

THEMES AND DEBATES

The role of women in Nicaraguan history and their relationship to the Nicaraguan state

Maria Hamlin Zuniga, MPH; Ana Quirós Víquez

The struggle between the state on one hand, and democracy and society on the other, reflects the ongoing conflict between the rulers and the ruled, between governing and dialoguing, and especially between the government and its female citizens, between the government and those autonomous social movements that are not bound to any party, religious, or similar interests. This paper discusses how Nicaraguan women from such autonomous movements have managed to live and survive in the midst of these contradictions.

To govern people without regard to their sex, gender, race, or ethnicity is to ignore the needs of specific social groups and their ways of relating to power. This shortcoming has been recognized and efforts made to integrate this recognition into public policy. The majority of the theories about the State, however, are gender-blind. By not recognizing that women have needs that transcend class, ethnicity, and social group, “gender-blind” policies act as an instrument to reproduce discrimination and oppression of women.

Liberal doctrines conceive of the state as a “neutral arbitrator between competing interests” with a clear separation between the public and private (family, personal) spheres. It is within these spheres that demands for better educational opportunities, better work, women’s suffrage, equality in marriage, and property rights for women

are decided. This approach ignores the fact that women have different needs and require specific conditions to access and exercise their rights as citizens.

Marxists see the state as a “tool of domination and repression” controlled by capitalist classes, but do not take into account gender, nationality, or ethnicity; they are only interested in social class. The oppression of women is understood as a consequence of their class position, lack of property, and exclusion from the production process; gender is not taken into account.

In this paper, we will use Connell’s definition of the state as “an important vehicle for regulating sexual and gender oppression,”¹ which is a “process” linked to social structures and not a static mechanism. Its institutional structure is recognized as a “part of a larger social structure of gender relations.”² Connell views the state not as an actor outside of the prevailing gender structure, but as the very embodiment of those gender structures. The state plays a key role in perpetuating gender relationships and the centerpiece of that control is the exercise of power.

Women have been invisible in the history of Nicaragua; their role has been muted, their efforts ignored. This process began with the conquest, was maintained after independence, and continues today. We will briefly review the key steps of this history.

Corresponding Author: Maria Hamlin Zuniga, MPH
Affiliation: CISAS/People’s Health Movement, Latin America
Email: maria.hamlin.zuniga@gmail.com

Ana Quirós Víquez
Affiliation: CISAS/Movimiento Autónomo de Mujeres: Nicaragua
Email: ana@cisas.org.ni

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The end of the colony and Nicaraguan independence

It was 1821, and an independent Central America was being born. The nobility gathered in the Palace

¹ RW Connell, “The State, Gender, and Sexual Politics: Theory and Appraisal”, en *Theory and Society*, Volumen 19, 1990, p 510.

² *ibid.* P.509.

and discussed and argued. Dolores Bedoya, aware of the discussions and eager for freedom from Spain, decided to precipitate events by setting up an independence celebration. While the nobility debated, she organized musicians and fireworks. Suddenly, a lively crowd surrounded the Palace making noise and shooting off the fireworks. The nobility panicked, concerned the crowd would lynch them if they did not declare for independence. When they finally signed, it was more out of fear than conviction, cornered as they were by Dolores Bedoya and her entourage.

Today, when one talks about the independence of Central America, the credit is given to the Founding Fathers. This narrative erases the role of Dolores Bedoya and her compatriots, the real force behind the independence movement.

As early as 1811, Josefa Chamorro, one of the first fighters for Central American autonomy, had declared Granada to be independent. She was eager to banish the monarchy and spread republican ideas of independence and freedom. But the movement was crushed. Josefa Chamorro was jailed and sent to Honduras' Atlantic coast. History has silenced her name, which appears only on the back of the Independence Obelisk in Granada, erected to honor the heroes of 1811 and 1812.

With the arrival of independence, the "criollos" (wealthy individuals of mixed Spanish and Indian heritage) assumed the roles previously played by the Spaniards; this included marginalizing and oppressing women, denying them both education and suffrage. But women did not give up. They questioned authority and pushed for changes that would include them. They were present and active in the struggles to create democratic societies that recognized their needs and rights without discrimination. Their participation in political movements was gradually accepted, but only with an understanding that after the struggle was over, they would return to their domestic duties.

As society evolved the role of women changed in response to social needs. Access to education and participation in the labor market was typically limited to areas that were simply extensions of their role in the home: nurses, cooks, seamstresses, teachers, etc.

The struggle for women's suffrage and the Somoza dictatorship

More than anything else, it was the battle over women's suffrage that broke with traditional gender expectations of a woman's role in society. It was one of the first demands that directly touched on women's concerns. Suffrage meant the acceptance of women's rights as citizens to decide and choose.

It has been a long struggle. Its leader was Josefa Toledo Aguerra, a self-declared liberal feminist, she emphasized that she was "not a radical" as she did not think the role of the woman in the family should change. She was supported by a group of privileged women, some of whom had managed to enter non-traditional careers, such as engineering, medicine, journalism, and law. Many of these women were part of the women's wing of the Liberal Party (the party of the Somoza dictatorship); they could not imagine themselves uniting behind the Conservative flag that stated: "God, Order, and Justice." Nor could they adopt conservative positions, not just on the family and women, but also on the role of the Catholic Church.

The National Sovereignty Defense Army led by Augusto C. Sandino allowed women to join their ranks, but only in traditionally female roles: nurses, cooks, and mailroom attendants. They were not recognized in leadership roles or as equal participants in the struggle.

The fact that a group of liberal feminists were favorable to both the government and the Liberal Party proved damaging to the struggle for women's suffrage in Nicaragua. Somoza feared that most women were closer to the conservatives than liberals.

