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Inside Out: Confinement, Revolt and Repression in Nicaragua

October 3, 2018 · PoLAR, Series · [Leave a comment](#)

By [Julienne Weegels](#)

This Speaking Justice to Power installment focuses on the Americas, North and South, to foreground the divergent historical roots of the region's new authoritarianism, now being enacted through confinement practices in numerous states. A multi-part PoLAR conversation with Karina Biondi (APLA Book Prize winner 2017), Catherine Besteman (President Emeritus, APLA) and Orisanmi Burton, complements this Speaking Justice installment's focus on authoritarian practices of confinement and cauterization.

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Photo by Voice of America. A woman stands near a burning barricade holding the national flag of Nicaragua. April 20, 2018. Public domain.

Since 18 April 2018, the force deployed by the Sandinista state against a surge of popular protest has left over 400 dead, over 2,000 injured, and hundreds extra-legally detained, beaten, and disappeared.[1] This heavy-handed repression, the appearance of paramilitary, and the rampant numbers of illegal detentions now resulting in convictions for “terrorism,” all point to the long, yet well-hidden, hybrid nature of this state. It also reveals an increasingly authoritarian politics of cauterization and confinement that has long flown under the radar of scholarly attention, especially when it comes to Nicaragua’s reputed citizen security model and regional “safety.” Drawing on my analysis of the devolving realities and governance relations that permeated prison life during my extensive field research with prisoners and former prisoners (2009-2016), I suggest that a politics of cauterization long reserved for the “excludable” has now reached far beyond the prison system and into public view, criminalizing and attempting to confine political dissent. This process is contingent upon the defacement of the Sandinista state from within, largely by way of its (lethal) reaction to the student protests. The chain of events that this set in motion brought practices once veiled by public secrecy into the public eye, particularly the extralegal workings of the “Sistema”. It is here that the prison environment serves as a fruitful starting point for an exploration of what is happening in the country at present.

THE SANDINISTA STATE, EL SISTEMA, AND PUBLIC SECRECY

Within the Nicaraguan “belly of the beast” a system of governing powers operates through what prisoners colloquially refer to as “*el Sistema*.” This Sistema encompasses, concretely, the legal *sistema penal* (prison system) and *sistema judicial* (judiciary)—in other words, the criminal justice system—and, more abstractly, the relational system of state and non-



Photo by Jorge Mejía peralta. Massive peaceful demonstration in solidarity with the mothers of the murdered, disappeared, and detained by the Ortegaista dicadura. The protest was attacked by police and paramilitary forces, leaving 11 dead and a hundred injured. May 30, 2018. CC BY 2.0.

state political actors that are able to (legitimately) exert power over and through the state apparatus, including its executive, legislative, and governing institutions. According to prisoners, it is by the rules of the Sistema “that this country works.”[2] Through the Sistema, police and prison authorities systemically take

discretionary decisions and deploy extralegal force against prisoners to establish “*quién manda*” (who is in charge). It is also by way of the Sistema that prison authorities collude with groups of powerful prisoners to run prison’s interior and its extralegal markets. In this way, the Sistema represents at once the (legal) criminal justice system *and* an extralegal system of state power melded with political and criminal power, where mutual entanglements of (para)state and (para)criminal governance manifest in different configurations of state and non-state power on the ground. Akin to the “criminal governance networks” Arias (2006) describes, the Sistema produces co-governance arrangements between prisoner hierarchies and authorities that are indicative of a hybrid state (Jaffe 2013).[3]

