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A Cross-cultural, Comparative Analysis of the Domestic Violence Policies of Nicaragua and Russia

By Jo-Ann Della-Giustina ¹

Abstract

This is a cross-cultural comparative analysis of the domestic violence policies of Nicaragua and Russia. While these two countries have striking differences, they both had socialist revolutions that established workers and farmers governments. The Soviet Union was the main economic and political support for Nicaragua following the 1979 Frente Sandinista Para Liberación Nacional (FSLN - Sandinista Front for National Liberation) revolution.

This article examines the domestic violence policies of post-Soviet Russia and Nicaragua. While both countries have serious domestic violence problems, only Nicaragua is taking an aggressive stance to eradicate the problem. The Russian government barely even acknowledges that there is a problem. My thesis is that the Nicaraguan government has a more progressive approach to ending domestic violence because there is a strong, independent woman's movement in Nicaragua, which is lacking in Russia.

Keywords: domestic violence policy, Nicaragua, Russia

Introduction

Domestic violence is any behavior within an intimate partner¹ relationship that causes physical, sexual, or psychological harm to unfairly gain power or to maintain the misuse of power, control, and authority (World Health Organization [WHO], 2002). It affects the lives of women throughout the world regardless of race, ethnicity, class, educational status, or geographic location. It is becoming widely recognized as a serious public health problem with grave implications for the physical and psychological well being of women and children (Ellsberg, Peña, Herrera, Liljestrand, and Winkvist, 2000). Although there is little information about the extent of domestic violence throughout the world, available research indicates that there is no country in which there is an absence of domestic violence (WHO, 2002).

In most countries, 10% to 69% of women have been physically assaulted by an intimate partner at least once in their lives (Ellsberg, Winkvist, Peña, and Stenlund, 2001; WHO, 2002). Research shows that violence against women is exacerbated by the indifference of state officials who fail to seriously investigate and prosecute cases of domestic violence (Human Rights Watch [HRW], 2000). In that context, I will compare the domestic violence policies of Nicaragua and Russia, which both have serious

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domestic violence problems. The Russian government has chosen to ignore its problem while the Nicaraguan government has been seeking ways to eradicate the abuse of women. I suggest that the difference in these approaches is due to a strong independent women's movement in Nicaragua, which is lacking in Russia. An independent women's movement is one that is independent of the government.

While Nicaragua and Russia have striking differences, they also share many similarities. Their differences are the following. Russia is geographically the largest country in the world whereas Nicaragua is tiny. In Russia, there are 142.5 million people; 53.1% are women. There are 5.5 million people in Nicaragua; 51% are women (United Nations [U.N.], 2008). Russia is a developed industrialized economy whereas Nicaragua is the second poorest country in the Americas. Nearly half of its population lives in poverty, with over 15% living in extreme poverty (The World Bank, 2006).

Notwithstanding these differences, there are many similarities between the two countries. Both had socialist revolutions led by Marxist-Leninist parties who aimed to establish socialist societies. In 1917, the Bolshevik Party overthrew the czar, and the Frente Sandinista Para Liberación Nacional (FSLN - Sandinista Front for National Liberation) overthrew the dictatorship of Anastasio Somoza in 1979. Although neither country ever met its goal of a socialist society, workers and farmers governments were established in both countries. Because of those similarities, the Soviet Union became Nicaragua's main advisor and supporter after the FSLN revolution. During the 1980's, the Soviet Union exerted great influence on Nicaragua until the FSLN government was voted out of office in 1990, a year before the Soviet Union fell. Further, both the Soviet Union and Nicaragua established women's legal rights and involved women in their legislative bodies immediately following the revolutions. Currently, both countries are experiencing political and economic transitions, which have led to high rates of unemployment, growing frustration, and increased social violence, including domestic violence.

Within that context, I will examine the domestic violence policies of post-Soviet Russia and Nicaragua. While both countries have serious domestic violence problems, only Nicaragua is taking an aggressive stance in eradicating the problem. The Russian government barely even acknowledges that there is a problem. My thesis is that the Nicaraguan government has a more progressive approach to ending domestic violence because there is a strong, independent woman's movement in Nicaragua, which is lacking in Russia. In my analysis, I will discuss the existence of domestic violence as a consequence of the oppression of women and the need for a women's liberation movement to challenge the underlying social attitudes that support male aggression and perpetuate the unequal balance of power between men and women. Because abuse is a social problem, the approach a government takes to eradicate domestic violence is interwoven with the society's general attitude toward women.

Domestic Violence in Russia

Just as violence is rising generally, violence against women has been increasing as a consequence of the political, economic, and social turmoil in Russia. Even though the Russian government does not collect official data on women who are assaulted or killed by an intimate partner, estimates by government officials and women's crisis center activists indicate a high incidence of domestic violence. According to government officials, 9,000 women died as a result of violence by their current or former intimate

partner in 2003 (Amnesty International, 2005b; St. Petersburg Times, 2004). In comparison, in the United States, a country of 300 million people, 1,181 women were killed by an intimate partner in 2005 (Federal Bureau of Investigation, 2005). That is a rate of .77 per 100,000 U.S. women compared to a rate in Russia of 11.9 per 100,000 women.

In addition to the homicides, every day 36,000 women are beaten by their intimate partners (St. Petersburg Times, 2004). A 2003 study by the Council for Women of Moscow State University found that 70 percent of the married women interviewed had been a victim of psychological, sexual, physical and/or economical violence by their husbands (Amnesty International, 2006).

