmers and indigenous people forced us to be displaced, all because we were fighting against the illegal project he initiated, Law 840. If you look up that law, it states that Ortega completely handed over Nicaragua to the Chinese, because he had the right to act and decide over all our natural resources, the land, even the private lands of the Nicaraguan people. So, we decided to take action against them in 2013. We formed a peasant movement that protested against the canal, we were against that project because it was going to destroy everything—our lands and all of Nicaragua's natural resources—and we had been fighting from 2013 to 2018. We had been living for five years with the persecution that the world only learned about until 2018, but we as peasants had been experiencing since 2013. At this time, we put aside any resentment we could be feeling due to the previous indifference of our fellow compatriots, and we decided to join the 2018 protests (Esperanza, interview, July 23, 2022).

Esperanza's declaration maintains that the peasant movement was an exercise of collective action that was organized in the defence of Nicaragua's natural resources and the protection of private land that the government wanted to illegally seize for monetary gain. Furthermore, the experience of Esperanza and her fellow farmer and indigenous activists, illustrates the relative invisibility of the peasant movement amongst the rest of the Nicaraguan population. An obscurity that only ended in 2018, when the Nicaraguan people faced with similar acts of violence and massive repression, finally acknowledged the longstanding human rights violations and criminalization the nation's peasants and indigenous community members had been subjected too for years.

B. The April 19 Movement

As has been alluded to throughout this chapter, the April 19 Movement refers to the massive anti-government protests that erupted on April 18 to 19 of 2018. The demonstrations started after the government announced its proposal to implement social security reforms “that would require greater contributions from workers while simultaneously providing fewer benefits” (Georgetown Journal of International Affairs, 2023). After a violent response to the manifestations from government actors including the unofficial aid of paramilitary forces (Ovide, 2018) the protests quickly developed into a widespread social movement that demanded President Daniel Ortega’s immediate resignation. The April 19 movement represented a greater challenge for the Ortega administration in comparison to previous mobilizations like the peasant movement, discussed above, because it was primarily composed of university students, a sector of society that “had historically supported Ortega” (Georgetown Journal of International Affairs, 2023). However, the state’s response to the protests which were characterized by the excessive use of force, government repression, and widespread human rights abuses (Ovide, 2018) initiated a socio-political crisis in Nicaragua that has caused the complete breakdown of the country’s democratic system.

In retelling the motives that led him to join the 2018 protests under the umbrella of the April 19 movement, student activist Marco claims that he joined the movement because of the massive human rights violations and injustices that were taking place throughout the country:

In 2018, I joined the movement because I believe that certain values should be respected, especially in a country that at the time was supposedly democratic. A country that calls itself democratic should at the very least respect and defend citizens’ rights to freedom of expression and their human rights. And when it was obvious that the Ortega government did not uphold these values but instead went against them, this is what shaped my ideology and motivated me to join the movement. I wanted to put an end to the injustices committed by the government. During 2018 every day you could see injustices committed by government agents. There were injustices committed by the political parties themselves, by the police and by the military and all these injustices were approved by the government as a way to perpetuate their power (Marco, interview, August 14, 2022).

The injustices described by Marco can be understood as referencing the violent response government agents, mainly the police and military, had during the 2018 protests. The use of violence by the government is precisely what motivated the movement to continue and develop into a large-scale socio-political mobilization. This is described by Open Democracy journalists, José Luis Rocha Gómez and Hélène Roux:

It could be said that brutal repression was precisely what brought the citizens out onto the streets. In order to examine the correlation between repression and the protests (in that order, and not the other way around), we must understand that the government deployed its coercive mechanisms in successive stages, both before and during the crisis (2018).

From this description one can determine that the Ortega government employed violence against protesters without sufficient cause and that this led the Nicaraguan population to organize a movement against him. Therefore, Ortega's decision to employ excessive force as a way of deterring protesters from continuing to oppose his rule, had the opposite effect. Eventually, the persistence and intensification of the socio-political mobilization caused Ortega to double-down, increasing his use of violence and excessive force against demonstrators. Throughout April of 2018 Ortega's administration was responsible for "killing at least 27 demonstrators, throwing more than 120 protest leaders in jail, shutting down a half dozen television stations and sending out pro-government goons to beat up journalists" (Glavin, 2018). One Nicaraguan participant that describes the extent of governmental persecution that was practiced against protesters in 2018, is Isaac, a member of the April 19 movement:

During 2018, I participated in all the protests alongside my father. As a result of our participation, we were constantly harassed by government agents. We were threatened, intimidated and followed. They knew who we were. Then one day my father was kidnapped. After 22 days missing, we found out that he had been illegally detained for protesting. He was imprisoned in Nicaragua for a year. During his imprisonment he was tortured and beaten (Isaac, interview, July 16, 2022).

Isaac's account of events demonstrates how protesters were victimized by the state's political actors. His description of his father's illegal detainment and mistreatment during his incarceration is clear example of the government abusing the country's legal system to criminalize protesters in retribution for their socio-political dissent (a point which is discussed further in the following section). The use of these illicit and repressive mechanisms illustrates a clear relationship between the criminalization of human rights defenders and protesters (like Isaac and his father) and the breakdown of Nicaragua's democratic system.

Similarly, another interviewee that provides a detailed description of the violence used by Nicaragua's government agents (mainly the police and military forces) is Charlie, a university student who became an activist by joining the April 19 movement in 2018:

The 2018 demonstrations were engulfed in violence. Initially, the police were repressing the elderly and the adults who had taken to the streets to protest the social security reforms proposed by the government. This led Nicaragua's youth to take to the streets to defend our rights and our families. The first wave of demonstrations and marches was very violent because the rights of the entire Nicaraguan population—the farmers, civic activists, students, and workers—had not been heard by the government. It was a wave of protest that ended with many people injured, some killed, and others imprisoned. The common denominator was violent repression ordered by the government. The police and military were using high grade weapons against citizens without cause. There was definitely an excessive use of force by the government. And to this day, it is known that many people lost their lives and ended up in prison as political prisoners (Charlie, interview, August 14, 2022).

Charlie's vivid retelling of the violence experienced by protesters during the April 19 movement is a clear example of Nicaragua's democratic decline, especially given the fact that the government was violently criminalizing citizen participation in exercises of collective action. Moreover, the testimonial by Charlie explicitly mentions that the violence taking place in 2018 was widespread, targeting key sectors of society including: farmers, protesters, students and workers. This illustrates a stark evolution in the application of criminalization as a political strategy of repression by government actors. It demonstrates that as of 2018, the Ortega-Murillo regime began to openly

and massively criminalize citizens seen as critics or opponents of their political authority. As previously mentioned, the criminalization and persecution of protesters is a clear infringement of the democratic freedom that guarantees citizens' right to protest, "The right to protest is crucial to a free democracy and important to creating a more equitable society" (Canadian Civil Liberties Association, 2021). The ability to protest is vital for a democracy as it serves to hold the government accountable and allows citizens the ability to voice their dissent. Consequently, the UN Special Rapporteur on the situation of human rights defenders, Mary Lawlor, proclaimed that "Nicaragua must not criminalise legitimate practices such as participation in peaceful protests" (UN News, 2021). The Ortega-Murillo regime's disposition to ignore international observers and incrementally intensify its criminalization of protesters is a strong marker of its autocratic tendencies and illustrates the profound decomposition of the state's democratic system.

Hence, despite the calls from international institutions to cease their illicit practices, Nicaragua's state actors have continued to criminalize exercises of collective action. As reported by the OAS, during the 2018 protests the Nicaraguan government committed many human rights violations and acts of repression including:

[...] the excessive and arbitrary use of police force, the use of vigilante groups or shock groups with the acquiescence and tolerance of the authorities. State, obstacles in access to emergency medical care for the wounded, as a form of retaliation for their participation in the demonstrations. These patterns had lethal effects (...) 254 people were murdered, representing 71.3% of the total fatalities. Additionally (...) there was a pattern of brief arbitrary detentions of young people and adolescents who participated in protests, the dissemination of propaganda and stigmatization campaigns, direct and indirect censorship measures, intimidation, and threats against leaders of social movements, and lack of diligence. at the beginning of the investigations regarding the murders and injuries that occurred (Organization of American States, 2018).

This official report by the OAS supports the accounts of Nicaraguan interviewee, whose pseudonym is Neon, a university professor and April 19 movement leader, who claims that during

the 2018 manifestations the Ortega administration exercised extreme acts of violence against the demonstrators:

During the protests the police, military and paramilitary forces by order of the government all used violence to try and subdue us, the protesters. It was such that a person protesting in the streets merely holding a sign could be shot point blank. I mean, we weren't hurting anyone. We weren't being violent, we weren't. I mean, why? What was the reason? There wasn't one. The government just didn't want anyone questioning their power and they weren't afraid of using violence to silence us (Neon, interview, August 18, 2022).

Neon describes significant governmental violence against the protesters in 2018, from her description in which she mentions how protesters could be “shot point blank” for holding a sign, one can infer that the use of lethal force was a common governmental practice to deter demonstrators during 2018. As such, this is another example of a blatant abuse of power by the state's security forces to quell the legitimate use of protest, a basic civil right protected in any country deemed democratic and a right which is strongly upheld by the Inter-American Commission of Human Rights (IACHR) (2025a). The IACHR and United Nations 2025, *Joint declaration on protecting the rights to freedom of peaceful assembly and of association from criminalization amid intensified existential threats*, the IACHR has explicitly acknowledged the importance of protecting the rights to protest and association from criminalization stating:

Deeply concerned and unequivocally condemning the global intensified repression of these freedoms, and the use of criminalization, reinforced by States' stigmatization of those exercising these rights, as a tool to suppress collective non-violent actions and solidarity movements; and strongly condemning the portraying of those legitimately exercising their fundamental freedoms as “enemies”, “traitors”, “spies”, “terrorists”, “criminals” or similar, to justify and expand repressive practices, policies and laws (IACHR, 2025a).

This official recognition by the IACHR demonstrates a clear evolution in the practice of criminalization. It illustrates that criminalization has developed into an increasingly employed mechanism used by government agents against actors viewed as socio-political opponents. Additionally, Neon's interview and the declarations of the other members of the April 19 movement clearly demonstrate a pattern of inherent and systemic governmental violence, socio-

political repression and overt criminalization during the 2018 protests. More importantly it illustrates the intrinsic development of criminalization within Nicaragua, criminalization is presently being weaponized by state agents to illegally punish and oppress socio-political dissidents. Accordingly, the declarations of the Nicaraguan participants show a clear regression to authoritarianism in which basic civil liberties, human rights and legal protocols are no longer respected within Nicaragua. The following section examines the role of the judiciary, highlighting that the judicial system's lack of institutional autonomy has greatly contributed to the increased and methodical criminalization of human rights defenders and socio-political activists.

6.3 The Lack of Autonomy of the Nicaraguan Judicial System

For a democratic society to thrive it is important that a country's judicial system be institutionally independent from the state's other branches of government. Institutional autonomy allows the judiciary to implement an unbiased rule of law, "A sound rule of law is characterized by strong institutions that facilitate effective governance, access to justice, and accountability. This attribute is crucial for ensuring that democracy functions effectively and that the rights of citizens are protected" (Acuña-Alfaro, 2024). Furthermore, as Calleros (2009) argues:

[...] an independent, impartial and efficient judiciary is required as the very foundation of the rule of law, in order to counterbalance unconstitutional acts by the executive or any other political actors (i.e. legislatures and the military), and to protect individual rights as is supposed to happen in a liberal democratic regime (p.4).

In the case of Nicaragua, the judiciary cannot be considered an independent institution. As is discussed throughout this section, not only is Nicaragua's judicial system not independent, but it is also deemed to be heavily influenced and weaponized by the Ortega-Murillo regime. The influence of Ortega's administration on the country's judicial system has led to the appointment of judges based on political loyalty rather than merit, the violations of due process, the realization of arbitrary trials for political opponents and a significant breakdown of the country's rule of law (Green, Center for the Administration of Justice).

Consequently, based on the testimonials of the Nicaraguan research subjects this component of the chapter examines the ineffectiveness of Nicaragua's judicial system, particularly in reference to protecting citizens' civil rights. Moreover, this section attributes the judiciary's lack of institutional independence to be an important contributor in the rising use of criminalization as a mechanism of repression, particularly because the state's political actors do not fear legal repercussions for their illicit actions.

6.3.1 The Ineffectiveness of Nicaragua’s Legal System: The Absence of Judicial Independence

The ineffectiveness of Nicaragua’s legal system is characterized by a concentration of power that has resulted in a debilitated rule of law, a judicial system that is subordinate to the executive branch, a considerable increase in the number of human rights violations and a stark inflation of legal impunity. Subsequently, Nicaragua’s judicial system is described as subservient to the Ortega-Murillo regime, especially as the appointments of judges and the establishment of court structures openly reflect political alignment rather than an independent separation of powers (International Service for Human Rights, 2025).

The executive branch exerts an obvious amount of control and authority over the country’s judicial system, and this has caused a significant imbalance of power within Nicaragua, especially as the legislative and judicial branches of government are incapable of placing effective checks and balances on the power of the president. This centralization of power was reported by the OAS in 2021:

Concentrating power in the hands of the Executive has made it easier for Nicaragua to become a police State where the Executive is suppressing all liberties, through citizen control and surveillance and through the use of State law enforcement agencies and para-State groups with the acquiescence of the remaining branches of government and oversight institutions. There are no checks and balances in place in Nicaragua, since all institutions are subjected to the Executive’s decisions (Organization of American States, 2021).

The judiciary’s inability to place checks and balances on the power of the executive has heavily contributed to the authoritarian regression of Nicaragua’s political system, as an efficient system of checks and balances is a necessary component of a democratic regime, “an operating system of checks and balances is a necessary condition to obtain a higher quality of democracy” (Calleros, 2009, p. 10). Thus, when the office of the executive overtly influences the legislative and judicial branches of government, the state’s democratic system is more inclined to breakdown.

In attempting to gage the effectiveness and institutional independence of Nicaragua's judicial system I asked the interviewees, *do you feel that your civil, social, and political rights are effectively protected under the judicial system?* In responding to this question, all the participants scoffed at the irony of the question, as they were all refugees who had been forced to leave Nicaragua. The interviewees claimed that their exile from their homeland was precisely because the country's legal system had failed to protect their rights as citizens. Consequently, the participants indicated that their rights had been infringed upon by the government and judiciary.²⁴ One participant that eloquently expressed this sentiment was Tomas, a socio-political activist who worked tirelessly during the 2018 protests to supply basic needs like clothes, food and water to the demonstrators on the frontlines:

Obviously not, my civil, social and political rights have all been completely violated. The legal system in Nicaragua has done nothing to protect my rights as a Nicaraguan citizen. On the contrary, the police and courts have acted as the executioners of the Nicaraguan people. They have been the ones who under the orders of Ortega have illegally arrested protesters and political opponents, many of which are still held as political prisoners (Tomas, interview, August 19, 2022).

Similarly to Tomas' negative outlook on the effectiveness of Nicaragua's judicial system interviewee Raul, a longtime journalist who currently reports from Costa Rica comparatively claimed:

No, my rights are not protected by the judicial system. In fact, Daniel Ortega, since he controls all the powers of the State, built an entire state apparatus to be able to prosecute protesters. There are laws, magistrates, even judges and police, that prosecute actors considered to be enemies of the state. There are even false witnesses that they themselves fabricate to build cases in complicity with the justice system. There is no justice in Nicaragua, the only justice that prevails in Nicaragua is the one that Daniel Ortega wants to impose (Raul, interview, July 19, 2022).

The observations by Tomas and Raul demonstrate that Nicaraguan citizens categorize the country's judicial system as extremely ineffective. Moreover, it shows that Nicaraguans

²⁴The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

predominantly believe that the country's legal system is completely subordinate to the state's executive power, an attribute which has facilitated the criminalization of human rights defenders and socio-political activists. Nicaragua's lack of judicial independence is recognized by Freedom House in their 2025 country report:

Nicaragua lacks an independent judiciary. The executive branch strongly influences the nomination of judges, and loyalty to the ruling party determines their appointments. In the run-up to the 2021 election, the judiciary played a critical role in ordering the arrest of opposition members and ending the legal status of opposition parties. The judiciary has also overseen sham trials of the government's opponents, with defendants being convicted of "undermining judicial integrity" in closed proceedings (Freedom House, 2025b).

This overview presented by Freedom House clearly outlines the extensive authority and control the executive branch wields over Nicaragua's judiciary. In addition, it illustrates how the executive branch exploits the country's judicial system to undermine potential political opponents to ensure the continuation of Ortega's political rule.

Next, to ascertain the level of judicial autonomy (or lack thereof) in Nicaragua I asked the interviewees, *do you think that the government influences the judiciary's decisions/actions?* Again, all the participants unanimously agreed that the judiciary is not only influenced but is actively controlled by the government of Daniel Ortega. The interviewees conclusively claimed that there is no institutional independence within Nicaragua.²⁵ The Ortega government's control of the judicial system is described by a participant whose pseudonym is Alcalde²⁶, an interviewee who was the former mayor of one of Nicaragua's largest cities, a PLC party member, and an active protester during the 2018 manifestations:

Currently in Nicaragua, there is no justice, there is no effective legal system. Rather, as they say, there is no practical judicial system present within the country. Why do I say this? Because Ortega

²⁵The information provided here is a compilation of the answers provided by participants during the interviews conducted on the Nicaraguan case study. As was alluded to in the introduction of this chapter the interviews of Nicaraguan participants took place between July and September of 2022.

²⁶ Alcalde means mayor in Spanish

manipulates everything: he controls the county's institutions including the judiciary. All those people who have been imprisoned have been unjustly condemned on the orders of Ortega. This should not be the case; he's a politician and should have no influence over the country's legal system (Alcalde, interview, August 15, 2022).

Alcalde's interview illustrates the inordinate amount of influence that is exercised by Ortega over the decisions and actions of the judiciary. As Alcalde claims this is an authority the president's office should not have over the state's institutions and legal structures. Particularly, because as Calleros (2009) also contends, excessive presidential power can lead to an overt imbalance of power between the different branches of government, a disparity that normally heavily favours the executive, in this case Ortega.

Likewise, the research subject, Rick an ex-member of the Sandinista Youth Movement and a student activist who decided to join the ranks of the April 19 movement in the wake of the 2018 protests declared:

It's very clear, Nicaragua's judicial system is completely corrupt. The cases, even those involving the Public Prosecutor's Office, are fabricated by the police and the Public Prosecutor's Office themselves. The judicial system is completely corrupt. They are the ones in charge of creating cases, securing convictions, holding trials at night, and illegal things like that. It's all totally, completely corrupt, to the point that even the judges themselves are currently being sanctioned by the United States because they have obviously violated all the legal processes enshrined in the Constitution and have manipulated politics and laws in favor of the State and in favor of Ortega remaining in power. Ortega completely controls the country's legal system. There is no judicial independence, all laws are created and enforced to the benefit of Ortega (Rick, interview, August 12, 2022).

Rick's declaration highlights the corruption and illegality of the structures and procedures being executed by Nicaragua's legal system. Furthermore, the sanctions Rick mentions in his interview refer to the penalties the United States' government has placed on Nicaraguan judges to hold them responsible for their illicit actions. As stated by Antony Blinken the U.S.' Secretary of State:

The United States is taking further action to hold accountable perpetrators of the Nicaraguan regime's repressive actions. The United States is imposing sanctions on the Nicaraguan judges who played a role in stripping over 300 Nicaraguans of their citizenship, leaving many of these individuals stateless (U.S.' Secretary of State Blinken, 2023).

The removal of Nicaraguan citizenship is just one of the latest tactics employed by the Ortega-Murillo regime. The government has moved to employ the state's legal system to punish their socio-political opponents for their dissent by taking away their citizenship. The legality of this measure has been repeatedly called into question. For example, the Inter-American Commission on Human Rights (IACHR) and its Special Monitoring Mechanism for Nicaragua (MESENI) "express[ed] concern over the recent passing of reforms to Nicaragua's Political Constitution, as these would seriously undermine the protection of the right to nationality and increase the risk of statelessness in the country" (2025b). The removal of citizenship is one of the stipulations listed in the new round of constitutional reforms that were adopted in Nicaragua in January of 2025. These reforms also served to eliminate any remnants of judicial independence that was left in the country by "strip[ing] judges of their authority and subordinat[ing] them to the National Police" (Aburto, 2025a). This completely nullifies the judiciary's authority and gives the executive branch total control over the state's legal system.

Overall, through the experiences of the Nicaraguan participants in collaboration with the reports from international observers like the United Nations, Organization of American States, Freedom House and Inter-American Commission on Human Rights it is evident that Nicaragua's judiciary has significantly declined under the leadership of Daniel Ortega and as such the judicial system cannot be classified as an independent institution. Instead, its power to check the authority of the executive branch has been effectively stripped away and it is now completely subservient to the power of the Ortega-Murillo regime. The breakdown of Nicaragua's judicial system can be said to have facilitated the intrinsic and systematic criminalization of human rights defenders and socio-political activists by the state's governmental agents. This is because with no effective legal system in place the repressive actions of the country's political actors continue to remain

unchecked, a severe issue as it effectually allows them to increasingly use criminalization as a mechanism of repression without fear of legal reprisals. The role of criminalization in the complete breakdown of Nicaragua's democratic system is further illustrated in the final section of this chapter.

6.4 Nicaragua: A Conclusive Example of Authoritarian Regression in Latin America

Under the leadership of President Daniel Ortega and his wife/vice-president Rosario Murillo, Nicaragua has undergone a long process of democratic decline. As discussed earlier in this chapter, democratic backsliding in Nicaragua is recognized to have begun with the implementation of the Ortega-Alemán *pact* (2000) (Martí i Puig & Serra, 2020). However, the complete breakdown of democracy only occurred after the Ortega-Murillo administration responded to the 2018 protests with state-wide repression and violence. As a result of the 2018 socio-political crisis, Nicaragua has transformed its political system and is now recognized as an authoritarian regime, a full-blown dictatorship (Freedom House, 2019).

This section of the chapter therefore provides an analysis of the aftermath of the 2018 protests examining some of the major consequences currently facing the Nicaraguan population including: the increased level of human rights violations and repression, the migratory impact the ongoing socio-political crisis has had on the state, and the extent of political consolidation of the president's executive power.

Finally, the chapter concludes with an analysis of the adversities exiled Nicaraguans are enduring abroad. Through the experiences of the Nicaraguan participants this component of the chapter provides a brief overview of the difficulties associated with being stripped of your assets, the emotional hardships related to being forced to flee your homeland, and the dangers of being re-victimized through transnational repression. Through this examination, I intend to demonstrate that the breakdown of democracy that has taken place in Nicaragua is strongly related to the discernible rise of criminalization occurring within the country and as such I maintain that criminalization can and should be used as a theoretical instrument in the study of de-democratization.

6.4.1 The Aftermath of the 2018 Protests

In the aftermath of the 2018 socio-political crisis, Nicaragua has undergone a significant transformation into what international observers and human rights organizations describe as a consolidated authoritarian “police state” (Golob, 2024). The erosion of democracy in Nicaragua is due in large part to the increase in human rights violations and governmental repression exercised by the Ortega-Murillo regime. This can be demonstrated through an overview of the government’s response to the 2018 manifestations which resulted in a sustained and heightened crackdown of all forms of socio-political dissent:

By late November 2018, the ensuing conflict had left at least 325 persons dead; more than 2,000 injured; hundreds illegally detained, tortured, and disappeared; and more than 80,000 exiled in neighboring countries. Beginning in August 2018, the Ortega government instituted a policy of “exile, jail, or death” for anyone perceived as opposition, amended terrorism laws to include prodemocracy activities and used the justice system to characterize civil society actors as terrorists, assassins, and coup-mongers. Although the NNP and Prosecutor’s Office detained, brought to trial, and imprisoned many members of the prodemocracy opposition, human rights organizations widely documented that the investigations and charges did not conform to the rule of law (U.S. Department of State, 2019).

This summary provided by the U.S. Department of State illustrates that since the 2018 protests, Nicaragua’s democratic system has completely eroded into a dictatorship. The government’s use of illiberal practices such as torture, arbitrary arrests, the excessive use of force and extrajudicial killings to name a few are clear markers of a complete breakdown of democracy and of the state’s complete regression into authoritarianism. The increase and systematic violation of human rights by the Ortega government in the aftermath of the 2018 protests is described by the interviewee Zero, a student activist, liberal party member and leader of the April 19 movement stationed in Managua:

In the aftermath of the initial protests of 2018, the regime tried to silence all dissenting voices at all costs. The voice of the Nicaraguan people was silenced by the regime using repression and violence. They proceeded to shut down all independent media outlets, they prevented people from gathering. The right to assembly didn't exist, the right to protest didn't exist, the right to information didn't exist. Everything was curtailed, everything. And if anything did come out, it was only the

information they themselves fabricated. Even after the protests ended there weren't any civil liberties, there was no justice for the crimes that had been committed during 2018. There was only a dictatorship that continued to use intimidation, human rights violations and threats against anyone identified as opponents of the state (Zero, interview, August 12, 2022).

The account presented by Zero, highlights that even after the protests of 2018 culminated the government did not choose to reinstate democracy, rather they doubled-down on their use of human rights violations and repression to further their political interests and continue to perpetuate their political rule and authority throughout the country.

The prolongation of the 2018 socio-political crisis caused thousands of Nicaraguans to flee the country, "Between 2018 and June 2022, more than 260,000 Nicaraguans, over 4 percent of the estimated population, fled, mostly to Costa Rica and the United States" (Human Rights Watch, 2024b). All 30 of my Nicaraguan participants are part of this statistic, as they were all forced to leave Nicaragua and become political refugees in Costa Rica in the aftermath of the 2018 protests. For example, the Nicaraguan participant Reina, a socio-political activist and philanthropist declared:

I was forced to leave Nicaragua and escape to Costa Rica. After months of receiving threatening calls, I had to pack up my kids in the middle of the night and cross the border illegally. I had no papers, but I knew that if I stayed in Nicaragua for another minute my life and my children's lives were all in serious danger, so I came to Costa Rica (Reina, interview, July 14, 2022).

This testimonial by Reina highlights how the persecution of socio-political advocates by Nicaragua's government agents forced many citizens to leave the country for fear of their lives. This is because despite the national protests ending in 2018, the Ortega-Murillo regime still persecuted the human rights defenders, demonstrators and known supporters that had decided to partake in the manifestations. This was the case of interviewee Hugo, a former legal representative and columnist of the renowned Nicaraguan newspaper *La Prensa*:

Even though the protests ended in 2018, I was still persecuted. I received death threats, serious death threats. I would get telephone calls in which they would tell me that they had me located.

Because of my literary pursuits and my work as a columnist for the newspaper La Prensa this has always made me very visible. And, above all, because I have a very sharp, incisive pen, a very pointed one, that bothers the government and their allies a great deal. However, I could never have imagined the consequences for my family which have been devastating, they drive past my mother's house yelling obscenities, they've fired my brother from his post and barred him from buying a house he had already placed a down payment on. Unfortunately, because of all the threats on my life I was forced to leave and did so as covertly as possible in the beginning of 2019 (Hugo, interview, August 19, 2022).

The testimony by Hugo sheds light on the continued oppression suffered by journalists and socio-political activists who have raised their voices to criticize and oppose the government. The decision to express their disapproval and/or discontent regarding the state's growing repression has forced most of these actors to flee Nicaragua. Jan Simon, Chair of the Group of Human Rights Experts on Nicaragua, contends that the "violations and abuses are being perpetrated in a widespread and systematic manner for political reasons, constituting the crimes against humanity of murder, imprisonment, torture, including sexual violence, deportation and persecution on political grounds" (UN News, 2023). Despite the end of the 2018 national protests, all these crimes continue to be exercised throughout Nicaragua.

In addition to targeting individuals in the wake of 2018, the state has also resorted to targeting institutions labelled as contrary to the continual rule of the Ortega-Murillo regime. Between 2018 to 2024, the government has closed over 5, 500 non-profit organizations and at least 28 universities. The Catholic Church, which initially mediated dialogue, has also faced intense persecution, including the imprisonment of high-ranking clergy members and the freezing of its institutional bank accounts (Wood, 2024). These closures have almost eliminated civic spaces in Nicaragua, inhibiting large gatherings and limiting the realization of previously permitted religious celebrations. Nicaraguan participant, Antonio a student activist that was forced to leave Nicaragua in 2020 after continued persecution by the state's political actors, recounts how the

closure of human rights organizations, universities and churches has impacted the Nicaraguan people:

With the massive closure of human rights organizations, private universities and even worse churches Nicaragua feels completely different. People no longer feel free. There is no freedom of assembly, no freedom of mobilization and no freedom of association (Antonio, interview, September 19, 2023).

This concise description by Antonio paints a powerful picture, one in which Nicaragua can be seen to have declined into authoritarianism through the imposition of policies that infringe on citizens basic civil liberties. Citizens no longer have ample public spaces like NGOs or (non-governmentally funded) universities in which to meet and freely discuss social and/or political concerns. Just as (if not more) alarming is the closure of churches which infringes on citizens' right to express their faith openly and without fear of retribution. In general, the closure of these organizations is a clear signal of Nicaragua's complete democratic breakdown.

Finally, as previously suggested earlier in the chapter, after the 2018 protests, Ortega and Murillo have also moved to dismantle nearly all the state's institutional checks and balances through the imposition of a dynastic rule. As reported, by Atlantic Council reporter Brennan Rhodes:

On November 22, the Nicaraguan National Assembly all but solidified the country's dynastic dictatorship, led by President Daniel Ortega and his wife, Rosario Murillo. The legislature approved a constitutional reform providing the regime power over all sectors of government, extending the presidential term from five to six years, and elevating Murillo from vice president to "co-president" alongside Ortega. The reform strengthens the Ortega-Murillo regime's pressure campaign against civil society, the Catholic Church, and the media, all while it claims to protect the country from "foreign interests". This constitutional reform has caused serious concerns among international watchdogs over a further escalation of human rights and civil liberties abuses (Rhodes, 2024).

The introduction of this new set of constitutional reforms has only served to further strengthen the power of the executive branch and has definitively weakened the authority of both the legislature and judiciary by effectively removing their ability to place any form of checks on the power of the

president. Moreover, the imposition of a “co-presidency” essentially establishes a dynastic dictatorial system that is comparable to the Somoza family, which ruled Nicaragua from 1936 to 1979. The recent implementation of these constitutional amendments has ultimately solidified Nicaragua’s authoritarian regression into a dictatorship.

6.4.2 The Hardships of Exiled Nicaraguans

After hearing the testimonials of various Nicaraguan citizens, I thought it relevant and necessary to discuss the hardships being faced by exiled Nicaraguans abroad. Exiled Nicaraguans have confronted and continue to encounter significant difficulties, including economic instability, psychological trauma, and ongoing transnational repression by the Nicaraguan government. Many are forced to rebuild their lives from scratch in their respective host countries, often without any form of documentation or access to their former economic resources.

In an attempt to grasp the depth of their experiences as refugees, I asked the Nicaraguan participants, *what has been your experience as a refugee?* Most participants stated that their experience has been very difficult. Many participants mentioned the hardship of leaving their native country, missing their family and friends, the financial hardships associated with having to start over and being faced with xenophobia from their Costa Rican hosts.

El Maestro²⁷ a musician turned socio-political activist and prominent member of the Nicaraguan Exile Unit in Costa Rica (UEN) shared:

Since being in Costa Rica, I have had fight to improve myself every day and to do things I hadn't ever thought of or dared to do. I have had to work extremely hard to try and rebuild my life. I miss my friends and my family. I am here all alone, although I have been able to connect with other Nicaraguans who fled to Costa Rica. I cannot work in my profession; my accreditations aren't accepted here. So, I find myself in a very difficult economic situation. I am an older person who must start my life over, all because my country, Nicaragua is plagued by a dictatorship (El Maestro, interview, July 10, 2022).

The declaration provided by El Maestro captures the reality of being a refugee in another country, you face economic difficulties, a loss of profession, a loss of personal connections and the hardship of having to start again. Approximately, “194, 000 Nicaraguan asylum-seekers and 9, 216 recognized Nicaraguan refugees” (Fuentes, 2025) have sought sanctuary in Costa Rica, a

²⁷ El Maestro translates to the teacher.

neighbouring country that although politically stable faces its own economic difficulties. Consequently, to meet the needs of incoming refugees, the Costa Rican government has heavily relied on the financial assistance of international organizations like the United Nations Commissioner for Refugees (UNHCR), however, this is not a sustainable solution. As such, over the last few months funding for refugee programs have been drastically reduced leaving many Nicaraguans “without [the] critical support” they desperately need (Fuentes, 2025).

In addition to the economic hardships, many Nicaraguan refugees in Costa Rica have had to endure some form of discrimination, “xenophobic sentiments against Nicaraguans derive from long-lasting interconnections and migration movements between these two countries” (Blecha, 2022, p. 76). Although most of the Costa Rican population has evoked a sense of solidarity with the socio-political plight of Nicaraguan asylum seekers, there has been some pushback, especially surrounding the financial strain the large influx of refugees has represented for the Costa Rican government. This animosity reached a boiling point at the height of 2018, “with the massive arrival of Nicaraguans, a xenophobic and violent protest took place in La Merced, San José park known as the ‘park of the Nicas’” (Regidor, 2024). Although the protest was shiftily shutdown and resulted in the organization of a counter-protest in support of the Nicaraguan refugees, the sentiment of unacceptance had already been expressed leaving many Nicaraguans feeling unwelcomed.

A research subject who described the discrimination being faced by Nicaraguans in Costa Rica is Lorena, a PLC member, advocacy lawyer, former judicial representative and current member of the peasant movement in Costa Rica shared her sentiments on being discriminated against as a refugee:

Personally, Costa Rica isn't one of the countries where I feel very comfortable because of the discrimination and xenophobia that is present here. They call me and my fellow Nicaraguans

“country folk,” and that bothers me because we know that it is an injustice and misrepresentation that exists. Injustice has always bothered me. I always condemn any discriminatory comment against Nicaraguans, especially when we’re only seen as farmers who come here to do work that the Ticos don’t want to do. It’s a mentality of slavery, and they don’t see us as human beings who have suffered so many injustices at home and now are forced suffer the consequences of being a refugee (Lorena, interview, July 17, 2022).