The criminal justice system and the Sistema, which exceeds it, provide a valuable entry point into the workings of the Sandinista state. This hybrid state includes not only FSLN-militants, party (wo)men, and sympathizers, but also a hierarchy of state actors including congress(wo)men, police and military commanders, the electoral council, Supreme Court judges, mayors, lawyers and prosecutors. Within and through all of these actors, “ordinary” people stake claims, exercise civilian rights, and/or invest personal interests, establishing for themselves “*conectes*” (political connections) or “*palancas*” (spring boards) in case of need. Clearly, this implies a clientelist network of influence and affluence – and, perhaps obviously, such networks are prone to be arranged in an extralegal manner. Pivotal here is that the higher up one has *conectes*, the further one stands from the regulations that the ‘normal’ rule of law imposes. At the pinnacle of this hierarchy of (extralegal) powers and thus farthest away from the reach of the law, or rather *replacing* the law (as has occurred over the past years), stands president Ortega and the Sandinista state’s top tier. Without a doubt, and without his constituents challenging these logics, Ortega governs from a position beyond the law.

Still, even though this might appear obvious (or even obsolete), the Sandinista state *as a revolutionary project* depends on its self-presentation as law-abiding and civil for legitimation. Even with the politicization of state institutions and the creation of increasingly centralist and authoritarian governing structures, Ortega’s government (2007-present) has thus devoted much energy and attention to keeping the workings of its Sistema carefully hidden. In practice this has included the gradual closing-off of all public institutions from public scrutiny, as well as the consistent muzzling and ridicule of protest and

dissent. These tactics have created a climate of public secrecy (Taussig 1999). However, the practices of concealment the state depended upon were stretched beyond a breaking point when one of its key revolutionary promises was broken.

PROTEST, REPRESSION, AND DEFACEMENT



Photo by Jorge Mejia peralta. We Are the Voice march, September 23, 2018. CC BY 2.0.

The defacement of the Sandinista state occurred primarily upon a breach of its revolutionary promise to life, executed by its Sistema. This publicly revealed the most nefarious workings of the Sistema. It is pivotal here that it was not abuses of power or corruption scandals that galvanized street protests. The catalyst was the state's first lethal repression of unarmed dissent. Sandinista practices of remembrance evoke the revolutionary insurrection alongside notions of honor and sacrifice, insisting that a human life will not be lost in vain, much less to an authoritarian state. A life cut short will always claim justice.

On 19 April 2018 student protests erupted following the violent beating of elderly protesters by groups of FSLN-militants in both Managua and León as they protested a presidential decree for pension cuts and social security "reform". Consequently, the government deployed riot police to the cities.[4] These forces brutally cracked down on protesters, shooting two students, including a 15-year old high school boy. Yet instead of acknowledging the lives lost, president Ortega's wife, Vice-President Rosario Murillo, ridiculed the dead and the protesters by calling them "miniscule". The riot police remained on the streets and the students barricaded themselves into the universities. What followed was an unprecedented revolt as people poured into the streets to stand up for the fallen students against the "*estado asesino*" (assassin state). The police cracked down on them too, without mercy. Directly led by President Ortega, who is supreme chief of police, Ortega broke not only his promise to never again take up arms against the people, but also bloodied and betrayed the legacy of the Sandinista Popular Revolution. And I underline popular because it was at this point that the FSLN—for the first time in 40 years—lost control over the streets. Over the course of the next few weeks, public universities and city streets turned into battlegrounds where thousands of Nicaraguans claimed justice from behind erected roadblocks and barricades. During both the street protests and massive unarmed protest marches, the National Police shot to kill, leading to the assassination of dozens more young people.

Against this growing revolt and call for justice, one that saw people literally taking and standing their ground, Ortega began to successively cauterize the protesters by moving away from the initial “miniscule” label to accusing the protesters of being “right-wing vandals”, then “criminal groups,” then “*golpistas*” (coup-attempters), and, finally, “terrorists”. While the government initially agreed to participate in a National Dialogue with various opposition movements and mediated by the Catholic Church in order to negotiate an end to the violence (and possibly Ortega’s retreat), they simultaneously continued to attack the expanding street protest. Tanking the Dialogue and disregarding numerous international agreements, pronouncements, and condemnations, the Ortega-Murillo government finally put down its fist. They called for a “clean-up operation”. With the country paralyzed by the protests, they arranged for armed paramilitary groups to work alongside police in the take-down of the barricades, leaving protesters massacred across the country—and pushing the death toll to well above 400. With this bloody “triumph” over the barricades, the persecution, criminalization, and judicialization of mushrooming protest movements and *autoconvocados* (self-convened protesters) began in earnest. As of mid-August, dozens of (largely illegally) detained protesters are being processed under a newly passed anti-terrorism law, including participants in the National Dialogue.