Women's voting rights were finally granted in 1956 in a decision taken by Somoza; women were supposed to be "eternally grateful" for this gift from the tyrant. This demand distorted and manipulated the feminist struggle and its struggle. It seemed as if the women's movement had simply been a tool of the dictator. On the other hand, Nicaragua finally joined El Salvador as two of the last countries to grant women suffrage. The last country was Paraguay, which gave women the vote in 1961.

The Nationalist Liberal Party organized women into two groups: suffragettes and women from the

elite were placed into the Women's Wing (*Ala Feminina*), poor and working class women – who often benefited from Somoza's "populist" policies and were therefore ready to defend the dictatorship) – were used to attack the regime's opponents. They acted as a substitute to the infamous National Guard (*Guardia Nacional*). Under the leadership of Nicolasa Sevilla, these women were organized into shock groups, violently attacking Somoza's opponents with complete impunity. The regime claimed it did not "control" these women and washed its hands of their actions. This same dynamic had been repeated in recent years by other political parties.

In 1944, another group of women organized *La Marcha de las Enlutadas* (The Mourners' March) to protest repression and murders in Nicaraguan universities. This protest did not arise from issues that were specific to women; it was a response to the tyranny of the dictatorship. The *Asociación de Mujeres por la Problemática Nacional* (National Association of Concerned Women), AMPRONAC, as it came to be known, later grew into a key organization in the resistance and opposition to the Somoza dictatorship.

In 1961, the *Frente de Liberación Nacional* (National Liberation Front; later *Frente Sandinista de Liberación Nacional, FSLN*) emerged. Its platform called for equality for women and many women were integrated into the Front early on; they even served in the military wing. Among the Latin American guerrilla movements, the FSLN was known for having the largest proportion of women members.

In the 1970's, AMPRONAC brought together not just middle-class women, but also poorer women. They demanded both better living conditions and equality. This group included the mothers and relatives of guerrilla fighters, murder victims, prisoners, and missing persons. It also fought for the rights of women.

The overthrow of the Somoza dictatorship

During the struggle against the Somoza dictatorship, women took on many different roles: they were health volunteers, carried mail, fought as guerrillas, directed military actions and mass

protests, kept the spirit of civil protest alive, communicated revolutionary ideas, and promoted solidarity. This activity was recognized after the revolution when women were given key positions in the interim government. Despite this, their standing in the new FSLN government remained ambiguous. On the one hand, Violeta Barrios de Chamorro is elected to the Governing Board simply because she is the widow of a well-known opposition leader who was assassinated by Somoza. On the other hand, the intrinsic merit of women is recognized when they are given the rank of Guerrilla Commander or are placed in key positions of power. This was the first time Nicaraguan society explicitly recognized the importance of the role played by women.

Things took a somewhat different course in the new military and police force. Women were expected to go home, or – at very least – leave military and police tasks to men and return to their "normal" lives. While their military participation is praised in official speeches, in practice more and more obstacles are placed in their way. Women are relegated to supportive roles as cooks, cleaners, and nurses. They are treated more harshly than men. Women who returned from the war as officers were expected to work harder than men in order to be promoted. Both men and women are told to behave "like men, not like little women."

For many feminists, this was a difficult issue that contradicted their personal rejection of violence. Nonetheless, in a country at war, the military plays a central role in the exercise of power. So from the start, we see women fighting for recognition, equality, participation, and changes in those laws and practices that hindered their full development.

During the 1980's a key element in this struggle was the widespread acceptance of the concept of "rights." Nicaraguan women in particular understood that they had the same rights as other citizens. In the years following Somoza's fall, several key steps were made that improved women's place in society. These included the law governing the relationship between mother, father, and

children,³ the recognition and protection of women's inherited assets, and the construction and staffing of kindergartens. Women now held positions of power in ministries, departments, and governmental authorities. Also, the *Asociación de Mujeres Nicaragüenses Luisa Amanda Espinoza* (the Luisa Amanda Espinoza Women's Association of Nicaragua, known as AMNLAE) pursued the agenda previously promoted by AMPRONAC. It brought together tens of thousands of women under the banner: "Without women's participation, there is no revolution."

Participation in community work, such as the National Literacy Campaign, mobilized tens of thousands of Nicaraguans to teach others how to read and write. Shortly after the Literacy Campaign ended, the *Jornadas Populares de Salud* (Peoples' Health Campaigns) were designed in such a way as to encourage women to get out of the house, to develop a deeper understanding of gender issues, and to foster values of equality and emancipation. While the work itself remained within the traditional structures (women as teachers and caretakers within the family), the Health campaigns exposed many women – particularly poor women from rural communities – to new ways of doing things. These Campaigns mobilized more than 100,000 people, 70% of them women.

When the Health Campaigns were being planned, the idea of integrating of women and facilitating their emancipation was an aspiration, almost a dream. Many years later, we heard the testimonies about the campaigns from women from remote regions. They related how their participation in the campaign "had removed a blindfold" and helped them to "shake off" their lethargy and the

domination of their husbands. Taking that step outside the home and into community work – valued highly by the communities and encouraged by the party and other power structures – proved to be a central event for many women who later became leaders in their communities and promoters of the participation of women.

International Solidarity

The Revolution generated unprecedented international solidarity, a movement that was both massive and diverse. The prominent public role played by women in the new Nicaragua attracted the attention of feminists in other countries, particularly leftist feminists. Disappointed by the subordinate role played by women in the so-called "socialist countries," they looked to Nicaragua with hope.

Feminist groups in the late 1970's and 80's experienced an international boom with the emergence of theories that incorporated analysis of gender identity, international conferences to discuss women's issues, and the declaration of the International Year and Decade of Women by the United Nations.