Despite these high numbers, domestic violence assaults are severely underreported (Amnesty International, 2005b). There are several reasons why battered women do not call the police or follow through on complaints. Often, women do not report domestic violence because the police rarely take any action. Other times, they are afraid it will make the situation worse for them and their children (Amnesty International, 2005b). Not only do the terrible conditions in Russian jails discourage women from filing complaints against their husbands and/or fathers of their children, but often a woman who is dependent on her husband's income fears the loss of economic support due to his incarceration (Daigle, 1998; Amnesty International, 2005a; Amnesty International, 2005b).

Still other times, the failure to report domestic violence or to follow through with prosecution is the result of society's attitude toward domestic violence. Many people still think it is shameful to discuss private family problems with the police (Amnesty International, 2005b). It is often difficult to even get a woman to call a domestic violence hotline because of the common belief, deeply held for centuries, that one should not air "dirty linen" in public. Many women still accept domestic violence, agreeing with the age-old proverbs "If he beats you, it means he loves you" and "beat the wife for better cabbage soup" (Horne, 1999:58; Amnesty International, 2005a). In addition, there is a joke in Russia that shows how widespread domestic violence is accepted in Russia: A man is beating his wife. The woman asks through her tears, "Why are you beating me?" The husband responds, "If I could think of a reason, I would kill you" (Daigle, 1998:20).

To help alleviate this problem, the Russian Association of Crisis Centers for Women initiated a pilot project in Nizhni Novgorod, 300 miles east of Moscow, to combat the underreporting of domestic violence crimes. It has trained local law enforcement officials, drafted regional legislation against domestic violence, and organized crisis centers. In addition, the Moscow Sexual Assault Recovery Center "Syostri" wrote a pamphlet for women advising them on drafting and filing a complaint and pursuing prosecution. Syostri distributed the pamphlets to regional crisis centers, women's clinics, schools, universities, and some police stations (HRW, 1997).

Domestic Violence in Nicaragua

Just as in Russia, domestic violence is widespread in Nicaragua (U.S. Department of State, 2006). Estimates of domestic abuse are as high as 52% of women having been abused at least once in their lifetime (Ellsberg et al., 2000; Åsling-Monemi, K., Peña, R., Ellsberg, M.C., & Persson, L.Å., 2003). A recent study found that 30.2 percent of women 15 to 49 years of age had experienced violence by an intimate partner in her

lifetime and that 13.2 percent of the women 15 to 29 years of age were beaten by an intimate partner in the preceding twelve months. In addition, 10.2 percent of ever-married women experienced an act of sexual violence by their husband or intimate partner (Kishor and Johnson, 2004). In a study by Umeå University of Umeå, Sweden, and Autonomous University of Nicaragua in León, 52% of the ever-married women (either legal marriages or common-law marriages) in León, Nicaragua, reported physical abuse by an intimate partner at least once in their lives while 27% reported violence within the previous 12 months. Of the women who had experienced violence, 70% experienced severe violence, including kicks, punches, being beaten, blows with an object, and threats or use of a weapon (Ellsberg et al., 2000). An earlier study by the Women's Legal Office and the Office on Family Orientation and Protection of INSSBI (Social Security Institute) found that 44% of women between 25 and 34 years of age had been a victim of domestic violence. That abuse included beatings, bondage, cuts with knives or machetes, threats with firearms, repeated sexual violations, sometimes including beatings and threats, threats to take the children or the house away, threats to sell the household goods, insults, and humiliation (AMNLAE, 1986c; Collinson, 1990).

Even though surveys show a high incidence of domestic violence, many domestic violence cases still go unreported (U.S. Department of State, 2006). Women fail to seek help for many reasons, including their inability to support their children, difficulty in finding housing, guilt feelings, the fear of reprisal, and social stigma (Collinson, 1990; Pérez-Landa, 2001).

Russian and Nicaraguan Domestic Violence Policies

In both Russia and Nicaragua, domestic violence is embedded in the acceptance of male dominance, which includes granting men the prerogative to physically abuse women. Unfortunately, many women still accept the abuse as a part of life with an intimate partner. The difference between the two countries is that Russia is ignoring its domestic violence problem, even denying that it exists. In contrast, Nicaragua is openly discussing domestic violence and looking for ways to eradicate the abuse.

Even though domestic violence is a chronic and overwhelming problem, the government has systematically failed to respond to violence against women in the family on the federal, regional and local level (Amnesty International, 2005b).

Historical, Cultural, and Economic Context

Russian folklore and religious literature portrayed women as possessing evil and magical powers, which called for rules and punishments to control them (Horne, 1999). Those beliefs led to the creation of the *Domostroi*, a household manual that instructed women to devote themselves solely to domestic duties and men to physically discipline wives who disregarded their duties. In the mid-17th century, there was no penalty if a husband murdered his wife, but a wife who killed her husband was buried up to her neck and left to die (Horne, 1999). Until 1917, the czarist law explicitly allowed a man to beat his wife, but stated: "The wife is held to obey her husband, as the head of the family, to remain with him in love, respect, unlimited obedience, to do him every favor and show him every affection, as a housewife" (Lund, 1970, p. 4).

Women, however, did not remain passive. In 1907, the First Russian National Women's Congress was held and the 1917 celebration of International Women's Day

sparked the Bolshevik revolution when women textile workers went on strike and other women went to the Duma, the parliament, to demand bread (Woman Plus, 1997).

