

New Nicaraguan law challenges violence against women

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Nicaragua's adoption this year of a sweeping law for prevention and punishment of violence against women marks an important gain for women's rights in this Central American country, says Sandra Ramos, founder and director of the "Maria Elena Cuadra" Movement for Working and Unemployed Women (MEC) [1].

Addressing a meeting at Casa Maíz in Toronto November 9, Ramos noted that "the law recognizes that there is hatred of women and strongly penalises physical violence against them. It also widens the concept to encompass psychological violence."

Nicaragua's "Law on Violence against Women," which entered into effect on June 22, 2012, is notable for defining such crimes in terms of the social oppression of women. The crime of "femicide," for example, is defined "within the context of unequal power relationships between men and women" as "the killing of a woman by a man simply because she is a woman."

The law here builds on a definition of "femicide" developed by the U.S.-based feminist Diana Russell, which has been applied by feminists in several Latin American countries.

Similarly, the law embeds a concept of oppression in its definition of psychological violence against women, criminalizing any "act or omission that aims to degrade or control the actions, behaviours, decisions, and beliefs of a woman."

The law prescribes severe punishment for such crimes that heighten women's oppression.

The social reality addressed by the law is stark. Nicaragua, with six million inhabitants, recorded 37,000 victims of domestic or sexual violence in 2011, many times higher than the rate that the World Health Organization considers as signalling an epidemic, Ramos says. About 80 women a year were being killed by their spouses. Yet the very fact that, under Sandinista rule, these crimes were now being counted represents an advance for Nicaraguan women.

Revolution, defeat, and recovery

Nicaragua is "very male-chauvinist and patriarchal," Ramos told the Toronto audience. In 1979, the country experienced a revolution, which "mobilized all the strength and courage of women for the cause of changing the country. But the revolution, led by the Sandinista National Liberation Front

(FSLN), “did not recognize their rights as women, as feminists,” she said. “The Sandinistas lifted people out of poverty, but they were very slow to move on women’s rights.”

Following on years of brutal U.S.-organized war against the elected Sandinista government, it was voted out of office in 1990. “The incoming government privatized all state industries,” Ramos said. “It invited in transnationals whose policies were extremely hostile to women. They paid \$1 a day. They fired women who became pregnant. They would quit the country without notice and without severance pay.”

The Sandinista Worker’s Council (CST) - the main trade union federation - was not representing the interests of these women, Ramos said. In 1994 they formed their own movement, named after workers’ rights advocate Maria Elena Cuadra, who had died in a car accident.

In 2006, Daniel Ortega of the Sandinista Front was elected President with 38% of the vote. The new government, in the face of sharp hostility from Washington, set about repairing some of the damage wrought by neoliberalism. It joined in alliance with Cuba, Venezuela, and other countries of the Bolivarian Alliance of the Americas (ALBA). Popular movements, now benefiting from government encouragement, began to recover. Their growing confidence and unity was registered by subsequent election results. Ortega was reelected in 2011 with a vote of 62%. [2] In municipal elections held November 4, 2012, five days before Ramos spoke in Toronto, the Sandinista vote rose to more than 75% - 83% in Managua, the capital.

The current Sandinista government has shown responsiveness to women’s demands, as for example in instituting a 50%-50% gender distribution of leadership posts in the party and then in legislating equal representation of women in elections for public office.

The government encompasses strong voices for women’s rights, such as Rosario Murillo, the woman who is its de facto chief of staff,. Her call for women to reshape the world (“The 21st century belongs to women...” [3]) goes beyond anything voiced in mainstream First World political discussion.

Women campaign for justice

“Violence against women was an unsolved problem left over from the revolution,” Ramos told the Toronto meeting. MEC supporters launched a campaign on this issue. “We instructed women on their rights. We pressed judges on the need to defend women’s rights. We got tens of thousands of charges laid for violence against women, and the incidence of women killed by their spouses has begun to fall significantly.”

But more was needed. MEC started drafting a broad law on violence against women. “We won the support of the government,” Ramos says, but that was not enough. “There are contradictions in the government. Some in the government argued that the new law would interfere with its economic plans.” So when MEC formally presented its completed draft law, on October 20, 2010, the document was backed by signatures of twenty thousand women, 2,500 of whom rallied that day to urge its adoption.

“We carried out a big campaign in the streets to get the law passed. We mobilized workers and communities to respect women and support the law,” Ramos said. More than 10,000 women demonstrated in its favour, and 2,500 women victims of violence gave testimony in its support. “It took two years, but finally the three branches of state power - executive, legislative, and judicial - all agreed to pass the legislation. There was political will in the government to do this, but without us it would have been much more difficult.”

Among the law's provisions, Ramos mentioned that a woman's share in household property is now guaranteed. "Previously, when there was a separation, the woman was thrown out of the home, or, if the man left and she stayed, the home was destroyed."