In Nicaragua, there was much discussion over the role of organizations like AMNLAE. Some felt that by excluding men from these organizations they were allowing men to have their own exclusive structures; they felt torn between membership in AMNLAE and participating in mixed organizations fighting for power. Many men felt threatened by a strong women's organization; they felt it gave a bad example to others (especially their partners at home).⁴ But the FSLN leadership was clear about the importance of fostering the participation of women, especially for the international support this brought. It is also true that part of the FSLN leadership felt this was right thing to do, even if they were not always happy with the practical consequences of recognizing gender equality.

During the contra war men were called up for active military duty and women increasingly filled

³ What came to be called the "food law" forced fathers to pay child support, even for children born out of wedlock. The debate over this law was intense as it equated stable common law unions with civil marriages. One consequence was that there was no longer any distinction between "legitimate" and "illegitimate" children. The law was strongly opposed by many men, even some in the FSLN, but it had the support of the Party, of women in decision-making positions, and even of some enlightened men.

⁴ In Nicaragua - as in other Latin American countries - men often have several households formed with different women. When pregnancies occur, the fathers do not want to accept financial responsibility for children born out-of-wedlock.

in the gaps they left. Similarly, as thousands of young men left their studies to fight, new possibilities opened for women, who now constituted the majority of university students. In this way they managed to complete their studies and then work as professionals.

The new laws regarding gender and the formal recognition of women's rights opened up possibilities for feminists within the FSLN. AMNLAE created a National Legal Office for Women; this played an important role in helping thousands of women to claim food stamps, regain custody of their children, and exercise other rights.

The Office soon realized that domestic violence was a major issue; many women were being abused by their husbands, common law partners, and even by casual partners. This recognition led to the first national study of domestic violence in Nicaragua (1983-84).⁵

The findings were alarming. They demonstrated that the house and the family were not the secure and romanticized places that one had thought. Nor were they intimate places to be "protected" or safe places where what happened remained private and should not be shared.

The publication of these results led to a storm of protest on the part of men (even among revolutionary men). The study made it clear that, regardless of social class, most Nicaraguan women had been victims of physical violence in the family, usually perpetrated by their partners. Sexual violence was not explicitly addressed by the survey, although it was mentioned. In the public debate, arguments were made that exposed just how limited the social acceptance of women's full rights was, especially when it came to areas considered private, like family.

These findings were explained away by evoking "Nicaraguan culture and its idiosyncrasies." Violence was just a "way of expressing affection," that women actually liked it, and hundreds of similar arguments that are repeated constantly around the world.

There were a number of somewhat original and, consequently, unexpected arguments. First, the problem lay with the survey itself; it only fostered discord between men and women, and therefore led to more violence. A second argument noted that while the country was under attack, any discussion about violence in the home distracted attention from the main enemy of the moment: US imperialism.

The national leadership of the FSLN considered this final point to be decisive and put an end to the discussion about domestic violence. Many women, especially feminists in the Party itself, were not satisfied with this. The Party expelled these women.

The Front's response might have been anticipated; several of the Front's leaders had histories of domestic violence, some of these were already public knowledge. Others cases were not revealed until years later; this was the case with Daniel Ortega. In fact, it was well known that Front leaders at all levels abused their partners, abandoned their daughters and sons, maintained several families at once, and avoided their paternal responsibilities. For the Party, any discussion of these issues seemed like opening a bottomless can of worms.

There were several reasons this issue surfaced when it did. The Nicaraguan women's movement had matured in terms of its understanding, analysis, and advocacy. The revolution had been in power for several years and women wanted to see their own struggle advance alongside that of the nation. At the same time, the deepening conflict with the US and with the internal Nicaraguan opposition meant that the participation of women was increasingly important.

Women, however, were not seen as decision makers, but rather as obedient labor. This was clear evidence that women's rights – not to speak of their emancipation – were not a priority for the government. The proclamations in favor of women's rights were just so much empty air. The road ahead was still a long one.

For feminists, this was hard lesson. Indeed, it had happened before during the Somoza dictatorship. *The interests of women were secondary and supported only when they aligned with the agenda of the party in power.*

⁵ The survey was coordinated by Vilma Castillo and María Lourdes Bolaños directors of AMNLAE's National Legal Office.

At the same time, the forced recruitment of young people for the war effort was growing less and less popular. Mothers did not want their children going off to fight. The internal opposition took advantage of the discomfort and distress of the mothers. In response, the FSLN looked for ways to channel the energy of mothers, organizing them, and using the symbolism attached to the mother figure; the views of the mothers themselves were not respected. Feminist organizations also worked to support to the war. AMNLAE, in particular, abandoned its defense of women's rights to concentrate on organizing the mothers of the heroes and martyrs, mothers of drafted soldiers, mothers of the disappeared, mothers of the disabled, mothers, mothers, mothers...

Abortion in the 1980's

It was only in the 1980's that any discussion of abortion began in Nicaragua. A regulation in the Penal Code – written in 1837 – allowed abortion if the life of the mother was in danger and a board of doctors approved.

Circumstances had changed since 1837. It was recognized that maternal mortality was a serious health problem as were unwanted pregnancies and unsafe (i.e. medically unsupervised) abortions. Suggestions were made to legalize abortion (as in Cuba) and to provide abortion services through the Public Health System.

The many arguments of women and feminists in favor of abortion's legalization or decriminalization are well known. They are based on public health considerations and the recognition of women's right to decide what happens to their bodies. The religious opposition to abortion argued that the majority of Nicaraguans were Catholics and thus against abortion. This was never clearly proven, and evidence shows that women of all faiths had clandestine abortions. Some argued that the Revolution already had enough problems with the Catholic Church and adding the legalization of abortion to the conflict would not help matters. In order to calm the situation, with particular regard for feminist concerns, it was stated that no women had been punished or arrested for having an abortion.

There was strong opposition to the decriminalization of abortion amongst the Front's leadership who felt that the revolution needed to replenish the dead and the revolutionary task of women was "to have more and more babies."⁶ This opposition was led by Daniel Ortega and Bayardo Arce, both from the FSLN leadership. This attitude was a bitter disappointment for the women in AMLAE, but they continued in their work.