After the revolution, women won radical freedoms in the family, marriage, divorce, abortion, childcare, and the household (Millet, 1970). As women began taking a larger role in the life of the country, the "family system was shaken to its roots, and all kinds of experiments were tried, including new forms of communal living, especially by young people" (Lund, 1970, p. 5). In addition to the Communist Party's leadership in ending women's oppression, non-Communist Party working women held conferences to address the issues of legal rights for women, the status of women in marriage, family legislation, equal pay, a woman's right to engage in the trades and professions, problems of unemployment, labor protection for women, social care for mothers, and social policies to help housewives (Waters, 1972).

Those advances lasted until the 1930's when a complete reversal occurred in the Soviet attitude toward women and the family and women lost most of the gains they had won (Lund, 1970; Millet, 1970). Women were proclaimed fully emancipated and no longer in need of special representation. As state controls were strengthened, women's issues became secondary to class and community concerns (Horne, 1999).

Nevertheless, women maintained a degree of equality in the workplace during the Soviet era. Women were more highly educated than men and worked as engineers, doctors, and lawyers due to state policies that limited gender discrimination in employment. Even so, many women worked in low-paying jobs, and on average, they received only 70% of men's wages, which meant that women and children were economically dependent on men (Gerber & Mayorova, 2006; Rhein, 1998).

The Soviet Union ceased to exist in 1991. During the transition from a one-party state with a socialist economy to a multi-party political system with a market economy, Russia has undergone substantial economic and political turmoil. Life has become more difficult, especially as the economic and social safety net for women continues to deteriorate. Although women are more highly educated than men, they have represented 90% of the unemployed people in some regions. Not only have women's wages diminished, but women have lost access to health care (HRW, 1997; Balabanova, 2007). Moreover, prospective employers commonly require women employees to be beautiful, no older than 25, or to be blond with long legs (Horne, 1999; Pateleev, 2002). To exacerbate the problem, labor legislation passed in 1996 denies women the right to work in 400 professions deemed inconsistent with their femininity and maternal responsibilities (HRW, 1998).

Added to this economic burden are the strong unequal sex-role stereotypes at home, which have led to a growing dissatisfaction within the family. Since state-subsidized child-care facilities have closed, Russian women have full responsibility for the home and children, with little or no help from Russian men (U.N., 1995; Leifeld, 2001). Sixty-five percent of Russian women have said that they are unhappy with their marriages. In fact, two out of three marriages end in divorce (Daigle, 1998).

These economic and social problems facing women exist in a cultural atmosphere overrun with degrading images of women. For example, a Russian newspaper article describing the work of a women's crisis center included a photograph of a completely naked woman serving drinks to men in a bar. The headline said, "Shut up Bitch or I'll Stab You" (Leifeld, 2001).

Public Policy Laws in Russia

Domestic violence is rarely discussed within the government or in the community. Many Duma (Russian Parliament) deputies think domestic violence is a private matter, not something for state involvement (Amnesty International, 2005b). Yevgenii Riabtsev, the former head of the Ministry of the Interior's public relations section, admitted that domestic violence is a serious problem in Russia and that the police have not treated the problem as one for law enforcement, but he blamed women for thwarting the efforts of the police by their failure to report assaults. He also shifted the blame for domestic violence on women, saying, "After marriage, many women don't look after themselves. They let themselves go physically, and their husbands lose interest" (HRW, 1995, p. 21).

Because of the Russian government's inaction, international pressure has been exerted. As a result of that pressure and in response to the recommendations of the 1995 United Nations Fourth World Conference on the Status of Women in Beijing, the Boris Yeltsin administration published a policy document promising to improve the position of women in Russia (HRW, 1997; U.N., 1995). Not only did the document stress that violence should be prohibited in all spheres of life, including the workplace and home, but the government pledged to collect full and objective statistics relating to violence against women, to coordinate its efforts with nongovernmental women's crisis centers, and to develop criminal and civil sanctions for violence against women. Several decrees followed, including a law guaranteeing equal rights and opportunities for women, but they were never funded (HRW, 1997; Mereu, 2003). Finally, in 2004, Russia ratified the Optional Protocol to the UN Convention on the Elimination of All Forms of Discrimination against Women, which gave women a mechanism through which to report domestic violence. Nevertheless, the UN Special Rapporteur on violence against women has concluded that violence against women is still a low priority on the state agenda (Amnesty International, 2005a). Moreover, the Special Commission for Women's Affairs, Family Issues and Demographics, the Commission on Women's Status, and the post of Deputy Prime Minister for Women's Affairs have been eliminated and violence against women has been placed on the back burner (Mereu, 2003).

While the criminal laws can be used to pursue charges arising from domestic violence, there are no specific laws pertaining to violence in the family (Amnesty International, 2006). In 1994, supported by the Department on Women and Family of the Ministry of Social Protection, Galina Sillaste, a consultant to the Duma, began drafting a new legislative bill, "About Prevention of Domestic Violence," but it never passed. In 2003, the Russian Ministry of Foreign Affairs concluded that the Duma would consider a law on family violence as an intrusion into private family matters. As a result, Russia lacks a systematic, nationwide approach to domestic violence and still does not have a domestic violence law (Amnesty International, 2005b).