The account given by Lorena illustrates the emotional turmoil that stems from being discriminated against and degraded for the mere fact of being a political refugee. Her account shines a light on the prejudices Nicaraguans face in Costa Rica; a country they have fled too precisely to escape the injustices of the authoritarian regime in Nicaragua.

Lastly, despite fleeing to Costa Rica to seek safety from the persecution of the government there has been ongoing and escalating transnational repression of Nicaraguan exiles by the Ortega-Murillo regime. The Ortega administration uses a complex surveillance and intelligence networks to monitor, harass, and physically target opponents abroad, with Costa Rica being a primary location for these actions (Havana Times, 2025). In mid-2025, the UN Group of Human Rights Experts on Nicaragua reported:

[...] how the Government of Daniel Ortega and Rosario Murillo has targeted thousands of Nicaraguans abroad – many who fled the nation following a bloody 2018 crackdown – through a series of severe measures including arbitrary deprivation of nationality, entry bans, denial of passports, confiscation of property, digital surveillance, threats, as well as intimidation and punishment of relatives who remain in Nicaragua (United Nations, 2025a).

The transnational persecution of Nicaraguans abroad is a clear example of the increased and systematic use of criminalization as a mechanism of repression against actors perceived as socio-political opponents by the Ortega-Murillo regime. The Ortega government continues to threaten opposing forces even if they are no longer present within the country, as this is deemed a necessary measure to protect the prolongation and perpetuity of their power. This was the experience of Nicaraguan participant, Jeronimo, a human rights defender, lawyer and former local politician:

Even after I left Nicaragua and came to Costa Rica, I had to be extremely careful. The Nicaraguan government has spies in Costa Rica, so as a refugee you must be extremely cautious. Personally, even after I fled, I continued to receive calls on my cellphone from people saying they knew where I was and that they were going to come and get me. A couple of times I even felt as if I was being followed. I guess leaving Nicaragua does not mean you are safe from the government's repression, you don't actually feel safe (Jeronimo, interview, July 20, 2022).

The account provided by Jeronimo illustrates the large-scale repression exerted by the Ortega-Murillo regime against actors identified as dissidents of the state. The state's repressive tactics, especially the criminalization of human rights defenders and socio-political activists does not cease due to distance. On the contrary, to silence opposing voices and detractors the Nicaraguan regime has expanded "its repression of perceived opponents far beyond its own borders, targeting Nicaraguan citizens abroad as part of an intensifying campaign to silence critics in exile" (United Nations, 2025). This demonstrates a strong connection between criminalization and de-democratization, as the implementation of these illicit political strategies continues to erode democracy in Nicaragua and foster the state's current dictatorial rule.

In sum, based on an interpretative content analysis approach this chapter has provided an extensive exploration of Nicaragua's democratic decline. It has illustrated that democracy in Nicaragua no longer exists and that there is an evident absence of institutional independence between the state's different branches of government, particularly with reference to the country's judicial system. Moreover, through the experiences of the Nicaraguan interviewees this chapter has documented the trajectory of democratic breakdown starting in 2000 with the implementation of the Ortega-Alemán *pact* and accelerating during the 2018 socio-political crisis, resulting in the complete authoritarian regression of the state into a full-blown dictatorship (Freedom House, 2019). Furthermore, this chapter has acknowledged the long history of criminalization in Nicaragua dating back to 2013 with the governmental repression of the peasant movement. Through the examination of the peasant movement, the April 19 movement and the aftermath of

the 2018 socio-political crisis, this chapter has demonstrated that criminalization can and should be used as a causal factor in the study of de-democratization.

The final chapter of this thesis proceeds to present a comparative analysis of the thematic similarities and differences related to the experiences of the Honduran and Nicaraguan participants. Chapter 7, the final chapter of this thesis, concentrates on the relationship between criminalization and de-democratization illustrating that based on the contents of my fieldwork there is sufficient evidence to suggest that criminalization can be used as a theoretical marker in the analysis of democratic decline.

CHAPTER 7: CONCLUSION

A COMPARATIVE ANALYSIS OF HONDURAS & NICARAGUA

*“Over the past decade, Latin America has witnessed a worrying decline in democratic governance. Once celebrated for its transitions to democracy, the region now struggles with deteriorating institutions, rising authoritarianism, and widespread corruption”.*²⁸

-Victoria Gangotena

Introduction

Democratic backsliding in Latin America is a growing trend which this doctoral dissertation has observed through the analysis of Honduras and Nicaragua. Both these case studies are presently experiencing the breakdown of their respective country’s democratic political systems, although to differing degrees. Whereas Honduras is still considered by Freedom House as a “partly free” democratic nation, Nicaragua has completely regressed into authoritarianism and has been subsequently labelled as a “not free” nation (Freedom House, 2025a; Freedom House 2025b). Despite their different classifications, democratic decline in both Honduras and Nicaragua has been fueled by similar factors including weak institutions, an erosion of the rule of law, a centralization of the executive power, an imbalance of power between the different branches of government, reduced civil liberties, an escalation of human rights violations and, as this thesis proposes, the increased and systematic use of criminalization as a mechanism of socio-political repression.

Consequently, based on the findings of the interviews conducted during the fieldwork of this thesis, this final chapter intends to present a comparative analysis of Honduras and Nicaragua. This comparison examines the chief similarities and differences between these two countries as it relates to de-democratization. More specifically, this chapter illustrates the role criminalization

²⁸ Available in King’s Think Tank (2025)

has played in the breakdown of democracy in both Honduras and Nicaragua. Through the comparison of these two case studies, this chapter demonstrates the validity of the argument that is maintained throughout this doctoral dissertation mainly that the ability of government actors to employ extreme acts of violence and repression against human rights defenders and as a response to expressions of socio-political protest, strongly suggests that criminalization can and should be used as a causal factor in the study of de-democratization.

As such, this chapter is divided into four primary sections. Based on the examination of the fieldwork that was conducted for Honduras and Nicaragua, the first part of the chapter presents an assessment of two key similarities. First, the role of key events in the breakdown of democracy. In the case of Honduras, this section discusses the coup d' état that removed former president Manuel Zelaya from office in 2009, in addition to the unprecedented two-term administration (2014-2022) of former president and now convicted felon Juan Orlando Hernández which comprehensively fast-tracked the de-democratization process in Honduras by employing excessive violence and criminalization as instruments of repression to respond to the widespread socio-political movements that took place throughout his time in office (Barrachina Lisón, 2016). In the case of Nicaragua, this component of the chapter evaluates the repercussions of the Ortega-Alemán *pact* which was implemented in 2000 and initiated Nicaragua's democratic breakdown through the imposition of stipulations that would grant both Daniel Ortega and Arnoldo Alemán immunity from criminal prosecution, allow their respective political parties (the FSLN and PLC) to control the state's main democratic institutions and most importantly lower the electoral threshold to facilitate Ortega's re-election during the 2006 general elections (Close, 2016). Furthermore, this section addresses the acceleration of Nicaragua's democratic backsliding through an examination of the 2018 protests, in which the Ortega administration responded to exercises of collective action

with extreme acts of violence and oppression (Klein et. al., 2022). Additionally, the first section of this chapter also evaluates the role the military has played in both case studies' de-democratization processes. Explicitly, it illustrates how the military has been weaponized by the executive branch in both Honduras and Nicaragua to methodically use criminalization as a mechanism of socio-political repression against human rights defenders and protesters.

Comparatively, by employing the analysis of the fieldwork conducted for both case studies, the second section of the chapter then proceeds to analyze two key differences in the democratic breakdown of Honduras and Nicaragua. First, the section examines the differentiating degree of institutional weakness, particularly as it relates to the influence of each executive branch on their respective country's judicial system. Second, the section proceeds to consider the variation in democratic decline that is taking place in both countries. In the case of Honduras, although the state is undergoing a process of democratic backsliding in which the state "continues to struggle with widespread corruption, a compromised judiciary, high levels of violence, and attacks against environmental defenders" (Human Rights Watch, 2025a), it is still categorized by international observers as a democratic nation. While in the case of Nicaragua, the country has undergone a process of authoritarian regression that has completely transformed it into an internationally recognized dictatorship under the dual leadership of President Daniel Ortega and vice-president Rosario Murillo (Thaler & Mosinger, 2022). This section of the chapter serves to demonstrate that despite similar autocratic tendencies, in the case of Honduras the state continues to be recognized as a democracy, largely because there has been a successful transfer of presidential power. The latest turnover of the executive office took place in 2022, when former president Juan Orlando Hernández ceded power to current (outgoing) President Xiomara Castro, an occurrence that has

not taken place in Nicaragua as Daniel Ortega has continued to perpetuate his presidential rule since his return to office in 2007.

Next, the third component of the chapter focuses on illustrating the main contributions of this doctoral dissertation. Through an overview of the previous chapters this section of the thesis predominantly demonstrates the veracity of this dissertation's two main hypotheses. First, that the structural flaws that occurred during the transitions and democratization processes of Honduras and Nicaragua, led to the composition of inherently weak democratic institutions and to a problematic imbalance of power between the different branches of government, issues which have profoundly contributed to the current breakdown of democracy taking place in each country, as well as enabling the use of criminalization as a tool for socio-political repression. Second, the ability of government actors to employ extreme acts of violence and repression against human rights defenders and as a response to expressions of socio-political protest, suggest that criminalization can and should be used as a causal factor in the study of de-democratization. Specifically, because criminalization is now being increasingly and systematically employed by political actors as a mechanism of repression to target human rights defenders and demonstrators whom they perceive as socio-political opponents. This section of the chapter demonstrates how these propositions are effective contributions to the academic study of criminalization and de-democratization.

Finally, the chapter culminates with some concluding remarks illustrating the applicability of the above-mentioned arguments on other Latin American cases that are also experiencing democratic decline. On the one hand, Honduras' democratic backsliding is likened to El Salvador, under the presidency of Nayib Bukele. Both these state's democratic declines are characterized by executive overreach, the dismantling of the state's system of checks and balances, and most

recently the imposition of a prolonged state of exception. However, El Salvador presents an interesting comparison as it also exhibits overtly progressive authoritarian tendencies like those of Nicaragua. On the other hand, Nicaragua, a country whose complete authoritarian regression has been driven by declining institutions, the aggressive suppression of the political opposition and the erosion of citizen rights is equated to the similarly autocratic case of Venezuela. The comparison of Honduras and Nicaragua to other Latin American countries serves to demonstrate the legitimacy of using criminalization as a theoretical marker in the study of de-democratization.

COMPARATIVE ANALYSIS OF HONDURAS & NICARAGUA

7.1 The Core Similarities in the Democratic Decline of Honduras & Nicaragua

7.1.1 *The Role of Key Events*

In analyzing the content of the interviews conducted for both Honduras and Nicaragua, there was one major similarity that stood out, the importance the participants placed on key events specifically when discussing the development of de-democratization and the growing employment of criminalization within their respective countries. The role of key events in democratic breakdown can be seen in the work of Ernesto Castañeda and Daniel Jenks, who in their scholarly article, *January 6th and De-Democratization in the United States* allude to the importance of events in their discussion of the insurrection that took place in the United States in January 2021. The authors contend that “The events of January 6th were a clear example of threats to American democracy” (2023, p.1). Particularly, the authors illustrate how a key event can significantly contribute to a state’s de-democratization process by considerably deteriorating established democratic norms, principles, institutions, and political structures. Following their analysis, events can be considered central to the discussion of democratic backsliding because specific, often high-impact incidents can act as facilitators or turning points in a gradual process of democratic decline. Furthermore, key events can serve as a pretext for authoritarian tendencies to develop subsequently accelerating democratic erosion within a country.

In this component of the chapter the discussion of key events is divided into two subsections; the first discusses what many interviewees identified as the point of origin for democratic backsliding in Honduras and Nicaragua, and the second addresses the events that led to an overt acceleration of democratic decline in both countries.

A. The Initiation of Democratic Backsliding

When the participants for both case studies were asked whether they believed *if the democratic system in Honduras/Nicaragua had deteriorated over the last few years*, there was a consensus stating that democracy had declined in recent times. For example:

Oh yes, absolutely, democracy in Honduras has immensely deteriorated over the last few years (Doctor, interview, June 30, 2023).

Yes, democracy in Nicaragua has most definitely eroded over the last few years, though it is important to note that democracy in Nicaragua was already weak to begin with, it never really developed (Lorena, interview, July 17, 2022).

These two declarations; the first, from a Honduran socio-political activist and human rights defender, and the second, from a Nicaraguan lawyer and former judicial employee illustrates that both Honduran and Nicaraguan citizens recognize the deterioration of their respective country's democratic systems. These testimonials also serve to foreshadow the varying degrees of de-democratization for both case studies, especially with respect to Nicaragua, specifically because the Nicaraguan interviewee, Lorena makes a point to signal that democracy has always been "weak" within the country. However, despite this variation (which is addressed fully in the following section) each group of participants identified two fundamental events as the points of origin for de-democratization.

In the case of Honduras, as discussed in Chapter 4 of this dissertation, 14 participants identified democratic backsliding as having initiated during the 2009 military coup that saw former president Manuel Zelaya removed from office and exiled to Costa Rica. Participants dubbed this event an abuse of power on behalf of the military and an utter disrespect for the electoral will of the people, as Zelaya was a legally elected public official. Moreover, most of the participants noted that since the 2009 coup d'état democracy in Honduras has severely faltered. The decline of democracy during the period following the coup is often characterized by an increase in human

rights violations, a deterioration of the rule of law, and growing institutional instability (Ruhl, 2010). The identification by the Honduran participants of the 2009 coup as the start of democratic breakdown in the country is also supported by the scholarly article, *Militarism, Authoritarianism and Corruption: Post-Coup Honduras and the Decline of Democracy* by Pérez and Wade (2023) in which the authors contend that:

The military coup that ousted President Zelaya marked a significant turning point in Honduran democracy and initiated a spiral of decline which saw the country immersed in 12 years of corruption, violence, and authoritarianism through the presidencies of Porfirio Lobo (2010-2014) and Juan Orlando Hernández (2014- 2022) (2023, p. 152).

The work of Pérez and Wade demonstrates that for many academics and analysts, the 2009 military coup was a significant crossroads and the start of a pronounced de-democratization process within Honduras. In addition, aside from the explicit removal of a sitting president, the 2009 military coup is also identified as the start of democratic backsliding due the massive wave of governmental violence and repression that took place in the immediate aftermath of the coup. Pérez & Wade substantiate this argument by stating that, “Following the coup, violence against opposition groups and civil society increased significantly” (2023, p. 152). This strongly suggests that in the post-coup era political actors in Honduras were employing criminalization as a mechanism of repression against political opponents and the civilian population. The use of excessive violence and oppressive tactics by the government and its security forces in the aftermath of the coup is explicitly documented by the global organization, Amnesty International:

Hundreds of people opposed to the coup were beaten and detained by the security forces as protests erupted during the following months. More than 10 people were reportedly killed during the unrest. The police and military also widely misused tear gas and other crowd control equipment. Human rights activists, opposition leaders and judges suffered threats and intimidation, media outlets closed and journalists were censored. There were also reports of security force personnel committing acts of sexual violence against women and girls. Judges viewed as critical of the coup suffered a series of arbitrary transferrals and unfair disciplinary proceedings. Members of the organization Judges for Democracy, which promotes principles of fairness and transparency, formed the vast majority of those targeted (Amnesty International, 2010).

This report from Amnesty International outlines the excessive use of force, human rights violations and the abuse of the state's judicial system by the state's security forces, all indicators which demonstrate the negative impact the 2009 coup had on Honduras' use of repressive tactics and its democratic political system. Moreover, the report by Amnesty International, also illustrates an overt use of criminalization against members of the press, human rights defenders, judges and protesters. As communicated by Amnesty International, these sectors of society were targeted by government agents with acts of extreme violence in the aftermath of the coup as they were perceived as socio-political opponents of the new government, these acts of repression heavily weakened democracy in Honduras, particularly by debilitating the state's "rule of law and democratic institutions" (Pérez & Wade, 2023, p.152) . This establishes a causal relationship between criminalization and de-democratization. Additionally, it indicates that criminalization can and should be used as a mechanism in the study of democratic decline.

Similarly to the case of Honduras, in the context of Nicaragua the interviewees also identified a crucial event as the moment de-democratization commenced in the country. As outlined in Chapter 6, 24 Nicaraguan participants identified the Ortega-Alemán *pact* as the starting point of democratic decline within the country. This is because the bi-partisan agreement between Daniel Ortega and Arnoldo Alemán referred to as *El Pacto* [The Pact] mainly served to reorganize the state's power relation structures essentially granting the FLSN and PLC duopolistic control over the state's primary institutions, "the two former enemies shared power by changing the constitution to give the Sandinistas almost an equal number of seats on the Supreme Court, the Comptroller's Office and in the Federal Electoral Council" (Roberts, 2008). As a result, of the implementation of the *pact* Nicaragua's main institutions were heavily weakened, granting the FSLN and PLC control over the state's focal democratic institutions, as explained by Pérez-

Baltodano (2006):

Using their overwhelming majority in the National Assembly, Liberals and Sandinistas ended up dividing up the power of the Supreme Court, the Supreme Electoral Council, the Superior Council of the Comptroller's Office, the Human Rights Ombudsman's Office, and the Superintendency of Banks. The pact also made it possible to pass a law that legalized the practice of handing out favors and opened the door to a constitutional reform that would perpetuate the power of the two major parties. On the other hand, the agreement established a system of personal protection. Ortega made use of this protection when, shielded by his parliamentary immunity and with the support of Liberals and Sandinistas in the National Assembly, he evaded the legal consequences of the sexual abuse accusations made against him by his adopted daughter, Zoilamérica Narváez. Arnaldo Alemán, for his part, used parliamentary immunity to try to evade the corruption charges he faced at the end of his presidential term (p.16).

As highlighted in this quote from Pérez-Baltodano (2006), all the stipulations of the *pact* heavily favoured Ortega and Alemán. The *pact* granted the FSLN and PLC a disproportional level of authority over the state's chief institutions. The reorganization of the state's political structures such as the electoral proceedings and the subsequent weakening of the country's core democratic institutions are the main reason why academics like Salvador Martí i Puig and Macià Serra also contend that "the process of de-democratization (...) has been taking place in Nicaragua since 2000" (2020, p. 117), the year the *pact* was instituted. This demonstrates that to maintain a strong democratic system it is vital to preserve a balanced separation of powers between the different branches of government. If this division is tampered with subsequently hindering the state's system of checks and balances, the country's democracy is more likely to collapse, as has been the case in Nicaragua. This is further corroborated by Calleros (2009) who contends that for a democracy to prosper an elected government must "carry out its policies under the rule of law, constructed by democratic means and with functional institutions serving as checks and balances" (p.35). In the case of Nicaragua, the imposition of the *pact* did not adhere to democratic norms, on the contrary it strongly impaired the functionality of the state's institutions, weakening its system of checks and balances and the overall strength of the country's democratic political system.

In comparing Honduras and Nicaragua, both countries commenced their processes of de-democratization in the early 2000s. Furthermore, both states initiated a process of democratic decline in cohesion with a major event, in the case of Honduras the 2009 military coup and in the case of Nicaragua the implementation of the 2000 Ortega-Alemán *pact*. Both these occurrences facilitated democratic backsliding as they heavily weakened their respective state's institutions, consolidated power in the office of the executive, and in the case of Honduras saw the immediate increase in human rights violations and repression. Overall, both these events laid the groundwork for democratic decline in Honduras and Nicaragua, which in later years would be exploited by their respective state's government actors (mainly those in the president's office) to increase repression and the criminalization of exercises of collective action, further accelerating the de-democratization processes of both countries.

B. The Acceleration of De-democratization

Even though democratic decline initiated in the early 2000s for both case studies, my analysis and findings, based on the contents of the interviews I conducted of Honduran and Nicaraguan participants, have established that both states underwent an acceleration of democratic breakdown starting in 2016 and 2018 respectively because of their individual government's violent and repressive response to exercises of collective action.

Again, beginning with the case of Honduras, democratic backsliding intensified during the administration of former president Juan Orlando Hernández (2014-2022). The acceleration of democratic decline during this period was mainly due to the government's violent and oppressive reaction to massive demonstrations that took place throughout Hernández's time in office. Specifically, the Honduran interviewees referenced the excessive use of force that was employed by state actors during the 2016 protests which emerged after the murder of renowned environmental activist Berta Cáceres (BBC, 2018c). Echoing this argument, Amnesty International documented the Hernández administration's response to the 2016 manifestations, which decisively consisted of employing illiberal measures:

[...] deploying dangerous and illegal tactics to silence any dissenting voices in the aftermath of one of the country's worst political crises in a decade, including preventing lawyers and human rights activists from visiting detained demonstrators (...) Security forces used tear gas, chased and arrested protesters. In some instances, they used firearms against them. Levels of violence are comparable to those that followed the 2009 coup (Amnesty International, 2017).

This report by Amnesty International illustrates the severity of the measures used by state actors in an attempt to quell the demonstrations, likening the overt use of violence to the measures used in the aftermath of the 2009 coup, demonstrating a strong connection in the evolution of democratic decline within Honduras. More importantly, it visibly illustrates that the Hernández administration

explicitly utilized violence and repression against protesters as they were identified as socio-political opponents by the state's political agents.

In addition to the repression of protests, during this time the Hernández government also targeted human rights defenders more heavily than ever before, to the point that “[in 2016] Honduras ha[d] become one of the most hostile and dangerous countries for human rights defenders” (Organization of American States, 2016). During this period, political actors aggressively criminalized human rights defenders employing the judicial system to create baseless accusations against these activists as a means of silencing their political dissent and criticism of state authorities. This tactic was used to delegitimize the work of human right defenders and deter their public support by fabricating a false correlation between human rights defenders and criminal activities (The Observatory for the Protection of Human Rights Defenders, 2016). Accordingly, during this period various reports from non-governmental organizations shed light on the extent of the criminalization being applied to demonstrators and human rights defenders by the Honduran government actors:

Local NGOs report that numerous social activists, human rights defenders, and people actively involved in protests occurring throughout Honduras (...) have been subjected to beatings, intimidation, harassment and stigmatization, and that some of their names appear on lists in the hands of security forces (...) [in addition] security forces [have] harassed several journalists who were covering a protest in Tegucigalpa (Amnesty International, 2018a).

As a result, of Hernández's repressive response to exercises of collective action throughout his administration, Honduras experienced an acceleration of democratic backsliding during this time. This affirmation is supported by the 2016 Freedom House country report which substantiates the democratic decline of the country during this period:

[In 2016] Honduras received a downward trend arrow due to the government's failure to address corruption and impunity for crimes against journalists, human rights defenders, land rights activists, and the poor and other marginalized segments of society, who are routinely subject to violence by both state and nonstate forces (Freedom House, 2016).

This report from Freedom House indicates that democracy in Honduras during 2016 was on the downswing as a direct result of growing corruption and immunity for crimes against members of the press, human rights defenders and socio-political activists. This demonstrates a strong relationship between the breakdown of democracy and progressive acts of repression by political actors, suggesting that criminalization can and should be used as a causal factor in the study of de-democratization.

Democracy was negatively impacted due to the increase in human rights violations, the criminalization of socio-political dissents (primarily human rights defenders, protesters, and journalists), the breakdown of the rule law, and the systematic increase of governmental corruption; as evidenced by the eventual arrest, extradition and conviction of now former president, Juan Orlando Hernández.

Comparatively, in the case of Nicaragua democratic backsliding significantly intensified as a result of the 2018 socio-political crisis, in which the administration of President Daniel Ortega opted to use extreme acts of violence to respond to the civic demonstrations that were initially organized to protest the government's proposed social security reforms that would increase taxes but lower social benefits (Bastien, 2018). As the government responded to these manifestations with an excessive use of force the demonstrations rapidly evolved into a full-blown national movement demanding the immediate resignation of Daniel Ortega and his wife/vice-president Rosario Murillo, as is recounted by Human Rights Watch:

In April 2018, Nicaraguans took to the streets in large numbers to protest the government of President Daniel Ortega. They were met with violence. A brutal crackdown by the National Police and heavily armed pro-government groups against protesters that lasted several months has left more than 300 people killed and more than 2,000 injured. According to an independent group of experts, appointed by the Inter-American Commission on Human Rights (IACHR) with the support of the Nicaraguan government, police and armed pro-government groups committed widespread abuses against largely unarmed protesters, including extrajudicial executions, between April and July (Human Rights Watch, 2019a).

The government's use of oppressive measures motivated protesters to continue their socio-political movement demanding accountability and justice for the state's corrupt and illegal procedures. A movement that as documented by Freedom House continues to be met with acts of repression, persecution, intimidation, threats, allegations of terrorism, physical violence and arbitrary arrests (2024b).

Moreover, during the 2018 protests the Nicaraguan government initiated a systematic and amplified criminalization of human rights defenders as a part of their violent crackdown on the nation's citizenry. This repression included "Murders, disappearances, arbitrary detentions, physical aggressions involving the use of stones, sticks, rubber bullets, and tear gas, threats, and acts of intimidation" (Front Line Defenders, 2018). In addition, in the months that followed the 2018 protests which initiated on April 18 of that year various members of the *Centro Nicaragüense de Derechos Humanos* (Nicaraguan Centre for Human Rights-CENIDH) "have been the subjects of smear campaigns and intimidation" (Front Line Defenders, 2018). The use of smear campaigns has been a governmental strategy to discredit and delegitimize the work of human rights defenders. Human rights defenders' main objectives include the protection of human rights for all citizens and the defence of democratic norms and principles within a society (United Nations, 2004), goals that since the 2018 protests no longer align with the interests of President Daniel Ortega's administration. Consequently, since the 2018 protests, the government has moved to dismantle human rights and civil society organizations closing "more than 5, 000 organizations" as a way of criminalizing any form of socio-political dissent (Amnesty International, 2024b). Therefore, because of the government's oppressive response, the 2018 protests in Nicaragua have marked a pivotal transition for the country, moving from mere democratic backsliding into the implementation of a complete authoritarian regime, as is evidenced by Freedom House's

classification of the country in the aftermath of the 2018 protests, dubbing Nicaragua as an “unfree” state (2019).

In comparing Honduras and Nicaragua, it is evident that the 2016 and 2018 waves of protests were crucial events that heavily influenced and accelerated the de-democratization processes occurring in both countries. The repressive responses by the Hernández and Ortega administrations which involved utilizing an excessive use of violent tactics to address the exercises of collective action in their respective states, served to intrinsically increase the employment of criminalization against demonstrators and human rights defenders who in the wake of these manifestations were categorized by governmental actors as socio-political opponents. Both these case studies demonstrate an obvious infringement on the civil rights of freedom of assembly and freedom of association which are recognized by the Inter-American Commission of Human Rights (IACHR) as fundamental liberties of any democratic system, “Reaffirming the vital importance of unobstructed exercise of the rights to freedom of peaceful assembly and association for sustaining and protecting democracy (2025).

Furthermore, the violent response from both the Hernández and Ortega governments illustrate the evolution of criminalization. It demonstrates how criminalization has developed beyond its traditional penal application, to a progressively and systematically employed mechanism used by governmental officials to target human rights defenders and protesters, actors they have categorized as enemies of the state. This progression is recognized by the IACHR and United Nations 2025, *Joint declaration on protecting the rights to freedom of peaceful assembly and of association from criminalization amid existential threats* (IACHR, 2025), in which the organizations for the first time officially make explicit mention of criminalization in the title of a declaration on the right to peaceful protest. Specifically, the IACHR 2025 declaration identifies

criminalization as an instrument of government repression defining it as, “a tool to suppress collective non-violent actions and solidarity movements” (IACHR, 2025). In addition, in incrementing their use of criminalization as a tool of socio-political repression both the Honduran and Nicaraguan governments have relied heavily on the military to enforce their oppressive measures. This dependency points out yet another major governmental infringement to the traditional civil and military balance that was established after both states’ individual transitions to democracy, as is illustrated in the following section.

7.1.2 The Mobilization of the Military

In both Honduras and Nicaragua, one of the main similarities in the progression of their respective democratic breakdowns has been the extreme use of force as a means of socio-political repression and deterrence. In both cases, each state's government has also opted to use the military as their primary enforcement institution, granting them excessive powers which has resulted in an increase of human rights violations as well as the unjustified injury and death of numerous civilians in both countries.

In addressing the case of Honduras, despite transitioning from military rule to democracy in the 1980s, the military continued to enjoy an important role within the country's political landscape:

Since the end of military rule in 1982, the military has remained a key political, economic, and social actor. Politically, the military retains a constitutional mandate as guarantor of the political system and enforcer of electoral rules. Economically, its officers direct state enterprises and manage a massive pension fund obscured from public audit. Socially, the military takes on numerous civic action tasks—building infrastructure, conserving forests, providing healthcare, and policing crime—that make the state appear to be useful to its people and bring the military into direct contact with the public almost daily (...) Most significantly, the military has retained the role of arbiter in the Honduran political system (Mani, 2021, p. 1).

As is illustrated through this quote the military was able to retain significant influence within Honduras' new political system after the state's transition to democracy. However, despite this initial retention of political authority throughout the 1980s and during the initial years of the 1990s, under the administration of former president Carlos Roberto Reina (1994-1998) the military's power began to wane, primarily as mandatory military service was abolished in 1994, and the police force was transferred from military to civilian control in 1996 (UNHCR, 1997). These reforms to the military institution served to significantly reduce its power and enabled military officers who had committed serious acts of violence and human rights violations during the 1980s (as was discussed in Chapter 3) to be persecuted. As reported by the United Nations High

Commissioner for Refugees (UNHCR), in October 1995, “members of the military were forced to stand trial for human rights abuses in a civilian court” (1997). However, despite the demilitarization of Honduras’ police force, the military still maintained its role as arbiter of the state’s political system.

The 2009 military coup revealed the extent to which the military’s role as arbiter had remained central in Honduras and it enabled the armed forces to play an important role in the initiation of Honduras’ de-democratization process. However, the magnitude of their political involvement and supervision of security tasks took a new turn after the realization of this event. The Honduran military played a central role in the 2009 coup, as it was the armed forces that stormed President Zelaya’s residence, arrested him, and forcibly exiled him to Costa Rica on a military aircraft. The military was acting on orders from the Supreme Court as well as military and defense officials to stop Zelaya’s controversial push for a constitutional referendum (BBC, 2011b). Even though the military carried out the physical removal of President Zelaya, the Honduran Congress was the one to formalize the ousting by declaring Zelaya absent and installing a new interim government (Booth et. al., 2020), creating a complex outcome in which the military acted but did not take power, instead there was a congressionally supported civilian political succession.

Despite not taking power during the coup, the military was granted substantially expanded powers and authority, a trend referred to as “all-purpose militarization” (Mani, 2021). The 2009 coup therefore served to reverse the previous trend towards civilian control of the state’s security forces, initiated in 1994 under former president Carlos Roberto Reina, and re-established the military’s traditional role as a key political player, restoring its full authority. This is supported through the analysis of Mani (2021) in his academic article, *Honduras All-Purpose Militarization* in which contends that:

[...] the net effect of the military's intervention in politics in 2009 was not only to reset the left-right political scale, but also to enhance the military's value as a political ally of the executive branch. As a result, the Honduran military today appears to be in the curious position of having it all—maintaining public legitimacy as well as being the indispensable institution courted by politicians. Yet, the net effect of the military's intervention in politics has not benefited the course of democracy or, indeed, its own stature (p. 17).

This examination demonstrates the transformation of the military in the post-coup period. During this time the armed forces regained their full authority and developed into an institution that is subservient to the executive branch in exchange for the conservation of greater political influence. Accordingly, the expanded powers granted to the military in the post-coup period would quickly be exploited by the new government to respond to the socio-political crisis that immediately followed the exile of Zelaya.

In the aftermath of the coup, a civil society anti-coup movement quickly formed to protest the illegal removal of President Zelaya from office. The protesters claimed that their demonstrations were a “response to what they consider to be an attack, a breach of the shared values of the society, or the installation of an illegitimate authority (...) it was over the values and principles of democracy (Sosa, 2015, p.318-319). In response to this movement the newly elected government of Porfirio Lobo Sosa called on the state's military forces to violently suppress the manifestations:

After the coup, security forces [primarily composed of military and police forces] committed serious human rights violations, killing some protesters, repeatedly using excessive force against demonstrators, and arbitrarily detaining thousands of coup opponents. The de facto government installed after the coup also adopted executive decrees that imposed unreasonable and illegitimate restrictions on the rights to freedom of expression and assembly. Since the inauguration of President Porfirio Lobo in January 2010, there have been new acts of violence and intimidation against journalists, human rights defenders, and political activists. This report documents 47 such cases, including 18 killings (Human Rights Watch, 2010).

This report of events by Human Rights Watch illustrates the severity of the crimes committed by the state's security forces, mainly the military which during this time had taken over the duties and

responsibilities of the national police to respond to the mounting public crisis. Moreover, the report by Human Rights Watch outlines that during the post-coup era the military committed several human rights violations and criminalized protesters for voicing their political dissent over the installation of a new government and the subsequent implementation of illegitimate policies. This is further evidenced by the Inter-American Commission on Human Rights, *Preliminary Observations on the IACHR Visit to Honduras* report, which outlines how the military and police engaged in arbitrary detentions, “cruel, inhuman, and degrading treatment” of anti-coup protestors, and attacks against members of the press (2009). Consequently, the post-coup era is a clear example of how government actors have weaponized the military to criminalize those they identify as socio-political opponents, a practice that was repeatedly employed during the succeeding administration of President Juan Orlando Hernández.