The struggles against domestic violence and for the decriminalization of abortion offer us two clear examples of the ways in which women's interests were subordinated to those of Nicaragua's political parties, particularly those parties with hierarchical and authoritarian structures, such as the current FSLN. In hindsight, one could say that prejudice and the fear of ceding power played a key role in the positions taken by the Front. Compromise on these crucial issues might have created an opening in the Front's system of centralized control. If women created an example that others followed, the power of the Front's leadership would be endangered. Moreover, although it was not widely known at the time, Daniel Ortega had abused his stepdaughter from the age of 11 years old. She denounced this many years later, generating a controversy that continues to this day and will be dealt with later on.

Organizational spaces and the struggles of women during the 1980's

Women (together with certain male allies such as Commander Carlos Núñez), pushed for greater recognition and more institutional support. The drafting of a new Constitution offered some hope; the massive participation by women in each local council and constitutional consultation was encouraged. A National Women's Council was proposed. This Council would address the multiple issues affecting Nicaragua's women: equality of rights, the end to impunity for perpetrators of

⁶This quote is from a speech made at the National Women's Assembly in September 1987 by Bayardo Arce. This position was reiterated on numerous occasions by Bayardo Arce and Daniel Ortega, both leaders of the Revolution and governing party.

domestic violence, legalization of abortion, and many other issues. At the same time, there was a movement to create women's offices in each of the popular revolutionary organizations. These offices would work in coordination with AMNLAE.

This was also a moment when Nicaraguan women were acquiring an increasing international presence and recognition. They could now draw on the ideas and experiences of other feminists. This also brought them political and financial support. On the other hand, there were always women who felt that their place was within the Party and that their gender interests should be sidelined in the "best interests of the revolution."

A group of transgressive feminists decided to organize the *Partido de la Izquierda Erótica* (the Erotic Left Party). This was not really a serious electoral party; rather it was an attempt to challenge the *status quo*. PIE argued that women should make their own decisions and work on their own issues, not merely execute the designs of their superiors.

Other feminists who felt alienated by the official structures and/or who were unwilling to give up on the Front searched in new directions. The result was independent collectives such as the *Centro de Mujeres Ixchen* (Ixchen Womens' Center) and the *Colectivo de Mujeres de Matagalpa y Cenzontle* (Matagalpa and Cenzontle Women's Collective).

Many women were torn by strong internal conflicts. They were caught between their feminist views and their role in the Revolution. They wanted to rebel against the Front's hierarchy and double standards, to point out mistakes, contradictions, and gaps, and they wanted to push the envelope. Of course, this meant the difficult decision to postpone their own demands in order not to "attack the revolution" or "support to the counterrevolution."

The discussions in the party and government continued, but were put on hold when early elections were announced for February 1990.

In hindsight, we can ask, what could have been done better? What could the various organizations have done to achieve more change? The answers to these questions are not simple. Among the forces linked to the revolution, there were not many allies; quite the contrary, they were only certain individuals in key positions. Most of the mass

organizations (as they were called back then) faithfully reproduced the Front's hierarchical and centralized party structure. Indeed, they were thought of simply as part of the government.⁷

The elections of the 1990's and their implications for women

The 1990 elections were dominated by two competing images: the "fighting cock" (prototype of the powerful, bold, and conquering male) against the "widow", the impeccably pure housewife (Violeta Barrios de Chamorro), who knew nothing of politics but wanted to do "the right thing." It was the fighter versus the pacifist; the loving grandmother versus the "proven leader." The choice was clear and the results overwhelming. Barrios won 55% of the vote; Daniel Ortega 41%.

Violeta Barrios de Chamorro, with her friendly image as the understanding, talkative, naive but firm grandmother, received the majority of women's votes. Women voted for her even though she did not represent an independent choice and did not address women's rights in her platform. In fact, she defended conservative positions.

For those who had supported or were members of FSLN, a period of "mourning" began. Some retreated to their homes. Others needed to find a way simply to survive. For politically engaged women, especially for feminists, this was clearly a time to mourn. But it was also a time to redefine what they were doing, now with a bit more freedom. It was now time to resume long-postponed debates, especially concerns about the way women's groups had been organized and managed.

New NGOs and groups emerged. Some fought for women's rights; others sought to give new life to the programs promoted in the 1980's by targeting adult education, health, organization, etc.

⁷The only attempt during the 80's of organize this community was repressed by the government in various ways. Individuals faced lengthy interrogations by security forces, they were dismissed from public institutions, they and their families were harassed, and they were forced to leave the armed forces.

Feminists within the Sandinista ranks demanded a serious discussion of AMNLAE's structure, its relationship with the party, and the autonomy of the various women's centers and women's offices that were part of mass organizations. They wanted to discuss holding elections and involving as many women as possible in defining the future of AMNLAE. The Front showed no interest in these demands and appointed a widely respected female revolutionary, Doris Tijerino (one of the first female guerrillas and former Police Chief) as Secretary General of AMNLAE. Unfortunately, the new Secretary General had little experience working with women's groups and continued the traditional vertical command structures. The discussion was over, and – once again – the Front showed itself to be both anti-democratic and narrow-minded. There had been a proposal to reform AMNLAE which garnered broad support. The Party, however, was more interested in maintaining “control” even though it no longer controlled the government and the winds of change were blowing.

Various women's organizations and groups now came together to counter neoliberal measures to reduce the role of the State, cut welfare benefits, and eliminate some key women's programs such as the childhood development centers, the promotion of women's employment, educational subsidies, and various public health programs. At the same time, they discussed how to remain organized and carry out active resistance.

It was now 1991, a time of riots and strikes. High-level meetings were arranged to discuss power-sharing arrangements. On March 8, a celebration was planned honoring Nicaragua's first female Head of State. AMNLAE prepared its assembly and excluded independent feminists.