Police and Prosecutor Response

Police and prosecutor response is a reflection of the national public policy. While the current laws theoretically give battered women avenues of relief, the Russian police do not enforce them. Law enforcement officials even resist recognizing domestic violence as a crime (Amnesty International, 2005b). Instead, they view domestic violence as a family matter that should be addressed privately (St. Petersburg Times, 2004). It is not unusual for the police to refuse to respond to domestic violence with excuses that "they cannot bother with the women" because they have many more

important cases or the women will later withdraw their complaint (HRW, 1997, p. 44; Amnesty International, 2005a).

Throughout the entire legal process, domestic violence victims consistently confront the police officer's hostility, reluctance, and bias against their cases (Amnesty International, 2005b).

The police and prosecutors routinely reject or discourage domestic violence complaints, even going to the extent of obstructing the investigation and prosecution. When the police do not actually refuse a report, they often make the process of filing the report very difficult. For example, they will reject a report if it does not follow the proper format or include the required factual information. Sometimes they refuse to investigate or reject a complaint on the basis that the perpetrator was not a stranger. Other times, the law enforcement official underestimates, or even rejects, the severity of the violence. When the police do arrest a batterer, they usually do not detain him for more than three hours at a time (Amnesty International, 2005b).

Even if the woman has substantial evidence, there is no guarantee a report will be written. For instance, a 36-year-old St. Petersburg woman had been beaten regularly by her husband during five years of marriage. When she told him she was going to divorce him, he broke both her thumbs, held her down on the bed, and tried to rape her. When she contacted the police, they told her it was a family fight and, if she did not have witnesses, she should file for divorce, which she did. After her divorce, her ex-husband continued to threaten her, so she reported the threats to the police. Refusing to accept her complaint, they told her, "He did not murder you" (HRW, 1997, p. 42).

In addition to the problems of police discouraging domestic violence complaints, prosecutors also obstruct domestic violence victims. According to a prosecutor, Yelena Stepanova, her office would not prosecute a domestic violence case unless the couple is divorced or separated. She also said that it was "the responsibility of law enforcement officials to protect the rights of men because women have too much power" (HRW, 1997, p. 45). Ultimately, only a very small percentage of domestic violence complaints are ever prosecuted (Amnesty International, 2005b).

Despite these problems, some police officers are now working with women's non-governmental organizations (NGOs), social service agencies, crisis center activists, and the judiciary to improve the police response to domestic violence (Amnesty International, 2005a). For example, the Women's Alliance, an NGO in Barnaul, Altai Region, trains local and regional police officers to recognize and prevent intimate partner violence against women (Amnesty International, 2005b).

Programs and Services for Battered Women

Programs and services for battered women are severely lacking in Russia. While there are approximately 300 general hotlines (for women and men), there are only 25 crisis centers for women (in any crisis situation) and two crisis centers for men. There are eight state-run shelters available for women and their children who have been forced out of their homes by family violence. There are shelters in St. Petersburg, Petrozavodsk (Republic of Karelia), and Langepas, a town of 200,000 people in western Siberia, but there is still no domestic violence shelter in Moscow (Amnesty International, 2005b). Recently, the Tundra Women's Center was established in far northeast Russia near the

Arctic Ocean to create a safe house for indigenous women who have suffered domestic abuse (Global Fund For Women, 2003).

Notwithstanding, shelters for battered women may not be appropriate because women and their children may not be able to return home once they leave (Leifeld, 2001). There is a severe housing shortage in Russia, which has resulted in many battered women, even those who are divorced from the batterer, being forced to continue to live in the same apartment as the batterer (HRW, 1997; Amnesty International, 2005a).

Nicaragua

Since 1979, Nicaragua has made substantial progress toward making the eradication of domestic violence a national priority. Strategies to reduce male violence against women have followed a two-prong approach: (1) attempts to strengthen the laws against domestic violence and to stiffen penalties; and (2) a public campaign to educate the public about violence against women.

Historical, cultural, and economic context

Historically, women in Nicaragua lacked economic, legal, and social rights. They were treated as second-class citizens, even as property, and were controlled by men. For instance, if a man suspected, on his wedding night, that his new wife was not a virgin, he had the right to kill her (Borge, 1985). For most women, their only options were housework and raising children. Those who worked outside the home labored in low-paying jobs. In general, women suffered moral and physical abuse in a society that refused to condemn or punish those responsible (Chinchilla, 1990).

After a long history of occupation by the United States and the ensuing repressive Somoza dictatorship, a small group of Nicaraguans founded the FSLN in 1961 (Barry and Preusch, 1986). The FSLN's Historic Program pledged to abolish discrimination against women and to establish equal economics, political, and culture between women and men. It promised to elevate the dignity of women by extending special attention to women and children, eliminating prostitution, putting an end to women's servitude, establishing the right and equal protection for children born outside of marriage, establishing childcare programs, establishing two months maternity leave before and after the birth of a child, and elevating the political, cultural, and vocational level of women through their participation (FSLN, 1984).

Despite the tremendous changes brought by the FSLN revolution, women have continued to experience a high degree of subordination in the economic, legal, and social spheres (Ellsberg et al., 1999). Like Russia, Nicaragua is still a country where there is a concept of male domination, which allows a man to physically abuse a woman in order to punish or correct her behavior. Although there are a growing number of women who realize that men do not have a right to abuse them, many women still accept physical abuse as part of marital life, referring to it as another "cross to bear" (Soroptimist International of the Americas, 1998). Male domination is deeply ingrained in Nicaragua society, which leads men to father many children to prove their virility to other men. Expecting the woman to bear many children while feeling free to abandon the family is considered irresponsible paternity, which the Nicaraguan government has tried to discourage. This has been done through enacting laws to pressure men into accepting emotional and financial responsibility for their children and by a major educational

campaign, including billboards throughout Nicaragua that have called on men to take responsibility for their children (Collinson, 1990; Ellsberg et al., 1999).