Discrimination against women in the factory is now outlawed, Ramos said, including in the form of administering pregnancy or AIDS tests or on the grounds of age or weight.

The law provides for establishment of five special courts for its enforcement. "Now the question is to obtain a budget allocation adequate to enforce it," Ramos says.

One form of violence against women is not included in the new law, however. "Abortion remains illegal under all circumstances. This is a great weakness of the Frente Sandinista, and I say this as a Sandinista, a member of the party. The Nicaraguan Women's Association (AMNLAE) has campaigned to legalize therapeutic abortion, and we expect the government to rectify its position on this question.

Another feminist view

An analysis of the law by Maria Teresa Blandón, a Nicaraguan feminist who does not support the government, criticizes its alleged "sharp reluctance to recognize the leadership role that women's organizations have played in promoting and defending women's rights over the years." Nonetheless, she praises the leadership of the MEC in drafting the law and its "steady defense of this initiative," and notes that the government did consult women's organizations that she claims had been ignored. "Nicaraguan feminists celebrate the approval of the law," which "represents a significant advance," Blandón says.

Among the many gains in the law noted by Blandón is that "the state commits itself to encouraging the media to not use the images of women as sexual objects," a historic demand of feminists. This provision echoes the April 1989 Media Law passed by the Sandinista government in April 1989 that included a statute prohibiting the media from using women as either sexual or commercial objects. This demand is scorned by governments of rich capitalist countries like Canada, despite their claims to hold an enlightened attitude to women.

The MEC understands that the new law - like any law under capitalism that is favourable to working people - can only be defended and put into effect by ongoing struggles of the same sort that won its adoption, as part of broader resistance to the evils of capitalism. Adoption of the new law is only one step in an extended and arduous struggle by Nicaraguan women and their allies.

The challenge of solidarity

"We in Nicaragua receive support from Venezuela, and this has made conditions better in the countryside," Ramos said. "The Cubans have helped us regain ground in literacy that was lost when the Sandinistas were out of government. During that period, the governments destroyed many schools, and they are being rebuilt now. The current goal is to achieve universal literacy on a sixth-grade level."

Apart from that, however, "the government's hands are tied by the International Monetary Fund and the World Bank. We are no longer getting help from Canada; CIDA (Canadian International Development Agency) is backing out of the country. All the foreign aid is going to enterprises, not to efforts for human rights. This poses a big challenge for the government," Ramos said.

The meeting, organized by Horizons of Friendship, Common Frontiers, and the Maquila Solidarity Network, was a happy occasion for friends of Nicaragua in Toronto to relink with social struggles in the country. There have been few such events since the election of the Sandinista government in 2006.

Casa Canadiense, a Canadian-supported volunteer community development centre in Managua, continues its activity, and some progressive NGOs, like Horizons of Friendship, are active in the country. Yet in Ramos's view, the level of engagement is far less than during the years during and after the first Sandinista government, in the 1980s and 1990s.

"I came to Canada when I was twenty," said Ramos. "What I see now is so different. Where is the solidarity movement?" Trade union support has decreased, and the greatest problem is at the governmental level. "It's your government; only you can change it. I tell you, we will handle our government; you handle yours. I hope that solidarity does not get lost in your country.

"Cuba sends us doctors, Venezuela give us practical economic aid. So we do receive solidarity. But now it is time to do something about the governments of the north."

But more is at stake than just solidarity. Just as during the decade following the 1979, the struggles of Nicaraguan working people have a great deal to teach social activists in the rich capitalist countries. Its government has taken progressive stands on many central issues of world politics. Let us hope that Sandra Ramos's visit to Canada helps to reawaken interest in the experiences of the courageous women and workers of Nicaragua.

John Riddell

Resources

Presentation by Sandra Ramos (PDF)

<http://www.horizons.ca/index.php/What-We-Do/Resources/Presentations>

"Maria Elena Cuadra" Movement for Working and Unemployed Women

<http://www.mec.org.ni/>

"Law on Violence against Women Goes Into Effect" - Peacewomen

http://www.peacewomen.org/news_article.php?id=5103&type=news

"Comments on the Integral Law" by Maria Teresa Blandón

<http://www.nicaraguadispatch.com/news/2012/03/comments-on-the-integral-law-against-violence-against-women/2720>

"Message for the Women of Nicaragua" by Rosario Murillo

[Message for the women of Nicaragua](#), ESSF (article 27028)

Tortilla con sal (news of Nicaragua in English and Spanish)

<http://www.tortillaconsal.com/>

P.S.

* First published in MRZine..

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<http://johnriddell.wordpress.com/2012/11/21/new-nicaraguan-law-challenges-violence-against-women/>

Footnotes

[1] <http://www.mec.org.ni/>

[2] See “Washington Threatens Reprisals.”:

<http://johnriddell.wordpress.com/2012/02/02/washington-threatens-reprisals-against-nicaraguans-voters/>

[3] See on ESSF (article 27028), [Message for the women of Nicaragua](#).