In response, the excluded feminists choose to organize their own International Woman's Day and declare their independence from AMNLAE. The *Festival del 52%* was organized; its name reflected the percentage of the population who were women. This festival broke down certain psychological barriers and laid the foundation for the future Nicaraguan women's movement.

This was a moment when protests meant closing streets, burning tires, and denouncing the

government. The Festival, however, was designed as a “celebration” of both International Women's Day and of the struggle of Nicaragua's feminists. The organizers acted without permission from the Front. The Festival was an opportunity to show off their diversity, the variety of their activism, their culture, and their demands. However, the key fact was that the Festival was carried out independently of AMNLAE and against the orders of the Front. It was the first public declaration by women's organizations of their autonomy from the government, the political parties, and the clergy.

At the AMNLAE Assembly a decision was made not to provide autonomy and resources to women's centers in more than 50 territories. As a result, three major women's groups in Managua decided to separate themselves from AMNLAE and function autonomously.

AMNLAE at this point was facing important losses. Over the long term, its submission to the Front's dictates seemed to be political suicide. Nonetheless, AMNLAE served as a meeting space for the women's offices, alternative centers, and those women who identified with AMNLAE, but did not join. It was no longer “the” women's organization, joining what would be called the Broad Women's Movement. Despite this, its membership continued to come primarily from women who considered themselves Sandinistas.

Despite having declared that she was not a feminist and having promoted a series of measures that had negative effects for women and their organizations, the government of Violeta Barrios de Chamorro nonetheless recognized women's groups and their NGOs and dialoged with them. This dialogue was, however, quite limited. The demands and proposals of the women's groups were largely ignored and the Catholic Church – with its oppressive, ultraconservative attitudes – continued to exercise enormous influence in the new government.

A slightly different situation existed in the National Assembly. The alliance that brought Violeta Chamorro to the Presidency was too weak to pass any of its own legislation. Important laws for women and human rights were approved, including a reform of the Penal Code (Law 150). For the first

time the law explicitly punishes violence against women, sex crimes, corruption, prostitution, and human trafficking, among other crimes. Unfortunately, it also introduces an article that punishes “sodomy.” The law was worded in such a way as to seemingly include sexual education, reflecting an archaic view of homosexuality.⁸

The influence of women's organizations on the government led to the appointment of the first Commissioner for Women, the strengthening of the Nicaraguan Women's Institute (INIM) which gained a measure of autonomy, as well as the creation of the National Council Against Violence, the National Health Council, the National Commission Against Maternal Mortality, and – in 1995 – the Health Ministry decree declaring domestic violence to be a public health problem.

This was a busy time for women activists. Many meetings were held to discuss how best to organize, struggle, manage priorities, and relate to the government. People did not always agree. To some extent, this was to be expected; for nearly a decade women had gathered around a single force and vision, that of the Front. The 1990's gave them the opportunity to redefine themselves and this meant a period of time for everyone to claim their own space and independence. There was an explosion of women's organizations at all different levels: national, regional, global, and issue specific. Despite the differences, unity in action never stopped being a shared aspiration, although it was not always possible.

Relations with the Front evolved from one of submission to one of critical collaboration. Some groups remained subordinated to the Front, particularly AMNLAE and some women's secretariats, although even they were increasingly independent.

Many women and particularly feminists saw an opportunity to influence and participate in Front's decisions in the National Congress in 1994. They advocated for two things: a minimum 40% quota for

women in leadership positions and the appointment to those positions of women who will be outspoken in the fight for women's rights both within the Front and without.

The quota was approved, but the “outspoken” women were not appointed. Instead, nominees had to agree to submit to and accept all party decisions without question. Yet again, women are used to promote an image of democracy without a real acceptance of their demands. After this experience, many women lost hope that things would ever change within the Front.

From 1997 to 2006

The Violeta government left power in January 1997 and was replaced by the government of Arnoldo Alemán. Alemán came from a well-established party, the Partido Liberal Constitucionalista, which was strongly supported by the Catholic Church hierarchy and even some evangelical churches (thanks to various religious tax perks and benefits).

Initially, a Superministry of the Family was created as a concession to the Catholic hierarchy for its electoral support. This ministry would absorb the Institute for Women. It was granted extensive powers in the area of social reproduction and ideological control. Women's organizations felt endangered by the new Superministry and opposed it from the outset.

One sector of the women's movement wanted to engage with the government and fight for changes in public policies and it convoked a national women's dialogue. The dialogue promoted the idea that women's issues were not limited to violence and sexual/reproductive health; their concerns touched on all aspects of national life.

Unfortunately, none of the proposals emerging from this dialogue were implemented because of the pact negotiated between Arnoldo Alemán and Daniel Ortega. While the pact dealt mainly with land ownership, it also covered broader issues of

⁸ Various groups introduced a motion before the Supreme Court to declare this article unconstitutional. They never received an answer, nor was this article ever used to punish anyone. It was removed in the 2008 Penal Code.

constitutional reform that would progressively dismantle the country's institutional structures.⁹

Under the Violeta Government, women's organizations were not exactly supported, but they had space to think and could advocate with some success. Under Arnaldo Alemán, this was more difficult. His Presidency was characterized by corruption, alliance with the Catholic hierarchy, negotiations with the Front, disregard for human rights (especially those of women), authoritarianism, and persecution of those who criticized or opposed his orders.

NGOs were the first to experience Alemán's displeasure when he attempted to reform Law 147, which regulated their operations. Most of the NGO's had been created by those in opposition to Alemán. They now faced new, punitive taxes and other forms of persecution.

The women's movement continued its work. As noted by Cuadra and Jiménez: "the main events of this period were a growing autonomy from the Front, the creation of a collective identity and common meeting spaces, and an agenda that conferred legitimacy to the movement's defense and promotion of women's rights. This was not an easy nor a straightforward ride."¹⁰ From 1997 until today, the movement has remained constant political force, critical of the government and its decisions affecting women, including those that harm democracy in general.