Laws in Nicaragua

Within days after the Sandinista Revolution in 1979, the old constitution and laws were abolished. One of the laws eliminated was the Law of Paternal Authority, which gave the father all the rights in the family, including the right to his wife's salary. The Fundamental Statute and the Law Against Commercialization of Women in Advertisements were then enacted (Interview with Raphael Chamorro Mora, Dean of the University of Central America Law School, Managua, August 12, 1986). The following month, the Statute of Rights and Guarantees of Nicaraguans established full legal equality of men and women, equal rights in family relations, prenatal and postnatal protection, and equal rights for children born in and out of wedlock as well as prohibited any form of discrimination on the basis of gender (AMNLAE, 1986a; AMNLAE, 1986b; AMNLAE, 1986c).

During that time, Chief of the National Police Doris Tijerino made strong statements against male violence and encouraged social attitudes about domestic violence to change (Collinson, 1990). In response, the government created the Nicaraguan Women's Institute (INIM) to help formulate, develop, and strengthen state policies on the incorporation of women into the revolution (Ellsberg et al., 1999; U.N., 2007a).

In 1987, the National Assembly enacted a new Constitution, which guarantees every citizen the right to physical, psychological, and moral integrity and specifies that cruel, inhuman, or degrading behavior is a crime punishable by law. Nicaragua's Civil and Criminal Codes were then rewritten within the context of the FSLN government's official recognition of male violence against women as a serious problem. Domestic violence was identified as a key national issue affecting women. Since then, many discriminatory laws have been replaced with provisions favorable to women (Soroptimist International of the Americas, 1998).

In August 1996, the National Assembly passed the Law Against Aggression Against Women, which was designed to establish a basis for prosecuting crimes against women. The Law to Prevent and Punish Domestic Violence, or Article 230, was enacted on October 9, 1996, as a result of a strategic alliance between politicians, government officials, community leaders, researchers, and legal and health professionals (Ellsberg, M., Liljestrand, J., and Winkvist, A., 1997). To protect domestic violence victims, a judge can order the following: (1) prohibit or restrict the presence of the aggressor within 100 meters from the victim's home or workplace; (2) the victim can return home if forced to leave because of violence or intimidation; (3) medical, psychological or psychiatric assistance for the victim; (4) rehabilitation for the aggressor; (5) biological, psychological, and social examination/assistance for any children involved; (6) compensation for any possible damages; (7) seizure of any weapons in the aggressor's possession; and (8) prohibit all forms of harassment, including electronic, that disturb the victim's tranquility. Further, the law provides that (1) in the Atlantic Coast communities, the laws will be applied by a judge knowledgeable about the applicable procedures of that area; and (2) legal action, including ordering police action, must be taken immediately by the judge the moment he or she becomes aware of the acts, even if they do not constitute a crime (Red de Mujeres Contra la Violencia, 1996). Restraining orders can now be

issued, and punishment for a domestic violence conviction ranges up to six years' imprisonment (U.S. State Department, 2006).

There are also criminal provisions against marital rape. Although there is no separate category for marital rape, the rape law prohibits assault, rape, and murder regardless of marital status. Prior to the new law, rape was considered a private crime rather than a public crime (Soroptimist International of the Americas, 1998; U.S. State Department, 2006).

In 1998, INIM created a program to coordinate and follow up on actions to fight against violence toward women, and in 2001, helped to create the 2001-2006 National Plan of Action for the Prevention of Domestic and Sexual Violence to promote and guide policy for the prevention of violence against women. This is the primary agency charged with implementing the UN's Beijing Platform for Action and regulates public policies with the goal of women's full and equal participation in all spheres of life (Soroptimist International of the Americas, 1998; U.N., 2006; U.N., 2007a).

Police and Prosecutor Response in Nicaragua

There is little official data available about police responses to specific domestic violence cases, but local human rights groups have reported that police rarely charge the offenders even if they sometimes intervene to prevent injury in cases of domestic violence. Although official policy is that the police regard domestic violence as a social problem, not as a private matter, there is still a problem with police officers who consider domestic violence a private crime, for which the victim, not the state, must press charges (Soroptimist International of the Americas, 1998).

Generally, domestic violence laws are not enforced through prosecution (U.N., 2007b). Only 3% of violent crimes against women and 20% of the domestic violence cases reported to the police result in a trial. One reason is that some women withdraw their complaint, usually out of fear or the inability to pay for a lawyer or for evidentiary documents. This lack of access to the justice system is particularly severe for women in poor and rural areas (Pérez-Landa, 2001; U.S. Department of State, 2006). To help with this problem, the Supreme Court has established a National Gender Commission, which has been instrumental in reforming evidentiary procedures in domestic violence cases and training judicial and law enforcement personnel (Mesner-Hage, 2008).