CONCLUSION: A STATE UNHINGED



Photo by Jorge Mejía peralta. We Are the Voice march, September 23, 2018. CC BY 2.0.

With the mediated cauterization, execution, judicialization, and large-scale confinement of protesters, the government deployed every element of the Sistema. Previously, the Sandinista state’s politics of cauterization was directed at communitarian others: first and foremost those deemed “delinquent youth” (that is, mainly young boys and men from marginalized neighborhoods, held to be “destroying communities” by selling and using drugs).

When the politics of cauterization were limited to common “citizen security” paradigms, they were barely questioned (see Weegels 2018b). However, as the repressive and violent capacities of the Sistema reached *outside* of el Sistema to repress and threaten the innocent, the line between the “guilty” or the “criminal” and the “innocent” or “protester” was redrawn. While statements like “they were students, they weren’t delinquents” still emphasize a (supposed and continuing) moral distinction between the two, the successive labelling of protesters as “anti-communitarian delinquents” combined with the revelation of the most nefarious workings of the Sistema leaves many doubting whether those deemed “guilty” in the past have really been so guilty and whether the “innocent” were really so innocent. After all, the dehumanization and judicialization of dissidents (as “terrorists”) in a context of outright state terrorism powerfully demonstrates the ongoing biopolitical power of this hybrid state. By exerting this power over the life and death of its citizens, the Sandinista state seeks an absolute power over both its people and the “truth,” effectively reducing to an Agambian “bare life” anyone who dares to challenge it (2005). Yet the protests and their repression have in effect unhinged the state from within. The protests and state backlash have severed almost all existing co-governance relations once built on the localized sharing of power, and secrets so carefully hidden in order not to blemish the

“revolutionary project” have exploded into the public realm. With the Sandinista state largely delegitimized, protesters continue to exert their sovereignty, and their rights to life, even as the country remains in an undeclared state of siege. “*Patria libre para vivir!*” (a free fatherland to live), they call, alluding to but deliberately opposing the famous FSLN slogan “*Patria libre o morir!*” (a free fatherland or death). Whether that fatherland will be theirs for life and freedom, however, remains highly uncertain.



Julienne Weegels is a postdoctoral researcher with the Centre for Latin American Research and Documentation (CEDLA) at the University of Amsterdam. She has conducted extensive research inside and around Nicaragua’s prison system, working with prisoners and former prisoners of two facilities (a penitentiary and a police jail). Her research focuses on (former) prisoners’ experience of imprisonment and the state, of violence and ‘change of attitude’ – leading to her manuscript ‘Performing Prison: Power, Agency, and Co-Governance in Nicaraguan Prisons’. She is much interested in the politics of (dis)order, intimacy of power, and public secrecy. At present she is developing a research project on Nicaraguan practices of justice and sovereignty from below.

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[1] According to numbers issued by the *Asociación Nicaragüense Pro Derechos Humanos* (ANPDH, Nicaraguan Pro Human Rights Association) on 28 July 2018.

[2] Marlon (pseudonym), City Police Jail, 2016.

[3] I have written extensively about these co-governance arrangements in the Nicaraguan prison context (Weegels 2018a; forthcoming).

[4] FSLN-militants have been increasingly deployed by the government to intimidate and beat down (smaller, urban) protests over the past years, whereas riot police have been increasingly deployed to crack down on larger, rural protests (such as those against the planned interoceanic canal and those at the Mina Limón goldmine in 2015).

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