Accusations of sexual abuse against Daniel Ortega

In March 1998, Nicaragua was shaken by the news that Daniel Ortega's stepdaughter reported her stepfather had sexually abused her since age 11.

⁹The constitutional reform reduced the percentage of votes needed to become President from 40 % to 35 % and specified how governmental posts would be divided between the majority parties. This created a two-party system which put minority groups and emerging political forces at a tremendous disadvantage.

¹⁰Cuadra, Elvira y Jiménez, Juanita, *El movimiento de mujeres y la lucha por sus derechos en Nicaragua, Movimientos sociales y ciudadanía en Centro América*, 1ª Edición, CINCO, 2010. page 19.

This had occurred with the complicity of her mother. The news particularly affected women's organizations; those, who were sympathetic to the Front, now faced a dilemma: either they believed the abuse survivor (a position they had always supported) or they believed the perpetrator, the main party leader. The result was a division between those who demanded that Ortega be taken to court and those who preferred to turn a blind eye. The accusations strengthened the alliance between Ortega and Alemán, and they tried various methods to gain immunity for Ortega. For women and feminists, this alliance demonstrated just how men collaborated to undermine women's demands.

The road taken to obtain justice for Zoylamérica has been long and tortuous despite the support of women's organizations and the human rights community. No formal investigation was undertaken by Nicaraguan authorities; Ortega, a member of Parliament, was considered immune despite the fact he had never participated as a deputy. Several years after Zoylamérica's original statement, the courts and the Nicaragua parliament conspired to vacate her charges based on the Statue of Limitations. The National Assembly lifted Ortega's immunity and shortly afterwards a judge declared Ortega innocent. This meant that all national legal remedies were exhausted despite the fact that the charges had never even been investigated.

The Inter-American Court, however, agreed to hear the complaint and decided that the Nicaraguan government had not properly handled the case, thus denying Zoylamérica due process and just treatment. The court ordered the government of Enrique Bolanos to resolve the matter.

The matter was still pending when Daniel Ortega was re-elected President in 2006. Zoylamérica finally decided not to pursue her complaints, although she maintained her allegations that she had been abused and raped by Daniel Ortega. The charge was serious, and Daniel Ortega did everything he could to evade justice despite the implicit recognition of the crime by the Inter-American Court and his own government. In the end he did not have to respond to the charges and was re-elected to the President, further evidence that violence against women is socially acceptable.

Hurricane Mitch and the role of civil society

1998 was also the year that Hurricane Mitch claimed thousands of lives and caused enormous destruction both in Nicaragua and throughout Central America. The government showed its disregard for the lives of the impoverished population, leaving thousands of families already affected by the destruction and the death of their relatives to fend for themselves. It was the civil organizations who cared for them, especially women's organizations.

Given the government's attitude, criticism was swift. Corruption was rampant and the collusion between government and Catholic Church was patent. The persecution and harassment of the civil society organizations begins. For the first time, migrants are persecuted. Organizations, which had relied on state funding, were now cut off by the Ministry of the Interior and the General Directorate of Revenue.

Women's organizations and women leaders were the principal targets of this persecution. The union between the liberals and the Sandinistas grew stronger. Despite – or perhaps because of – these challenges, women's groups became more autonomous. Important efforts were made to unify as women debate issues such as violence, sexual and reproductive rights, and corruption.

During the term of President Enrique Bolaños (2002-2007), women's organizations gained greater recognition as national political actors. The main women's organizations were involved in efforts to try Alemán for acts of corruption and Ortega for sexual abuse.

Further criminalization of abortion

Bolaños' term as President ended with a successful attempt – supported by the Front – to further criminalize abortion. It began with a religious march demanding the criminalization of all abortions. The Front held the majority in Parliament and suggested to the Catholic Church that it submit this demand as a partial reform of the Penal Code. This would allow the abortion ban to take effect without waiting for a new Parliament and the approval of a new Penal Code.

The Episcopal Conference wrote the new ban, and the Parliamentary Leadership enacted it as an emergency proposal. Therapeutic abortion was penalized in October 2006, 15 days before the presidential election. Women's organizations protested that this took the country back 169 years; abortion had been *permitted* in Nicaragua under the 1837 Penal Code. But more serious still is the message sent by the new ban: the lives of women are worthless since it is more important to "preserve the life of an unborn child" than to protect a woman whose life is at risk. The law was passed with the majority vote of the FSLN. Many liberals and conservatives abstained.

The supporters of the new ban claimed that it was only an electoral tactic. Once the Front had won the election, the ban would be overturned. But this did not happen, despite Ortega's second presidential "victory." Nicaragua's first lady says bluntly that this is a matter of principles and is not going to change.

The messages to women were clear. Being accused of rape was not an impediment to being elected President. Indeed, it was possible to avoid investigation of abuse charges. And a woman's life had less value than that of an unborn child.

From 2007 to the present

2007 began with the second inauguration of Daniel Ortega as Nicaragua's President. Some decided to give him (and the Front) the benefit of the doubt. They hoped that the Front had learned its lessons and would not revive the authoritarian structures that had characterized their rule in the 1980's. Some leftists supported Ortega because they felt he was one of their own. In fact, Ortega's policies were far from socialist. On the contrary, his economic policies made him the World Bank's star pupil. Women's organizations did not support Ortega because of the pre-election machinations that now made any abortions illegal. Women's rights at this time are rarely mentioned in political speeches.

After the abortion fiasco, the sole importance of women's lives seems to be their value as bargaining chips in FSLN negotiations.