Programs and Services

Despite the continuing abuse of women, there has been significant change occurring in Nicaragua. To improve police response to domestic violence against women, INIM, the National Police, and women activists created the Comisaría de la Mujer and Niñez, or the Police Stations for Women and Children, in 1992 (Ellsberg et al., 1999). The centers, which are annexes to local police stations, are staffed by women police officers, who provide social and legal help to women victims, mediate spousal conflicts, investigate and help prosecute domestic violence complaints, and refer victims to other agencies for assistance. There are now 27 Comisaría throughout Nicaragua. In 2005, they conducted 60 workshops where 2,080 students, teachers, and police officers were trained on how to identify and handle domestic violence cases. The campaign also facilitated 129 related discussions involving more than 4,000 people (U.S. Department of State, 2006). In addition, there are several women's shelters, called Women's Houses,

which provide women with legal, health, and psychological assistance (U.S. Department of State, 2006).

In addition to improved services, there is open discussion of domestic violence throughout the community in the newspapers and among individuals. One grassroots women's organization used a local radio broadcast to condemn domestic violence, to publicly name abusive men, and to educate women about available services and legal remedies (Aldana & Saucedo, 2008). Earlier, 40 women in the neighborhoods around the Carreterra Norte (northern highway) formed a self-help group that visited women who had been attacked by their husbands and the husbands themselves (Collinson, 1990). Many other organizations have carried out educational activities, such as legal literacy courses for women living with violence and violence-prevention activities for men (Ellsberg et al., 1999).

In September 2006, National Police Commissioner Aminta Granera initiated a "Break the Silence" campaign to improve public awareness about domestic violence. The campaign trained almost six thousand victim-support advocates the first year. In addition, 1,400 awareness-raising media and educational activities were conducted with the assistance of educational institutions, community organizations, and police (U.S. Department of State, 2006).

The Existence of a Women's Movement as a Catalyst for Change

The approach a government takes to ending domestic violence is interwoven with society's general attitude towards women. Domestic violence against women is a result of an historical tradition of gender discrimination. It is the result of a social power pyramid that is rooted in the unequal relationship between men and women, where men have a social support system superior to that of women. A society's attitude that women are subservient to men legitimizes and perpetuates discrimination against women, resulting in the acceptance of women's disadvantaged status. Once men do not have a superior place in society where they are supported for their actions, including abusive actions toward women, domestic violence will end. But, as long as men have societal support for being abusive, they will continue being both physically and emotionally abusive toward women.

To end domestic violence, there must be an end to the oppression of women. That is not done by a stroke of the pen, by making declarations, or merely by enacting laws. The process must begin with women themselves. By this, I do not mean that an individual woman being battered is responsible for the abuse because she does not take action. It is a larger process, one of women as a gender. Once women understand that their role is not merely as wife, mother, and housekeeper, they must organize themselves to demand equal rights to men in every area of society. Although men can be supportive and play an important role in the liberation of women, it is women who must lead that battle. Women are the ones who are living with the oppression, the abuse, and the discrimination. Therefore, they are the ones who must organize to change their place in society.

The male leaders of both the Bolshevik and FSLN revolutions supported the emancipation of women at the time of their revolutions, but that was not enough to end women's oppression. While they asserted the need to liberate women, they also thought that women would be liberated through the revolution without any special organizing

around women's issues. They thought women's oppression would end as the economic structure of society changed and housework and childcare responsibilities were communalized (Borge, 1985). In that way, they underestimated centuries of oppression of women as a gender.

While the support of a progressive government is important, it has only been through women organizing themselves to end oppression that we have begun to see problems such as domestic violence being addressed by societies and governments. What differentiates Russia and Nicaragua is that there has been a strong independent women's movement in Nicaragua for the last twenty-five years whereas the fledgling independent women's movement in Russia is less than fifteen years old.

Women's Movement in Russia

Although the First Russian National Women's Congress was held in 1907 (Woman Plus, 1997), the only women's movement after the 1917 Bolshevik revolution was the Committee of Soviet Women, which was financed by the government and functioned like other Soviet structures. Wives and other relatives of Soviet bureaucrats worked at the organization's headquarters and enjoyed such advantages as food from special shops not accessible to ordinary citizens, vacations at prestigious resorts, and trips abroad. The Committee of Soviet Women had branches in all regions of the country and maintained a close relationship with the women's committees of workers' unions and collectives (Azhgikhina, 1995).

Grass-roots organizing was outlawed during the Soviet era (Sperling, 1998). In 1979, a small group of Leningrad feminists began publishing an underground women's journal, but they were swiftly repressed (Taubman and Taubman, 1989). Although there were several prominent women who were part of the dissident movement, they distanced themselves from feminist ideas and organizing by women. Many of these women felt their "role was to provide psychological, spiritual, and material support to the men who were the most visible leaders and who most often drew prison sentences" (Taubman and Taubman, 1989, p. 205).

Between 1979 and the late 1980's, women did not organize themselves outside of the Soviet Women's Committee (Sperling, 1998). The right to form grassroots organizations began in the mid-1980's and led to the beginning of a new women's movement of small, scattered women's groups. The first women to organize were unemployed women and those who anticipated losing their jobs, mostly in cities and regions with large defense industries, which had traditionally employed a significant number of women (Azhgikhina, 1995).