During the presidency of Hernández, his administration opted to expand the military’s role even further as a way of combating the state’s rising crime rate, however as reported by Human Rights Watch, “human rights abuses by the military have increased notably since then. Military police officials were accused of involvement in at least nine killings, more than 20 cases of torture, and about 30 illegal arrests between 2012 and 2014” (Human Rights Watch, 2016). Despite these numerous accusations Hernández’s administration continued to rely on the armed forces to fight crime in 2016, at which point Freedom House alerted “that too much power is concentrated in the hands of the military (...). An increase in reported abuses, including murder, illegal detention, and torture has accompanied the militarization of domestic policing” (Freedom House, 2017). The abuse of power and human rights violations committed by the armed forces exponentially grew during Hernández’s time in office, particularly as the military was granted free range in dealing with the protests that took place throughout Hernández’s administration. For example, after

national protests erupted to dispute the result of the 2017 general elections, “Members of the Honduran security forces, in particular the military police, used excessive – including lethal – force to control and disperse protests” (OHCHR, 2018b). This illustrates a clear abuse of power and the explicit criminalization of protesters by the state’s military forces. The use of excessive and lethal force by the armed forces highlights the role the military has played in Honduras’ democratic decline, particularly by committing human rights violations and employing criminalization as a mechanism of socio-political repression in the name of protecting the state’s political actors.

Comparatively, under the current presidency of Xiomara Castro, despite being considered a Left-wing government, the military continued to be used to enforce some arguably questionable government policies. In December 2022, President Xiomara Castro, emulating El Salvador under Nayib Bukele, declared a state of exception in Honduras to combat gang violence and extortion. In collaboration with the state of exception Castro also imposed restrictions on freedom of movement and assembly (Breda, 2025). During the imposition of this policy, which was initially introduced as a temporary measure but has since been extended on various occasions, Castro’s administration has relied heavily on the use of the military for public security operations, including putting the prison system back under military control (Amnesty International, 2023a). This marks a clear reversal of Castro’s original campaign promise to demilitarize the state’s public security forces. Castro’s decision to continue to militarize the state’s security forces has had dire consequences in Honduras:

[It] has led to human rights violations such as deaths in state custody, arbitrary imprisonment, ill-treatment, violations of due process, discrimination, restrictions on the exercise of freedom of expression and even crimes under international law such as torture and persons being taken away by force (Amnesty International, 2023a).

The continued use of the military by civil governments to enforce mechanisms of repression illustrate the significant role the military has played in the democratic breakdown of Honduras.

Instead of enforcing the Constitution and protecting democratic norms and principles the military has been used as an enforcer of criminalization, a mechanism of socio-political repression.

Similarly, in the case of Nicaragua the military has been consistently used by government actors as a deterrent force to respond to acts of political dissent and exercises of collective action. To deepen its control over the state's armed forces and expand the military's role in the country's national security operations Ortega's government imposed the 2014 constitutional reforms. These reforms considerably increased the president's power over the military, effectively placing it under the direct command of the executive branch and diminishing its traditional role as a non-political, non-partisan institution (McConnell & Sullivan, 2025). In addition, the constitutional reforms of 2014 also served to expand the military's institutional powers granting it increased involvement within the state's internal security operations and national security functions, blurring the lines between external defence and domestic policing (BBC, 2014a). As such, the 2014 constitutional reforms served to expand the powers of the military and transformed the institution into a subordinate organization of the president's office.

Consequently, the executive's increased control over the state's armed forces, enabled the Ortega-Murillo administration to employ the military in collaboration with the national police and the unofficial assistance of civilian pro-government armed groups (referred to as paramilitary groups or militia) to respond to the national manifestations of 2018:

[...] the government's reaction to the protests included violence through heavily militarized means. Nicaraguan militia and security forces [composed of police and military personnel] killed at least 328 protesters and injured an estimated 2,000. They also arbitrarily detained hundreds of protesters and placed them in torturous conditions through severe beatings, electric shocks, and rape (Hove, 2024).

Even though the presence of the military and the crimes committed by military officials were repeatedly reported throughout 2018 by members of the press, socio-political activists and human

rights defenders, the military's top officials fearing international sanctions as an institution claimed that they had not directly participated in the government-ordered repression that took place during the 2018 socio-political demonstrations. However, this assertion was quickly dispelled when the United Nations Group of Human Rights Experts on Nicaragua (GHREN) released a report in which they presented conclusive evidence of the military's involvement in committing human rights violations, using excessive force and employing oppressive measures against protesters. An overview of the report is presented by EL PAÍS journalist, Wilfredo Miranda Aburto:

The report notes that the Nicaraguan army not only collaborated with the National Police and pro-government armed groups, but also assumed a fundamental role in the strategy of repression. Among the documented actions are “the use of lethal weapons, intelligence operations, training of civilians and direct intervention in operations.” “The documented extrajudicial executions were the result of coordinated actions between the police, the army, and pro-government armed groups” (Aburto, 2025b).

This report analyzed by Aburto illustrates the degree of involvement from the armed forces in the implementation of repressive measures against protesters during the 2018 socio-political crisis. It shows that the military is responsible for committing human rights violations and criminalizing civilians for protesting the government's continued corruption and illegitimate actions. This account of events by Aburto is further supported by a report from the U.S. Department of State, in which it is assured by Nicaragua security experts, including former military personnel, that during the 2018 manifestations, “the military did cooperate with suppressing the protests, noting [that] the high-caliber weapons handled by highly trained persons during the repression of protesters were used exclusively by the military” (2018). This demonstrates that the military (in connection with the state's National Police force and pro-government civilian-run militia groups) has been exploited by the state's government actors as a way of executing its oppressive practices on those categorized as socio-political dissents.

In comparing Honduras and Nicaragua, both countries' administrations have mobilized their military forces as a means of responding to exercises of collective action and as a way of directly targeting actors identified as socio-political opponents of the state particularly, human rights defenders and protesters. The military as an institution has been used in Honduras and Nicaragua to enforce governmental orders of repression against socio-political activists that have mobilized to voice their dissatisfaction and/or inconformity with the actions of the state's main political actors, principally those emanating from the president's office.

The armed forces in both countries have been granted expanded powers so that they can have the authority to execute forcible detentions, persecution, criminalization and at worst extrajudicial killings as a way of deterring socio-political movements. The impropriety of the military's actions has heavily contributed to the de-democratization processes taking place in Honduras and Nicaragua. The military's overt use of criminalization as a mechanism of socio-political repression (on governmental orders) illustrates the strong relationship between criminalization and democratic breakdown, demonstrating that criminalization can and should be used as a causal factor in the study of democratic backsliding.

7.2 The Central Differences in the Degree of De-Democratization in Honduras & Nicaragua

7.2.1 The Variation of Institutional Decline: The Role of Electoral Proceedings

Having examined some of the most relevant similarities that emerged in the analysis of the fieldwork that was conducted for this doctoral dissertation, this section of the chapter assesses two of the most significant differences between these two case studies, the extent of institutional decline and the differentiation between significant democratic backsliding and complete authoritarian regression.

In analyzing the degree of institutional deterioration in Honduras and Nicaragua, it is important to note that even though both countries have experienced substantial institutional decline over the last few years, there is an important difference in the nature and extent of this organizational debilitation.

In the case of Honduras, although the country is still categorized as democratic (“partly-free”) by Freedom House, it is evident that the country’s fragile democratic status reflects its weak institutions. Honduras suffers from severe institutional weakness which are characterized by increased “corruption, violence, and impunity” (Freedom House, 2025a). As a result, even though Honduras is still classified by international institutions like the United Nations and Organization of American States, in addition to organizations like Human Rights Watch and Freedom House, as a democratic nation, its democratic political system is concurrently recognized as weak. This is evidenced by the 2025 Economist Intelligence Unit (EIU) Democracy Index in which Honduras was ranked 90th globally, which acknowledges the frailty of its democratic system, but also suggests the retention of moderate levels of democracy. Moreover, as mentioned above, the existence of certain levels of democracy within Honduras is reflected by the fact that as of 2025, the state still maintains its “partly free” classification from Freedom House. In large part this

classification as a partial democracy has to do with the frailty of the country's democratic institutions, particularly the lack of independence of its judicial system:

Political and business elites exert excessive influence over the judiciary, including the Supreme Court. Judicial appointments are made with little transparency, judges have been removed from their posts for political motivations, and several lawyers have been killed in recent years (Freedom House, 2025a).

The lack of institutional autonomy for Honduras' judiciary negatively impacts the effectiveness of the state's rule of law. Furthermore, it inhibits the judicial branch's ability to place an efficient system of checks and balances on the executive branch's power. As noted by Calleros (2009), the establishment of an effective system of checks and balances serves to implement a form of "auxiliary precautions" that will precisely act as "mechanisms for restraining excess of power" by the central government (p. 19). Therefore, if Honduras' judicial system is incapable of instituting and more importantly of enforcing an effective system of checks and balances than the country's democratic system will ultimately suffer, as evidenced by Honduras' continued democratic backsliding.

Furthermore, the legitimacy and transparency of the country's electoral processes have also been criticized. Most notably, the 2017 general elections were tainted by allegations of fraud and procedural irregularities. In the immediate aftermath of the elections, the Organization of American States' Electoral Observation Mission reported that there was a:

[...] lack of guarantees and transparency, as well as the accumulation of irregularities, mistakes and systemic problems that have surrounded this electoral process during the pre-electoral phase, election day, and the post-electoral phase, that as a corollary do not allow the Mission to have certainty about the results (Organization of American States, 2017).

This lack of transparency weakens the electoral process and calls into question the validity of the vote, which in turn causes the electorate to lose faith in the effectiveness and legitimacy of the democratic procedure.

During the most recent presidential elections which took place on November 30, 2025, the elections were once again marred by controversy, “On December 2, the CNE announced that its vote-tally system had failed and that it would provide a temporary platform so that the political parties and media could follow the count” (Schwartz, 2025). This “technical difficulty” has cast doubt on the legitimacy and veracity of the results, which is why it took the National Electoral Council (CNE) nearly a month to officially announce U.S.-backed candidate, Nasry Asfura as the victor of the elections (CBC, 2025). However, despite the controversies surrounding the 2025 elections, the global organization International IDEA was allowed to observe the electoral proceedings and two of its journalists Blanca Blanco Abellan and Nicolás Liendo reported that, “Despite prior tensions, election day proceeded relatively calmly” (2025). This demonstrates that Honduras continues to partake in certain aspects of democratic procedures, mainly the realization of electoral proceedings. Although, it remains to be seen if these results will be respected by outgoing President Xiomara Castro as well as international observers, and whether there will be a successful transfer of power on January 27, 2026, what is clear is that the results of these elections were corrupted by the irregularities of the proceedings which has caused the continual contestation of the results.

However, despite Honduras suffering from significant institutional weakness and democratic decline, the country has illustrated signs of democratic renewal. Specifically, this is noted in the successful transfer of power that took place in 2022 from former president Hernández to current President Xiomara Castro (Humberto Suazo, 2024). This is an important distinction from Nicaragua, as the country has not seen a change in power since Ortega’s return in 2007 (this point is discussed more in-depth in the following section). Further, despite having weak intuitions that are heavily influenced by the executive branch and struggling with deep-seated issues that

limit the quality and resilience of its democracy, Honduras does retain formal democratic structures, such as the realization of relatively competitive elections as seen in the open participation of political opponents during the 2025 general elections, and therefore it is still recognized as a “partly-free” democratic nation by Freedom House (2025a).

Nicaragua on the other hand, is categorized by Freedom House as a “not free” nation (2025b). It is currently internationally acknowledged as a dictatorship in which the administration of Daniel Ortega and Rosario Murillo have complete control over the state’s primary institutions. As such, Nicaragua’s institutional decline is deemed arguably more severe than that of Honduras, “Since 2019, Nicaragua has declined further in numerous factors, notably, in Credible Elections, Free Political Parties, Elected Government, Civil Liberties and its related subfactors, and Civic Engagement” (International IDEA, 2025). The Sandinistas overwhelming authority of the state’s core political structures have led to a near collapse of any type of independent institutions, which in turn has barred the realization of any form of free and fair elections (Freedom House, 2025b). As a result, the country is presently consolidated as an authoritarian regime under the rule of President Daniel Ortega.

Since the 2018 protests, in which the Ortega administration imposed a “strategy of repression” (Amnesty International, 2018b) against human rights defenders, members of the Catholic Church, journalists and socio-political activists, the rule of law has collapsed within the country, “The judiciary remains dominated by FSLN and PLC appointees, and the Supreme Court is a largely politicized body controlled by Sandinista judges” (Freedom House, 2019). The country’s judiciary has been purged of independent voices and has been weaponized by government actors as an instrument to criminalize socio-political opponents. This includes the

arbitrary stripping of citizenship from hundreds of political prisoners and socio-political opponents, leaving them stateless and their property confiscated:

452 persons had been deprived of their nationality by court order between February 2023 and September 2024, of whom only one remains in Nicaragua. Others were also stripped of their nationality without any legal process. Many other Nicaraguans abroad have been refused passport renewals or access to other official documents, rendering them “de facto” stateless, stripped of their legal identity, livelihood and rights, and prevented from rebuilding their lives abroad (United Nations, 2025b).

The illegal deprivation of a citizen’s nationality is a clear example of the executive branch’s complete control over the state’s rule of law. It illustrates how the Ortega-Murillo regime increasingly uses the state’s legal system for their own benefit and even mobilizes the state’s courts to punish actors they deem as socio-political dissents.

Similarly, the Ortega-Murillo regime has a long history of co-opting control of the state’s three branches of government (executive, legislative, and judicial). Through the imposition of constitutional reforms in 2000, 2014, and most recently 2024, the Ortega administration has ensured its monopolistic rule over the state’s primary institutions like the Supreme Court, Supreme Electoral Council, National Assembly and Comptroller General’s Office. As analyzed in Chapters 5 and 6 of this dissertation, the constitutional amendments of 2024 which were made into law in early 2025, served to further expand the power of the president and eliminate the state’s remaining separation of powers by, “reducing the legislative and judicial branches to entities coordinated by and subordinated to the presidency” (Human Rights Council, 2025, p.2). In other words, these latest reforms have essentially nullified any remaining authority from the legislative and judicial branches of government. Overall, the 2024 reforms established a dynastic co-presidency between Daniel Ortega and his spouse/vice-president Rosario Murillo (Human Rights Watch, 2025b).

In comparing Honduras and Nicaragua, although both countries have undergone significant institutional decline since they initiated their respective processes of de-democratization, the

reality is that in the case of Honduras, the state still retains the presence of democratic structures and a semblance of institutional autonomy. Whereas in the case of Nicaragua, all the state's major democratic institutions have been co-opted by the executive branch and are therefore controlled by the Ortega-Murillo administration. Consequently, although Honduras is considered a state that is undergoing a process of democratic backsliding, Nicaragua is now categorized as an authoritarian regime that has completely regressed into dictatorial rule.

7.2.2 Democratic Backsliding versus Complete Authoritarian Regression

Even though both Honduras and Nicaragua initiated their respective processes of democratic decline during a similar period of time, and despite both these countries undergoing comparable trajectories of democratic backsliding there is a clear and important difference highlighted previously, as Honduras is still formally considered a democratic nation (Freedom House, 2025a), while Nicaragua is widely recognized as an outright dictatorship (Freedom House, 2025b). In unpacking this distinction this section of the chapter considers three different components: electoral proceedings, treatment of the political opposition, and the suppression of civil liberties.

Beginning with the topic of elections, there is a marked difference between these two case studies, despite both countries being accused of partaking in electoral fraud on different occasions. In the case of Honduras, since beginning its process of de-democratization after the 2009 military coup, there have been two successful transfers of presidential power. The first instance took place in 2014 when National Party leader, Porfirio Lobo Sosa ceded power to his right-wing National Party successor, Juan Orlando Hernández (The San Diego Union-Tribune, 2014). The second and arguably more significant transfer of power took place in 2022, when right-wing leader Juan Orlando Hernández peacefully (albeit under intense international pressure as he was undergoing a criminal investigation for which he would be arrested only 3 months after stepping down as president in 2022 and eventually be convicted in the U.S. in 2024, before his subsequent pardon on November 28 2025 by President Donald Trump) relinquished his presidential authority to left-wing Liberty and Refoundation Party leader Xiomara Castro, effectively ending twelve years of National Party rule (Ernst, 2022). The successful transference of power on these two separate occasions in Honduras, illustrate that despite facing substantial concerns regarding fairness and

transparency, the state's elections are still considered to be relatively competitive and free (Freedom House, 2024a). As such, the results of the general elections have been upheld and recognized by international observers as legitimate. Currently, there is also the anticipation of a potential third transfer of power from current President Xiomara Castro to President elect Nasry Asfura. As mentioned in chapter 3, President-elect Asfura was heavily supported in his electoral campaign by U.S. President Donald Trump. Throughout the 2025 Honduran presidential election, Trump employed public declarations, economic threats, and geopolitical leverage to support Asfura's narrow victory (Rogerero, 2025). This overt display of American intervention highlights the progressive and explicit trend of U.S. authority in Latin America. The United States' influence in Latin America has been historically extensive and characterized by economic dominance, military interventions, and politically molding the region to contain left-wing movements, especially during the Cold War era. While traditionally U.S. interventions have often aimed to protect economic interests and ensure political alignment, these intercessions, particularly under the two terms of President Trump have become more overt and have contributed to regional instability, including the installation of authoritarian regimes and substantial declines in democratic, economic, and civil rights structures, as is the case of Honduras. However, despite American intervention if Xiomara Castro decides to peacefully step down and cede power to Asfura, Honduras is poised to sustain its current moderately low democratic standing, but if the transfer of power is refused there is the potential for Honduras' democracy to decline further following in the authoritarian path of Nicaragua.

In Nicaragua, there has not been any successful transference of power since Daniel Ortega retook the president's office in 2007. Since then, despite realizing elections in 2011, 2016, and 2021 these elections have been tarnished in accusations of fraud and illegitimacy (particularly the

elections of 2016 and 2021). One of the primary reasons for the discreditation of the Nicaraguan elections after 2011, is because Ortega's administration moved to abolish the presidential term limits during the constitutional reforms of 2014. On December 10, 2014: "The Nicaraguan National Assembly approved changes to the constitution that would allow President Daniel Ortega to run for a third successive term in 2016. The bill scraps limits to the number of terms Nicaraguan presidents can serve" (BBC, 2014b). The removal of the presidential term limits in 2014 has allowed Ortega to perpetuate his time in office and run consecutively during the elections of 2016 and 2021. Furthermore, the 2016 presidential elections were viewed as an expression of nepotism as they ushered in the growing influence of Ortega's family within Nicaragua's political structures/institutions, "Corruption has been a major issue, with Ortega's sons and daughters appointed to prominent positions such as ambassador and presidential adviser, and his wife elected as vice president" (Freedom House, 2017). The progressive inclusion of his family in the political landscape of the country highlights a clear parallel between Ortega's administration and the dictatorial family dynasty of the Somozas which ruled Nicaragua from 1936 to 1979. Both these family-led regimes abused their political power and transformed Nicaragua into a dictatorship during their respective times in office. Additionally, the 2016 elections were classified as closed and unfair as political opposition candidates were barred from participating:

The Nicaraguan Supreme Court stripped the main opposition candidate [Luis Callejas] for president of his party's leadership in June, and the following month the CSE removed 16 opposition members from the National Assembly for their failure to recognize the new party leader. This resulted in certain defeat for the opposition in the November elections (Freedom House, 2017).

The Sandinista government's overt intervention in the electoral proceedings of 2016 characterized by barring the state's main political opposition parties (and candidates) from participating in the elections through judicial and electoral manipulations illustrates a clear breakdown of democratic

norms and principles. Moreover, the questionable actions by the Ortega administration during the 2016 general elections, exemplifies a strong pattern of growing autocratic tendencies, predominantly comprised of governmental corruption and the perpetuation of power.

Unlike the elections of 2011 and 2016 that despite some controversies were ultimately accepted as legitimate by the international community, the elections of 2021, which took place after the fallout from the 2018 socio-political crisis, were classed as not free, fair or transparent (Freedom House, 2022). One of the main reasons for the international criticism of the electoral proceedings was again the governmental targeting of the political opposition through the imposition of questionable legislative measures. For instance, in their 2021 country report Freedom House notes that:

In October [2021], the government passed two laws viewed as attempts to suffocate opposition: the Foreign Agents Law, which requires any Nicaraguan receiving funds from abroad to register as a foreign agent with the Interior Ministry, and prohibits such agents from engaging in political activities or holding public office; and the Special Cybercrimes Law, which criminalizes the dissemination of “false or distorted” information using communications technology. In December, the government [also] passed a law enabling officials to bar individuals labeled as “terrorists” or “traitors” from running for or holding public office (Freedom House, 2021).

The main objective behind implementing these three laws was to sideline all potential political candidates from running for office, thus all but guaranteeing Ortega’s electoral victory and the continued perpetuation of his power. In addition, the elections of 2021 were highly contested because as reported by Amnesty International:

[They] were marked by arbitrary arrests of activists and journalists, among other acts of harassment, coercion and political violence. Press freedom has also been in the government’s crosshairs, and the media have denounced restrictions and obstacles that have made it impossible for them to carry out their work (2021).

Consequently, due in large part to the repression of media outlets and the political opposition the elections of 2021 were not classified as legitimate by international observers and Ortega’s supposed victory was not recognized. Therefore, unlike the elections of Honduras which are still

considered moderately open and free, the elections in Nicaragua have been dubbed emphatically illegitimate, especially when considering the Ortega administration's ill-treatment of the political opposition.

In addition, when discussing both countries' behaviour towards the political opposition there is a stark difference, especially in relation to criminalization. In Honduras, strong opposition parties like the National Party and Liberal Party still coexist on a fairly even playing field, which is evidenced by their competitive participation in the recent 2025 general elections (Perelló, 2025). On the contrary, since 2018, opposition leaders in Nicaragua have been actively and openly criminalized, incarcerated or banned from participating in the state's general elections. Michelle Bachelet, the UN High Commissioner for Human Rights, "warned that the arrest and jailing of opposition leaders, in some cases as a reprisal for cooperating with the UN to highlight human rights abuses, clearly hinders the creation of an environment conducive to holding a genuine and inclusive dialogue" (UN, 2019).

The systematic and lethal persecution of political opponents in Nicaragua illustrates a clear departure from democratic norms and principles and a complete regression into authoritarianism. In addition, the criminalization of political dissenters through illiberal practices like "surveillance and harassment at the hands of security forces, police, and paramilitary groups" (Freedom House, 2025b) has rendered political competition in Nicaragua almost entirely non-existent. The Ortega-Murillo administration has explicitly targeted political opponents to ensure the continuation of their political power. Consequently, as partially discussed above, during the 2021 general elections, "Some 50 critics, including 7 people who ran for president in 2021, received prison sentences and were disqualified from public office in 2022. Two imprisoned presidential candidates were among the 222 prisoners exiled by the regime in February 2023" (Freedom House,

2025b). Therefore, it is evident that the extent of the Ortega-Murillo regime's repression of political opponents outweighs the difficulties faced by the political opposition within Honduras, especially given the fact that opposition leaders in Honduras have not been arrested or explicitly/openly barred from running for office.

Lastly, the distinction in democratic classification between Honduras and Nicaragua is also due to their varying degrees regarding the repression of citizens' civil rights. As has been discussed in this chapter and throughout this dissertation both Honduras and Nicaragua present problematic environments for the protection of civil rights and as such have been guilty of committing numerous human rights violations and infringing on their respective citizenry's civil liberties. However, both case studies are representative of two different forms of repression.

On the one hand, Honduras continues to struggle with weak democratic institutions, high levels of criminal violence, and the suspension of certain civil rights (mainly freedom of mobilization and freedom of assembly) due to the prolongation of Xiomara Castro's state of exception (Freedom House, 2025a). As discussed earlier in the chapter, citizen's basic freedoms in Honduras were severely trampled during the two-term administration of Juan Orlando Hernández as "A crackdown on protests following the November 2017 national elections resulted in the death of at least 22 civilians and one police officer, and in more than 1,300 detentions" (Human Rights Watch, 2019b). Moreover, despite the national and international expectations that Honduras would experience democratic revival under the administration of Xiomara Castro, as she promised to improve on the protection of civil liberties and human rights during her presidential campaign, "there has been insufficient change to address the grave crisis facing the Honduran population" (Amnesty International, 2023b). On the contrary, according to Human

Rights Watch (2024a), “Honduras continues to struggle with widespread corruption, a compromised judiciary, high levels of violence, and attacks against environmental defenders.

However, despite the continued criminalization of human rights defenders and environmental activists Honduras is recognized by Freedom House as having a better standard of civil liberties than Nicaragua. In relation to civil liberties Honduras is ranked by Freedom House with a score of 26/60, more than double Nicaragua’s score which comes in at 12/60 (Freedom House, 2025a; 2025b). Honduras’ higher score regarding the protection of civil rights is reflective of the fact that unlike Nicaragua, Honduras still maintains moderate levels of democracy.

On the other hand, in the case of Nicaragua, the government’s form of repression reflects a deepening authoritarianism, one which is characterized by the overt centralization of political power, the systematic dismantling of the state’s independent institutions and the complete erosion of any system of checks and balances. The Ortega-Murillo administration has exponentially curtailed civil liberties, particularly through the expansive closure of civic spaces, “Nicaragua has revoked the registration of 1,500 non-profit organizations” (Pourahmadi & Schmitz, 2024). Shutting down these organizations has infringed on citizens’ rights to mobilization, expression and assembly. All citizens in Nicaragua identified as socio-political opponents have been criminalized by the regime causing, “Thousands of Nicaraguans (...) to go into exile because of persecution and reprisals ranging from enforced disappearance and the deprivation of nationality to imprisonment, murder and forced banishment” (United Nations, 2025c). Although Hondurans have faced similar acts of governmental persecution, the reality is that their civil liberties are classified as being better protected than in the case of Nicaragua, as evidenced by their higher civil liberties ranking (Freedom House, 2025a; 2025b). Overall, in Honduras, although minimal there are still some democratic structures and institutions that serve to protect the

populations' civil rights, while in Nicaragua the Ortega administration openly and without fear of any legal reprisal directly targets citizens perceived as contrary and overtly infringes on the citizenry's civil rights to prolong and expand its political rule.

Hence, when comparing both case studies, it is clear that despite both countries partaking in de-democratization, Nicaragua has fully embraced authoritarianism, while Honduras is currently in a struggle to maintain its democratic path against significant internal challenges.

7.3 Thesis Contributions to the Study of Criminalization & De-Democratization

As has been mentioned throughout this dissertation, Latin America has been experiencing a growing trend of democratic backsliding since the early 2000s. This pattern of democratic decline has been characterized by the overt centralization of executive power, the weakening of checks and balances, declining democratic institutions, the oppression of civil liberties, the subjugation of political opponents and the criminalization of human rights defenders and protesters. Two countries that exemplify this growing tendency of de-democratization are Honduras and Nicaragua. As such, through a comparative analysis of Honduras and Nicaragua this thesis has sought to identify the core causes of democratic decline in both countries.

Despite, a wide array of literature citing different structural and/or agency-centric causes for the democratic decline that is occurring in both Honduras and Nicaragua, as was discussed in Chapter 1 of this thesis, this dissertation advances academia's understanding of democratic decline in these two case studies by arguing that the structural flaws that occurred during the transition and democratization processes of Honduras and Nicaragua, led to the composition of inherently weak democratic institutions and to a problematic imbalance of power between the different branches of government, issues which have profoundly contributed to the current de-democratization processes taking place in each country respectively as well as enabling the use of criminalization as a tool for socio-political repression.

In demonstrating this argument, this dissertation has employed a collaborative theoretical framework, which was presented in Chapter 2, composed of several authors Calleros (2009), Albertus & Menaldo (2018), O'Donnell & Schmitter (1986) and Doran (2017). The contribution of Juan Carlos Calleros (2009), is predominantly based on his book, *The Unfinished Transition to Democracy in Latin America*. In his book Calleros, performs a comparative examination of Latin

America in which he argues that de-democratization is the result of an incomplete transition to democracy. In the cases of Honduras and Nicaragua, based on the discussion of Linz & Stepan's (1996) six arenas of democratic consolidation: stateness, civil society, political society, the rule of law, state bureaucracy and economic society, this thesis has proposed that although academia recognizes that democratic consolidation took place in these two states during the 1990s, that this consolidation was arguably incomplete. Particularly, this dissertation has argued that due to structural flaws present at the time of transition and democratization both Honduras and Nicaragua intrinsically underdeveloped their democratic institutions subsequently hindering the complete consolidation of each state's civil society, political society and rule of law. This validates Calleros work within the context of Honduras and Nicaragua, two countries Calleros minimally mentions. It illustrates that both these case studies are currently undergoing de-democratization in large part because of their incomplete transitions to democracy during the period of 1980 to 1990.

The inability of Honduras and Nicaragua to establish strong democratic institutions at the time of transition is partly the result of the "legacies" (p.248) inherited from their authoritarian predecessors as outlined by Albertus & Menaldo (2018). Albertus & Menaldo contend that most modern democracies are "elite-biased," (p.247) and as such have been significantly influenced by outgoing authoritarian regimes to protect their own interests after democratization. The authors propose that, "Newly democratic successor states can indeed inherit elite-biased legacies from their authoritarian predecessors in ways that mimic an authoritarian constitution" (Albertus & Menaldo, 2018, p. 251). As such, due to the adoption of certain autocratic principles and practices, the newly formed democratic systems are more susceptible to the eventual breakdown of their democracies, as is the case in Honduras and Nicaragua.

The ability of outgoing authoritarian actors to influence their respective state's democratic transitions are facilitated through the composition of what O'Donnell & Schmitter (1986) identify as *pacts*. O'Donnell & Schmitter, define *pacts* as negotiated agreements at the time of transition between state elites who they classify as moderates (defecting hard-liners) and soft-liners. These deals are meant to simplify a peaceful transition to democracy by granting outgoing autocratic actors with certain concessions and assurances. This dissertation has proposed that in cases of Honduras and Nicaragua, the propensity of incoming democratic leaders to accept the imposition of these *pacts* has been a significant contributing factor in the democratic decline of both countries. Particularly, as the adoption of these *pacts* during the transition and democratization processes of Honduras and Nicaragua enabled the retention of political authority and influence of both state's outgoing political actors, the military in the case of Honduras, and the FSLN, under the leadership of Daniel Ortega, in the case of Nicaragua. The ability of these outgoing political actors to maintain influence within both states' newly formed democratic systems had long-term negative effectives, mainly an underdeveloped judicial system and an overly centralized executive branch (the centralization of the executive power remained throughout the 1990s in both countries until the reformation of their respective constitutions in 1995 (Nicaragua) and 1996 (Honduras)) two elements that led to the implementation of relatively weak democratic systems propended to authoritarian regression.

Moreover, through the conceptualizations of democracy provided by the Honduran and Nicaraguan participants in Chapter 4 and 6 respectively, definitions which highlight the importance of guaranteeing civil liberties, civic participation and the protection of human rights within a democratic system, this dissertation has also illustrated that O'Donnell & Schmitter's (1986) procedural minimum definition of democracy needs to be revisited to reflect the modern

realities of state-led violence, criminalization and human rights abuses. Even though O'Donnell & Schmitter do acknowledge the importance of civil liberties this has not been prioritized within their definition. Their approach to democracy is centred on the significance of institutional structures and does not include stipulations for the protection of human rights, an important omission of their conceptualization. As such, this dissertation is contributing to academia, by recognizing that a well-rounded definition of democracy needs to reflect modern experiences meaning that it must address the realities of government repression, criminalization and human rights violations.

As discussed in Chapter 3, which presented an overview of Honduras' democratization process, and Chapter 5 which discussed Nicaragua's transition to democracy, both countries' democratic transitions were heavily influenced by outgoing political actors. In the case of Honduras, the military greatly influenced the trajectory of the country's new political landscape ensuring that they retained a significant role in the country's new political system. Whereas in the case of Nicaragua, despite relinquishing executive power after their electoral defeat during the 1990 general elections, the Sandinista political party ensured that they would be able to help shape the composition of the state's new political structures whilst maintaining substantial authority in the country's new democratic institutions. The continual influence of these actors during the democratization period, enabled their political power to eventually grow which in turn significantly contributed to an important imbalance of power between Honduras and Nicaragua's different branches of government.

The imbalance of power between the different branches of government has had a negative and presumably unforeseen long-term consequence in both Honduras and Nicaragua. It has enabled political actors to increasingly and systematically criminalize human rights defenders and socio-political activists. This component of my theoretical framework has been based on and

expands the work of Marie-Christine Doran (2017). In *The Hidden Face of Violence in Latin America: Assessing the Criminalization of Protest in Comparative Perspective*, Doran's work focuses on criminalization and its intrinsic links to democracy. The comparative perspective on Mexico and Chile that she provides examines the relationship between the increased criminalization in these two countries, its political legitimization (p. 188) and the presence of "struggles for the meaning" of democracy:

This article proposes an analytical framework positing that modes of legitimization cannot be reduced to legislative measures or government action; they also derive from the convergence of multiple discursive positions determining what can and must be said in a given context (Foucault, 1971)² and may be part of a hegemonic notion of democracy struggling to impose its meaning (Laclau, 2000; Laclau and Mouffe, 1985) on other perspectives based on the social and popular versions of human rights characteristic of Latin American populations (Doran, 2017; Obregón, 2009; Rouquié, 2010) (Doran, 2017, p.188).

In other words' Doran's work focuses on the struggles between minimalist perspectives of democracy-from the Mexican and Chilean governments-and maximalist views upheld by human rights defenders, including Indigenous activists committed to the deepening of democracy, as causal factors of increased criminalization in these two countries. In relation to this perspective, this doctoral thesis has assessed new elements demonstrating the specific relationship between criminalization and de-democratization. In addition, it has analyzed different case studies that include the comparison between an overtly authoritarian regime (Nicaragua) and a still formally democratic one (Honduras) and the identification of the specific impacts, criminalization has had in these two distinct political regimes.