In January 2007, hundreds of judicial appeals are brought before the Supreme Court of Justice against

the total criminalization of abortion. Sadly, the ban on all abortions remains intact today.¹¹

Ortega speeches include words such as peace, reconciliation, and unity. He also plans to “restore” the rights that were taken away under 16 years of neoliberalism, including women’s rights. But actual governing is something more than just fine speeches; it requires policies, plans, programs, and actions. And this implies funding, not just words. The agency responsible for ensuring equity for women has a budget that represents 0.01% of the national budget. In short: NOTHING.

The government began to actively persecute the women’s movement. In 2003, an organization associated with the Catholic Church brought a complaint to the Attorney General’s Office. It accused nine leaders of the women’s movement of assisting “Rosita,” a girl who had been raped and impregnated, in obtaining an abortion. This was the first example of political persecution by the new government and it targeted women.

This action was quickly condemned by both national and international organizations and protests ensued. Despite this, the Attorney General opened an investigation that lasted more than two years. This was seen as a veiled threat to any organization that wanted to follow the women’s lead. Despite the backlash against this investigation – strongly supported by women – the Attorney General refused to back down. Nonetheless, the movement would continue its demand to decriminalize abortion and its condemnation of the Nicaraguan government for its contempt for women’s lives.

The persecutions continued. In 2008, the Interior Ministry accused the *Movimiento Autónomo de Mujeres* (MAM) and *Grupo Venancia*¹² of money laundering and cross-currency arbitrage. Several national groups were named in the indictment, but the charges focused exclusively on MAM y CINCO (an allied NGO). Their offices were illegally raided,

and the police confiscated computers and thousands of documents. The District Attorney’s Office authorized the raids yet it ignored all the elements of due process, illegally auditing both business and personal bank accounts.

Public officials appeared in the media confirming the guilt of the two organizations and of the individuals involved, even though they had no proof. Leaders of the women’s movement were stalked and harassed with phone calls, emails, surveillance by journalists friendly to the government, and smear campaigns. Once again, both national and international condemnation of the abuse and manipulation of the facts was immediate and widespread. Women’s and human rights organizations were among the first to react.

During 2008 and 2009, women’s demonstrations on March 8, November 25, and the International Day of Human Rights were attacked and disrupted by counter demonstrators. These counter demonstrators claimed to be just concerned citizens, but were actually civil servants mobilized by the government. Despite having fully informed the National Police and the use of previously agreed-upon routes, the National Police allowed the attacks to occur and did not lift a finger to protect women marchers. In some case the police directly intervened to prevent demonstrations.

The FSLN has made many efforts to “organize” the women’s movement beginning with the *Movimiento de Mujeres Blanca Arauz*, targeted mostly at rural women. This was followed by the *Movimiento de Mujeres Sandinistas*, a group for women within party structures and government institutions, and, most recently, with female beneficiaries of social programs such as *Hambre Cero* (Zero Hunger) and *Usura Cero* (Zero Usury). The Front tries to portray these women as the “real” women of the people in opposition to the “intellectuals” and “elitists.” Every effort is made to discredit the women’s movement in the eyes of the international community. None of these efforts have really been successful, but the Front will surely not give up trying. They would like to see the day come when “their” women’s groups confront the women’s movement and the Front can then present the later

¹¹ The judges and magistrates who make up the Supreme Court were appointed by the parties that made the pact to share political power (1998 to 2000). They serve primarily the interests of their parties and not the enforcement and protection of the Constitution.

¹² A Women’s NGO in Matagalpa.

group as “anti-women” who talk of peace but are actually “promoters and generators of violence.”

AMNLAE still exists and remains allied to the FSLN, but its capacity for action and mobilization has decreased significantly. It has lost its public recognition as a relevant social actor in the eyes of society, international groups, other social organizations, and the wider women's movement. The main blows to AMNLAE came from within FSLN: the attempts to organize women in the groups mentioned above; the ignoring of AMNLAE's members' decisions; and the Front's removal of AMNLAE's General Secretariat (appointed by the AMNLAE assembly) for refusing to abandon its work in sexual and reproductive health and for refusing to accept the total criminalization of abortion. In fact, the Front has twice removed and twice replaced AMNLAE's General Secretariat. This has been done without consulting the membership or offering a public explanation.

The District Attorney's Office and other government agencies, including the police, were forced to dismiss the charges against MAM and CINCO for lack of evidence. They were forced to return the documents and computers several months after the illegal raid. Several months later, the investigation of the nine feminists in the “Rosita” abortion case was also dropped. In both cases, national and international solidarity was key, as were the mobilizations and constant complaints by the women's movement.

The Front's desire to punish those who criticize or oppose their wishes is patent. In order to achieve this goal the Front – following in the footsteps of Somoza or any other totalitarian regime – is willing to do anything. It will use civil groups to attack when state forces cannot. It will shamelessly tolerate violence, as was the case with groups allied to Nicolasa Sevilla during the Somoza dictatorship.

Sexual violence and femicide

The women's movement has always argued that having someone accused of rape as the President of the Republic is an open invitation for rapists and those who abuse women and girls. Some consider

this to be an exaggeration, but recent history has proved otherwise.

Cases of rape, sexual violence, and femicide have increased in Nicaragua. But the partisanship of the judicial system has had disastrous consequences and many cases are simply dismissed with the blessing of judges and magistrates. Documents from government departments and party structures “recommending” clemency in these cases have come to light. Higher courts have exceeded their powers and – for ridiculous reasons – either reduced or vacated penalties imposed by the lower courts. These defendants are given preferential treatment in the prisons.

The most recent case is that of a 12-year-old handicapped girl raped by Daniel Ortega's personal bodyguards. The family filed a report with the Police who then began to harass and threatened them, accusing them of negligence. Later the Police sought to blame the girl. An investigation was not started until the family's report was made public by a human rights NGO. Three of the five accused rapists were convicted. The other two now work at the Police Headquarters.