The new women's movement began to grow in the 1990's. In 1991, the First Independent Women's Forum was held in Dubna with the involvement of 50 organizations. The following year, over 200 groups were represented at the Second Independent Women's Forum (Azhgikhina, 1995). That same year, the first crisis center (for any crisis) opened in Moscow. It provides a hotline, individual counseling, and legal consultation, but no shelter (Horne, 1999; Amnesty International, 2005b). In its first five years, the center helped more than 8500 women, providing them with counseling, social support and legal services (HRW, 1998). More crisis centers followed and in 1994, eleven crisis centers banded together to create the Russian Association of Crisis Centers for Women, which has documented the magnitude and response to violence against

women and actively encourages regional women's groups to build local crisis centers (HRW, 1997). The first hotline for male batterers began in Moscow in 1997 (Daigle, 1998).

By 1997, over 400 women's groups were officially registered. These groups include advocacy groups, job-training organizations, professional women's groups, charitable organizations, crisis centers and hotlines, a women's studies research center, and political action committees. Few have addressed violence against women. Nearly every town, no matter how small, has one or two women's groups, some of which have gained authority and influence on policy-making (Azhgikhina, 1995; Daigle, 1998). At the federal level, there has been an effort by the Independent Women's Forum and the Russian Consortium to lobby the federal government to pass legislation and develop serious policy initiatives to combat violence against women. Those attempts, however, have been largely unsuccessful (HRW, 1997).

In addition, over 200 women NGO leaders attended the NGO Forum of the United Nations Fourth World Conference on the Status of Women in Beijing, China, in 1995. Afterwards, the Russian government appointed NGO leaders to the Presidential Commission on the Status of Women, and accepted a Charter of Women's Solidarity, which was signed by 37 women's organizations and many women politicians and public leaders (HRW, 1997). In addition, the Moscow Domestic Violence Conference was held in 1997 (Leifeld, 2001). Since that time, however, the Commission on Women's Status and other women's commissions have been disbanded and the government has failed to develop policies and legislation addressing violence against women (Mereu, 2003).

Women's Movement in Nicaragua

Although women had been part of the armed struggle since Spanish colonization, there was no women's movement in Nicaragua until the 1970's when the Patriotic Alliance of Nicaraguan Women was formed (AMNLAE, 1986a). In 1977, the FSLN founded the Association of Nicaraguan Women in the Face of the National Crisis (AMPRONAC), whose primary role was not to work for women's emancipation but to draw more women into the struggle against the Somoza dictatorship and to denounce the regime's human rights abuses (Collinson, 1990). There were 60 women at AMPRONAC's first assembly in 1977 and over 8,000 women during the final days of the insurrection. AMPRONAC organized demonstrations, occupied churches, circulated petitions, carried messages from political prisoners to their families, and lobbied the government to disclose the whereabouts of the disappeared. By 1979, 30% of the guerrilla fighters were women (Collinson, 1990).

After the 1979 revolution, there was disagreement within the FSLN about the need for an ongoing women's organization. Eventually those who saw the need for a women's movement won the discussion. The scope of AMPRONAC was broadened and its name changed to the Luisa Amanda Espinoza Association of Nicaraguan Women (AMNLAE). Similar to AMPRONAC's main task before the revolution, AMNLAE's major task was to involve women in the revolutionary process of transforming society, which the FSLN believed was the key to the liberation of women. AMNLAE organized women into the defense, the literacy crusade, the health brigades, and the small production cooperatives (AMNLAE, 1986a; Collinson, 1990). AMNLAE's secondary, but very important, task was to organize around women's demands. This included educating Nicaraguans about the dignity of women through media campaigns,

presentations to groups of women, and the study of laws to benefit women. AMNLAE's goals included: (1) basic supplies for the family; (2) childcare centers for the children of working mothers; (3) health in the home; (4) training women for employment; (5) ending the physical abuse of women; (6) sex education; and (7) support for the problems created for mothers and families by the mobilization of young men into combat (AMNLAE, 1986b).

During the early years after the revolution, AMNLAE proposed three laws: (1) the adoption law; (2) the Law Regulating Relations Among Mother, Father and Children, which provides that the father and mother are jointly responsible for the care, upbringing, education and legal representation of children as well as the administration of the their property; and (3) the support law (AMNLAE, 1986b). The proposed laws were discussed by 7500 women workers, professionals, peasants, and housewives in 170 meetings throughout Nicaragua (AMNLAE, 1986a).

In 1983, AMNLAE was instrumental in opening the Managua Women's Legal Office, which handled mostly civil family law cases, but occasionally intervened in rape cases. In August 1986, there were 400 cases in court, most of which involved domestic violence. Eventually, five more Women's Legal Offices opened in Nicaragua (Interview with Marvis Jirón, Managua, August 28, 1986).

During that time, women were organizing independently of the FSLN and AMNLAE. As a result, AMNLAE initiated a new agenda, which included a serious investigation of the power relations between men and women. AMNLAE's executive committee organized 600 local meetings of women throughout Nicaragua in 1985 to discuss women's concerns. About 40,000 women from all social sectors took part in the meetings. They had many common concerns, including information and access to birth control, sexual harassment at work, rape, domestic violence, and men's failure to share the domestic burden of childcare and housework (Collinson, 1990).

In response to those meetings, AMNLAE submitted proposals to the commission drafting the new Constitution, including proposals for the prohibition of sexual harassment, domestic violence, and rape, and for allowing women the right to freely decide whether and when to have children. It also called for a new definition of the family, one which did not discriminate against single mothers (Collinson, 1990).