Therefore, this thesis has sought to demonstrate that there is strong causal relationship between criminalization and de-democratization. It has proposed that the ability of government actors to employ extreme acts of violence and repression against human rights defenders and as a response to expressions of socio-political protest, suggests that criminalization can and should be

used as a causal factor in the study of de-democratization. Specifically, because criminalization is now being progressively and systematically employed by political actors (executive administration, military and police personnel) as a mechanism of repression to squelch human rights defenders and demonstrators. Additionally, this demonstrates that the concept of criminalization has significantly evolved beyond its traditional penal application and is now being increasingly and intrinsically utilized by government agents to target actors they perceive as socio-political opponents. The validity of this argument has been demonstrated through the extensive analysis of 50 individual interviews of 20 Honduran and 30 Nicaraguan participants composed predominantly of socio-political protesters, human rights defenders, journalists, members of indigenous communities, environmental activists, and former military as well as political personnel.

The examination of the interviews conducted during my fieldwork between 2022 and 2023 were presented in Chapter 4 of this dissertation for the case of Honduras and Chapter 6 for the case of Nicaragua. Through an in-depth look at the socio-political movements that have taken place in Honduras and Nicaragua since the mid-2010s, both Chapter 4 and 6 have illustrated the strong causal relationship between criminalization and de-democratization. These chapters in cohesion with this present chapter, Chapter 7, which presents a comparative analysis of the similarities and differences between Honduras and Nicaragua, have demonstrated how the criminalization of protesters and human rights defenders have served to significantly weaken Honduras and Nicaragua's democratic norms and principles. Through the manipulation of each country's respective legal systems, government actors have used criminalization as a mechanism of repression to target actors they identify as socio-political dissenters. This political strategy which

is becoming an overtly and massively employed government practice definitively demonstrates that criminalization can and should be used as a causal factor in the study of de-democratization.

7.4 Concluding Remarks: Evaluating Criminalization as a Causal Factor of De-Democratization, Prospective of New Comparative Cases

To test the validity of the argument that criminalization can and should be employed as a mechanism in the study of de-democratization, the final section of this dissertation observes the cases of El Salvador and Venezuela, two countries which similarly to Honduras and Nicaragua are currently undergoing processes of de-democratization, albeit to slightly differing degrees just like our two case studies.

The democratic backsliding that is currently being experienced by El Salvador is most comparable to the case of Honduras as both countries (as of 2025) are still classified as “partly free” democratic nations by Freedom House. According to the Freedom House country reports, El Salvador is ranked with a freedom score of 47/100 (2025c), only one point less than Honduras, which is ranked with a freedom score of 48/100 (2025a). These scores are reflective of both states’ relatively weak democratic systems most recently characterized by the imposition of prolonged states of exception. In addition, El Salvador also ranks similarly to Honduras in the 2025 Economist Intelligence Unit (EIU) Democracy Index, while Honduras ranks 90th out of 167 countries, El Salvador ranks 95th. This is indicative of the democratic backsliding processes both countries’ political systems are presently undergoing.

In addition, both Honduras and El Salvador continue to partake in the realization of relatively competitive elections, electoral proceedings that have been sullied by significant challenges with transparency and electoral fraud. In its recent 2024 general elections, Bukele, “won a second presidential term, having run despite a constitutional ban on presidents seeking two consecutive terms” (Freedom House, 2025c). This is like the controversial re-election of former Honduran president, Juan Orlando Hernández in 2017. However, it is also indicative of a possible continued perpetuation of power like the one that has been practiced by Daniel Ortega in Nicaragua

since 2007. Despite being classified as “partly free” by Freedom House, El Salvador under Bukele illustrates strong autocratic tendencies that suggest that it might make the leap from partial democratic nation to full authoritarian regime like Nicaragua, especially if Bukele continues to heighten and expand his political power, this potential transformation serves for an interesting comparative study for future research.

In the meantime, due to its current classification by international organizations like the EIU Democracy Index and Freedom House, El Salvador remains most comparable to Honduras. Just like Honduras, democratic decline in El Salvador has drastically increased in recent years, particularly under the administration of current President Nayib Bukele. Bukele's administration has greatly contributed to the breakdown of the state's democratic system by dismantling the country's institutional checks and balances and employing the military as an organization of intimidation to suppress socio-political opponents (Huntington, 2024). As an extreme measure to respond to the growing rate of gang violence throughout the country, a state of exception was implemented by Bukele in March 2022 (a policy Honduran President Xiomara Castro would quickly imitate in 2023), a policy which has been extended on various occasions (Doran, 2024). The imposition of the state of exception has led to the suspension of constitutional freedoms, mass arrests, and a rise in human rights violations. Furthermore, there has been a crackdown on civil society, human rights defenders, journalists, and academics. All these sectors of society have been criminalized by the state's government actors as a way of deterring public criticism and minimizing socio-political dissent:

Authorities maintain a harsh, militarized response to public security, resulting in extrajudicial killings, mass arbitrary arrests, and other abuses. Members of the active civil society sector and dynamic press risk harassment and violence in connection with their coverage of organized crime, corruption, and criticism of government policy (Freedom House, 2025c).

The heightened use of violence and repression to respond to socio-political opponents is a clear example of the intrinsic and systematic use of criminalization by the state's political actors, a practice which has directly contributed to El Salvador's democratic decline, illustrating that criminalization can serve as a causal factor in the study of de-democratization as this thesis proposes.

Comparatively, the breakdown of democracy that encompasses Venezuela is very similar to the case of Nicaragua, as of 2025 both countries are recognized by Freedom House as full-blown authoritarian regimes, dictatorships. Again, according to the Freedom House country reports, Venezuela has been given a freedom score of 13/100, a signal point difference with Nicaragua which has a score of 14/100 (Freedom House 2025d; 2025b). Both Venezuela and Nicaragua's freedom scores are less than half of the scores given to El Salvador and Honduras (outlined above). This illustrates the differentiation in democratic classification, whereas El Salvador and Honduras are categorized as "partly free", both Venezuela and Nicaragua are classified as "not free" nations. This distinction denotes the fact that Venezuela and Nicaragua no longer display moderate levels of democracy, as is the case in El Salvador and Honduras, rather they have fully regressed into authoritarianism.

Both Nicaragua and Venezuela are ruled by a dominating political party, the Sandinistas in Nicaragua led by President Daniel Ortega, and the United Socialist Party of Venezuela led by Nicolás Maduro. Furthermore, both Venezuela and Nicaragua initiated their processes of de-democratization in 1999, through the weakening of their respective states' democratic institutions. In the case of Nicaragua, 1999 was the year the Ortega-Alemán *pact* began to be negotiated, an agreement, that as has been illustrated throughout this thesis, would commence democratic decline in the country by significantly restructuring the state's public institutions after its ratification in

2000. In the case of Venezuela, the state's "democratic institutions have been deteriorating since 1999" (Freedom House, 2025d), the year in which former president Hugo Chávez rose to power. Chávez's presidency marked an important period for Venezuela, initiating the country's process of de-democratization, particularly when Chávez selected his successor and current president Nicolás Maduro. Under the leadership of Maduro Venezuela has decisively transformed from a democratic political system into an authoritarian regime.

Throughout his administration Maduro has reformed the constitution to perpetuate and expand his executive powers, rigged electoral proceedings to ensure the continuation of his rule, oppressed and intimidated the political opposition, weakened the effectiveness of the state's judicial system and severely criminalized human rights defenders and exercises of collective action (Carpio, 2026). Maduro's administration has "closed off virtually all channels for political dissent, restricting civil liberties and prosecuting perceived opponents without regard for due process" (Freedom House, 2025d). Like Ortega, Maduro has progressively and methodically employed criminalization as an instrument of repression to respond to socio-political opponents within Venezuela, a measure that has solidified the country as a dictatorship. The progressive use of criminalization in Venezuela and its impact of the continued authoritarian regression of the state, demonstrates the validity of the hypothesis that has been proposed within this dissertation, that criminalization can and should be used a theoretical marker in the study of de-democratization.

In conclusion, this brief overview of possible comparisons between El Salvador and Venezuela and the two case studies of this thesis, Honduras and Nicaragua, illustrates that there is a strong basis for further comparisons that examine the causal relationship between criminalization and de-democratization. Although this overview of new comparative cases needs to be expanded upon in future research, it tends to support the evidence discussed throughout this thesis regarding

the cases of Honduras and Nicaragua. Therefore, future studies including El Salvador and Venezuela would appear to further support the findings of this dissertation and strengthen the argument that criminalization can and should be used as a causal factor in the study of democratic decline.

Appendix I: Interview Participants List (2022-2023)

Nicaragua=1; Honduras=2

| Pseudonym | Country of Origin | Male or Female | Age Bracket | Date of Interview |
|------------------|--------------------------|-----------------------|--------------------|--------------------------|
| 1. El maestro | 1 | M | 46-55 | 10-07-22 |
| 2. Caribe Tagni | 1 | F | 36-45 | 10-07-22 |
| 3. 3030 | 1 | M | 36-45 | 11-07-22 |
| 4. Pedrito | 1 | M | 26-35 | 14-07-22 |
| 5. Reina | 1 | F | 26-35 | 14-07-22 10-11am |
| 6. ALS | 1 | M | 56-65 | 16-07-22 |
| 7. Isacc | 1 | M | 26-35 | 16-07-22 |
| 8. Lorena | 1 | F | 36-45 | 17-07-22 |
| 9. Mateo | 1 | M | 36-45 | 17-07-22 |
| 10. Raul | 1 | M | 26-35 | 19-07-22 |
| 11. Jeronimo | 1 | M | 56-65 | 20-07-22 |
| 12. Fernando | 1 | M | 36-45 | 21-07-22 |
| 13. Esperanza | 1 | F | 36-45 | 23-07-22 |
| 14. Esther | 1 | F | 18-25 | 25-07-22 |
| 15. Mariana | 1 | F | 26-35 | 28-07-22 |
| 16. Chonta | 1 | M | 56-65 | 30-07-22 |
| 17. Flor | 1 | F | 46-55 | 30-07-22 |
| 18. Frank | 1 | M | 46-55 | 30-07-22 |
| 19. Rick | 1 | M | 18-25 | 12-08-22 |
| 20. Zero | 1 | F | 26-35 | 12-08-22 |

| | | | | |
|----------------------------|---|-------------|---------------|----------|
| 21. Marcos y Charlie | 1 | M | 18-25 & 26-35 | 14-08-22 |
| 22. Ulises | 1 | M | 26-35 | 15-08-22 |
| 23. Alcalde | 1 | M | 46-55 | 15-08-22 |
| 24. El Viejo del Sombreron | 1 | M | 56-65 | 18-08-22 |
| 25. Neon | 1 | F | 18-25 | 18-08-22 |
| 26. Tomas | 1 | M | 26-35 | 19-08-22 |
| 27. Hugo | 1 | M | 46-55 | 19-08-22 |
| 28. Jessica | 1 | F | 36-45 | 23-08-22 |
| 29. Patria | 1 | M | 26-35 | 23-08-22 |
| 30. Antonio | 1 | M | 18-25 | 19-09-23 |
| 31. Nicole | 2 | F | 26-35 | 19-06-23 |
| 32. Arca | 2 | M | 26-35 | 20-06-23 |
| 33. Tom | 2 | M | 26-35 | 20-06-23 |
| 34. Grace | 2 | F | 46-55 | 21-06-23 |
| 35. Rebecca | 2 | Trans Woman | 46-55 | 22-06-23 |
| 36. Rameses | 2 | M | 36-45 | 23-06-23 |
| 37. Kassandra | 2 | F | 46-55 | 28-06-23 |
| 38. Jose | 2 | M | 56-65 | 29-06-23 |

| | | | | |
|----------------------------|---|---|-------|----------|
| 39. Doctor | 2 | M | 26-35 | 30-06-23 |
| 40. Victor | 2 | M | 26-35 | 30-07-23 |
| 41. Gigi | 2 | F | 36-45 | 11-07-23 |
| 42. Cass | 2 | F | 56-65 | 11-07-23 |
| 43. Pineda de Colores | 2 | M | 56-65 | 13-07-23 |
| 44. Kemenei | 2 | F | 36-45 | 09-06-23 |
| 45. Caballero | 2 | M | 46-55 | 31-07-23 |
| 46. Pedro | 2 | M | 56-65 | 03-08-23 |
| 47. Alberto | 2 | M | 36-45 | 29-08-23 |
| 48. Graciela | 2 | F | 36-45 | 16-08-23 |
| 49. Ambientalista Catracha | 2 | F | 46-55 | 15-08-23 |
| 50. Salvador | 2 | M | 36-45 | 19-09-23 |

Appendix II: Original Spanish Interview Testimonials with their Respective English Translations

I. Excerpts of Honduran Interviews in order of appearance within this dissertation:

1. *Alberto* (interview, August 29, 2023, p.132)

Original Spanish: La participación, principalmente la participación de la sociedad civil en la vida política, implica participar en la política de un país a todos los niveles: a nivel comunitario, a nivel de los problemas y en la estructura institucional del país. La democracia es la libertad de participar en las decisiones económicas, sociales, políticas o culturales que se toman en un país sin temor a represalias—eso es lo que la democracia debería implicar.

English Translation: Participation, primarily the participation of civic society in political life, specifically it is participating in a country's politics at all levels: at the community level, at the level of the problems, and in the country's institutional structure. Democracy is the freedom to participate in the economic, social, political, or cultural decisions made in a country without fear of any form of retribution—that is what democracy should entail.

2. *José* (interview, June 29, 2023, p. 133)

Original Spanish: Bueno, la definición etimológica típica que nos enseñan es que el “pueblo” de un Estado tiene el poder. Sin embargo, en la práctica, tendríamos que ver qué país del mundo se adhiere realmente a este modelo idealista. Un modelo según el cual el pueblo tiene el poder, la autoridad y el control para administrar, planificar y dirigir el Estado y exigir cuentas al gobierno. Además, en teoría, la democracia debería preocuparse por el bienestar de la población de una nación en su conjunto. Sin embargo, lo que hemos llamado democracia, tomando prestado este término de los antiguos griegos, no ha logrado el verdadero bienestar cívico, ni mucho menos el nacional. Por lo tanto, a efectos prácticos, ya sabemos que no existe una verdadera democracia en Honduras, porque el pueblo no es quien ostenta el poder, sino que es un grupo selecto de personas el que realmente gestiona el país; esencialmente, es una estructura organizativa que administra las instituciones públicas de una nación, una estructura en la que, con frecuencia, se favorece a unos pocos sobre la mayoría.

English Translation: Well, the typical etymological definition we're taught is that the “people” of a state have the power. However, in practice we'd have to see which country in the world actually adheres to this idealistic model. A model whereby the people have the power, authority and control to administer, plan, and direct the State and hold the government accountable. Moreover, in theory democracy should be concerned with seeking the well-being of a nation's people as a whole. Yet, what we've called democracy, borrowing this term from the ancient Greeks, has fallen short of achieving true civic let alone national well-being. Thus, for practical purposes, we already know there is no such thing as true democracy in Honduras, because the people are not the ones in power, rather it's a select group of people that actually manage the country, essentially it is an organizational structure that administers a nation's public institutions, a structure in which more often than not the few are favored over the many.

3. *Rameses (interview, June 23, 2023, p.138).*

Original Spanish: Honduras inició un proceso democrático atípico en la década de 1980, y se decía que, hasta cierto punto, se había instaurado una democracia. Sin embargo, este proceso nunca se consolidó plenamente debido a la debilidad de las instituciones democráticas del país, y finalmente el proceso de democratización se vio truncado por el golpe de Estado de 2009. El golpe sirvió para recordar a todos los hondureños y al mundo entero la debilidad de nuestra supuesta democracia y demostró la fragilidad de nuestras instituciones. Además, el golpe debilitó aún más nuestras instituciones, hasta el punto de que posteriormente tuvimos 12 años de un régimen que no logró mantener todas las instituciones democráticas del país.

English Translation: Honduras began an atypical democratic process in the 1980s, and well a democracy to some extent was said to be instituted. But this process never truly consolidated due to the weakness of the country's "democratic" institutions and eventually the process of democratization was cut short by the 2009 coup d'état. The coup served to remind all Hondurans and the entire world the weakness of our so-called democracy and it showed the fragility of our institutions. Further, the coup served to weaken our institutions even more to the extent that we later had 12 years of a regime that failed to maintain all the country's democratic institutions.

4. *Alberto (interview, August 29, 2023, p. 139).*

Original Spanish: No, nunca. En Honduras nunca ha habido instituciones democráticas fuertes ni independientes. La realidad es que, en la historia de nuestro país, nunca ha habido un proceso serio ni prolongado de establecimiento de instituciones democráticas.

English Translation: No never, in Honduras there has never been any strong or independent democratic institutions. The reality is that in the history of our country, there has never been a serious or prolonged process of establishing democratic institutions

5. *Graciela (interview, August 18, 2023, p. 140).*

Original Spanish: Cuando hablamos de instituciones democráticas fuertes e independientes en Honduras, siento que hay instituciones que se supone deben cumplir ese propósito, pero desafortunadamente no son independientes, el gobierno las controla.

English Translation: When talking about strong and independent democratic institutions in Honduras, I feel like there are institutions that are supposed to fulfill that purpose, but unfortunately, they are not independent, the government controls them.

6. *Cass (interview, July 12, 2023, p. 142).*

Original Spanish: No, no. Siempre he dicho que es una burla a la democracia, o mejor dicho, una copia de la democracia. La democracia no existe en Honduras.

English Translation: No, no. I've always said it's a mockery of democracy, or rather a copy of democracy. Democracy doesn't exist in Honduras.

7. *Caballero (interview, July 31, 2023, p.142).*

Original Spanish: No hay democracia en Honduras. Ni siquiera hay respeto. Ni cerca. Dicho más directamente, no hay sentido de comunidad ni protección gubernamental.

English Translation: There isn't any democracy in Honduras. There isn't even any respect. Not even close. To put it more directly, there is no sense of community or governmental protection.

8. *Gigi (interview, July 11, 2023, p.146).*

Original Spanish: Con la presidenta Castro, todavía estamos esperando. Seguimos esperando y con la esperanza de que haya un cambio positivo. Sin embargo, todavía es nuevo. Prácticamente acaban de empezar. Quedan dos años, pero estamos esperando a ver cuál será el resultado final; espero que sea para el mejoramiento de Honduras como nación.

English Translation: With President Castro we are still waiting to see. We are still waiting and hoping there will be a positive change. However, it's still new. They practically just started. There are two more years to go, but we're waiting to see what the final result will be; I hope it will be for the improvement of Honduras as a nation.

9. *Doctor (interview, June 30, 2023, p.147).*

Original Spanish: No ha habido cambios positivos bajo el gobierno de Castro en cuanto a la protección de los derechos civiles y humanos. Al contrario, ha habido muchas más muertes. Mucho más que antes.

English Translation: There have not been any positive changes under Castro regarding the protection of civil and human rights. On the contrary, there have been many more deaths. Much more than before.

10. *Grace (interview, June 6, 2023, p. 153).*

Original Spanish: Ahora entiendo perfectamente. Te refieres a cuando alguien es castigado por defender sus derechos, por ejemplo, cuando se ataca a defensores de derechos humanos. O cuando se acusa a alguien de un delito por algo que no hizo, sino para reprimirlo por estar en contra del gobierno. Por cometer un acto indebido. Por ejemplo, toda la represión que hubo bajo el anterior presidente Hernández, cuando no se respetaron todos nuestros derechos.

English Translation: Now I completely understand, you are referring to when someone is punished for pursuing the protection of their rights, for example when human rights defenders are targeted. Or when someone is charged with a crime for something they didn't do, but rather to repress them for being against the government. Committing an improper act. For example, all the repression that occurred under the previous president Hernández, when all our rights weren't respected.

11. *Graciela (interview, August 16, 2023, p.154)*

Original Spanish: Un intento de deslegitimar y demostrar la ilegalidad de la movilización y la protesta. Es una forma del gobierno de presionar a los activistas para que cesen su labor. Además, es una forma de presentar a los defensores de derechos humanos y a los manifestantes como criminales. Ver a un policía o militar violar las normas o leyes estatales, pero haciéndolos sentir como si fuera válido, solo porque están usando medidas “legales” para violar el derecho a protestar legítimamente. Así, vemos los múltiples niveles de criminalización.

English Translation: An attempt to delegitimize and demonstrate the illegality of mobilization and protest. It is a way for the government to pressure activists to stop their work. Also, it is a way of making human rights defenders and protesters look like criminals. To see a police or military officer violate state norms or laws, but making them feel like its valid, just because they are using “legal” measures to violate the right to legitimately protest. So, we see there, the many levels of criminalization.

12. *Cass (interview, December 7, 2023, p. 155).*

Original Spanish: Bueno, para mí, criminalizar es ir en contra de las bases mismas de la democracia. Es cuando el gobierno o la policía te pone en el mismo nivel de un criminal solo por intentar defender tus derechos. Así que, para mí, eso es todo. Es decir, te ponen al nivel de un criminal, del estrato social más bajo, solo por querer defender tus derechos cívicos y humanos fundamentales. El derecho a la vida. El derecho al agua. El derecho a aspirar a un futuro mejor. El derecho de que tus opiniones cuenten en el programa político. Y solo por tener esas aspiraciones, esos deseos, te señalan y te etiquetan como criminal.

English Translation: Well, for me to criminalize is to go against the very foundation of democracy. It is when the government or police put you on the same level of a criminal just for trying to defend your rights. So, for me, that’s it. I mean, it’s putting you on the level of a criminal, the lowest social stratum just for wanting to defend your basic civic and human rights. The right to life. The right to water. The right to aspire to a better future. The right to have your opinions count on the political platform. And just for having those aspirations, those desires, you are targeted and labelled as a criminal.

13. *Kassandra (interview, June 30, 2023, p.156)*

Original Spanish: Bueno, si lo vemos desde la perspectiva del golpe de Estado, cada semana nos etiquetaban como narcogobierno. La represión gubernamental era desenfrenada durante ese tiempo. Entonces, diría que el golpe fue cuando comenzó la criminalización en Honduras.

English Translation: Well, if we look at it from the stress of the coup d’état, every week we were labeled a narco-government, governmental repression ran rampant during that time. So, I would say that the coup is when criminalization in Honduras began.

14. *Kassandra (interview, June 30, 2023, p.157)*

Original Spanish: Desde el golpe de Estado, la democracia en Honduras fue limitada. La criminalización y la represión eran la práctica predominante. El país se debilitó y cualquiera que se considerara contrario al gobierno se convirtió en blanco de ataques.

English Translation: From the time of coup, democracy in Honduras was limited. Criminalization and repression were the main practice of the day. The country was weakened and anyone seen as being against the government became targets.

15. *Nicole (interview, June 19, 2023, p.158)*

Original Spanish: [...] La criminalización en Honduras se enmarca en la represión de las protestas, y esto nunca fue más evidente que durante la presidencia de Juan Orlando Hernández, quien no solo exhibió un comportamiento antidemocrático durante su primer mandato, sino que fue más allá al buscar ilegalmente la reelección presidencial. Sabemos que durante ambos periodos en los que permaneció en el poder, la criminalización fue una táctica constante del gobierno, razón por la cual muchos temieron que el Estado se transformara en una dictadura.

English Translation: [...] criminalization in Honduras is framed by the oppression of protests, and this was never more evident than during the presidency of Juan Orlando Hernández, who not only exhibited anti-democratic behaviour during his first term in office but went the extra mile when he illegally pursued presidential re-election. We know that during both those periods that he remained in power, criminalization was a constant tactic used by the government, which is why many people feared that the state would morph into a dictatorship.

16. *Gigi (interview, July 11, 2023, p.162)*

Original Spanish: El gobierno sabe de antemano qué proyectos puede llevar adelante, ya que existen acuerdos territoriales y protecciones ambientales. Pero parece que esto no es suficiente; debería haber leyes específicas para garantizar nuestros derechos, y el gobierno debería cumplirlas. Pero, como podemos ver claramente, no lo hacen. Obviamente, nos están criminalizando porque representamos un obstáculo para sus ganancias económicas, así que, lamentablemente, nuestros derechos quedan relegados al último lugar de la lista.

English Translation: The government knows upfront what projects they can pursue, as there are land agreements and environmental protections in place. But it seems that these are not enough, there should be specific laws to ensure our rights, and the government should have to comply with them. But as we can clearly see they don't. Obviously, we're being criminalized because we represent an obstacle to their financial gain so unfortunately our rights are ranked at the bottom of the list.

17. *Kassandra (interview, June 30, 2023, p.162)*

Original Spanish: Sí, Berta Cáceres fue asesinada defendiendo su movimiento. Siempre fue muy buena defendiendo causas sociales e inspirando a otros a unirse, pero lamentablemente eso fue precisamente lo que la llevó a la muerte.

English Translation: Yes, Berta Cáceres was killed defending her movement. She was always very good at defending social causes and inspiring others to join, but sadly that's exactly what got her killed.

18. *Nicole (interview, June 19, 2023, p.162)*

Original Spanish: Hubo varias protestas en todo el país para luchar por la libertad personal y los derechos humanos. Berta Cáceres fue una gran inspiración para estos movimientos. Fue una de las principales razones por las que protestamos por la protección de nuestro medio ambiente, por la protección de nuestra tierra, por la justicia social y por el acceso a nuestros recursos naturales. En resumen, protestamos para que el gobierno respetara nuestros derechos y nuestras vidas.

English Translation: There were several protests across the country, protests to fight for personal freedom and human rights. Berta Cáceres was a huge inspiration for these movements. She was one of the main reasons why we protested for the protection of our environment, for the protection of our land, we were protesting for social justice, we were protesting for access to our natural resources. Overall, we were protesting for our rights and lives to be respected by the government.

19. *Kemenei (interview, June 9, 2023, p.164)*

Original Spanish: La respuesta del gobierno a las protestas ha sido completamente inadecuada. Han recurrido a medidas extremas de violencia e incluso a la muerte para reprimir a los manifestantes. Han ignorado el clamor popular por justicia. El pueblo exige justicia. El pueblo clama por libertad.

English Translation: The response to protests by the government has been completely inadequate. They have used extreme measures of violence and even death as a way to repress protesters. They have turned a deaf ear to the people's clamor for justice. The people demand justice. The people are clamoring for freedom.

20. *Pineda de Colores (interview, July 13, 2023, p.165)*

Original Spanish: Bueno, en Honduras existe una jerarquía. La Policía Nacional Hondureña es civil; sin embargo, la Secretaría de Seguridad es designada, y esta obedece las órdenes presidenciales. Lo mismo ocurre con las Fuerzas Armadas, ya que tanto las Fuerzas Armadas, sus miembros, como los de la Policía Nacional, a pesar de estar uniformados, siguen siendo parte del pueblo. Proviene del pueblo; sus orígenes son del pueblo, por lo que se podría pensar que su función principal sería proteger al pueblo. Esto es solo en teoría. Sin embargo, en la práctica no es así. En cambio, son el brazo extendido del ejecutivo y utilizan las tácticas que consideran necesarias para garantizar el bienestar del partido político en el poder. Por lo tanto, lo que siempre

justifica sus acciones es el hecho de que obedecen las órdenes del gobierno. Por esa razón, diría que deberían existir mejores estrategias, más controles y contrapesos, especialmente al responder a las protestas civiles; la violencia no es la solución.

English Translation: Well, there's a hierarchy, in Honduras. The Honduran National Police is civilian; however, the Secretariat of Security is designated, and the Secretary of Security obeys presidential orders. The same is true of the Armed Forces in this regard, as both the Armed Forces, their members, and the members of the National Police, despite being in uniform, are still part of the people. They come from the people; their origins are from the people, so you would think that their main role would be to protect the people. This is only in theory. However, this is not the case in practice. Instead, they are the long arm of the executive and use whatever tactics they consider necessary to uphold the well-fare of the political party in power. Therefore, what always justifies their actions is the fact that they are obeying the orders of the government. For that reason, I would say, there should be some better strategies, more checks and balances particularly when it comes to responding to civilian protesters, violence is not the answer.

21. *Alberto (interview, August 29, 2023, p.167)*

Original Spanish: En Honduras, digamos, la comunidad más reprimida es la de los defensores de derechos humanos. El Estado ha utilizado la violencia y la intimidación para reprimir a todas aquellas organizaciones sociales y políticas que trabajan por la protección de cualquier forma de derechos humanos.

English Translation: In Honduras, let's say, the most repressed community is human rights defenders. The state has used violence and intimidation to repress all those social and political organizations that work to protect any form of human rights.

22. *Alberto (interview, August 29, 2023, p.168)*

Original Spanish: En Honduras, la persecución contra los defensores de derechos humanos ha sido constante e implacable. Existe una persecución sistemática contra estos defensores, ya que no priorizan los beneficios económicos de las autoridades locales ni del gobierno central; su principal objetivo es la protección de la ciudadanía. Como resultado, los defensores de derechos humanos han tenido que enfrentar constantes amenazas, ataques, persecución, acciones legales e incluso la muerte. Ese es el sacrificio que uno debe estar dispuesto a hacer para defender los derechos humanos en este país.

English Translation: There has indeed been persecution against Human Rights Defenders in Honduras, it has been constant and relentless. There is a systematic persecution of these defenders, because they do not prioritize the economic benefits of local authorities or even the central government, their main objective is the protection of the citizens. As a result, human rights defenders have had to face constant threats, attacks, persecution, legal action and even death. That is the depth of the sacrifice one must be willing to make to defend human rights in this country.

23. *Salvador (interview, September 19, 2023, p.172)*

Original Spanish: No, definitivamente no creo que nuestros derechos como ciudadanos estén debidamente protegidos por el sistema judicial del país ni por el gobierno. Al contrario, en muchas ocasiones ha sido el mismo gobierno el que ha vulnerado nuestros derechos con la ayuda o incluso la autorización del sistema legal. Así que, no, lo siento, aunque nunca hemos tenido problemas con la ideología, sí los hemos tenido con la práctica. Por eso siempre hemos tenido problemas con la corrupción institucional.

English Translation: No, I definitely do not feel like our rights as citizens are properly protected by the country's judicial system or by the government. On the contrary, on many occasions it has been the very government that infringes on our rights with the help or maybe even the permission of the legal system. So, no sorry, although we have never had problems with ideology, we have had problems with practice. Which is why we've always had problems with institutional corruption.

24. *Arca (interview, June 20, 2023, p.173)*

Original Spanish: Esta consulta es muy compleja. Quizás como población en su conjunto podríamos decir que sí, pero esto solo se aplicaría a los ciudadanos con poder o influencia, por ejemplo, alguien famoso. Para estos hondureños, todos sus derechos están siempre garantizados, pero si se considera a una persona con una influencia insignificante, no hay mucho que hacer; sus derechos se protegen solo a conveniencia de quienes ostentan el poder.

English Translation: This consultation is very complicated. Perhaps as an entire population we could say yes, but this would only apply to the citizens with power and/or influence, let's say someone famous. For these Hondurans all their rights are always guaranteed, but if you consider a person with an insignificant amount of influence, there's not a lot to be done, your rights are protected only at the convenience of those in power.

25. *Tom (interview, June 20, 2023, p.174)*

Original Spanish: Lo cierto es que, cuando se trata de la eficiencia judicial y la protección de los derechos civiles, lo que realmente importa es quién gobierna. Casi siempre, diría que quizás el 90% de las decisiones del sistema legal se centran en el gobierno de turno y no tanto en los intereses del pueblo a nivel personal o nacional.

English Translation: The truth is that when it comes to judicial efficiency and the protection of civil rights what really matters is whoever is governing. Almost always, I would say maybe 90% of the legal system's decisions are focused on the government in power and not so much on the interests of the people at a personal or national level.

26. *Victor (interview, July 30, 2023, p.176).*

Original Spanish: Por supuesto. Por supuesto. El sistema judicial en Honduras está completamente influenciado por el gobierno. El gobierno central interfiere constantemente en la composición del poder judicial. Por ejemplo, existe un grave caso de nepotismo en el nombramiento de jueces. Por ejemplo, existía una relación familiar entre el presidente Hernández y un magistrado de la Corte Suprema. El magistrado de la Corte Suprema era primo del presidente Hernández. O sea, aquí todo el poder reside en una pequeña facción, ¿no? Así que, al no haber separación de poderes, rara vez hay fallos en las decisiones que se toman. Seguimos viviendo como en la Edad Media. Aquí, todo se hace por la fuerza o con violencia. La ley, que se supone que nos civiliza, no se atiene a las normas, solo las usa para su propio beneficio.

English Translation: Of course. Of course. The judicial system in Honduras is completely influenced by the government. The central government constantly interferes in the composition of the judiciary. For example, there is a severe case of nepotism when it comes to judicial appointment. For instance, there was a family relationship between President Hernández and a justice of the Supreme Court. The Supreme Court justice was a cousin of President Hernández. I mean, everything here, all the power remains within small faction, right? So, since there's no separation of powers, there are rarely any defects in any of the decisions made. We continue to live like in the Middle Ages. Here, everything is done either by force or with violence. The law, which is what is supposed to make us civilized, doesn't abide by the rules, they only use them to their own advantage.

27. *Doctor (interview, June 30, 2023, p.179)*

Original Spanish: Sí, nuestro sistema democrático ha perdido fuerza en los últimos años. Esto se debe principalmente a la falta de autonomía o poder para implementar instituciones sólidas y, al mismo tiempo, tener un gobierno libre de corrupción. Las leyes rara vez se cumplen tal como se prevén en la Constitución. Por ejemplo, los derechos humanos en Honduras no se protegen como deberían; están regidos por autoridades superiores que dictan a organizaciones como la policía o el sistema judicial cuál es la política de la empresa o qué protocolo debe seguirse en caso de aplicar una ley a algún tipo de delito o problema de Estado. Pero esto no es una democracia real.

English Translation: Yes, there has been a decline in the strength of our democratic system over the last few years. This is mainly because we don't have the autonomy or power to simultaneously implement strong institutions and have a corrupt-free government. Laws are seldom upheld as they were intended in the constitution. For example, human rights in Honduras aren't protected as they should be they're governed by other higher authorities, who tell organizations like the police or legal system what's the company line or what protocol should be taken in the case of applying a law to some type of crime or a state problem. But this, this is not real democracy.

