



"JUSTICE IS AFRAID OF THE PRIEST'S ROBE": RAPE AND POWER IN NICARAGUA

IAN BATESON

Lucia's mother was shocked. Nicaragua has one of the highest rates of teen pregnancy in the world, but Lucia didn't have a boyfriend and spent the little time she wasn't doing homework singing in the parish church and going on youth mission trips.

As they walked home from the doctor, Lucia's mother begged her to disclose who the father was. The girl broke into tears and relented: It was the 55-year-old priest who ran the choir and youth program. He had been raping Lucia since she was 13.

Once Lucia, who asked not to be identified by her real name, discovered she was pregnant, she didn't have many options. Since 2006, abortion has been illegal under all circumstances in Nicaragua. Women who consent to an abortion can be sentenced to one to two years in prison, and anyone performing the procedure faces up to six years behind bars and a seven-year ban on practicing medicine. Elective abortion was never legal in Nicaragua, but from 1837 until a decade ago, so-called "therapeutic abortions" were permitted in cases of rape or when the mother's life was at risk.

The policy shift occurred during the 2006 presidential campaign when Sandinista party leader Daniel Ortega suddenly threw his support behind a total ban on abortion. Ortega was president of Nicaragua in the 1980s after the country's revolution and had been a self-avowed atheist. But after being voted out of office in 1990, he initiated a public conversion. He started to attend church and later married his longtime partner in a Catholic ceremony. Ortega's transformation proceeded in step with his party's, which began using religious rhetoric and symbols, adopting its current slogan—"Christian, socialist, solidarity"—in 2011. Eleven days after the passage of the 2006 law criminalizing abortion, Ortega won the presidential election.



In a central Nicaraguan town in 2014, not far from the birthplace of revolutionary hero Augusto Sandino, Lucia, 15, had been suffering from stomach pains. After several days of discomfort, her mother walked her to a nearby health clinic, where a doctor informed them that Lucia was pregnant.

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Unlike in El Salvador, where hundreds of women are estimated to have been jailed since the country's total abortion ban went into effect in 1998, Nicaraguan authorities seem reluctant to press charges. But the government hasn't released statistics on abortion-related prosecutions and convictions, making it difficult to know whether the law is being enforced. The threat of jail time and losing their license to practice medicine, though, is enough to keep most doctors from carrying out the procedure. Abortion has been pushed underground and women suffering complications from clandestine procedures are often afraid to seek medical help. Meanwhile, women's rights groups warn that the ban's reverberations go beyond abortion; the law tells men they can abuse women without fear of legal repercussions.

"The therapeutic abortion ban sent a message of impunity that reinforced the aggressor," Elia Palacios told me. "The thing is power. Society has taught that men have power over women's bodies."

"THE NATURALIZATION OF SEXUAL ABUSE"

Palacios runs the Axayacatl Association of Women, which serves women in the community who often talk about their experiences of abuse here for the first time. The office in the city of Masaya resembles a traditional Nicaraguan home complete with a large, colorful kitchen, hammocks, and the type of wooden rocking chairs Nicaraguans put out on the street in the evening to people-watch and chat with passersby. Everything is set up to ensure those who walk through the door feel comfortable enough to stay. This is where Lucia came to learn about her legal options.

Palacios said that since the abortion ban's passage, the organization has seen a jump in the number of women reporting abuse. As I sat with her, she showed me one of the many text messages on her phone from local women

describing their mistreatment and asking her what to do. In this conversation, the woman details repeated attacks by her husband and asks for advice. "We've had the naturalization of sexual abuse. The message is that when it happens it is resolved at home and nothing happens," said Palacios. In her response to this text she reminded the woman of her rights under the law, but until the woman is ready to go to the police there is little more Palacios can do than be a comforting ear.

A disproportionate share of the violence targets girls and young women. A study conducted by the Axayacatl Association of Women of 46 health-care professionals from 2012 to 2013 found that 70.5 percent of them had dealt with pregnancies resulting from rape, and that in 70 percent of those cases the victims were between the ages of 13 and 17.

In a bid to squelch dissent, Ortega's administration has cracked down on the reporting of government statistics. But multiple sources suggest the country's teen pregnancy rate continues to be one of the highest in the world, with rape a major contributing factor. According to the World Bank, in 2015 there were 88 births per 1,000 women ages 15 to 19 in Nicaragua. In the U.S. that number was 21 per 1,000 women of the same age group. According to a rare publicly available survey conducted by the Nicaraguan Ministry of Health from 2011 to 2012, 18.3 percent of girls between the ages of 15 and 19 were either pregnant for the first time or already mothers.

Facing this crisis, the Axayacatl Association of Women puts survivors in touch with legal groups to pursue charges against their rapists. Winning a case involving sexual abuse in a Nicaraguan court is notoriously difficult. Palacios said that of the 30 cases her staff followed in the past year, only three resulted in convictions.

When it looks like a judge may try and quietly dismiss a case, members show up to the trial and take to social media to draw attention to

the proceedings, making it harder for authorities to bury. But the rule of law is weak and politicized in Nicaragua. Influential Nicaraguans use their connections or wealth to avoid convictions. “The aggressor rapes the child, the aggressor is left alone, and the state forces her to have the child,” Palacios said.