Further, AMNLAE pressured the National Assembly to discuss the situation of women. As a result, on International Women's Day 1987, the FSLN issued a Proclama, which acknowledged that women suffer gender exploitation and that fighting for women's equality would strengthen the revolution (Collinson, 1990). In accordance, AMNLAE's 1987 Platform for Struggle called for solutions to the problems of women's domestic burden, paternal responsibility, the elimination of all aspects of violence against women, and sex education. Emphasizing the emancipation of women, AMNLAE carried out a mass educational campaign against domestic violence. It also presented a well-publicized petition to the Supreme Court, condemning violence against women and children, and organized rallies outside the Supreme Court to raise the profile of the petition. Two years later, in its 1989 Platform for Struggle, AMNLAE committed the organization to combating violence against women, paternal irresponsibility, sexual harassment, and pornography (Collinson, 1990).

Despite those efforts, AMNLAE's close affiliation with the government had hindered its ability to effect change for women, and a women's movement independent of

the FSLN and AMNLAE was in full force. One of the organizations established was the Women's Secretariat of CONAPRO (the Sandinista Federation of Professional Workers (lawyers, psychologists, and administrators). While it continued to acknowledge the importance of AMNLAE as a coordinating body, CONAPRO women forged a separate identity (Collinson, 1990). The Matagalpa CONAPRO published a magazine, produced and aired feminist radio programs, set up a women's center, and published a comprehensive paper on domestic violence, which included outlines for educational workshops, proposals for more severe punishments for domestic violence, a project to give legal and psychological help to battered women in Matagalpa, and popular educational programs against domestic violence (Collinson, 1990).

In August 1988, CONAPRO held a Women and Law conference in Masaya. The conference barely mentioned AMNLAE, which virtually ignored the conference despite significant national publicity. The conference recommended that domestic violence be treated as a crime with punishment equal to that administered for an act of violence outside the family and that batterers should be denied active participation in political projects. CONAPRO also focused on education and organization, with the goal of bringing the weight of public disapproval onto potential abusers (Collinson, 1990).

That same year, the Ixchen women's centers opened in Masaya and Managua. These privately run centers offered women a variety of services ranging from legal and medical advice to training, sex therapy, contraception, and gynecological treatment on a sliding scale (Collinson, 1990).

A group of women in Matagalpa formed the theater group, Cihuatlampa, which performed throughout Nicaragua. They expanded their space to include a center for women's culture, with performance space, living quarters, a café, and a resource center with books, journals, and videos. The group has held conferences for women on a wide variety of issues and has written and performed a play about domestic violence (Collinson, 1990).

When Violeta Chamorro's conservative government came to power in 1990 with the aim of bringing back traditional family values and roles for women, there was an explosion in the number and breadth of women's organizations, collectives, and alternative health centers promoting women's rights (Ellsberg et al., 1999). Since then, the advances for women have continued. For example, in 1996, the Ministry of Health officially declared that family violence is a public health problem (Inforpress Centroamericana, 1999).

In January 1992, a national conference of more than 800 women from different social strata and professions and with different ideologies was held to discuss and propose common actions around gender-specific interests. The conference goals included promoting an exchange of experiences about women's problems between the diverse groups, analyzing the impact of the government's economic policies on the situation of women, and taking common actions. Women came from several women's organizations (Barricada Internacional, 1992). Themes discussed were the economy and the environment, education and culture, relations of affection and sexuality, violence, and organizational participation. Violence against women was one of the most controversial themes with 110 women attending the workshop. The media and several educational programs were criticized for distorting the values of women and making them appear as sexual objects. Also discussed was the lack of a legal structure that condemned violence

and allowed crimes against women to go unpunished. The women agreed on 33 actions to combat violence against women, including the formation of a women's network against violence (Barricada Internacional, 1992).

Following the conference, the Women's Network Against Violence was created as a network of 170 national groups and hundreds of unaffiliated women to fight against violence against women. Local networks have been formed in various areas of the country, such as Matagalpa, León, and Masaya (Red de Mujeres Contra la Violencia, 1996). The network has become the driving force behind the antiviolence movement in Nicaragua. It carries out yearly public awareness campaigns against domestic violence, which include local activities, petitions, buttons, educational materials for women living in violent situations, and mass media messages on popular radio and television shows. Largely as a result of the efforts of these groups, domestic violence has been identified as a key issue affecting women in Nicaragua (Ellsberg et al., 1999; Velzeboer, M., Ellsberg, M., Clavel Arcas, C., and García-Moreno, C., 2003).

Conclusion

The existence of domestic violence is a consequence of the oppression of women, economically, socially, politically, and culturally. Therefore, there is a need for a strong independent women's liberation movement, not rooted in the government, to challenge the underlying social attitudes that support male aggression and perpetuate the unequal balance of power between men and women. It is not enough that women have legal rights or political rights. They must also have economic rights. An egalitarian economic system is a necessary starting point to end violence against women.

It has only been through women organizing to end structural oppression and its resulting sexist attitudes that we have begun to see problems such as domestic violence being addressed by societies and governments. There is a need for women to organize independently of the government and independently of men around their special needs as women, including their place in the family. While it is important for men to support women's rights and women's liberation, it is only women who understand their own needs and problems. Women are living with the abuse, discrimination, and oppression so it is women who must fight for their rights and their liberation, including being free from physical and psychological abuse. Women's initiatives and an independent women's movement can enable women to influence government and policy, which is the only guarantee of women's equality and development as the predecessors to ending domestic violence.

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¹ An intimate partner includes a husband, ex-husband, common-law husband, ex-common-law husband, boyfriend/girlfriend, and ex-boyfriend/girlfriend.