28. *Kassandra (interview, June 30, 2023, p.179)*

Original Spanish: Para mí, la democracia en Honduras comenzó a debilitarse desde 2009, cuando el presidente Manuel Zelaya fue destituido ilegalmente y exiliado a Costa Rica. Sí, ese fue el momento en que la democracia comenzó a desmoronarse. Fue el momento en que nuestra libertad de elegir a nuestros representantes políticos fue pisoteada y nuestros derechos civiles comenzaron a ser limitados por el gobierno.

English Translation: For me, democracy in Honduras began to weaken since 2009, when President Manuel Zelaya was illegally removed from office and exiled to Costa Rica. Yes, this was the moment democracy began to crumble. It was the moment our freedom to elect our political representatives was trampled and our civil rights began to be limited by the government.

29. *Ambientalista Catracha (interview, August 15, 2023, p. 182)*

Original Spanish: La presidencia de Hernández representó años difíciles para nosotros, como la década más dolorosa y sangrienta, debido a la violación de derechos humanos de todo tipo, la persecución, criminalización, judicialización y asesinato de activistas, algunos con una imagen más emblemática, mientras que otros eran de comunidades más comunitarias y menos reconocidos, pero aun así tan importantes y valiosos. Aun así, nunca abandonamos las calles en medio del duelo, el dolor y la indignación por lo que sucedía, suplicando bajo la opresión no solo de un régimen controlado por el estamento militar, sino también por un sistema de narcotráfico articulado con redes internacionales. Tuvimos que movilizarnos, defender y luchar por nuestros derechos. Y seguimos haciéndolo, por supuesto, con consecuencias muy dolorosas, como los asesinatos de activistas ambientales, defensores de derechos humanos y mujeres.

English Translation: The presidency of Hernández represented difficult years for us, like the most painful and bloody decade, because human rights of all kinds were violated, there was persecution, criminalization, prosecution, and murder of activists, some with a more emblematic image, while others were from more communal and less recognized, but still so, so important and valuable. But even so, we never abandoned the streets amidst the mourning, the pain, the indignation over what was happening, pleading under the oppression not only of a regime controlled by the military establishment, but also by a drug trafficking system articulated with international networks. We had to move, and we had to defend and fight for our rights. And we continue to do so, of course, with very painful consequences, such as the murders of environmental activists, human rights defenders, and women.

30. *Pedro (interview, August 3, 2023, p.183).*

Original Spanish: El período de 2014 a 2021, durante el cual Hernández ocupó el cargo, fue una época de completo deterioro democrático en Honduras. No vivíamos en una democracia, sino en lo que yo llamo una dictadura democrática basada en el crimen organizado. Ha sido difícil y ahora estamos intentando reconstruir; nos encontramos en una nueva transición donde esperamos ver la democracia restaurada en Honduras, pero este será un proceso extremadamente difícil.

English Translation: The period from 2014 to 2021 in which Hernández was in office was a time of complete democratic deterioration in Honduras. We were not living in a democracy rather we were in what I call a democratic dictatorship based on organized crime. It's been difficult and now we are trying to rebuild, we are currently in a new transition in where we hope to see democracy in Honduras restored but this will be an extremely difficult process.

31. *Doctor (interview, June 30, 2023, p.186)*

Original Spanish: No, no, no debimos haber esperado tanto para que ocurrieran todas estas masacres. Si queríamos controlar la delincuencia, no debimos haber esperado tantas masacres, incluso ahora con los motines carcelarios como el de Támara. No debimos haber esperado que estas cosas les sucedieran a personas inocentes, no a mujeres inocentes que no tenían nada que ver con los problemas socioeconómicos y políticos del país. No tenían por qué hacerlo; no debieron haber muerto. Así que lo he dicho desde que este gobierno llegó al poder. Puedo proclamarlo internacionalmente a todos los medios de comunicación y a todas las organizaciones nacionales de derechos humanos: la situación ha empeorado con Castro, y lo que han hecho es enviar el mensaje de que vivimos en un país gobernado por el comunismo.

English Translation: No, no, we shouldn't have waited so long for all these massacres to happen. If we wanted to control crime, we shouldn't have waited for so many massacres to happen even now with the prison riots like in Támara prison. We shouldn't have waited for these things to happen to innocent people, not innocent women who had nothing to do with the socioeconomic and political problems in the country. They didn't have to; they shouldn't have died. So, I've said this since this government came into power. I can shout it internationally to all the media and all the national human rights organizations that things have been getting worse under Castro, and what they've done is sent a message that we're living in communist-run country.

32. *(Doctor, interview, June 30, 2023, p.326)*

Original Spanish: Oh sí, absolutamente, la democracia en Honduras se ha deteriorado enormemente en los últimos años.

English Translation: Oh yes, absolutely, democracy in Honduras has immensely deteriorated over the last few years.

II. Excerpts of Nicaraguan Interviews in order of appearance within this dissertation:

33. *ALS (interview, July 16, 2022, p.264)*

Original Spanish: En términos conceptuales, la democracia es la elección de un gobierno mediante la voluntad y la participación ciudadana, quienes, mediante un ejercicio, eligen a sus autoridades en un marco que garantiza los principios de legalidad, transparencia y voluntad popular para la elección de sus autoridades públicas. Como funcionarios electos, estas autoridades celebran un acuerdo en el que se comprometen a gobernar, desde un marco político democrático, a asegurar el desarrollo socioeconómico de una nación y, sobre todo, a garantizar la protección de las libertades civiles y los derechos humanos fundamentales de sus ciudadanos.

English Translation: In conceptual terms democracy is the election of a government through the will and participation of its citizens who, through an exercise, choose their authorities within a framework that guarantees the principles of legality, transparency, and popular will for the election of their public authorities. As elected officials these authorities enter into an agreement in which they promise to govern, from a democratic political framework, ensure the socioeconomic development of a nation, and most importantly guarantee the protection of their citizens basic civil liberties and human rights.

34. *Isaac (interview, July 16, 2022, p.265)*

Original Spanish: El poder del pueblo y para el pueblo. La democracia es donde hay libertad de expresión, respeto a la propiedad privada y respeto a la libertad de pensamiento y la autonomía. La democracia protege los derechos y libertades de los ciudadanos. También garantiza la protección de sus derechos humanos. Así defino yo la democracia. Y, como tal, creo que no ha existido en Nicaragua.

English Translation: The power of the people and for the people. Democracy is where there is freedom of expression, where there is respect for private property, and where freedom of thought and autonomy are also respected. Democracy protects citizens' rights and freedoms. It also guarantees their human rights will be protected. That is how I define democracy. And as such it is something that I also believe has not existed in Nicaragua.

35. *Patria (interview, August 23, 2022, p.267)*

Original Spanish: ¡No, Nicaragua no es una democracia! Es un estado completamente autoritario donde prevalece la voz de los de arriba. No necesariamente tiene que ser el presidente, sino toda la junta directiva, actores políticos que, para usar una frase redundante, utilizan el país para su propio beneficio. En otras palabras, no hay leyes, no hay justicia, no hay democracia. Desafortunadamente, solo hay represión y violencia contra quienes buscan la democracia y la justicia. Nicaragua es una dictadura.

English Translation: No, Nicaragua is not a democracy! It is entirely an authoritarian state where the voice of those at the top prevails. It doesn't necessarily have to be the president, but rather the entire administrative board, political actors that to use a redundant phrase, use the country for their

own benefit. In other words, there are no laws, no justice, no democracy. Unfortunately, there is only repression and violence against those who seek democracy and justice. Nicaragua is a dictatorship.

36. *Esther (interview, July 25, 2022, p.267)*

Original Spanish: No, en absoluto. Nicaragua no es un estado democrático. De hecho, ayer o anteayer, hablaba con mi esposo y le conté lo maravilloso que es vivir en Costa Rica, porque el gobierno anima a los ciudadanos a participar y, cuando votan, se respeta su voto. En Nicaragua, la participación ciudadana está bloqueada y las elecciones las deciden los políticos en el poder. Así que la democracia en Nicaragua se ha perdido por completo.

English Translation: No, absolutely not Nicaragua is not a democratic state. In fact, just yesterday or the day before, I was talking to my husband, and I told him how wonderful it is here in Costa Rica because the government encourages citizens to participate and when they vote, the vote is respected. In Nicaragua, the participation of citizens is blocked, and elections are determined by the politicians in power. So, democracy in Nicaragua has been completely lost.

37. *Esperanza (interview, July 23, 2022, p.268)*

Original Spanish: Cuando consideramos la palabra democracia, la asociamos con la protección de los derechos. Pero cuando observamos los países más pobres del mundo, como Nicaragua, estos son los países donde los derechos se violan con mayor frecuencia. Las personas no tienen derechos básicos porque el gobierno es demasiado corrupto. Por lo tanto, a los países pobres no les interesa tener jóvenes, que las nuevas generaciones sean educadas e integrales, ni que prioricen la educación, porque no les conviene tener ciudadanos reflexivos y capaces (...) Lo que vemos hoy en Nicaragua es una persecución continua llevada a cabo por el mismo gobierno, la misma dictadura, el mismo régimen que se opone a la protección de los derechos del pueblo. Entonces, la palabra democracia a veces no se entiende en países como Nicaragua porque lo que vemos es una maquinaria que habla sobre el concepto de democracia para engañar al mundo, pero al final, solo se enfoca en desarrollar alianzas e imponer una dictadura. En realidad los nicaragüenses hemos tenido una historia muy triste porque nunca hemos podido establecer una verdadera democracia, porque una democracia es aquella donde hay libertad de expresión, donde puedes decidir y pensar diferente, pero eso no existe en Nicaragua.

English Translation: When you consider the word, democracy you associate it with the protection of rights. But when we look at the world's poorest countries, like Nicaragua, these are the countries where rights are most often violated. People don't have basic rights because the government is too corrupt. Therefore, poor countries aren't interested in having young people, in having new generations be educated and well-rounded, or in them prioritizing education, because it's not in their best interest to have thoughtful and capable citizens (...) What we see today in Nicaragua, is continued persecution carried out by the same government, the same dictatorship, the same regime who is against protecting the people's rights. So, the word democracy is sometimes not understood in countries like Nicaragua because what you see is a machine that talks about the concept of democracy, to deceive the world, but in the end, only focuses on developing alliances and imposing a dictatorship. In reality, Nicaraguans have had a very sad history because we've never been able

to establish a true democracy, because a democracy is one where there is freedom of expression, where you can decide and think differently, but that doesn't exist in Nicaragua.

38. Flor (interview, July 30, 2022, p.269)

Original Spanish: La democracia siempre ha sido muy débil en Nicaragua, incluso durante la época de Violeta Chamorro, en los años 90. Yo era muy joven, creo que solo tenía 19 años. Creo que fue entonces cuando empezaron las cosas. Y, bueno, para mí, al ver a muchos nicaragüenses librar una guerra contra Violeta Chamorro y sus intentos de implementar un sistema democrático, no la dejaron gobernar. Luego estuvo Bolaños, quien también intentó instaurar la democracia, pero nuevamente hubo manifestaciones. Como dijo Daniel Ortega: "Gobernaremos desde abajo". Así que manipuló la situación a su favor durante ambas administraciones. Durante ambos períodos, el gobierno intentó instaurar la democracia y proteger los derechos humanos. Pero no tuvieron éxito y, después de eso, la democracia en Nicaragua nunca se desarrolló realmente.

English Translation: Democracy has always been very weak in Nicaragua even during Violeta Chamorro's time, which was in the 90s. I was very young, I think I was only 19. I think that's when things started to happen. And, I mean, for me, seeing many Nicaraguans waging war against Violeta Chamorro and her attempts at implementing a democratic system, they did not let her govern. Then there was Bolaños, who also tried to institute democracy but again there were demonstrations. As Daniel Ortega said, "We will govern from below." So, he manipulated things to his advantage during both those administrations. During both those periods the government made attempts at democracy and protecting human rights. But they were unsuccessful and after that, you didn't see democracy in Nicaragua it never really developed.

39. *Caribe Tagni* (interview, July 10, 2022, p.272)

Original Spanish: No existen instituciones democráticas en Nicaragua. No hay democracia en Nicaragua, ni en sus instituciones. Se perdió hace mucho tiempo. No hay democracia porque los órganos judiciales, como tales, no actúan democráticamente, apegándose a la ley. No se atienen a lo que estipula la Constitución Política, el Código Penal ni el Código de Comercio, porque encarcela a las personas. Por lo tanto, no hay democracia institucional ni separación de poderes. Además, no hay libertad electoral en el país. Solo hay una línea de obediencia: la del *Orteguismo*, para Daniel Ortega y su esposa Rosario Murillo. A esto debe adherirse el pueblo nicaragüense. Es una línea de poder autoritaria, por lo que no hay democracia institucional.

English Translation: There are no democratic institutions in Nicaragua. There is no democracy in Nicaragua, nor in its institutions. It was lost a long time ago. There is no democracy because the judicial bodies, as such, do not act democratically, adhering to the law. They do not adhere to what the political constitution or the penal code states, or to what the commercial code says, because it imprisons people. So, there is no institutional democracy, no separation of powers. In addition, there is no electoral freedom within the country. There is only one line of obedience: that of *Ortegismo*, for Daniel Ortega and his wife Rosario Murillo. This is what the Nicaraguan people must adhere to. It is an authoritarian line of power, so there is no institutional democracy.

40. 3030 (interview, July 11, 2022, p.274)

Original Spanish: Los poderes del Estado en Nicaragua carecen por completo de independencia. El gobierno, o dictadura como se le llama actualmente, llegó al poder mediante acuerdos o pactos políticos; por lo tanto, ninguna de sus instituciones o poderes, tal como se gestionan actualmente, posee legitimidad alguna. Carecen de autenticidad. Ortega y todo su grupo controlan todos los poderes del Estado y, en consecuencia, todas las instituciones del Estado. No hay independencia institucional ni democracia.

English Translation: The branches of government in Nicaragua are absolutely not independent. The government, or dictatorship as it can currently be called, came to power through political agreements or *pacts*, therefore none of its institutions or branches of government, as they are currently being managed, possess any legitimacy. They are not authentic. Ortega and his entire group control all the branches of government, and consequently, all the institutions of the state, there is no institutional independence, there is no democracy.

41. Mariana (interview, July 28, 2022, p.275)

Original Spanish: Existe una completa falta de independencia entre las instituciones del Estado y entre los diferentes poderes del Estado. Incluso mucho antes de 2018, las instituciones públicas estaban sujetas a directrices partidistas instituidas por el pacto Ortega-Alemán. Esto convirtió a Nicaragua en un sistema bipartidista en el que los dos partidos mayoritarios, el PLC y el FSLN, habían cooptado las instituciones estatales, los nombramientos, los procesos y la Asamblea Nacional. Esto resultó en la creación de leyes que debilitaron aún más las instituciones del país y corrompieron todos los procesos políticos importantes del país. Por ejemplo, las elecciones libres, transparentes y democráticas, que impidieron la cooptación del poder y el nepotismo. Creo que el pacto fomentó la debilidad institucional y consolidó el poder del presidente, lo que ha resultado en el dictador que tenemos hoy.

English Translation: There is a complete lack of independence amongst the state's institutions and between the different branches of government. Even long before 2018, public institutions were subject to partisan directives that were instituted by the Ortega-Alemán pact. This turned Nicaragua into a two-party system in which the two major parties, the PLC and the FSLN, had co-opted state institutions, appointments, processes, and the National Assembly. This resulted in the creation of laws that further weakened the country's institutions and corrupted every signal political process in the country. For example, free, transparent, and democratic elections, preventing the co-optation of power and nepotism. I think the pact fostered institutional weakness and consolidated the president's power, and that has resulted in the dictator we have now.

42. Patria (interview, August 23, 2022, p.277).

Original Spanish: El famoso pacto Ortega-Alemán selló con fuerza el futuro político de Nicaragua. Permitió al FSLN y al PLC controlar las instituciones del Estado, cooptar el poder ejecutivo y prácticamente eliminar todos los controles del país. Esto no solo debilitó las instituciones nicaragüenses y permitió la reelección de Daniel Ortega, sino que también provocó el colapso de la democracia en Nicaragua.

English Translation: The famous Ortega-Alemán pact came to seal the political future of Nicaragua in a big way. It allowed the FSLN and PLC to control the state's institutions, co-opt the executive power and almost eliminate all the checks and balance structures of the country. This not only weakened Nicaragua's institutions and allowed Daniel Ortega to be re-elected, but it effectively caused democracy in Nicaragua to breakdown.

43. *Pedrito (interview, July 14, 2022, p.278)*

Original Spanish: Daniel Ortega y Arnoldo Alemán hicieron un pacto, y ese pacto fue ilegítimo porque no votamos por él, e impuso políticas con las que el pueblo nicaragüense no estaba de acuerdo. Por lo tanto, el pacto realmente derrumbó a nuestro país, causó la erosión total de la democracia. Condujo a lo que estamos viviendo ahora, condujo a la crisis de 2018, que ha sido realmente terrible. Mi madre dice que ni siquiera con Somoza hubo tanta muerte como ahora con Daniel Ortega.

English Translation: Daniel Ortega and Arnoldo Alemán made a pact, and that pact was illegitimate because we didn't vote for it, and it imposed policies that the Nicaragua people were not in agreement with. Therefore, the pact truly brought our country down, it caused democracy to completely erode. It led to what we're going through now, it led to the crisis of 2018, which has been truly awful. My mother says that not even under Somoza did there end up being as much death as there is now with Daniel Ortega.

44. *Frank (interview, July 30, 2022, p.279)*

Original Spanish: El año 2018 fue la última gota que derramo el vaso, que se había llenado de abusos y corrupción gubernamental durante más de una década. Cuando el gobierno propuso las reformas a la seguridad social que reducirían las pensiones de los jubilados nicaragüenses, la gente finalmente estalló. Ya no estaba dispuesta a cruzarse de brazos y a acatar las políticas corruptas y avariciosas que Ortega y su administración estaban implementando. Las manifestaciones estallaron en todo el país y, cuando el gobierno respondió con violencia, se acabó. Como pueblo, sabíamos que Ortega debía ser destituido, un objetivo por el que los nicaragüenses siguen luchando incluso años después.

English Translation: 2018 was the last drop in a glass that had been filled to the rim with governmental abuse and corruption for over a decade. When the government proposed the social security reforms that would lower the pensions of retired Nicaraguans, the people finally exploded. People were no longer willing to sit back and abide by the corrupt money-grabbing policies Ortega and his administration were implementing. Demonstrations broke out across the country and when the government responded with violence it was over, we knew as a people that Ortega had to be removed from office, an objective Nicaraguans continue to strive for even years later.

45. *ALS (interview, July 16, 2022, p.284)*

Original Spanish: Un mecanismo utilizado por la dictadura para justificar el encarcelamiento y los secuestros ilegales de quienes consideran hostiles a sus violaciones de derechos humanos. En mi caso, no solo he sido criminalizado, sino también deslegitimado y desacreditado, porque estos

son instrumentos y herramientas de toda dictadura. Para legitimar sus acciones, desacreditan la labor de los defensores de derechos humanos, y nos calumnian y demonizan. Nos desacreditan públicamente con acusaciones falsas. Hoy, todos los defensores de derechos humanos, incluyéndome a mí, somos acusados de ser terroristas, de ser personas que, con nuestras acciones, han causado desestabilización contra el gobierno y sus intereses. Acusaciones flagrantes y simplemente falsas. Por lo tanto, se puede decir que la criminalización es una práctica que el régimen emplea para justificar o legalizar sus innumerables violaciones de derechos humanos.

English Translation: A mechanism used by the dictatorship to justify the imprisonment and illegal kidnappings of those they consider hostile to their human rights violations. In my case, no, I have not only been criminalized, but also delegitimized and discredited, because these are instruments and tools of every dictatorship. To legitimize their actions, they discredit the work of human rights defenders, and they slander and demonize us. They publicly discredit us by making false accusations. Today, all human rights defenders, including myself, are accused of being terrorists, of being people who, through our actions, have caused destabilization against the government and its interests. Accusations which are egregious and simply untrue. Therefore, criminalization can be said to be a practice that the regime employs to justify or legalize its countless human rights violations.

46. *Chonta (interview, July 30, 2022, p.285)*

Original Spanish: El uso de la criminalización en Nicaragua ha provocado una profunda inestabilidad en el país. Esto se debe a que la criminalización es, en esencia, un mecanismo de represión que el gobierno de Ortega ha decidido explotar. El gobierno obliga a su policía y personal militar a participar en esta práctica. Son forzados, manipulados, comprados o, si no cumplen, eliminados. En mi caso, ya no quería que me obligaran a usar la violencia contra mi propio pueblo, así que tuve que huir del país para salvar mi vida. Actualmente, la policía, los paramilitares o miembros del Frente Sandinista de Liberación Nacional, que antes eran militares, se han convertido en sicarios del FSLN, utilizados para reprimir al pueblo. Eso es la criminalización: una forma de represión gubernamental.

English Translation: The use of criminalization in Nicaragua has caused the country to become completely unstable. This is because criminalization is essentially a mechanism of repression which the Ortega government has decided to exploit. The government forces its police and military personnel to partake in this practice. They are forced, manipulated, bought or if they do not compile eliminated. In my case, I no longer wanted to be forced to use violence against my own people, so I had to flee the country to save my life. Currently, the police, paramilitaries, or members of the Sandinista National Liberation Front, who have been military personnel have become the FSLN's hitmen, used to repress the people. That's what criminalization is, it's a form of governmental repression.

47. *Jeronimo (interview, July 20, 2022, p.286).*

Original Spanish: En Nicaragua, los ciudadanos no solo no tienen derecho a expresarse libremente, sino que también tienen prohibido protestar abiertamente o criticar al gobierno. En teoría, la policía y las autoridades públicas deben garantizar el derecho a la protesta, siempre que

no se violen vidas humanas ni bienes. Pero en Nicaragua ocurre lo contrario: bajo las órdenes de Ortega, la policía y el ejército son quienes castigan activamente a los ciudadanos por manifestarse o expresar públicamente sus opiniones contra el gobierno.

English Translation: Citizens in Nicaragua not only do not have the right to express themselves freely but are also forbidden from openly protesting or criticizing the government. In theory, the police and public authorities must guarantee the right to protest, provided that neither human lives nor property are violated. But in Nicaragua it's the opposite, under the orders of Ortega, the police and military are the ones actively punishing citizens for demonstrating or publicly voicing their opinions against the government.

48. *Fernando (interview, July 21, 2022, p.288)*

Original Spanish: La criminalización siempre ha existido en Nicaragua. Solo que después de 2018, se practicó con mayor descaro. Antes, el gobierno lo hacía de forma encubierta y silenciosa, pero siempre lo ha hecho. Siempre ha reprimido, encarcelado o asesinado a quienes se oponen a él. Pero lo hacía en silencio. Hoy, lo hace abiertamente. Hoy, ejercen represión, vigilancia, acoso y agresión contra la ciudadanía con descaro. No les importa si las organizaciones de derechos humanos se dan cuenta, no les importa ser grabados en video, no les importa nada en absoluto; no hay temor a represalias ni a ninguna responsabilidad legal. Si eres miembro de la oposición, no te dejarán vivir en paz en Nicaragua. Todos los días habrá una patrulla afuera de tu casa, y si no cumples, usarán la fuerza o agentes externos para ejercer violencia contra ti. Así que la criminalización en Nicaragua hoy es tan extrema que el gobierno incluso recompensa a policías, militares y paramilitares por hacer este tipo de cosas. La criminalización es simplemente una práctica cotidiana que ocurre en Nicaragua.

English Translation: Criminalization has always, always existed in Nicaragua. It's just that after 2018; it was practiced more blatantly. Before, the government did it covertly, quietly, but they've always done it. They've always repressed, imprisoned, or murdered people who oppose them. But they did it quietly. Today, they do it openly. Today, they carry out repression, surveillance, harassment, and aggression against citizens brazenly. They don't care if human rights organizations notice, they don't care about being caught on video, they don't care about anything at all, there is no fear of reprisal or any legal accountability. If you're a member of the opposition, they won't let you live in peace in Nicaragua. Every day there will be a patrol car outside your house, and if you don't comply, then they'll use force or external agents to inflict violence on you. So, criminalization in Nicaragua today is so extreme that the government even rewards police officers, military officials and paramilitary members for doing these kinds of things. Criminalization is simply an everyday practice that occurs in Nicaragua.

49. *El Viejo del Sombreron (interview, August 18, 2022, p.292)*

Original Spanish: En mi caso, lo perdí todo por participar y liderar el movimiento campesino. En mi búsqueda de justicia, donde simplemente quería que se respetaran mis derechos como ciudadano nicaragüense, perdí mis tierras de cultivo, mi hogar y mi tranquilidad. El gobierno me persiguió por liderar el movimiento y confiscó todas mis pertenencias. Finalmente, no tuve otra opción que irme de Nicaragua para salvar mi vida y la de mi familia.

English Translation: In my case, I lost everything for participating and acting as a leader of the peasant movement. In my pursuit of justice in which I simply wanted my rights as a Nicaraguan citizen to be respected, I lost my farmland, my home and my peace of mind. The government persecuted me for acting as a leader of the movement and they confiscated all my belongings. Eventually, I had no other option but to leave Nicaragua to save my life and the life of my family.

50. *Ulises (interview, August 15, 2022, p.293)*

Original Spanish: Para cuando comenzaron las protestas de 2018, ya llevábamos años lidiando con violaciones de derechos humanos. En concreto, la criminalización de los campesinos por parte del régimen de Ortega. Miembros del movimiento, incluyéndome a mí, sufrimos desplazamiento forzado, la apropiación de nuestras tierras, persecución, intimidación y amenazas constantes. Sin embargo, a pesar de esta constante violación de nuestros derechos, parecía que el resto del país no reconocía ni se preocupaba por las dificultades que enfrentábamos. Luego llegó el tema de las reformas a la Seguridad Social del INSS y el país estalló, empezando a reconocer finalmente el abuso de poder que habíamos identificado hacía tiempo. Pero, de nuevo, para entonces ya habían sido años de cansancio, años de silencio, de parecer ignorarlo todo. Y entonces, esta agresión contra los ancianos a través de las reformas sociales avivó nuestros sentimientos y reavivó el movimiento a mayor escala. Pero creo que los asesinatos fueron lo que finalmente desencadenó esa desilusión nacional masiva. Y como resultado, uno de los primeros grupos en unirse a este nuevo movimiento fue el sector campesino, porque sabíamos que esta era una oportunidad de cambio potencial que no podíamos dejar pasar.

English Translation: By the time the 2018 protests started, we had already been dealing with years of human rights violations. Specifically, the criminalization of peasants by the Ortega regime. Members of the movement including myself had faced forced displacement, the appropriation of our land, persecution, intimidation and constant threats. Yet, despite this constant violation of our rights it seemed that the rest of the county did not acknowledge or even care about the difficulties we were facing. Then came the issue of the INSS Social Security reforms and the country erupted finally beginning to recognize the abuse of power we had long ago identified. But again, by that time it had been years of weariness, years of silence, of seemingly turning a blind eye. And then this aggression against the elderly through the social reforms stirred up our feelings and reignited the movement on a larger scale. But I think the assassinations were what finally triggered that mass national disillusionment. And as a result, one of the first groups to join this new movement was the peasant sector, because we knew that this was an opportunity for potential change that we could not let pass us by.

51. *Esperanza (interview, July 23, 2022, p.294)*

Original Spanish: La represión de Ortega contra campesinos e indígenas nos obligó a desplazarnos, todo por luchar contra el proyecto ilegal que él inició, la Ley 840. Si consultan esa ley, establece que Ortega entregó completamente Nicaragua a los chinos, porque tenía derecho a actuar y decidir sobre todos nuestros recursos naturales, la tierra, incluso las tierras privadas del pueblo nicaragüense. Así que decidimos actuar contra ellos en 2013. Formamos un movimiento campesino que protestaba contra el canal; nos oponíamos a ese proyecto porque iba a destruirlo todo: nuestras tierras y todos los recursos naturales de Nicaragua, y estuvimos luchando de 2013

a 2018. Llevábamos cinco años viviendo la persecución de la que el mundo solo se enteró hasta 2018, pero que nosotros, como campesinos, sufríamos desde 2013. En ese momento, dejamos de lado cualquier resentimiento que pudiéramos sentir debido a la indiferencia previa de nuestros compatriotas y decidimos unirnos a las protestas de 2018.

English Translation: Ortega's repression of farmers and indigenous people forced us to be displaced, all because we were fighting against the illegal project he initiated, Law 840. If you look up that law, it states that Ortega completely handed over Nicaragua to the Chinese, because he had the right to act and decide over all our natural resources, the land, even the private lands of the Nicaraguan people. So, we decided to take action against them in 2013. We formed a peasant movement that protested against the canal, we were against that project because it was going to destroy everything—our lands and all of Nicaragua's natural resources—and we had been fighting from 2013 to 2018. We had been living for five years with the persecution that the world only learned about until 2018, but we as peasants had been experiencing since 2013. At this time, we put aside any resentment we could be feeling due to the previous indifference of our fellow compatriots, and we decided to join the 2018 protests.

52. *Marco (interview, August 14, 2022, p.295)*

Original Spanish: En 2018, me uní al movimiento porque creo que ciertos valores deben respetarse, especialmente en un país que en ese momento se suponía democrático. Un país que se autodenomina democrático debería, como mínimo, respetar y defender el derecho de los ciudadanos a la libertad de expresión y sus derechos humanos. Y cuando fue evidente que el gobierno de Ortega no defendía estos valores, sino que los contradecía, esto moldeó mi ideología y me motivó a unirme al movimiento. Quería poner fin a las injusticias cometidas por el gobierno. Durante 2018, a diario se veían injusticias cometidas por agentes del gobierno. Hubo injusticias cometidas por los propios partidos políticos, la policía y el ejército, y todas estas injusticias fueron aprobadas por el gobierno como una forma de perpetuar su poder.

English Translation: In 2018, I joined the movement because I believe that certain values should be respected, especially in a country that at the time was supposedly democratic. A country that calls itself democratic should at the very least respect and defend citizens' rights to freedom of expression and their human rights. And when it was obvious that the Ortega government did not uphold these values but instead went against them, this is what shaped my ideology and motivated me to join the movement. I wanted to put an end to the injustices committed by the government. During 2018 every day you could see injustices committed by government agents. There were injustices committed by the political parties themselves, by the police and by the military and all these injustices were approved by the government as a way to perpetuate their power.

53. *Isaac (interview, interview, July 16, 2022, p.296)*

Original Spanish: Durante 2018, participé en todas las protestas junto a mi padre. Como resultado de nuestra participación, fuimos constantemente acosados por agentes del gobierno. Nos amenazaron, intimidaron y siguieron. Sabían quiénes éramos. Un día, mi padre fue secuestrado. Tras 22 días desaparecido, descubrimos que había sido detenido ilegalmente por protestar. Estuvo preso en Nicaragua durante un año. Durante su encarcelamiento, fue torturado y golpeado.

English Translation: During 2018, I participated in all the protests alongside my father. As a result of our participation, we were constantly harassed by government agents. We were threatened, intimidated and followed. They knew who we were. Then one day my father was kidnapped. After 22 days missing, we found out that he had been illegally detained for protesting. He was imprisoned in Nicaragua for a year. During his imprisonment he was tortured and beaten.

54. *Charlie (interview, August 14, 2022, p.297)*

Original Spanish: Las manifestaciones de 2018 estuvieron plagadas de violencia. Inicialmente, la policía reprimía a los ancianos y adultos que habían salido a las calles a protestar contra las reformas a la seguridad social propuestas por el gobierno. Esto llevó a la juventud nicaragüense a salir a las calles para defender nuestros derechos y los de nuestras familias. La primera ola de manifestaciones y marchas fue muy violenta porque el gobierno no había escuchado los derechos de toda la población nicaragüense (campesinos, activistas cívicos, estudiantes y trabajadores). Fue una ola de protestas que terminó con muchas personas heridas, algunas muertas y otras encarceladas. El denominador común fue la violenta represión ordenada por el gobierno. La policía y los militares utilizaron armas de alto calibre contra los ciudadanos sin causa justificada. Definitivamente, hubo un uso excesivo de la fuerza por parte del gobierno. Y hasta el día de hoy, se sabe que muchas personas perdieron la vida y terminaron en prisión como presos políticos.

English Translation: The 2018 demonstrations were engulfed in violence. Initially, the police were repressing the elderly and the adults who had taken to the streets to protest the social security reforms proposed by the government. This led Nicaragua's youth to take to the streets to defend our rights and our families. The first wave of demonstrations and marches was very violent because the rights of the entire Nicaraguan population—the farmers, civic activists, students, and workers—had not been heard by the government. It was a wave of protest that ended with many people injured, some killed, and others imprisoned. The common denominator was violent repression ordered by the government. The police and military were using high grade weapons against citizens without cause. There was definitely an excessive use of force by the government. And to this day, it is known that many people lost their lives and ended up in prison as political prisoners.

55. *Neon (interview, August 18, 2022, p.299)*

Original Spanish: Durante las protestas, la policía, el ejército y las fuerzas paramilitares, por orden del gobierno, usaron la violencia para intentar reprimirnos, los manifestantes. Era tal que una persona que protestaba en la calle con solo una pancarta podía ser baleada a quemarropa. O sea, no estábamos lastimando a nadie. No estábamos siendo violentos, no lo estábamos. ¿Por qué? ¿Cuál fue la razón? No hubo ninguna. El gobierno simplemente no quería que nadie cuestionara su poder y no temía usar la violencia para silenciarnos.

English Translation: During the protests the police, military and paramilitary forces by order of the government all used violence to try and subdue us, the protesters. It was such that a person protesting in the streets merely holding a sign could be shot point blank. I mean, we weren't hurting anyone. We weren't being violent, we weren't. I mean, why? What was the reason? There wasn't

one. The government just didn't want anyone questioning their power and they weren't afraid of using violence to silence us.