Women's groups continued to push for tougher legislation against sexual violence. In response, the Supreme Court came up with its own counter-proposal. There was sufficient pressure for hearings to be held and the new law (Comprehensive Law Against Gender Violence, Law 779) was finally passed in 2011. It was presented as a favor bestowed by the President and the First Lady. The movement argued forcefully responded that the new law was the product of decades of women's struggle against violence and impunity. It was not a gift.

In this long journey of women seeking justice and the protection of their very lives, allies from other sectors have supported them, but only sporadically and inconsistently. Some groups have been more consistent, particularly the NGOs that work with children and teenagers. Nonetheless, it has been the women's groups that have been out in the street protesting, with little help from the emerging organizations based on gender diversity.

The international arena

International support has been very important for the Nicaraguan women at different times, but above all in recent times. At least four UN commissions have drawn the attention of the Nicaraguan Government to the total criminalization of abortion, the persecution and harassment of women's organizations and their leaders, and the criminalization of civil society organizations and their mobilization. The Inter-American Commission on Human Rights has been following the situation in Nicaragua for many years through their hearings.

But the main support has come from women's and feminist organizations abroad which have held protests outside Nicaragua's embassies and consulates in their own countries. They have mobilized their members when informed of potential visits by the Nicaraguan President and demonstrated their opposition with large signs, protests, media coverage, and public meetings.

Women's organizations have widely reported on the situation of women in Nicaragua via emails, publications, visits, international meetings, and activities, attendance of hearings at international organizations such as the OAS' Inter-American Commission on Human Rights and the UN Human Rights Council, among others.

Conclusions

In Nicaragua, women's organizations have had to fight tooth and nail for governmental recognition of their rights, regardless of whether the government was from the right or the left. They have been treated as enemies and denied their role as actors with full rights.

The recognition of their rights has only come after long struggles. It is presented as a gift bestowed by the *caudillo*, and for which women should be eternally grateful. In short, both governments and political parties have treated these rights as a sort of bargaining chip, which can easily be removed should the circumstances require it.

One could compare the struggle for the right to vote under the Somoza dictatorship with the struggle to criminalize violence against women in recent years, which finally led to the enactment of Law 779 in 2011. Both required years of struggle by women

using a variety of tactics; both were postponed by the *caudillos* and political parties whose main interest was in remaining in power. In both cases, those in power tried to present these achievements as "goodwill" gifts or a "commitment to women's rights and welfare," when in reality all they had done was try to delay them.

The main difference with Law 779 was that women's organizations hammered home their message: this is the product of years of struggle, of taking to the streets again and again, denouncing, insisting, demanding punishment, joint group work, relentlessly fighting against those who hide the actual situation instead of condemning it. Nobody gives rights.

There are still things missing from the Law, such as the recognition of citizen participation and the allocation of resources for enforcement. Women, especially those in organizations and feminists, will continue the struggle, persisting in their efforts to defend women's rights and demand that the government fulfill its obligations under the law.

Even in the most difficult moments, women's and feminist organizations have been out on the streets, while others were silent, gave up, and went home. They have demonstrated in large and small groups, with and without repression, with joy and fury, with their creativity and their persistence.

Women's organizations have taken to the streets and will continue to denounce the abuse of their individual rights and those of society as a whole. Women have extended their role as caretakers beyond their families and homes; they are now caretakers of their society and country, of its institutions, of their and others' human rights. This happens throughout Nicaragua through women's and feminist organizations, as well as youth and human rights groups.

The women's and feminist movement in Nicaragua is a recognized social and political actor despite the wishes of the government, despite the church hierarchies, and despite the conservative groups that would prefer to see it disappear.

Women and feminists will continue to exercise their autonomy in Nicaragua through their marches, pickets, caravans, concerts, street theater, in courts and tribunals; in towns and neighborhoods; in

international organizations; alone, in groups and en masse. They will defend their rights and the rights of others. They will do it for themselves and for the community.

Their autonomy has been costly. Yet it is reaffirmed daily in the struggle against the State, the church, institutions, organizations, and political parties. Women have become the guardians of human rights and democracy in Nicaragua and will not stop in this struggle nor will they be silenced.

Postscript

The victory achieved with the approval and implementation of the Comprehensive Law Against Gender Violence, Law 779 has been limited in scope. Within a year of its enactment, men's groups, churches and the government itself began to complain that the law was discriminatory and should be amended. In August 2013, the Supreme Court of Justice sent a proposal to the National Assembly suggesting the law be modified and employing arguments that contradicted the justifications used by the Supreme Court in suggesting the original law. In September of that year, the Assembly amended the law reintroducing a mediation process and giving the Executive the power to regulate the law, something already foreseen in the Penal Code.

Women's organizations protested strongly and in the streets, but their voices were not heard. Institutions immediately implemented the adopted reform, which made it harder for women to file complaints of domestic violence by requiring a "mediation" process to solve the problem. A few months later, the Executive issued a decree – considered by lawyers as illegal and illegitimate – that distorted the spirit of the law, devalued domestic violence, and restricted femicide to murders committed solely by partners or former partners.

Once again, women's organizations took to the streets, went to the Supreme Court, engaged all legal resources, mobilized themselves and denounced the situation internationally. But the institutional machinery had already started its work and sought now to show that violence against women was diminishing. To accomplish this, figures were falsified, cases buried, crimes reclassified, and data simply made up.

The Nicaraguan State headed by its Executive is determined to present a positive façade. In the process, it damages women's organizations and individual women, discredits their work, denies the real problem, and imposes an idealized image of the nuclear family, which is not only the exception in Nicaragua, but also – and this is made clear in national statistics – the most insecure place for women, teenage girls, and children. Fathers, stepfathers, and male relatives are the principal sex offenders against girls.

But women and their organizations will not leave the streets, and they will not abandon their fight and their demands for a life free violence and impunity.

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