Lucia’s father did his best to pressure the police to carry out a serious investigation. Nonetheless, the probe went nowhere. “Justice is afraid of the priest’s robe, because the Church is also a power,” he told me.

Undeterred, Lucia’s father went to Nicaraguan Cardinal Leopoldo Brenes to demand the priest be punished and ask that the Church pay for Lucia to give birth in a private clinic. In addition to her young age, Lucia had several other medical conditions, including an ulcer and gallbladder issues, that her father feared could make hers a high-risk pregnancy.

The cardinal refused to pay for private health care, but said that if the paternity test showed a DNA match, then the priest would be punished and made to provide child support. The test was positive, but the priest disappeared and never paid a *córdoba* to the family. “In Nicaragua, justice is on paper,” Lucia’s father said. “There is no justice for people who are not rich or powerful.”

In the end there were no serious complications, and Lucia gave birth to a boy. The family hides the truth of his paternity from their neighbors out of fear of becoming outcasts. Even before their daughter’s pregnancy, Lucia’s parents had only been able to work irregular jobs, and now their scramble to afford enough food has become acute. Lucia’s mother stays home with her son and new grandson while her husband searches for work. Lucia managed to finish high school but had to leave the elite school she had been attending.

Lucia received basic nursing qualifications after giving birth, but she is only allowed to fill in for other nurses. Now 17, she is still a

minor under Nicaraguan law and not permitted to work full time. She had dreamed of going to university, but now that is a luxury her family can’t afford. In the months after her son was born Lucia fell into depression. Doctors were afraid she would attempt suicide and told her mother to check on her if she heard the teenager moving around the house late at night. “After that happened I lost my toys,” Lucia’s mother remembers her daughter saying about the crushing end of her childhood.

ACCUSATIONS AGAINST ORTEGA

Ortega’s critics say that the abortion law is not the only reason sex abuse appears to have increased since the former guerrilla leader returned to power. They suggest his personal

"SOCIETY HAS TAUGHT THAT MEN HAVE POWER OVER WOMEN'S BODIES."

behavior has emboldened others. In 1998 Ortega’s adopted stepdaughter, Zoilamérica Narváez Murillo, publicly accused him of rape. She stated that the abuse lasted the duration of his first stint in power, starting the year before he took office in 1979 and lasting until he was voted out in 1990.

“I was constantly being warned that, if I said anything to anyone, I could jeopardize the revolution,” she told *The New York Times* in 1998. “I was told that keeping this situation a secret was the way I contributed to the stability of the presidency. I was blackmailed all the time, and I assumed that my role was to suffer and to keep silent.”

Ortega never directly denied the allegations, but Zoilamérica’s mother, Rosario Murillo, told reporters that she was lying.

Zoilamérica brought a case against Ortega in court, but it was thrown out on a technicality. Zoilamérica said she was persecuted after making the allegations. She said government pressure compelled donors to suddenly abandon the nonprofit organization she ran, which focused on LGBT rights. Her husband was deported from Nicaragua, and she now lives with him in neighboring Costa Rica. “At some points, I felt as though the courts were acting against me. It was a decision made at a time of an utter power imbalance, and it put my life at risk. The aggressor had gone unpunished and was the president of Nicaragua,” she told the online publication *Havana Times* in 2015.

Meanwhile her mother’s political fortunes have continued to rise. For years the administration’s de facto chief of staff and spokesperson, Rosario Murillo was elected vice president in November 2016.

Zoilamérica has suggested she was the price of her mother’s ascent. “I feel like I was sold, that I was part of a transaction. Since I came out and revealed what happened, she has tried to eliminate the truth. It’s part of an agreement she has with Daniel. She told him, ‘Don’t worry, I’ll deal with it,’” Zoilamérica said in an interview with *The Guardian* in 2016. “She denied the sexual abuse of her daughter to prove her loyalty and maintain power. It was politics that motivated her.”

Nearly 20 years have passed since the initial accusation. After Zoilamérica’s case was thrown out in Nicaraguan court, she appealed to the Inter-American Commission on Human Rights, but eventually pulled the filing for reasons that remain unclear. To women across the country, the story of Nicaragua’s first family sends

a powerful message: Challenge patriarchs for abuse and you will pay a high price.

For now women’s organizations do what they can to generate support and trust. Axayacatl Association of Women even called one of its most recent campaigns, “I believe you.” The hope is that if these stories are shared, more women will report their abuse, including to the police. Few cases now result in jail time, but activists like Palacios believe that could change if enough women come forward, increasing the pressure on law enforcement to act. That would, in turn, result in more women filing charges. “If there were real punishment it would encourage victims to go to the police,” said Palacios.

In the spirit of that campaign Lucia and other young women decided to work with Axayacatl Association of Women to share their experiences of abuse as children. In a video, Lucia explains how the priest first approached her after choral practice and used his superior strength to rape her. Lucia and the other women tell their stories to the camera with their faces hidden in shadows, because, despite their desire for openness, the risk of people in their communities knowing what they have been through makes them vulnerable to ostracism and even retaliatory violence.

The issue of trust and belief is particularly important to Lucia. Over the two years the priest was raping her, he would tell her that “even if you told someone they would believe me because I am a priest and you are just a girl.” She believed him. ●

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