56. *Tomas (interview, August 19, 2022, p.303)*

Original Spanish: Obviamente no, mis derechos civiles, sociales y políticos han sido completamente violados. El sistema judicial nicaragüense no ha hecho nada para proteger mis derechos como ciudadano nicaragüense. Al contrario, la policía y los tribunales han actuado como verdugos del pueblo nicaragüense. Han sido ellos quienes, bajo las órdenes de Ortega, han arrestado ilegalmente a manifestantes y opositores políticos, muchos de los cuales aún permanecen como presos políticos.

English Translation: Obviously not, my civil, social and political rights have all been completely violated. The legal system in Nicaragua has done nothing to protect my rights as a Nicaraguan citizen. On the contrary, the police and courts have acted as the executioners of the Nicaraguan people. They have been the ones who under the orders of Ortega have illegally arrested protesters and political opponents, many of which are still held as political prisoners.

57. *Raul (interview, July 19, 2022, p.303)*

Original Spanish: No, mis derechos no están protegidos por el sistema judicial. De hecho, Daniel Ortega, al controlar todos los poderes del Estado, construyó todo un aparato estatal para procesar a los manifestantes. Hay leyes, magistrados, incluso jueces y policías que procesan a actores considerados enemigos del Estado. Incluso hay falsos testigos que ellos mismos inventan para construir casos en complicidad con el sistema judicial. No hay justicia en Nicaragua; la única justicia que prevalece en Nicaragua es la que Daniel Ortega quiere imponer.

English Translation: No, my rights are not protected by the judicial system. In fact, Daniel Ortega, since he controls all the powers of the State, built an entire state apparatus to be able to prosecute protesters. There are laws, magistrates, even judges and police, that prosecute actors considered to be enemies of the state. There are even false witnesses that they themselves fabricate to build cases in complicity with the justice system. There is no justice in Nicaragua, the only justice that prevails in Nicaragua is the one that Daniel Ortega wants to impose.

58. *Alcalde (interview, August 15, 2022, p.305)*

Original Spanish: Actualmente en Nicaragua, no hay justicia, no hay un sistema legal efectivo. Más bien, como dicen, no hay un sistema judicial práctico. ¿Por qué digo esto? Porque Ortega lo manipula todo: controla las instituciones del país, incluido el poder judicial. Todas las personas encarceladas han sido condenadas injustamente por orden de Ortega. Esto no debería ser así; él es un político y no debería tener influencia sobre el sistema judicial del país.

English Translation: Currently in Nicaragua, there is no justice, there is no effective legal system. Rather, as they say, there is no practical judicial system. Why do I say this? Because Ortega manipulates everything: he controls the county's institutions including the judiciary. All those people who have been imprisoned have been unjustly condemned on the orders of Ortega. This

should not be the case; he's a politician and should have no influence over the country's legal system.

59. Rick (*interview, August 12, 2022, p.305*)

Original Spanish: Es evidente que el sistema judicial de Nicaragua es completamente corrupto. Los casos, incluso los que involucran al Ministerio Público, son inventados por la policía y el propio Ministerio Público. El sistema judicial es completamente corrupto. Son ellos los encargados de crear casos, lograr condenas, celebrar juicios nocturnos y cosas por el estilo. Es totalmente corrupto, hasta el punto de que incluso los propios jueces están siendo sancionados por Estados Unidos por haber violado todos los procesos legales consagrados en la Constitución y haber manipulado la política y las leyes a favor del Estado y de la permanencia de Ortega en el poder. Ortega controla por completo el sistema judicial del país. No hay independencia judicial; todas las leyes se crean y se aplican para beneficio de Ortega.

English Translation: It's very clear, Nicaragua's judicial system is completely corrupt. The cases, even those involving the Public Prosecutor's Office, are fabricated by the police and the Public Prosecutor's Office themselves. The judicial system is completely corrupt. They are the ones in charge of creating cases, securing convictions, holding trials at night, and illegal things like that. It's all totally, completely corrupt, to the point that even the judges themselves are currently being sanctioned by the United States because they have obviously violated all the legal processes enshrined in the Constitution and have manipulated politics and laws in favor of the State and in favor of Ortega remaining in power. Ortega completely controls the country's legal system. There is no judicial independence, all laws are created and enforced to the benefit of Ortega.

60. Zero (*interview, August 12, 2022, p.310*)

Original Spanish: Tras las protestas iniciales de 2018, el régimen intentó silenciar a toda costa todas las voces disidentes. La voz del pueblo nicaragüense fue silenciada por el régimen mediante la represión y la violencia. Procedieron a cerrar todos los medios de comunicación independientes e impidieron que la gente se reuniera. El derecho de reunión, el derecho a la protesta y el derecho a la información fueron inexistentes. Todo fue restringido, absolutamente todo. Y si algo salió a la luz, fue solo la información que ellos mismos fabricaron. Incluso después del fin de las protestas, no hubo libertades civiles ni justicia por los crímenes cometidos durante 2018. Solo hubo una dictadura que continuó utilizando la intimidación, las violaciones de derechos humanos y las amenazas contra cualquier persona identificada como opositora al Estado.

English Translation: In the aftermath of the initial protests of 2018, the regime tried to silence all dissenting voices at all costs. The voice of the Nicaraguan people was silenced by the regime using repression and violence. They proceeded to shut down all independent media outlets, they prevented people from gathering. The right to assembly didn't exist, the right to protest didn't exist, the right to information didn't exist. Everything was curtailed, everything. And if anything did come out, it was only the information they themselves fabricated. Even after the protests ended there weren't any civil liberties, there was no justice for the crimes that had been committed during 2018. There was only a dictatorship that continued to use intimidation, human rights violations and threats against anyone identified as opponents of the state.

61. *Reina (interview, July 14, 2022, p.310)*

Original Spanish: Me vi obligada a salir de Nicaragua y escapar a Costa Rica. Tras meses de recibir llamadas amenazantes, tuve que empacar a mis hijos en plena noche y cruzar la frontera ilegalmente. No tenía papeles, pero sabía que si me quedaba en Nicaragua un minuto más, mi vida y la de mis hijos corrían grave peligro, así que vine a Costa Rica.

English Translation: I was forced to leave Nicaragua and escape to Costa Rica. After months of receiving threatening calls, I had to pack up my kids in the middle of the night and cross the border illegally. I had no papers, but I knew that if I stayed in Nicaragua for another minute my life and my children's lives were all in serious danger, so I came to Costa Rica.

62. *Hugo, interview, August 19, 2022, p.311)*

Original Spanish: Aunque las protestas terminaron en 2018, seguía sufriendo persecución. Recibí amenazas de muerte, graves amenazas. Recibía llamadas telefónicas donde me decían que me habían localizado. Debido a mi actividad literaria y a mi trabajo como columnista del periódico La Prensa, esto siempre me ha hecho muy visible. Y, sobre todo, porque tengo una pluma muy aguda e incisiva, muy mordaz, que molesta mucho al gobierno y a sus aliados. Sin embargo, nunca imaginé las consecuencias para mi familia, que han sido devastadoras: pasan en coche por delante de la casa de mi madre gritando obscenidades, despidieron a mi hermano de su puesto y le prohibieron comprar una casa para la que ya había dado el enganche. Desafortunadamente, debido a todas las amenazas contra mi vida, me vi obligado a irme, y lo hice de la forma más discreta posible a principios de 2019.

English Translation: Even though the protests ended in 2018, I was still persecuted. I received death threats, serious death threats. I would get telephone calls in which they would tell me that they had me located. Because of my literary pursuits and my work as a columnist for the newspaper La Prensa this has always made me very visible. And, above all, because I have a very sharp, incisive pen, a very pointed one, that bothers the government and their allies a great deal. However, I could never have imagined the consequences for my family which have been devastating, they drive past my mother's house yelling obscenities, they've fired my brother from his post and barred him from buying a house he had already placed a down payment on. Unfortunately, because of all the threats on my life I was forced to leave and did so as covertly as possible in the beginning of 2019.

63. *Antonio (interview, September 19, 2023, p.312)*

Original Spanish: Con el cierre masivo de organizaciones de derechos humanos, universidades privadas e incluso iglesias, Nicaragua se siente completamente diferente. La gente ya no se siente libre. No hay libertad de reunión, de movilización ni de asociación.

English Translation: With the massive closure of human rights organizations, private universities and even worse churches Nicaragua feels completely different. People no longer feel free. There is no freedom of assembly, no freedom of mobilization and no freedom of association.

64. *El Maestro (interview, July 10, 2022, p.314)*

Original Spanish: Desde que llegué a Costa Rica, he luchado por superarme cada día y hacer cosas que nunca había pensado ni me había atrevido a hacer. He tenido que trabajar muchísimo para intentar reconstruir mi vida. Extraño a mis amigos y a mi familia. Estoy aquí completamente solo, aunque he podido conectar con otros nicaragüenses que huyeron a Costa Rica. No puedo ejercer mi profesión; aquí no se aceptan mis acreditaciones. Por lo tanto, me encuentro en una situación económica muy difícil. Soy una persona mayor que debe empezar de cero, todo porque mi país, Nicaragua, está asolado por una dictadura.

English Translation: Since being in Costa Rica, I have had fight to improve myself every day and to do things I hadn't ever thought of or dared to do. I have had to work extremely hard to try and rebuild my life. I miss my friends and my family. I am here all alone, although I have been able to connect with other Nicaraguans who fled to Costa Rica. I cannot work in my profession; my accreditations aren't accepted here. So, I find myself in a very difficult economic situation. I am an older person who must start my life over, all because my country, Nicaragua is plagued by a dictatorship.

65. *Lorena (interview, July 17, 2022, p.316)*

Original Spanish: Personalmente, Costa Rica no es uno de los países donde me siento muy cómodo debido a la discriminación y la xenofobia que prevalecen aquí. A mí y a mis compatriotas nicaragüenses nos llaman "campesinos", y eso me molesta porque sabemos que es una injusticia y una tergiversación. La injusticia siempre me ha molestado. Siempre condeno cualquier comentario discriminatorio contra los nicaragüenses, especialmente cuando solo nos ven como agricultores que vienen aquí a hacer trabajos que los ticos no quieren hacer. Es una mentalidad de esclavitud, y no nos ven como seres humanos que hemos sufrido tantas injusticias en casa y ahora nos vemos obligados a sufrir las consecuencias de ser refugiados.

English Translation: Personally, Costa Rica isn't one of the countries where I feel very comfortable because of the discrimination and xenophobia that is present here. They call me and my fellow Nicaraguans "country folk," and that bothers me because we know that it is an injustice and misrepresentation that exists. Injustice has always bothered me. I always condemn any discriminatory comment against Nicaraguans, especially when we're only seen as farmers who come here to do work that the Ticos don't want to do. It's a mentality of slavery, and they don't see us as human beings who have suffered so many injustices at home and now are forced suffer the consequences of being a refugee.

66. *Jeronimo (interview, July 20, 2022, p.317)*

Original Spanish: Incluso después de salir de Nicaragua y llegar a Costa Rica, tuve que ser extremadamente cuidadoso. El gobierno nicaragüense tiene espías en Costa Rica, así que como refugiado debes ser extremadamente cauteloso. Personalmente, incluso después de mi huida, seguí recibiendo llamadas a mi celular de personas que decían saber dónde estaba y que iban a venir a buscarme. En un par de ocasiones, incluso sentí que me seguían. Supongo que salir de Nicaragua no significa que estés a salvo de la represión del gobierno; en realidad, no te sientes seguro.

English Translation: Even after I left Nicaragua and came to Costa Rica, I had to be extremely careful. The Nicaraguan government has spies in Costa Rica, so as a refugee you must be extremely cautious. Personally, even after I fled, I continued to receive calls on my cellphone from people saying they knew where I was and that they were going to come and get me. A couple of times I even felt as if I was being followed. I guess leaving Nicaragua does not mean you are safe from the government's repression, you don't actually feel safe.

67. Lorena (interview, July 17, 2022, p.326)

Original Spanish: Sí, la democracia en Nicaragua definitivamente se ha erosionado en los últimos años, aunque es importante señalar que la democracia en Nicaragua ya era débil desde el principio, nunca se desarrolló realmente.

English Translation: Yes, democracy in Nicaragua has most definitely eroded over the last few years, though it is important to note that democracy in Nicaragua was already weak to begin with, it never really developed.

Bibliography

- Abbott, J. (2018, February 26). *The Honduran election crisis*. Briarpatch Magazine. <https://briarpatchmagazine.com/articles/view/the-honduran-election-crisis>
- Abrutyn, S. (2013). *Positivism*. Oxford University Press.
- Abierto, E. (2021, July 15). *Nicaragua elites and organized crime: Introduction*. InSight Crime. <https://insightcrime.org/investigations/nicaragua-elites-organized-crime-introduction/>
- Aburto, W. M. (2023, March 23). *Nicaragua's dictatorship, between silence and repression*. EL PAÍS English. <https://english.elpais.com/international/2023-03-27/nicaraguas-dictatorship-between-silence-and-repression.html>
- Aburto, W. M. (2025a, May 16). *Judges in Nicaragua now answer to police under Ortega and Murillo's rule*. EL PAÍS English. <https://english.elpais.com/international/2025-05-16/judges-in-nicaragua-now-answer-to-police-under-ortega-and-murillos-rule.html>
- Aburto, W. M. (2025b, February 27). *Un presents evidence implicating Nicaraguan Army in crimes against humanity*. EL PAÍS English. <https://english.elpais.com/international/2025-02-27/un-presents-evidence-implicating-nicaraguan-army-in-crimes-against-humanity.html>
- Acuña-Alfaro, J. (2024, September 17). *Democracy: A cornerstone for human development*. UNDP. <https://www.undp.org/latin-america/blog/democracy-cornerstone-human-development#:~:text=PROCEDURAL%20/%20INSTITUTIONAL:%20A%20sound%20rule,political%20rights%20and%20civil%20liberties>
- Aguilar, L. (2021, August 20). *Supreme Court ruling allowing Honduran president's reelection was based on a lie*. Contracorriente Honduras periodismo digital en honduras y la región. <https://contracorriente.red/en/2021/08/20/supreme-court-ruling-allowing-honduran-presidents-reelection-was-based-on-a-lie/>
- Aguiluz, D., & Obando, L.D. (2010). El Acceso al Sistema Interamericano de Derechos Humanos en el Marco del Golpe de Estado en Honduras. En Joaquín A. Mejía R. et Víctor Fernández, ed. *El golpe de Estado en Honduras desde una perspectiva de los Derechos Humanos*, Tegucigalpa: Editorial Guaymuras, 358-386.
- Albertus, M., & Menaldo, V. (2018). *Authoritarianism and the Elite Origins of Democracy*. Cambridge University Press.
- Alcázar, A. (2019). La Criminalización de la Protesta Social: Un Estado de la Cuestión. *Revista Rupturas*, 25–43.
- Allison, M. E. (2006). The Transition from Armed Opposition to Electoral Opposition in Central America. *Latin American Politics and Society*, 48(4), 137–162. <https://doi.org/10.1111/j.1548-2456.2006.tb00368.x>

Ambraseys, N. N. (1973). The Earthquake of Managua, Nicaragua, 1972. *Nature (London)*, 244(5416), 427–428. <https://doi.org/10.1038/244427a0>

Amnesty International. (2010, June 28). *Honduras failing to tackle coup rights abuses*. <https://www.amnesty.org/en/latest/press-release/2010/06/honduras-failing-tackle-coup-rights-abuses/>

Amnesty International. (2017, December 8). *Honduras: Government deploys dangerous and illegal tactics to silence population*. <https://amnesty.ca/features/honduras-government-deploys-dangerous-and-illegal-tactics-to-silence-population/>

Amnesty International. (2018a, May 29). *Nicaragua: Authorities unleashed a lethal strategy of repression against protesters*. <https://www.amnesty.org/en/latest/news/2018/05/nicaragua-authorities-unleashed-a-lethal-strategy-of-repression-against-protesters/>

Amnesty International. (2018b, October 18). *Nicaragua: Authorities stepped up strategy for repression, committing grave human rights violations during “clean-up operation.”* <https://amnesty.ca/human-rights-news/nicaragua-authorities-stepped-up-strategy-for-repression-committing-grave-human-rights-violations-during-clean-up-operation/>

Amnesty International. (2018c, January 18). *Human Rights Defenders Under Attack*. <https://www.amnesty.org/fr/wp-content/uploads/2021/05/AMR3777482018ENGLISH.pdf>

Amnesty International. (2018d, June 22). *Nicaragua: Government’s shameful denial of human rights violations is part of its strategy of repression*. Amnesty International Canada. <https://amnesty.ca/human-rights-news/nicaragua-governments-shameful-denial-of-human-rights-violations-is-part-of-its-strategy-of-repression/>

Amnesty International. (2019, July 5). *Honduras: Exercising the right to protest has a high cost*. <https://www.amnesty.org/en/latest/press-release/2019/07/honduras-ejercer-derecho-protesta-tiene-alto-costo/>

Amnesty International. (2021, November 8). *Ortega’s re-election augurs a terrible new cycle for human rights in Nicaragua*. <https://www.amnesty.org/en/latest/news/2021/11/nicaragua-announcement-of-ortegas-re-election-augurs-a-terrible-new-cycle-for-human-rights/>

Amnesty International. (2023a, June 29). *Honduras: Castro government emulates Human Rights Suspensions in El Salvador*. <https://amnesty.ca/human-rights-news/honduras-government-human-rights-suspensions/>

Amnesty International. (2023b, January 27). *Honduras: Xiomara Castro’s government must firmly deliver on human rights agenda*. <https://www.amnesty.org/en/latest/news/2023/01/honduras-xiomara-castros-government-must-deliver-human-rights/>

Amnesty International. (2024a, December 17). *Nicaragua: The year ends with systematic repression and a streamlined state strategy against any form of dissent*. <https://www.amnesty.org/en/wp-content/uploads/2024/12/AMR4388342024ENGLISH.pdf>

Amnesty International. (2024b). *Human Rights in Nicaragua*. Nicaragua 2024. <https://www.amnesty.org/en/location/americas/central-america-and-the-caribbean/nicaragua/report-nicaragua/>

Amnesty International. (2025, June 12). *Honduras: Stop the environmental bill that threatens human rights*. <https://amnesty.ca/urgent-actions/honduras-stop-the-environmental-bill-that-threatens-human-rights/>

Anderson, L. (1995). *Elections and Public Opinion in the Development of Nicaraguan Democracy*. In Seligson, M. A., & Booth, J. A., *Elections and democracy in Central America, revisited* (pp.84-102). University of North Carolina Press.

Anderson, J. L. (2024, November 21). *A Review of The Sandinista Revolution: A Global Latin American History*. ReVista Harvard Review of Latin America. <https://revista.drclas.harvard.edu/the-sandinista-revolution-a-global-latin-american-history/>

Anderson, L. E., & Dodd, L. C. (2009). *Learning Democracy: Citizen Engagement and Electoral Choice in Nicaragua, 1990-2001*. University of Chicago Press.

Anderson, L., Dodd, L., & Park, W. (2017). Electoral Competition and Democratic Decline in Nicaragua: Uncovering an Electorally Viable Platform for the Right. *Democratization*, 24(6), 970-986.

Araya, A. L. (2023). *Coup and the Palm Trees: Agrarian Conflict and Political Power in Honduras*. University of Georgia Press.

Ávila, J., Ernst, J., & Calderon, C. (2018, August 17). *Honduras post-election killings: Families wait in vain for Justice*. The Guardian. <https://www.theguardian.com/world/2018/aug/17/honduras-post-election-killings-families-wait-in-vain-for-justice>

Avilés, W. & Rey Rosas, Y. (2017). Low-Intensity Democracy and Peru's Neoliberal State: The Case of the Humala Administration. *Latin American Perspectives*, 44(5), 162–182.

Barahona de Brito, A. (1997). *Human rights and democratization in Latin America Uruguay and Chile*. Oxford University Press.

Barahona, M. (2010). Estado Oligárquico, Crisis Política y Corrupción Pública. En Joaquín A. Mejía R. et Víctor Fernández, ed. *El golpe de Estado en Honduras desde una Perspectiva de los Derechos Humanos*, Tegucigalpa: Editorial Guaymuras, 23-49.

- Barlow, B. H. (1993). The Nicaraguan-Contra Negotiations of 1988: A Test of The Reagan Doctrine. *Canadian Journal of Latin American and Caribbean Studies*, 18(35), 67–85. <https://doi.org/10.1080/08263663.1993.10816690>
- Barrachina Lisón, C. (2016). Democracia, Política y Violencia en Honduras (2006-2014). *Península : Publicación Semestral de La Unidad Académica de Ciencias Sociales y Humanidades*, 11(1), 25–64. <https://doi.org/10.1016/j.pnsla.2016.01.002>
- Bardin, L. (2013). *L'Analyse de Contenu*. P.U.F.
- Bastien, O. (2018). Raíces de la Crisis Nicaragua 2018. *Ovide Bastien: Bolton, ON*.
- Bastien, O. (2019). *¿Izquierda o Fundamentalismo? Nicaragua Según Maurice Lemoine*. *Ovide Bastien: Bolton, ON*.
- BBC. (2011a, July 7). *Honduras Truth Commission Rules Zelaya Removal was coup*. BBC News. <https://www.bbc.com/news/world-latin-america-14072148>
- BBC. (2011b, May 29). *Honduras: Ousted president Manuel Zelaya returns*. BBC News. <https://www.bbc.com/news/world-latin-america-13586991>
- BBC. (2014a, January 29). *Nicaragua: Ortega allowed to run for third successive term*. BBC News. <https://www.bbc.com/news/world-latin-america-25937292>
- BBC. (2014b, February 11). *Nicaragua's new constitution becomes law*. BBC News. <https://www.bbc.com/news/world-latin-america-26146038>
- BBC. (2018a, January 21). *Deadly violence over disputed Honduras election result*. BBC News. <https://www.bbc.com/news/world-latin-america-42763511>
- BBC. (2018b, July 16). *Downward spiral: Nicaragua's worsening crisis*. BBC News. <https://www.bbc.com/news/world-latin-america-44398673>
- BBC. (2018c, March 2). *Berta Caceres: Honduras executive held over dam activist's murder*. BBC News. <https://www.bbc.com/news/world-latin-america-43267524>
- BBC. (2019, August 7). *Honduras protest turns violent amid anger at president*. BBC News. <https://www.bbc.com/news/world-latin-america-49263115>
- Bendana, A. (1999). Strange bedfellows: The Aleman-Ortega Pact. *NACLA Report on the Americas (1993)*, 33(2), 20.
- Bendana, A. (2004). The Rise and Fall of the FSLN. *NACLA Report on the Americas (1993)*, 37(6), 21–26. <https://doi.org/10.1080/10714839.2004.11722409>

Benjamin, M. (2009). The Honduran Coup: The Specter of Democracy, and of the Past. In *NACLA report on the Americas (1993)* (Vol. 42, Number 5, pp. 4–5). Routledge. <https://doi.org/10.1080/10714839.2009.11722218>

Berg, R. C. (2024, November 4). *From bad to worse: The Xiomara Castro Administration begins to weaponize the Honduran state*. CSIS. <https://www.csis.org/analysis/bad-worse-xiomara-castro-administration-begins-weaponize-honduran-state>

Bezio, K., & Goethals, G. (2020). *Leadership, Populism, and Resistance*. Edward Elgar Publishing.

Bherer, L. (2006). La démocratie participative et la qualification citoyenne : À la frontière de la société civile et de l'État : Vers de nouvelles pratiques citoyennes. *Nouvelles pratiques sociales*, 18(2), 24-38.

Blachman, M. J., & Sharpe, K. E. (1992). The Transitions to “Electoral” and Democratic Politics in Central America: Assessing the Role of Political Parties. In J. M. Forman, W. M. Leogrande, & L. W. Goodman (Eds.), *Political Parties and Democracy in Central America* (pp. 33–52). Routledge. <https://doi.org/10.4324/9780429302237-4>

Blanco Abellan, B., & Liendo, N. (2025, December 3). *Elections in Honduras 2025: Democratic Resilience in the face of persistent challenges*. International IDEA. <https://www.idea.int/news/elections-honduras-2025-democratic-resilience-face-persistent-challenges>

Blecha, L. (2022). Recuperar la Patria: Xenophobic Sentiments in Costa Rica in the Context of the Nicaraguan Refugee Crisis 2018. *Central European Journal of International & Security Studies*, 16(4), 76. <https://doi.org/10.51870/HTVP6675>

Blinken, A. J. (2023, April 19). Sanctioning Three Nicaraguan Judges Involved in Depriving Nicaraguans of Their Basic Right to Citizenship. U.S. Department of State. <https://2021-2025.state.gov/sanctioning-three-nicaraguan-judges-depriving-nicaraguans-of-their-basic-right-to-citizenship/>

Bogaards, M. (2018). De-democratization in Hungary: diffusely defective democracy. *Democratization*, 25(8), 1481–1499.

Bonello, D. (2025, December 5). *Special series: The Rise and Fall of Honduras Ex-President Juan Orlando Hernández*. InSight Crime. <https://insightcrime.org/news/special-series/rise-and-fall-honduras-expresident-juan-orlando-hernandez/>

Booth, J. A., Wade, C. J., & Walker, T. W. (2020). Honduras. In *Understanding Central America* (1st ed., pp. 235–272). Routledge. <https://doi.org/10.4324/9780429344282-9>

Bosman, I. (2024). *When Leaders Fail Democracy, Democracy Fails the People*. South African Institute of International Affairs.

Bowman, K. (2002) *Militarization, Democracy, and Development: The Perils of Praetorianism in Latin America*, University Park, PA: Pennsylvania State University Press.

Bowman, K., Lehoucq, F., & Mahoney, J. (2005). Measuring Political Democracy: Case Expertise, Data Adequacy, and Central America. *Comparative Political Studies*, 38(8), 939–970. <https://doi.org/10.1177/0010414005277083>

Breda, T. (2025, November 17). *Violence has gone down during Xiomara Castro's term, but has security improved in Honduras?* ACLED. <https://acleddata.com/report/violence-has-gone-down-during-xiomara-castros-term-has-security-improved-honduras>

Brubaker, R. (2017). Why populism? *Theory and Society*, 46(5), 357–385.

Buschschlüter, V. (2022, July 7). *Nicaragua expels Mother Teresa's nuns in latest crackdown*. BBC News. <https://www.bbc.com/news/world-latin-america-62076784>

Cabestrero, T. (1985). *Blood of the innocent: victims of the Contras' war in Nicaragua*. Orbis Books.

Calleros, J. (2009). *The Unfinished Transition to Democracy in Latin America*. Routledge.

Canadian Civil Liberties Association (CCLA). (2021, October 20). *The Right to Protest and Gather*. <https://ccla.org/our-work/fundamental-freedoms/right-to-protest/>

Cannon, B., & Hume, M. (2012). Central America, Civil Society and the “Pink Tide”: Democratization or De-democratization? *Democratization*, 19(6), 1039–1064.

Carey, S. C. (2009). *Protest, repression and political regimes: an empirical analysis of Latin America and Sub-Saharan Africa*. Routledge.

Carpio, H. (2026, January 16). *How Venezuela lost its democracy*. Time. <https://time.com/7346715/venezuela-maduro-government-democracy-trump/>

Carroll, R. (2009, November 30). *Honduras elects Porfirio Lobo as new president*. The Guardian. <https://www.theguardian.com/world/2009/nov/30/honduras-lobo-president>

Carson, D., Gilmore, A., Perry, C., & Gronhaug, K. (2001). *Qualitative Marketing Research*. London: Sage.

Casper, J. D. (1972). *The politics of civil liberties*. Harper & Row.

Castañeda, E., & Jenks, D. (2023). January 6th and De-Democratization in the United States. *Social Sciences (Basel)*, 12(4), 238. <https://doi.org/10.3390/soesci12040238>

CBC. (2009, July 2). *UN Condemns Honduran Military Coup*. CBC News. <https://www.cbc.ca/news/world/un-condemns-honduran-military-coup-1.779012>

CBC. (2023, June 21). *At least 41 killed in riot at Women's prison in Honduras, officials say*. CBC News. <https://www.cbc.ca/news/world/honduras-prison-riot-1.6882902>

CBC. (2025, December 24). *After weeks of vote counting, trump-backed candidate wins Honduras presidential election*. CBC/Radio Canada. <https://www.cbc.ca/news/world/honduras-president-election-winner-nasry-asfura-9.7027947>

Cerda, A., & Pérez, C. (2015). The Struggle for the Meaning of Dissent: Toward the Social Deconstruction of Dissent as a Crime. *Latin American Perspectives*, 42(5), 186–197.

Chandler, D., & Munday, R. (2020). Interpretivism. In *A Dictionary of Media and Communication* (3rd ed.). Oxford University Press.

CIA. (2007, August 31). *Nicaragua under the Sandinistas: A Bill of Particulars*. United States Central Intelligence Agency. <https://www.cia.gov/readingroom/document/cia-rdp85m00363r000801790005-6>

CIVICUS Global Alliance. (2018, September 6). *Persecution of rural protest movement leaders continue as crisis deepens in Nicaragua*. <https://www.civicus.org/index.php/media-resources/news/3445-prosecution-of-rural-protest-movement-leaders-continue-as-crisis-deepens-in-nicaragua>

CIVICUS Monitor. (2019, October 8). Repression of peaceful assembly has become a pattern in Honduras. *Civicus Monitor Tracking Civic Space*. <https://monitor.civicus.org/explore/repression-peaceful-assembly-has-become-pattern-honduras/>

CJA. (2025). *Honduras*. The Center for Justice & Accountability <https://cja.org/where-we-work/honduras/>

Clegern, W. M., & Woodward, R. L. (2025). *Honduras-Political Turmoil*. Encyclopædia Britannica. <https://www.britannica.com/place/Honduras/The-20th-century>

Close, D. (2016). *Nicaragua: navigating the politics of democracy*. Lynne Rienner Publishers, Inc.

Colburn, F.D., & Cruz, S.A. (2012). Personalism and Populism in Nicaragua. *Journal of Democracy*, 23(2), 104-118.

Constitution of the Republic of Honduras. (1982). (As updated up until 2013). *Constitute Project*. https://www.constituteproject.org/constitution/Honduras_2013

Coleman, K. (2014). *Reforma constitucional en Nicaragua – Percepción pública a comienzos de 2014*. In Coleman, K., & Zechmeister, E.J., *Cultura política de la democracia en Nicaragua y en las Américas, 2014: Gobernabilidad democrática a través de 10 años del Barómetro de las Américas*. Vanderbilt University, USAID. https://www.vanderbilt.edu/lapop/nicaragua/AB2014_Nicaragua_Country_Report_V4_W_020316.pdf

Collins, J. (2024, February 18). *Ortega's marriage of inconvenience with Christian Evangelism in Nicaragua*. Ortega's Marriage of Inconvenience with Christian Evangelism in Nicaragua. <https://www.piratewireservices.com/p/ortegas-marriage-of-inconvenience>

Cornelius, W. A. (1984). *The electoral process in Nicaragua: domestic and international influences: the report of the Latin American Studies Association delegation to observe the Nicaraguan general election of November 4, 1984*. Latin American Studies Association.

Corrales, J. (2016). Can Anyone Stop the President? Power Asymmetries and Term Limits in Latin America, 1984-2016. *Latin American Politics and Society*, 58(2), 3–25. <https://doi.org/10.1111/j.1548-2456.2016.00308.x>

Corrales, J. (2018). *Fixing democracy: why constitutional change often fails to enhance democracy in Latin America*. Oxford University Press.

Cramer, E. E. (2024). *Honduran immigrants: EBSCO*. EBSCO Information Services, Inc. <https://www.ebsco.com/research-starters/social-sciences-and-humanities/honduran-immigrants>

Crandall, R. (2014). The Banana Wars, 1898–1930s. In *America's Dirty Wars* (pp. 109–126). Cambridge University Press. <https://doi.org/10.1017/CBO9781139051606.010>

Dabène, O. (2008). *Amérique Latine, les Élections contre la Démocratie?* Presses de Sciences Po.

Davison, P. (1998, May 27). *Ortega faces sex abuse case from his stepdaughter*. The Independent. <https://www.independent.co.uk/news/ortega-faces-sex-abuse-case-from-his-stepdaughter-1156496.html>

DeGrave, A. (2018). Women's resistance poetry in the long shadow of Honduras' 2009 coup d'état: counter-mapping a landscape of fear and marginalization. *Hispanic Journal*, 39(2), 55–79.

DeYoung, K. (1982, March 15). *Nicaragua Sets State of Emergency*. The Washington Post. <https://www.washingtonpost.com/archive/politics/1982/03/16/nicaragua-sets-state-of-emergency/ba25225a-81aa-4def-ae4f-fd802206032a/>

Diamond, L. (2008). The Democratic Rollback: The Resurgence of the Predatory State. *Foreign Affairs (New York, N.Y.)*, 87(2), 36–48.

Diamond, L. (2015). Facing Up to the Democratic Recession. *Journal of Democracy*, 26(1), 141–155.

Doran, M.C. (2010). Les effets politiques des luttes contre l'impunité au Chili : de la revitalisation de l'action collective à la démocratisation. *Revue internationale de politique comparée*, 17(2), 103-126. <https://doi.org/10.3917/ripc.172.0103>

Doran, M.C. (2016). *Le réveil démocratique du Chili : une histoire politique de l'exigence de justice : de la transition à l'Assemblée constituante (1990-2016)*. Éditions Karthala.

Doran, M.C. (2017). The Hidden Face of Violence in Latin America: Assessing the Criminalization of Protest in Comparative Perspective. *Latin American Perspectives*, 44(5), 183–206.

Doran, M.C. (2019). Le Rôle Politique de la Mémoire en Colombie et au Chili : Imaginaires, Mobilisations, Institutions. *Les ateliers de l'éthique*, 14(2), 43–75.

Doran, M.C. (2020). Criminalisation. *Anthropen : Le Dictionnaire Francophone D'Anthropologie Ancré dans le Contemporain*, 1-7. <https://doi.org/10.47854/FZIU2616>

Doran, M.-C. (2024). “Bukelism.” *El Salvador’s flawed approach to gang violence, is no silver bullet for Ecuador*. The Conversation. <https://theconversation.com/bukelism-el-salvadors-flawed-approach-to-gang-violence-is-no-silver-bullet-for-ecuador-223969>

Drisko, J. W., & Maschi, T. (2015). *Content analysis*. Oxford University Press. <http://dx.doi.org/10.1093/acprof:oso/9780190215491.001.0001>

Dye, D. R. (2004). *Democracy adrift: Caudillo politics in Nicaragua*. The Author.

Dyson, S. (1994). Polls Apart?: The 1990 Nicaragua and 1992 British General Elections. *The Political Quarterly (London. 1930)*, 65(4), 425–431. <https://doi.org/10.1111/j.1467-923X.1994.tb01556.x>

Earl, J. (2011). Political Repression: Iron Fists, Velvet Gloves, and Diffuse Control. *Annual Review of Sociology*, 37(1), 261–284. <https://doi.org/10.1146/annurev.soc.012809.102609>

Economist Intelligence Unit (EIU) Democracy Index. (2025, April 25). *Democracy in Latin America and the Caribbean: A Compilation of Selected Indices*. Library of Congress. <https://www.congress.gov/crs-product/R46016>

Ellis, E. (2022, August 29). *Nicaragua: Dictatorship and collaboration with extra-hemispheric U.S. rivals*. CSIS. <https://www.csis.org/analysis/nicaragua-dictatorship-and-collaboration-extra-hemispheric-us-rivals>

Ernst, J. (2021a, November 24). “*she’s the only option*”: *Hondurans hope Xiomara Castro can lead the nation in a new direction*. The Guardian. <https://www.theguardian.com/world/2021/nov/24/honduras-presidential-election-xiomara-castro-nasry-asfura>

Ernst, J. (2021b, November 28). *Honduras presidential election: A referendum on the nation’s corruption and Drugs*. The Guardian. <https://www.theguardian.com/world/2021/nov/28/honduras-presidential-election-juan-orlando-hernandez>

- Escalon, C., & Pérez, S. (2020, October 1). Hundreds of Honduran migrants set out for US amid pandemic. *CityNews Ottawa*. <https://ottawa.citynews.ca/2020/10/01/hundreds-of-honduran-migrants-set-out-for-us-amid-pandemic/>
- Esparza, D. (2024, January 29). Faithful suffer as so many priests exiled by Nicaragua gov't. *Aleteia*. <https://aleteia.org/2024/01/29/faithful-struggle-as-so-many-priests-exiled-by-nicaragua-regime>
- Euraque, D. (2019). La Configuración Histórica de las Élités de Honduras ante el Golpe de Estado del 2009. *Anuario de Estudios Centroamericanos*, 45(1), 19–48.
- Europa Publications. (2001). Nicaragua. In *A Political Chronology of the Americas* (pp. 166–171). Routledge. <https://doi.org/10.4324/9780203403068-27>
- Expediente Abierto. (2021, December 30). *Political violence against the peasants of the Nicaragua Resistance*. <https://www.expedienteabierto.org/political-violence-against-the-peasants-of-the-nicaragua-resistance/>
- Fasquelle, R. P. (2011). The 2009 Coup and the Struggle for Democracy in Honduras. In *NACLA report on the Americas (1993)* (Vol. 44, Number 1, pp. 16–21). Routledge.
- Feinberg, R. E. (2018). *Nicaragua: Revolution and restoration*. Foreign Policy at Brookings.
- Ferrucci, G. (2021). *Environmental activists are being killed in Honduras over their opposition to mining*. Faculty of Information & Media Studies. https://www.fims.uwo.ca/news/2021/environmental_activists_are_being_killed_in_honduras_over_their_opposition_to_mining.html
- FIDH. (2016, January 12). *Honduras: Human rights defenders between a rock and a hard place*. International Federation for Human Rights. <https://www.fidh.org/en/issues/human-rights-defenders/honduras-human-rights-defenders-between-a-rock-and-a-hard-place>
- Fitzi, G., Mackert, J., & Turner, B. (2019). *Populism and the Crisis of Democracy. Volume 2, Politics, Social Movements and Extremism*. Routledge.
- Francis, H. (2020). *A Nicaraguan Exceptionalism?: Debating the Legacy of the Sandinista Revolution*. (H. Francis, Ed.; 1st ed.). University of London Press.
- Frank, D. (2018). *The long Honduran night: resistance, terror, and the United States in the aftermath of the coup*. Haymarket Books.
- Freedom House. (1997, September 1). *Changes in the Armed Forces*. RefWorld. <https://www.refworld.org/reference/countryrep/irbc/1997/en/15931>
- Freedom House. (2007, April). *Nicaragua: Freedom in the World 2007*. <https://www.refworld.org/reference/annualreport/freehou/2007/en/52004>

Freedom House. (2014, September 8). *Nicaragua: Freedom in the World 2014*. <https://www.refworld.org/reference/annualreport/freehou/2014/en/101552>

Freedom House. (2016, June 29). *Honduras: Freedom in the World 2016*. <https://www.refworld.org/reference/annualreport/freehou/2016/en/110789>

Freedom House. (2017). *Honduras: Freedom in the world 2017*. Country Report. <https://freedomhouse.org/country/honduras/freedom-world/2017>

Freedom House. (2019). *Nicaragua: Freedom in the World 2019*. Country Report. <https://freedomhouse.org/country/nicaragua/freedom-world/2019>

Freedom House. (2020a). *Honduras: Freedom in the World 2020*. Country Report. <https://freedomhouse.org/country/honduras/freedom-world/2020>

Freedom House. (2020b). *Nicaragua: Freedom in the World 2020*. Country Report. <https://freedomhouse.org/country/nicaragua/freedom-world/2020>

Freedom House. (2021). *Nicaragua: Freedom in the World 2021*. Country Report. <https://freedomhouse.org/country/nicaragua/freedom-world/2021>

Freedom House. (2022). *Nicaragua: Freedom in the World 2022*. Country Report. <https://freedomhouse.org/country/nicaragua/freedom-world/2022>

Freedom House. (2024a). *Honduras: Country profile*. <https://freedomhouse.org/country/honduras>

Freedom House. (2024b). *Nicaragua: Freedom in the World 2024*. Country Report. <https://freedomhouse.org/country/nicaragua/freedom-world/2024>

Freedom House. (2024c). *The Mounting Damage of Flawed Elections and Armed Conflict*. <https://freedomhouse.org/report/freedom-world/2024/mounting-damage-flawed-elections-and-armed-conflict>

Freedom House. (2025a). *Freedom in the World 2025. Honduras*. New York: Freedom House. <https://freedomhouse.org/country/honduras/freedom-world/2025>

Freedom House. (2025b). *Freedom in the World 2025. Nicaragua*. New York: Freedom House. <https://freedomhouse.org/country/nicaragua/freedom-world/2025>

Freedom House. (2025c). *El Salvador: Freedom in the World 2025*. Country Report. <https://freedomhouse.org/country/el-salvador/freedom-world/2025>

Freedom House. (2025d). *Venezuela: Freedom in the World 2025*. Country Report. <https://freedomhouse.org/country/venezuela/freedom-world/2025>

Frías, J. M. (2025, March 3). Persecution of the opposition by Xiomara Castro's communist government in Honduras. https://www.europarl.europa.eu/doceo/document/E-10-2025-001287_EN.html

Front Line Defenders. (2018, July 13). *Several attacks against human rights defenders and journalists amid political crisis in Nicaragua*. <https://www.frontlinedefenders.org/pt/node/4523>

Front Line Defenders. (2020). Case history: Berta Cáceres. *Front Line Defenders*. <https://www.frontlinedefenders.org/en/case/case-history-bertha-c%C3%A1ceres>

Fuentes, C. (2025, May 9). *Nicaraguan refugees in Costa Rica Face renewed uncertainty amid cuts to support*. UNHCR. <https://www.unhcr.org/news/stories/nicaraguan-refugees-costa-rica-face-renewed-uncertainty-amid-cuts-support>

Gangotena, V. (2025, February 9). *The decline of democracy in Latin America: Challenges and trends in 2024*. King's Think Tank. <https://kingsthankeconomy.wordpress.com/2025/02/09/the-decline-of-democracy-in-latin-america-challenges-and-trends-in-2024/>

Gallón, N. (2018, September 4). How fractured is Nicaragua after months of protests? *CNN*. <https://www.cnn.com/2018/09/03/americas/nicaragua-months-of-turmoil/index.html>

Glavin, T. (2018, April 25). *The betrayal of Nicaragua and the Canadians who backed the country*. *Macleans*'s. <https://macleans.ca/news/world/the-betrayal-of-nicaragua-and-the-canadians-who-backed-it/>

García, M. M., Cottam, M. L., & Baltodano, B. M. (2019). The Contra war. In *The Role of Female Combatants in the Nicaraguan Revolution and Counter Revolutionary War* (1st ed., pp. 64–83). Routledge. <https://doi.org/10.4324/9780429030536-4>

Garretón, M. (2003). *Incomplete Democracy: Political Democratization in Chile and Latin America*. University of North Carolina Press.

Georgetown Journal of International Affairs. (2023, March 17). *Nicaragua on the brink: Protests, elections, and mass atrocity*. <https://gjia.georgetown.edu/2023/03/17/nicaragua-on-the-brink-protests-elections-and-mass-atrocity/>

Gill, S. (1998). New constitutionalism, democratisation and global political economy. *Pacifica Review*, 10(1), 23–38.

Global Justice. (2022, February 1). *Protection of democracy and human rights defenders*. <https://www.global.org.br/en/blog/programa/protection-of-democracy-and-human-rights-defenders/>

Global Witness. (2015, April 20). How Many More? <https://www.globalwitness.org/en/campaigns/environmental-activists/how-many-more/>

Global Witness. (2017, January 31). Honduras: The Deadliest Country in the World for Environmental Activism. <https://www.globalwitness.org/en/campaigns/environmental-activists/honduras-deadliest-country-world-environmental-activism/>

Global Witness. (2022, July 29). *Honduras: New faces, old challenges*. <https://globalwitness.org/en/campaigns/land-and-environmental-defenders/honduras-new-faces-old-challenges/>

Global Witness. (2023, March 2). *Remembering Berta Cáceres - Seven Years on, the Fight for Justice Continues. Land and Environmental Defenders*. <https://globalwitness.org/en/campaigns/land-and-environmental-defenders/remembering-berta-caceres-seven-years-on-the-fight-for-justice-continues/>

Global Witness. (2024, September 10). More than 2,100 land and environmental defenders killed globally between 2012 and 2023. <https://globalwitness.org/en/press-releases/more-than-2100-land-and-environmental-defenders-killed-globally-between-2012-and-2023/>

Golob, A. (2024). Nicaragua's new dictatorship: Impacts of authoritarian rule on the health sector and civil society. *Social Sciences & Humanities Open*, 9, Article 100878. <https://doi.org/10.1016/j.ssaho.2024.100878>

González Arana, R. (2009). Nicaragua. Dictadura y revolución. *Memorias (Barranquilla, Colombia)*, 10, 231–264. <https://doi.org/10.14482/memor.10.620.3>

Gooren, H. (2010). Ortega for president: the religious rebirth of Sandinismo in Nicaragua/Ortega, presidente: el renacimiento religioso del sandinismo en Nicaragua. *European Review of Latin American and Caribbean Studies*, 89, 47.

Gordon, T., & Webber, J. R. (2011). Canada and the Honduran Coup. *Bulletin of Latin American Research*, 30(3), 328–343. Haggard, K. & Kaufman, R. (1995). The Political Economy of Democratic Transitions. *Comparative Politics*, 29(3), 263–283.

Gordon, T., & Webber, J. R. (2013). Post-coup Honduras: Latin America's corridor of reaction. *Historical Materialism*, 21(3), 16-56.

Green, S. J. (n.d.). *Nicaragua*. Description of the Judicial System of Nicaragua. Center for the Administration of Justice. School of Public & International Affairs. <https://caj.fiu.edu/national-cj-systems/central-america/nicaragua/>

Hager, R. P. (1998). The origins of the “contra war” in Nicaragua: The results of a failed development model. *Terrorism and Political Violence*, 10(1), 133–164. <https://doi.org/10.1080/09546559808427448>

Hagopian, F., & Mainwaring, S. (2005). *The third wave of democratization in Latin America advances and setbacks*.

Hale, C. R. (1994). *Resistance and contradiction: Miskitu Indians and the Nicaraguan State, 1894-1987*. Stanford University Press.

Handlin, S. (2017). *State Crisis in Fragile Democracies: Polarization and Political Regimes in South America*. Cambridge University Press.

Hanemann, U. (2005, March). *Nicaragua's Literacy Campaign*. UNESCO. <https://unesdoc.unesco.org/ark:/48223/pf0000248254>

Harlow, S. (2010, June 29). *A year after the coup, Honduras Deadly for journalists*. LatAm Journalism Review by the Knight Center. <https://latamjournalismreview.org/articles/a-year-after-the-coup-honduras-deadly-for-journalists/>

Hasemann-Lara, A. E. (2024). Democracia y cultura política en Honduras, contextualizados en las publicaciones del Instituto Universitario en Democracia, Paz y Seguridad, Universidad Nacional Autónoma de Honduras. *Revista Pueblos y Fronteras Digital*, 19. <https://doi.org/10.22201/cimsur.18704115e.2024.v19.715>

Havana Times. (2025, September 23). *Transnational spying on Nicaraguans in exile denounced at UN*. <https://havanatimes.org/news/transnational-spying-on-nicaraguans-in-exile-denounced-at-un/#:~:text=Physical%20and%20digital%20surveillance,-The%20Group%20of&text=Some%20exiled%20Nicaraguans%20told%20the,the%20Government%2C%E2%80%9D%20it%20highlights.>

Hayes, M., Alfonso III, F., & Chowdhury, M. (2021, November 7). *Nicaraguans vote in fraught presidential election: Live updates*. CNN. <https://www.cnn.com/world/live-news/nicaragua-presidential-elections-2021-daniel-ortega/index.html>

Hércules Rosa, D. E. (2019). La democracia participativa en Honduras: La utilización del plebiscito y referéndum como mecanismos de participación ciudadana. *Revista "Cuadernos Manuel Giménez Abad,"* 17, 76–90.

Hernández, G. (2020). Inseguridad y poder político en el Triángulo Norte de Centroamérica. *Perfiles latinoamericanos: revista de la Sede Académica de México de la Facultad Latinoamericana de Ciencias Sociales*, 28(55), 143–169.

Hernandez-Roy, C. (2024, July 24). *Deteriorating religious freedom conditions in Nicaragua*. CSIS. <https://www.csis.org/analysis/deteriorating-religious-freedom-conditions-nicaragua>

Horton, L. R. (2013). From Collectivism to Capitalism: Neoliberalism and Rural Mobilization in Nicaragua. *Latin American Politics and Society*, 55(1), 119–140. <https://doi.org/10.1111/j.1548-2456.2013.00186.x>

Hove, N. (2024, December 1). *Extreme repression and the erosion of democracy under the Ortega regime in Nicaragua: Immigration and human rights law review*. Immigration and Human Rights

Law Review. <https://lawblogs.uc.edu/ihr/2024/12/01/extreme-repression-and-the-erosion-of-democracy-under-the-ortega-regime-in-nicaragua/>

Hu, C., Gallón, N., & Alberti, M. (2021, November 8). *Ortega wins again in Nicaraguan elections panned as “parody” by international observers.* CNN. <https://www.cnn.com/2021/11/07/americas/nicaragua-election-nov-7-intl-latam>

Humberto Suazo, J. (2024, October 29). *In Honduras, an ambitious presidency hits turbulence.* Americas Quarterly. <https://www.americasquarterly.org/article/in-honduras-an-ambitious-presidency-hits-turbulence/>

Human Rights Council. (2025, October 3). *Human Rights Situation in Nicaragua.* United Nations. <https://docs.un.org/en/A/HRC/60/92>

Human Rights Watch. (2010). *After the Coup Ongoing Violence, Intimidation, and Impunity in Honduras.* News Release. <https://www.hrw.org/report/2010/12/20/after-coup/ongoing-violence-intimidation-and-impunity-honduras>

Human Rights Watch. (2016, January 27). *World Report 2016: Rights trends in Honduras.* <https://www.hrw.org/world-report/2016/country-chapters/honduras>

Human Rights Watch. (2017). Honduras Events of 2016. *World Report 2017: Rights Trends in Honduras.* <https://www.hrw.org/world-report/2017/country-chapters/honduras>

Human Rights Watch. (2018, April 27). *Nicaragua: Protests leave deadly toll.* News Release. (2018, April 27). <https://www.hrw.org/news/2018/04/27/nicaragua-protests-leave-deadly-toll>

Human Rights Watch. (2019a, June 19). *Crackdown in Nicaragua Torture, Ill-Treatment, and Prosecutions of Protesters and Opponents.* <https://www.hrw.org/report/2019/06/19/crackdown-nicaragua/torture-ill-treatment-and-prosecutions-protesters-and>

Human Rights Watch. (2019b). *World Report 2019: Honduras Events of 2018.* <https://www.hrw.org/world-report/2019/country-chapters/honduras>

Human Rights Watch (2020a). Honduras Events of 2019. *World Report 2020: Rights Trends in Honduras.* <https://www.hrw.org/world-report/2020/country-chapters/honduras>

Human Rights Watch. (2020b). Nicaragua Events of 2019. *World Report 2020: Rights Trends in Nicaragua.* <https://www.hrw.org/world-report/2020/country-chapters/nicaragua>.

Human Rights Watch. (2023a). Nicaragua Events of 2022. *World Report 2023: Rights Trends in Nicaragua.* <https://www.hrw.org/world-report/2024/country-chapters/nicaragua>

Human Rights Watch. (2023b). Honduras Events of 2022. *World Report 2023: Rights Trends in Honduras.* <https://www.hrw.org/world-report/2023/country-chapters/honduras>

Human Rights Watch. (2024a). Honduras Events of 2023. *World Report 2024: Rights Trends in Honduras*. <https://www.hrw.org/world-report/2024/country-chapters/honduras>

Human Rights Watch. (2024b). Nicaragua Events of 2023. *World Report 2024: Rights Trends in Nicaragua*. <https://www.hrw.org/world-report/2024/country-chapters/nicaragua>

Human Rights Watch. (2025a). Honduras: Events of 2024. *UN-Backed International Commission, Legal Reforms*. <https://www.hrw.org/news/2023/06/09/honduras-strong-action-needed-corruption>

Human Rights Watch. (2025b, January 16). *World Report 2025: Rights trends in Nicaragua*. <https://www.hrw.org/world-report/2025/country-chapters/nicaragua>

Huntington, S. P. (1991). *The third wave: democratization in the late twentieth century*. University of Oklahoma Press.

Huntington, K. (2024, March 28). *The demise of democracy in El Salvador*. Political Science. <https://www.colorado.edu/polisci/2024/03/28/demise-democracy-el-salvador>

Inter-American Commission on Human Rights (IACHR). (2009). *Preliminary Observations on the IACHR Visit to Honduras*. <https://www.cidh.org/Comunicados/English/2009/60-09eng.Preliminary.Observations.htm>

Inter-American Commission on Human Rights (IACHR). (2012, June). *The criminalization of human rights defenders in Latin America An Assessment from International Organisations and European networks*. Organization of American States (OAS). https://www.ohchr.org/sites/default/files/Documents/Issues/Defenders/Answers/NGOs/Americas/Latin_America_FIAN.pdf

Inter-American Commission on Human Rights (IACHR). (2015, December 31). *Criminalization of the Work of Human Rights Defenders*. Organization of American States (OAS). <http://www.oas.org/en/iachr/reports/pdfs/criminalization2016.pdf>

Inter-American Commission on Human Rights (IACHR). (2018, June 21). *Gross Human Rights Violations in the Context of Social Protests in Nicaragua*. Organization of American States (OAS). <http://www.oas.org/en/iachr/reports/pdfs/Nicaragua2018-en.pdf>

Inter-American Commission on Human Rights (IACHR). (2021a, November 15). *IACHR condemns excessive use of force and repression against indigenous Mayan q'eqchi' people, journalists, and media outlets in El Estor, Guatemala*. Organization of American States (OAS). https://www.oas.org/fr/CIDH/jsForm/?File=/en/iachr/media_center/PReleases/2021/293.asp

Inter-American Commission on Human Rights (IACHR). (2021b, October 28). *IACHR publishes report on the concentration of power and the weakening of the rule of law in Nicaragua*. Organization of American States (OAS). https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/284.asp

Inter-American Commission on Human Rights (IACHR). (2022). *IACHR: Increased violence against human rights defenders during the first four months of 2022 makes it more urgent for states to protect their lives and work*. Organization of American States (OAS). https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2022/114.asp

Inter-American Commission on Human Rights (IACHR). (2025a, September 19). *Joint declaration on protecting the rights to freedom of peaceful assembly and of association from criminalization amid intensified existential threats*. Organization of American States (OAS). https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/expression/basic_documents/declarations/2025.asp

Inter-American Commission on Human Rights (IACHR). (2025b, July 10). *IACHR expresses concern over new violations of the right to nationality in Nicaragua*. Organization of American States (OAS). https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2025/137.asp

International Commission of Jurists (ICJ). (2015, April 10). *Honduras: Financial independence of the judiciary*. <https://www.icj.org/cijl/countryprofiles/honduras/honduras-judges/honduras-financial-independence-of-the-judiciary/>

International IDEA. (2024). *Honduras*. The Global State of Democracy Initiative. <https://www.idea.int/democracytracker/country/honduras>

International IDEA. (2025). *Nicaragua*. The Global State of Democracy. <https://www.idea.int/democracytracker/country/nicaragua>

International Service for Human Rights (ISHR). (2015, September 14). *The Situation of Human Rights Defenders-Honduras Briefing Paper for the Committee on Economic, Social and Cultural Rights*. International Platform against Impunity. <https://ishr.ch/defenders-toolbox/resources/honduras-oppression-against-economic-social-and-cultural-rights-defenders-must-end/>

International Service for Human Rights (ISHR). (2025, March 11). *Nicaragua: UN experts speak of final blow to rule of law*. <https://ishr.ch/latest-updates/nicaragua-un-experts-speak-of-final-blow-to-rule-of-law/>

Jarquín, M. (2024). The Nicaraguan Question in International Affairs. In *The Sandinista Revolution: A Global Latin American History* (pp. 145–168). University of North Carolina Press. http://www.jstor.org/stable/10.5149/9781469678511_jarquun.12

Joyce, M. (2009, June 30). *Political Tensions Escalate with Honduras Coup*. Royal United Services Institute. <https://www.rusi.org/explore-our-research/publications/commentary/political-tensions-escalate-honduras-coup>

- Joyce, R., & Sheptak, R. (2013, January 21). *Constitutional death spiral in Honduras*. Upside Down World. <https://upsidedownworld.org/archives/honduras/constitutional-death-spiral-in-honduras/>
- Kahle, A., & Cirhigiri, C. (2024, January 1). *The gatekeepers of democracy*. The gatekeepers of democracy – Work and digitalization. IPS Journal. <https://www.ips-journal.eu/work-and-digitalisation/the-gatekeepers-of-democracy-7266/>
- Kinzer, S. (1984, June 26). *Military Draft in Nicaragua is Meeting Wide Resistance*. The New York Times Archives. <https://www.nytimes.com/1984/06/26/world/military-draft-in-nicaragua-is-meeting-wide-resistance.html>
- Klein, G. R., Cuesta, J., & Chagalj, C. (2022). The Nicaragua Protest Crisis in 2018–2019: Assessing the Logic of Government Responses to Protests. *Journal of Politics in Latin America*, 14(1), 55–83. <https://doi.org/10.1177/1866802X211024246>
- Kovalik, D. (2018, December 7). *The Return of the Nicaraguan Contras, and the Rise of the Pro-Contra Left*. Counter Punch. <https://www.counterpunch.org/2018/12/07/the-return-of-the-nicaraguan-contras-and-the-rise-of-the-pro-contra-left/>
- Kovalik, D., & EBSCOhost. (2023). *Nicaragua: a history of U.S. intervention & resistance*. Clarity Press, Inc. <https://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=3554650>
- Krippendorff, K. (2013). *Content Analysis: An introduction to its Methodology* (3rd ed.). SAGE.
- Kruckewitt, J. (2021). U.S. Militarization of Honduras in the 1980s and the Creation of CIA-backed Death Squad. In N. Rodríguez & C. Menjívar (Eds.), *When States Kill* (pp. 170–197). University of Texas Press. <https://doi.org/10.7560/706477-009>
- Krujtit, D. (2011). Revolution and Counterrevolution: The Sandinista Government and the Contra War in Nicaragua, 1980-1990. *Desafios (Bogotá, Colombia)*, 23(2), 53–82.
- Karatnycky, A. (2000). Freedom in the World: The Annual Survey of Political Rights & Civil Liberties 1999-2000. *Freedom House*, 1-615. https://freedomhouse.org/sites/default/files/2020-02/Freedom_in_the_World_1999-2000_complete_book.pdf
- Kapiszewski, D., MacLean, L. M., & Read, B. L. (2015). *Field research in political science: practices and principles*. Cambridge University Press.
- Kapstein, E. B., & Converse, N. (2008). Why Democracies Fail. *Journal of Democracy*, 19(4), 57–68. <https://doi.org/10.1353/jod.0.0031>
- Kinosian, S. (2017, December 7). *Crisis of honduras democracy has roots in US tacit support for 2009 coup*. The Guardian. <https://www.theguardian.com/world/2017/dec/07/crisis-of-honduras->

democracy-has-roots-in-us-tacit-support-for-2009-coup

Klandermans, B. (2016). Social Movements and Political Action. In *Handbook of Research Methods and Applications in Political Science*. Cheltenham, UK: Edward Elgar Publishing, pp. 155-168.

Lakhani, N. (2019, June 5). Honduras deploys security forces as doctors and teachers demand president's resignation. *The Guardian*.
<https://www.theguardian.com/world/2019/jun/05/honduras-protests-teachers-doctors-president>

Lakhani, N. (2020). *Who killed Berta Cáceres?: dams, death squads, and an indigenous defender's battle for the planet*. Verso Books.

Landau, D. (2015, May 27). *Honduras: Term limits drama 2.0 - how the Supreme Court declared the Constitution unconstitutional*. ConstitutionNet. <https://constitutionnet.org/news/honduras-term-limits-drama-20-how-supreme-court-declared-constitution-unconstitutional>

Landau, D., Roznai, Y., & Dixon, R. (2019). Term Limits and the Unconstitutional Constitutional Amendment Doctrine. In *The Politics of Presidential Term Limits*. Oxford University Press.
<https://doi.org/10.1093/oso/9780198837404.003.0004>

Landman, T. (2002). Comparative Politics and Human Rights. *Human Rights Quarterly*, 24(4), 890–923. <https://doi.org/10.1353/hrq.2002.0050>

Lara Otaola, M. Á., & Kawas, G. (2021, July). The cost of politics in Honduras. Hanns Seidel Stiftung. *Westminster Foundation for Democracy*. https://www.wfd.org/sites/default/files/2023-04/cop_honduras_english_09.06.22.pdf

Latina, P. (2016, February 3). *Honduras: President Hernández Advocates for Constitutional Reform*. ConstitutionNet. <https://constitutionnet.org/news/honduras-president-hernandez-advocates-constitutional-reform>

Lawlor, M. (2020). Final Warning: Death Threats and Killings of Human Rights Defenders. *Human Rights Council, United Nations General Assembly*, 46(35), 1-23.

Lean, S. (2007) The Presidential and Parliamentary Elections in Nicaragua, November 2006. *Electoral Studies*, 26 (4), 828–832.

Leandro, H., & Valenciano, M.S. (2019). El Golpe de Estado en Honduras, 2009: Un Caso el Estudio de la Mediación Internacional. *Anuario de estudios centroamericanos*, 45(1), 133–149.

Lee, D. J. (2015). De-centring Managua: post-earthquake reconstruction and revolution in Nicaragua. *Urban History*, 42(4), 663–685. <https://doi.org/10.1017/S0963926815000577>

Lefranc, S. (2012). Amérique latine et reste du monde les voyages internationaux de la « justice transitionnelle. *Revue Des Droits de l'homme*, 2. <https://doi.org/10.4000/revdh.312>

- Legler, T. (2010). Learning the Hard Way: Defending Democracy in Honduras. *International Journal (Toronto)*, 65(3), 601–618.
- LeGrand, J., Van Isschot, L., & Riaño-Alcalá, P. (2017). Land, Justice, and Memory: Challenges for Peace in Colombia. *Canadian Journal of Latin American and Caribbean Studies*, 42(3), 259–276.
- Lembke, M., & Vargas Gamboa, N.V. (2024). Checks and Balances: Electoral Management Bodies as the Third Dimension of Accountability in Latin America. *Revista Uruguaya de Ciencia Política*, 33, e606. <https://doi.org/10.26851/rucp.33.13>
- Levitsky, S. (Ed.). (2016). *Challenges of party-building in Latin America*. Cambridge University Press.
- Levitsky, S., & Way, L. (2005). International Linkage and Democratization. *Journal of Democracy*, 16(3), 20–34.
- Levitsky, S., & Way, L. (2010). *Competitive Authoritarianism: Hybrid Regimes After the Cold War*. Cambridge, UK: Cambridge University Press, 3-36.
- Levy, J. (2022). Reluctant State Agents: Schoolteachers and Governing Authorities in Post-Coup Honduras. *Political and Legal Anthropology Review*, 45(2), 140–155.
- Linz, J. & Stepan, A. (1978). *The Breakdown of Democratic Regimes*. Baltimore: The Johns Hopkins University Press, 75.
- Linz, J. & Stepan, A. (1996). *Problems of Democratic Transition and Consolidation*. Baltimore, MD: Johns Hopkins University Press, 3-54.
- López, J. (2024, October 15). *Special series: Honduras' unexceptional state of emergency*. InSight Crime. <https://insightcrime.org/news/special-series/honduras-unexceptional-state-of-emergency/>
- Lopez-Mills, D. (2009, June 29). *Military coup in Honduras*. CBS News. <https://www.cbsnews.com/pictures/military-coup-in-honduras/>
- Main, A. (2014, May 3). *Honduras: The Deep Roots of Resistance*. Dissent Magazine. <https://www.dissentmagazine.org/article/honduras-the-deep-roots-of-resistance/>
- Mainwaring, S., Brinks, D., & Perez-Linan, A. (2001). Classifying political regimes in Latin America, 1945-1999. *Studies in Comparative International Development*, 36(1), 37–65. <https://doi.org/10.1007/BF02687584>
- Mainwaring, S., & Pérez-Liñán, A. (2013). Democratic Breakdown and Survival. *Journal of Democracy*, 24(2), 123–137.

- Magnusson, B. A., & Clark, J. F. (2005). Understanding Democratic Survival and Democratic Failure in Africa: Insights from Divergent Democratic Experiments in Benin and Congo (Brazzaville). *Comparative Studies in Society and History*, 47(3), 552–582. <https://doi.org/10.1017/S0010417505000253>
- Malkin, E. (2017, December 3). Huge protests in Honduras as contested Vote Crisis Escalates. *New York Times*. <https://www.nytimes.com/2017/12/03/world/americas/honduras-election-hernandez-nasralla.html>
- Mallory, B. (2024, September 11). *Social, civic, and Institutional Trust: Necessary Conditions for a pluralistic democracy*. Carsey School of Public Policy. <https://carsey.unh.edu/publication/social-civic-institutional-trust-necessary-conditions-pluralistic-democracy>
- Mani, K. (2021). Honduras: All-Purpose Militarization. In *Oxford Research Encyclopedia of Politics*. Oxford University Press. <https://doi.org/10.1093/acrefore/9780190228637.013.1824>
- Manrique Giacomán, G. A. (2025). Velásquez Rodríguez v. Honduras: The role of victims' legal representatives in shaping the Inter-American Court's evidentiary regime. *Deusto Journal of Human Rights*, (15), 229–255. <https://doi.org/10.18543/djhr.3016>
- Martí i Puig, S. (2015). Social Movements in Nicaragua (1979–2014): An Exceptional Case. In P. Almeida & A. Cordero Ulate (Eds.), *Handbook of Social Movements across Latin America* (pp. 301–311). Springer Netherlands. https://doi.org/10.1007/978-94-017-9912-6_21
- Martí i Puig, S. (2016). Nicaragua: De-democratization and Caudillism. *Revista de ciencia política (Santiago)*, 36(1), 239.
- Martí i Puig, S. (2019). Nicaragua: The Roots of the Current Crisis. *ReVista (Cambridge, Mass.)*, 18(3), 1–7.
- Martí i Puig, S., & Serra, M. (2020). Nicaragua: De-democratization and Regime Crisis. *Latin American Politics and Society*, 62(2), 117–136. <https://doi.org/10.1017/lap.2019.64>
- Matza, M. (2024, June 26). *Juan Orlando Hernández: Honduras ex-president gets 45 years for drug crimes*. BBC News. <https://www.bbc.com/news/articles/c2ee4j1e0g6o>
- McCain Institute. (2023, August 16). *A Civil Society Declaration of Democratic Principles on the Occasion of the 2023 Summit for Democracy*. McCain Institute. <https://www.mccaininstitute.org/resources/in-the-news/a-civil-society-declaration-of-democratic-principles-on-the-occasion-of-the-2023-summit-for-democracy/>
- McConnell, S. A., & Sullivan, H. (2025, February 17). *Nicaragua's revised constitution gives the president added powers*. Good Authority. <https://goodauthority.org/news/nicaragua-revised-constitution-gives-president-ortega-added-powers/>

- McGregor, L., & Nash, R. (2023, March 27). *Democracy wins when...* Research Triangle Institute (RTI). <https://www.rti.org/insights/strong-democratic-institutions-good-governance>
- Mejía Peralta, J. (2025, September 23). *UN: Democratic backsliding in Nicaragua - article 19*. Article 19. <https://www.article19.org/resources/un-democratic-backsliding-in-nicaragua/>
- Merrill, T., & Library of Congress. Federal Research Division. (1995). *Honduras: a country study* (3rd ed.). Federal Research Division, Library of Congress.
- McConnell, S. A. (2020). Nicaragua's Troubled Transition to Democracy. In *Oxford Research Encyclopedia of Politics*. Oxford University Press. <https://doi.org/10.1093/acrefore/9780190228637.013.1769>
- McConnell, S. A. (2024). Elite Collusion and Creeping Authoritarianism in Nicaragua: Lessons on Democratic Backsliding from an Outlier Case. *The Annals of the American Academy of Political and Social Science*, 712(1), 196–210. <https://doi.org/10.1177/00027162251320222>
- McPherson, A. L. (2006). *Intimate ties, bitter struggles: the United States and Latin America since 1945* (1st ed.). Potomac Books.
- Merino Menjívar, M. A. (2025). The (AB)uses of the constitutional amendment power in Nicaragua: 1987-2024. *Revista Derecho Del Estado*, 63, 131–160.
- Middeldorp, N. (2016). Minería, resistencia y represión en Honduras: entre la ley y la impunidad. *Cuadernos de Antropología (San José, Costa Rica)*, 26(2), 69–89. <https://doi.org/10.15517/cat.v26i2.26488>
- Miller, P. V. (1991). Which Side are You On? The 1990 Nicaraguan Poll Debacle. *Public Opinion Quarterly*, 55(2), 281–302. <https://doi.org/10.1086/269259>
- Millett, R. (1977). *Guardians of the dynasty: a history of the U.S.-created Guardia Nacional de Nicaragua and the Somoza family*. Orbis Books.
- Mora, M. J. (2021, November 5). Costa Rica has Welcoming policies for Migrants, but Nicaraguans face Subtle Barriers. *Migration Policy Institute*. <https://www.migrationpolicy.org/article/costa-rica-nicaragua-migrants-subtle-barriers>
- Morley, M. H. (1994). *Washington, Somoza, and the Sandinistas: state and regime in U.S. policy toward Nicaragua, 1969-1981*. Cambridge University Press.
- Morris, C. D. (2019). Ortega Faces a New Nicaraguan Opposition Movement. *Current History* (1941), 118(805), 62–67. <https://doi.org/10.1525/curh.2019.118.805.62>
- Müller, M. (2012). The Rise of the Penal State in Latin America. *Contemporary Justice Review: CJR*, 15(1), 57–76.

National Council in Defense of Our Land, Lake and Sovereignty. (2025). *Movimiento Campesino de Nicaragua*. Report of the Working Group on Forced or Involuntary Disappearances to the Human Rights Council in 2025. <https://www.ohchr.org/sites/default/files/documents/issues/disappearances/cfi/land-defense/subm-enforced-disappearances-context-cso-movimiento-campesino-nicaragua.pdf>

Neau, A. (2023a, December 3). *The state of exception in Honduras is endangering innocent lives*. Al Jazeera. <https://www.aljazeera.com/opinions/2023/12/11/the-state-of-exception-in-honduras-is-endangering-innocent-lives>

Neau, A. (2023b, December 11). *Honduras' "Bukele-like" security strategy is endangering everyone*. Amnesty International. <https://www.amnesty.org/en/latest/news/2023/12/honduras-bukele-like-approach-to-security/>

Neau, A. (2024, December 11). *Honduras' "Bukele-like" security strategy is endangering everyone*. Amnesty International. <https://www.amnesty.org/en/latest/news/2023/12/honduras-bukele-like-approach-to-security/>

Naseemullah, A. A., & Chhibber, P. K. (2024). *Populist Politics in Latin America and Europe*. In *Righteous Demagogues*. Oxford University Press.

NPR. (2024, January 15). *Nicaragua frees a jailed Catholic bishop and 18 priests, hands them to the Vatican*. The Associated Press. <https://www.npr.org/2024/01/15/1224758900/nicaragua-frees-a-jailed-bishop-and-priests-hands-vatican>

O'Boyle, B. (2021, October 14). *Could Honduras shift left? A look at Xiomara Castro*. Americas Quarterly. <https://www.americasquarterly.org/article/could-honduras-shift-left-a-look-at-xiomara-castro/>

O'Donnell, G., & Schmitter, P. (1986). *Defining Some Concepts (and Exposing Some Assumptions)*. In *Transitions from Authoritarian Rule: Tentative Conclusions About Uncertain Democracies*. Baltimore and London: Johns Hopkins University Press, 6-11.

OECD. (2023). *OECD Public Governance Reviews: Honduras: Inclusive and Effective Governance for Better Outcomes*. *OECD Public Governance Reviews*, OECD Publishing, Paris. <https://doi.org/10.1787/e6bda0b2-e>

OECD. (2024). *Trust and democracy*. Organization for Economic Co-operation and Development. *OECD Public Governance Reviews*, OECD Publishing, Paris. <https://www.oecd.org/en/topics/policy-issues/trust-and-democracy.html>

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2012, June). *The criminalization of human rights defenders in Latin America An Assessment from International Organisations and European Networks*. UN Report, OHCHR. https://www.ohchr.org/Documents/Issues/Defenders/Answers/NGOs/Americas/Latin_America_FIAN.pdf

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2018, March 12). *Honduras election protests met with excessive and lethal force*. UN Report, OHCHR. <https://www.ohchr.org/en/press-releases/2018/03/honduras-election-protests-met-excessive-and-lethal-force-un-report>

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2023, October 31). *Honduras National Protection Mechanism Must Address Violence, Smear Campaigns and criminalisation of Human Rights Defenders and journalists*. UN Expert, OHCHR. <https://www.ohchr.org/en/press-releases/2023/10/honduras-national-protection-mechanism-must-address-violence-smear-campaigns>

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2024, September 24). *Honduras: Murder of environmentalist Juan López, criminalisation of environmentalists and the role of corporations must be investigated*. UN Experts, OHCHR. <https://www.ohchr.org/en/press-releases/2024/09/honduras-murder-environmentalist-juan-lopez-criminalisation>

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2025a). *About human rights defenders-Special Rapporteur on human rights defenders*. UN Report, OHCHR. <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders>

Office of the United Nations High Commissioner for Human Rights (OHCHR). (2025b). *About democracy and human rights*. OHCHR. <https://www.ohchr.org/en/about-democracy-and-human-rights>

Olarte, M. (2014). Depoliticization and Criminalization of Social Protest through Economic Decisionism: The Colombian Case. *Oñati Socio-Legal Series*, 4(1), 139–160.

Olivares, J. (2017, December 3). Honduras on the Brink: Curfew Enforced by Military, Opposition Calls for New Election. *NPR*. <https://www.npr.org/sections/thetwoway/2017/12/03/568055171/honduras-on-the-brink-curfew-enforced-by-military-opposition-calls-for-new-elect>

Olson, A., & Morgan, L. (2009). Honduran coup highlights power of business elite, which felt betrayed by one of its own. In *The Canadian Press*. Canadian Press Enterprises Inc.

Organization of American States (OAS). (2009, June 28). *Oas Permanent Council condemns coup D'ETAT in Honduras, calls meeting of ministers and entrusts secretary general with carrying out consultations*. https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-214/09

Organization of American States (OAS). (2016, August 19). *Honduras, one of the most dangerous countries for human rights defenders – Experts Warn*. Inter-American Commission on Human Rights (IACHR). https://www.oas.org/en/iachr/media_center/press_releases.asp

Organization of American States (OAS). (2017, December 6). *Declaration of the OAS General Secretariat regarding the Presidential Elections in Honduras*. https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-090/17

Organization of American States (OAS). (2018). *First Stage of Repression April - June 2018*. <https://www.oas.org/en/iachr/meseni/lineaTiempo.asp>

Organization of American States (OAS). (2021, October 28). *IACHR publishes report on the concentration of power and the weakening of the rule of law in Nicaragua*. https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/284.asp

Organization of American States (OAS). (2024, July 23). *The SRFOE urges the state of Nicaragua to cease repressive actions against journalists*. News Release. https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/expression/media_center/preleases/2024/168.asp

Orozco, M. S. (2025, November 7). *Nicaragua - intervention, US, revolution*. Britannica. Foreign Intervention in Nicaragua in History. <https://www.britannica.com/place/Nicaragua/Foreign-intervention>

Otero Felipe, P. (2013). El Sistema de Partidos de Honduras Tras la Crisis Política de 2009.? El fin del Bipartidismo? *Colombia internacional*, 79, 249–287.

OVCD. (2025). “*Violence and Democracy: The Criminalization of Rights Defense in Latin America*.” SSHRC Team. Observatory on Violence, Criminalization and Democracy. <https://www.ovcd.org/sample-page/>

Panagi, K. (2023, November 12). *Democracy and participation: The cornerstones of a just society*. YourCommonwealth. <https://yourcommonwealth.org/peace-democracy/democracy-and-participation-the-cornerstones-of-a-just-society/>

Paolanti, M., & Saccoliti, F. (2025, February 18). *From democracy to dynastic rule?*. Verfassungsblog. <https://verfassungsblog.de/nicaragua-constitutional-reform/>

Pastor, R. A. (1990). The Making of a Free Election. *Journal of Democracy*, 1(3), 13–25.

Pateman, C. (2012). Participatory Democracy Revisited. *Perspectives on Politics*, 10(1), 7–19. <https://doi.org/10.1017/S1537592711004877>

PBI Honduras. (2020, February 6). *Social Justice, criminalized*. <https://pbi-honduras.org/en/news/social-justice-criminalized-0>

Peace Brigades International (PBI). (2021, January 1). *The Peasant Movement in exile*. <https://peacebrigades.org/en/news/peasant-movement-exile#:~:text=Image,years%20of%20repression%20and%20persecution.>

Pellegrini, S., & Pappalardo, A. (2023, December 6). *Fighting gangs under the state of exception in Honduras*. ACLED. <https://acleddata.com/2023/12/05/fighting-gangs-under-the-state-of-exception-in-honduras/>

Peñañiel, R. (2015). La criminalisation de la participation citoyenne par des conceptions consensualistes de la démocratie participative. *Revue québécoise de droit international*. <https://doi.org/10.7202/1067949ar>

Peñañiel, R., & Doran, M.C. (2017). New Modes of Youth Political Action and Democracy in the Americas: From the Chilean Spring to the Maple Spring in Quebec. In *Young People Re-Generating Politics in Times of Crises*. Palgrave Macmillan, pp. 349-373.

Pérez, O. J. (2015). Honduras: Military Coup and Constitutional Arrangements. In *Civil-Military Relations in Post-Conflict Societies* (1st ed., pp. 37–50). Routledge. <https://doi.org/10.4324/9781315815183-3>

Pérez, O. J., & Wade, C. J. (2023). Militarism, Authoritarianism and Corruption: Post-Coup Honduras and the Decline of Democracy. *Revista Latinoamericana de Opinión Pública*, 12(2), 147–177.

Perelló, L. (2025, November 24). *Honduras's election set to test its democracy*. Americas Quarterly. <https://www.americasquarterly.org/article/hondurass-election-set-to-test-its-democracy/>

Perrelló, L., & Navia, P. (2020, December 21). Nicaragua's Democratic backsliding. *The Political Studies Association (PSA)*. <https://www.psa.ac.uk/psa/news/nicaragua%E2%80%99s-democratic-backsliding>

Perspective Monde. (1981, January 1). *Création des Contras au Nicaragua*. *École de politique appliquée, Faculté des arts et des sciences humaines*. <https://perspective.usherbrooke.ca/bilan/servlet/BMEve/897#:~:text=Apr%C3%A8s%20l'arriv%C3%A9e%20C3%A0%20la,plus%20de%2030%20000%20morts>

Prevost, G. (1987). The “Contra” War in Nicaragua. *Conflict Quarterly*, 7, 3–21.

Puerta Riera, M. (2022, April 28). *Ortega's Grip on Power and the Demise of Democracy in Nicaragua*. Australian Institute of International Affairs. <https://www.internationalaffairs.org.au/australianoutlook/ortegas-grip-on-power-and-the-demise-of-democracy-in-nicaragua/>

Puig, S. (2010a). Daniel Ortega: Desintitucionalizar para Gobernar. *Mesoamérica (Antigua, Guatemala)*, 31(52), 5–33.

Puig, S. (2010b). The Adaptation of the FSLN: Daniel Ortega's Leadership and Democracy in Nicaragua. *Latin American Politics and Society*, 52(4), 79–106.

- Puig, S. (2019). Nicaragua: The Roots of the Current Crisis. *ReVista (Cambridge, Mass.)* 19.3, 1–7.
- Ramírez, S. (2005, November 18). *Nicaragua's hijacked democracy*. Open Democracy. https://www.opendemocracy.net/en/nicaragua_3041jsp/
- Ray, T. J. (2023). *Somoza is forced out of power in Nicaragua: Research starters: EBSCO research*. EBSCO. <https://www.ebsco.com/research-starters/history/somoza-forced-out-power-nicaragua>
- RefWorld. (1994, January 1). *Human Rights Watch World Report 1994 - Nicaragua*. UNHCR-The UN Refugee Agency. <https://www.refworld.org/reference/annualreport/hrw/1994/en/41231>
- Replogle, J., & McKinley Jr., J.C. (2006, November 6). *Ortega Builds Strong Lead in Nicaragua Vote*. The New York Times. <https://www.nytimes.com/2006/11/06/world/americas/06end-nicaragua.html>
- Revista Envío (1990, August). *After 100 Days: Still Three roads ahead*. Number 109. <https://www.revistaenvio.org/articulo/2624>
- Revista Envío (2006, November). *From “Governing from Below” To Governing Right Up at the Top*. Number 304. <https://www.revistaenvio.org/articulo/3438>
- Rispail, M., Landivar, M., Leyva, T., Merlo, M., & Henriquez, J. (2017). *Honduras: chemins en résistance: 2009-2017*. L’Harmattan.
- Roberts, J. M. (2008, January 15). *Nicaragua: Daniel Ortega's first year*. The Heritage Foundation. <https://www.heritage.org/americas/commentary/nicaragua-daniel-ortegas-first-year>
- Robles, F. (2024, August 19). *Nicaragua shuts 1,500 ngos, many of them churches* - The New York Times. https://www.nytimes.com/2024/08/19/world/americas/nicaragua-crackdown-ngos-churches.html?unlocked_article_code=1.EE4.LQwE.ZSCnjUO5qpFj
- Rocha, J. (2009) Daniel Ortega Now: el Retorno de Sí Mismo. *Iberoamericana (Madrid, Spain)*, 9 (33), 173–178.
- Rocha Gómez, J. L., & Roux, H. (2018, November 22). *Senseless repression gives a meaning to Nicaraguan rebellion*. Open Democracy. <https://www.opendemocracy.net/en/senseless-repression-gives-meaning-to-rebellion/>
- Rodriguez, J.M. (2010). De Cargos Ilegales al Golpe Militar en Honduras. En Joaquín A. Mejía R. et Víctor Fernández, ed. *El golpe de Estado en Honduras desde una perspectiva de los Derechos Humanos*, Tegucigalpa: Editorial Guaymuras, 50-84.

- Rodriguez, G. (2016). Protests in Honduras over murder of human rights leader. In *NotiCen: Central American & Caribbean Affairs* (Vol. 20, Number 13, pp. 1-). Latin American Data Base/Latin American Institute.
- Rodriguez, G. (2017). President's re-election bid embroils Honduras in political turmoil. In *NotiCen: Central American & Caribbean Affairs* (Vol. 21, Number 1, pp. 1-3). Latin American Data Base/Latin American Institute.
- Rodriguez, L. (2022, January 28). *Honduras swears in its first female president in history*. Global Citizen. <https://www.globalcitizen.org/en/content/honduras-first-female-president-xiomara-castro/>
- Rogero, T. (2025, November 27). *History of US intervention in Honduras*. The Guardian. <https://www.theguardian.com/world/2009/nov/27/us-honduras-coup>
- Rojas-Paez, G. (2014). Whose nature? Whose rights? Criminalization of Social Protest in a globalizing world. *Oñati Socio-Legal Series*, 4(1), 1–12.
- Rouquié, A. (1987). *The military and the state in Latin America* (P. E. Sigmund, Trans.). Berkeley: University of California Press.
- Rouquié, A. (1992). Modernisation et conflits armés. En *Guerres et paix en Amérique centrale* (pp.97-171). Seuil.
- Ruhl, J. M. (1996). Redefining civil-military relations in Honduras. *Journal of Interamerican Studies and World Affairs*, 38(1), 33–66.
- Ruhl, J. M. (2003). Civil-Military Relations in Post-Sandinista Nicaragua. *Armed Forces and Society*, 30(1), 117–139. <https://doi.org/10.1177/0095327X0303000105>
- Ruhl, J. (2010). Trouble in Central America: Honduras Unravels. *Journal of Democracy*, 21(2), 93–107.
- Ruhl, J. M. (2012). Post-Coup Honduras: The Limits of Stabilization. *Security and Defense Studies Review*, 13, 33-47.
- Ruiz, D. (2025, April 1). *The stunning loss Daniel Ortega never forgot*. Americas Quarterly. <https://www.americasquarterly.org/article/the-stunning-loss-daniel-ortega-never-forgot/>
- Ryan, G. (2018). Introduction to positivism, interpretivism and critical theory. *Nurse Researcher*, 25(4), 14–20. <https://doi.org/10.7748/nr.2018.e1466>
- Salomón, L. (2012, March 22). *Honduras: A history that repeats itself*. North American Congress on Latin America (NACLA). <https://nacla.org/honduras-history-repeats-itself/>

- Salomón, L. (2023). Honduras-The Militarisation of Politics or the Politicisation of the Military?: The Armed Forces in Times of Political Crisis, Corruption, Drug Trafficking and the COVID-19 Pandemic. In D. Kruijt & K. Koonings (Eds.), *Latin American Military and Politics in the Twenty-First Century* (1st ed., Vol. 1, pp. 166–178). Routledge. <https://doi.org/10.4324/9781003164784-14>
- Sanchez-Sibony, O. (2022). *Democracy without parties in Peru: the politics of uncertainty and decay*. Palgrave Macmillan.
- San Diego Union-Tribune. (2014, January 27). Juan Orlando Hernandez takes over as new president of Honduras. <https://www.sandiegouniontribune.com/2014/01/27/juan-orlando-hernandez-takes-over-as-new-president-of-honduras/>
- Schedler, A., Diamond, L. J., & Plattner, M. F. (1999). *The self-restraining state: power and accountability in new democracies*. Lynne Rienner Publishers.
- Schmidt, M. G. (2016). Regime Types: Measuring Democracy and Autocracy. In *Handbook of Research Methods and Applications in Political Science*. Cheltenham, UK: Edward Elgar Publishing, pp. 190-233.
- Schulz, D. S. (2018). *The United States, Honduras, And the Crisis in Central America* (First edition.). Taylor and Francis. <https://doi.org/10.4324/9780429495779>
- Schulz, D.E., & Graham, D.H. (2019). *Revolution and Counterrevolution in Central America and the Caribbean*. First edition. New York, NY: Routledge, Taylor & Francis Group. Print.
- Schwartz, R. (2025, December). *Why Honduras is facing election chaos*. Journal of Democracy. <https://www.journalofdemocracy.org/online-exclusive/why-honduras-is-facing-election-chaos/>
- Scott, J. M. (2020). Nicaragua: Polarization, Stalemate, and the Contra War. In *Deciding to Intervene* (pp. 152–192). Duke University Press. <https://doi.org/10.1515/9780822379423-007>
- Shiple, T. (2017). *Ottawa and empire: Canada and the military coup in Honduras*. Between the Lines.
- Seligson, M. A., & Booth, J. A. (2009). Predicting coups? Democratic vulnerabilities, the AmericasBarometer and the 2009 Honduran crisis. *Perspectivas desde el Barómetro de las Américas*.
- Sieder, R. (1995). Honduras: The Politics of Exception and Military Reformism (1972—1978). *Journal of Latin American Studies*, 27(1), 99–127.
- Sierakowski, R. J., & Project Muse. distributor. (2019). *Sandinistas: A Moral History*. University of Notre Dame Press. <https://muse.jhu.edu/book/71893/>

Sierra, O. (2019, July 5). Honduras: Exercising the Right to Protest has a High Cost for those who dare take to the streets. *Amnesty International-News*. <https://www.amnesty.org/en/latest/news/2019/07/honduras-ejercer-derecho-protesta-tiene-alto-costo/>

Skaaning, S. (2020). Waves of autocratization and democratization: a critical note on conceptualization and measurement. *Democratization*, 27(8), 1533–1542.

Sosa, E. (2015). The Movement Against the Coup in Honduras. In P. Almeida & A. Cordero Ulate (Eds.), *Handbook of Social Movements across Latin America* (pp. 313–326). Springer Netherlands. https://doi.org/10.1007/978-94-017-9912-6_22

Sosa, E., & Almeida, P. (2019). Honduras: A Decade of Popular Resistance: In 2009, a military coup ousted Manuel Zelaya and unleashed a decade of intensified neoliberalism, corruption, and repression. But as recent protests against the privatization of health care and education reveal, Hondurans have long continued the struggle. In *NACLA report on the Americas (1993)* (Vol. 51, Number 4, pp. 323–327). Routledge.

Speck, M. (2021, December 2). *Amid democratic disillusionment, can Honduras' historic election bring change?* United States Institute of Peace. <https://www.usip.org/publications/2021/12/amid-democratic-disillusionment-can-honduras-historic-election-bring-change>

Staten, C. L. (2010). *The history of Nicaragua*. Greenwood.

Stavrakakis, Y., et al. (2016). Contemporary Left-wing Populism in Latin America: Leadership, Horizontalism, and Post democracy in Chávez's Venezuela. *Latin American Politics and Society*, 58(3), 51–76.

Suazo, J. H. (2024, October 29). *In Honduras, an ambitious presidency hits turbulence*. Americas Quarterly. <https://www.americasquarterly.org/article/in-honduras-an-ambitious-presidency-hits-turbulence/>

Taft-Morales, M. (2019). Nicaragua: In Brief. *Current Politics and Economics of South and Central America* 12.2, 273–293.

Taylor-Robinson, M.M. (2009) 'Honduras: Una mezcla de cambios y continuidad', *Revista de Ciencia Política*, 29(2): 445–63.

Taylor-Robinson, M. M., Martí Puig, S., & Sánchez-Ancochea, D. (2014). Honduras. In *Handbook of Central American Governance* (1st ed., pp. 420–431). Routledge. <https://doi.org/10.4324/9780203073148-31>

Telleria, G. M. (2011). A Two-Headed Monster: Bicaudillismo in Nicaragua. *Latin American Policy*, 2(1), 32–42. <https://doi.org/10.1111/j.2041-7373.2011.00030.x>

Thaler, K. (2017). Nicaragua: A Return to Caudillismo. *Journal of Democracy*, 28(2), 157–169.

Thaler, K. M., & Mosinger, E. (2022). Nicaragua: Doubling Down on Dictatorship. *Journal of Democracy*, 33(2), 133–146. <https://doi.org/10.1353/jod.2022.0023>

Thede, N., & Institute for Research on Public Policy. (2005). *Human rights and democracy issues for Canadian policy in democracy promotion*. IRPP.

The Diplomatic Service of the European Union. (2025, July 8). *Human Rights Defenders*. [https://www.eeas.europa.eu/eeas/human-rights-defenders_en#:~:text=Human%20Rights%20Defenders%20\(HRDs\)%20are,and%20representatives%20of%20indigenous%20communities](https://www.eeas.europa.eu/eeas/human-rights-defenders_en#:~:text=Human%20Rights%20Defenders%20(HRDs)%20are,and%20representatives%20of%20indigenous%20communities).

The Goldman Environmental Prize. (2015, May 13). *Fighting for their lives: Exposing the growing violence against environmental activists*. <https://www.goldmanprize.org/blog/fighting-for-their-lives-exposing-the-growing-violence-against-environmental-activists/>

The Guardian. (2006, November 8). *Ortega wins Nicaraguan presidency*. Guardian News and Media. <https://www.theguardian.com/world/2006/nov/08/1>

The New York Times. (1982, October 31). *Nicaragua Blames U.S. for State of Emergency*. The New York Time Archives. <https://www.nytimes.com/1982/10/31/world/nicaragua-blames-us-for-state-of-emergency.html>

The Observatory for the Protection of Human Rights Defenders. (2016, December). Honduras Human Rights Defenders between a Rock and a Hard Place. *Fact-Finding Mission Report*. https://www.omct.org/site-resources/legacy/report_report_honduras_en_web2.pdf

The United States Government. (2021). Remarks by President Biden at the Summit for Democracy Opening Session. *The White House*. <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/12/09/remarks-by-president-biden-at-the-summit-for-democracy-opening-session/>.

Tilly, C. (2003). Inequality, Democratization, and De-Democratization. *Sociological Theory*, 21(1), 37–43.

Tilly, C. (2007). *Democracy*. Cambridge University Press.

Tinker, L. J. (1992). Report from Nicaragua, November 1991. *Peace Research*, 24(2), 67–76.

Telleria, G. (2011). A Two-Headed Monster: Bicaudillismo in Nicaragua. *Latin American Policy* 2.1, 32–42.

Torres-Rivas, E. (1996). Los Desafíos del Desarrollo Democrático en Centroamérica. *Anuario de estudios centroamericanos*, 22(1), 7–40.

Toussaint, E. (2018, July 26). *Nicaragua: The Story of the Daniel Ortega-Rosario Murillo Regime*. Committee for the Abolition of Illegitimate Debt. <https://www.cadtm.org/Nicaragua-the-story-of-the-Daniel-Ortega-Rosario-Murillo-regime>

Tyroler, D. (1986). Nicaragua: Report On Economic Costs of Contra War, 1980-1987. *University of New Mexico, UNM Digital Repository*. <https://digitalrepository.unm.edu/noticen/1111>

Tyroler, D. (1988). Nicaragua: Summary Of Human Costs of Contra War, 1980-1987. *University of New Mexico, UNM Digital Repository*. <https://digitalrepository.unm.edu/noticen/1268>

Uhlig, M. (1990, May 30). *In Managua, new rulers and never-ending battles (published 1990)*. The New York Times. <https://www.nytimes.com/1990/05/30/world/in-managua-new-rulers-and-never-ending-battles.html>

United Nations (UN). (1988, March 3). *Acuerdo de Sapoá*. United Nations, Peacemaker. <https://peacemaker.un.org/en/node/9013>

United Nations (UN). (1989, August 7). *Tela Declaration*. United Nations, Peacemaker. <https://peacemaker.un.org/en/node/9280>

United Nations (UN). (2004, April 1). *Fact Sheet No. 29: Human rights defenders: protecting the right to defend human rights*. United Nations. <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-29-human-rights-defenders-protecting-right-defend-human>

United Nations (UN). (2019, February 22). *Nicaragua: UN Rights Chief “deeply concerned” Over Increasing Criminalization of Dissenters*. UN News. <https://news.un.org/en/story/2019/02/1033371>

United Nations (UN). (2020, March 10). *Nicaragua: After two years of crisis, more than 100,000 have fled the country*. UN News, Global Perspective on Human Stories. <https://news.un.org/en/story/2020/03/1059051>

United Nations (UN). (2025a, September 23). *Nicaragua: UN experts warn of escalating repression reaching beyond borders*. OHCHR. <https://www.ohchr.org/en/press-releases/2025/09/nicaragua-un-experts-warn-escalating-repression-reaching-beyond-borders?sub-site=HRC>

United Nations (UN). (2025b, September 23). *Nicaragua: UN experts warn of escalating repression reaching beyond borders*. OHCHR. <https://www.ohchr.org/en/press-releases/2025/09/nicaragua-un-experts-warn-escalating-repression-reaching-beyond-borders?sub-site=HRC>

United Nations (UN). (2025c, October 6). *Nicaragua: Power concentrated, rights denied*. OHCHR. <https://www.ohchr.org/en/stories/2025/10/nicaragua-power-concentrated-rights-denied>

United Nations High Commissioner for Refugees (UNHCR). (2010, May 3). *Freedom in the world 2010 - Honduras*. RefWorld. Global Law and Policy Database. <https://www.refworld.org/reference/annualreport/freehou/2010/en/73587>

United Nations High Commissioner for Refugees (UNHCR). (2016, June 29). *Freedom in the world 2016 - Honduras*. RefWorld. Global Law and Policy Database. <https://www.refworld.org/reference/annualreport/freehou/2016/en/110789>

United Nations High Commissioner for Refugees (UNHCR). (2018, March 18). *Honduras Election Protests Met with Excessive and Lethal Force*. UN Report. The UN Refugee Agency. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22799&LangID=E>

United Nations High Commissioner for Refugees (UNHCR). (2020, March 10). *Two years of political and social crisis in Nicaragua force more than 100,000 to flee*. The UN Refugee Agency. <https://www.unhcr.org/news/briefing-notes/two-years-political-and-social-crisis-nicaragua-force-more-100000-flee>

United Nations Human Rights Office of the High Commissioner (OHCHR). (2018a, August). *Human Rights Violations and Abuses in the Context of Protests in Nicaragua 18 April – 18 August 2018*. https://www.ohchr.org/sites/default/files/Documents/Countries/NI/HumanRightsViolationsNicaraguaApr_Aug2018_SP.pdf

United Nations Human Rights Office of the High Commissioner (OHCHR). (2018b, March 12). *Honduras election protests met with excessive and lethal force*. UN Report. <https://www.ohchr.org/en/press-releases/2018/03/honduras-election-protests-met-excessive-and-lethal-force-un-report>

United Nations Human Rights Office of the High Commissioner (OHCHR). (2019, February 22). *Bachelet concerned about criminalization of dissent in Nicaragua*. <https://www.ohchr.org/en/press-releases/2019/02/bachelet-concerned-about-criminalization-dissent-nicaragua>

UN News. (2021, June 3). *Nicaragua must stop attacking and undermining human rights defenders*. United Nations. <https://news.un.org/en/story/2021/06/1093292>

UN News. (2023, March 2). *Crimes against humanity likely committed in Nicaragua, says independent rights probe*. United Nations. <https://news.un.org/en/story/2023/03/1134072>

United States Attorney Office Southern District of New York. (2024). Juan Orlando Hernandez, former president of Honduras, sentenced to 45 years in prison for conspiring to distribute more than 400 tons of cocaine and related firearms offenses. <https://www.justice.gov/usao-sdny/pr/juan-orlando-hernandez-former-president-honduras-sentenced-45-years-prison-conspiring>

U.S. Department of State. (2018). *2018 Country Reports on Human Rights Practices: Nicaragua*. <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/nicaragua>

U.S. Department of State. (2019). *2019 Country Reports on Human Rights Practices: Nicaragua*. <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/nicaragua>

- U.S. Department of State. (2022). Bureau of Democracy, Human Rights and Labor. *HONDURAS 2022 HUMAN RIGHTS REPORT*. <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/honduras/>
- Valenzuela, A. (1978). *The breakdown of democratic regimes, Chile*. Johns Hopkins University Press.
- Vanden, H. E., Castro, V., & Prevost, G. (1994). The 1990 Elections in Nicaragua and Their Aftermath. *The Hispanic American Historical Review*, 74(3), 526. <https://doi.org/10.2307/2517921>
- Velloso, J., & Paes, V. (2021). Introduction: Judicialization of Social Problems and Governance of Security in Comparative Perspectives. *Oñati Socio-Legal Series*, 11(6), 1260–1272.
- Walker, L.D., & Williams, P.J. (2010). The Nicaraguan Constitutional Experience Process, Conflict, Contradictions, and Change. In Miller, L., Aucoin, L., & United States Institute of Peace, *Framing the State in Times of Transition: Case Studies in Constitution Making*. United States Institute of Peace Press, (pp. 483-504).
- Wallis, J. (1990, May). *The gift of democracy*. Sojourners. <https://sojo.net/magazine/may-1990/gift-democracy>
- Walser, R. (2009). The Return of Manuel Zelaya and the Honduras Crisis: Time for a U.S. Policy Changes. In *Policy File*. The Heritage Foundation.
- Walsh, F. (2010). The Honduran Constitution is not a suicide pact: the legality of Honduran President Manuel Zelaya's removal. *The Georgia Journal of International and Comparative Law*, 38(2), 339–373.
- Walter, K. (1993). *The regime of Anastasio Somoza, 1936-1956*. University of North Carolina Press.
- Walters, V. A. (1985). *Situation in Nicaragua*. Digital National Security Archive - DNSA: Document Records.
- Wayland, J., & Kuniholm, M. (2016). Legacies of conflict and natural resource resistance in Guatemala. *The Extractive Industries and Society*, 3(2), 395–403.
- Weber, R. P. (1990). *Basic content analysis* (2nd ed.). SAGE.
- Webber, J., & Gordon, T. (2013). Post-Coup Honduras: Latin America's Corridor of Reaction. *Historical Materialism*, 21(3), 16-56.
- Wells, A. (2023). *Sandinistas are defeated in Nicaraguan elections*. EBSCO. <https://www.ebsco.com/research-starters/politics-and-government/sandinistas-are-defeated-nicaraguan-elections>

West, W. G. (1992). The Sandinista Record on Human Rights in Nicaragua. *Droit et Société*.
<https://doi.org/10.3406/dreso.1992.1170>

Williams, P. J. (1990). Elections and Democratization in Nicaragua: The 1990 Elections in Perspective. *Journal of Inter-American Studies and World Affairs*, 32(4), 13–34.
<https://doi.org/10.2307/166114>

Williamson, V., & Tenpas, K. D. (2025, June 5). *Can democracy exist without protest?*. Brookings.
<https://www.brookings.edu/articles/can-democracy-exist-without-protest/>

Woodward, R. L., & Moncada, R. (2025). Encyclopædia Britannica.
<https://www.britannica.com/place/Honduras/The-21st-century#ref1189302>

World Bank Group. (2024). The World Bank in Honduras. *World Bank: Country Overview*.
<https://www.worldbank.org/en/country/honduras/overview>

Zimmermann, M. (2000). *Sandinista: Carlos Fonseca and the Nicaraguan revolution*. Duke University Press. <https://doi.org/10.1515/9780822380993>

Zovatto, D. (2017, December 22). *Honduras: Reelection, institutional weakness, and threat to governability*. International IDEA. <https://www.idea.int/news/honduras-reelection-institutional-weakness-and-threat-governability>