

With these laws, Ortega has betrayed the women who fought for democracy

Nicaragua's abortion ban was a cynical move in a feverish election by a president desperate to pacify the religious right



[Zoe Williams guardian.co.uk](https://www.guardian.co.uk), Wednesday 29 July 2009

There are no exceptions. Under Nicaragua's anti-abortion laws, even a pregnancy that cannot possibly result in a viable baby – an [anencephalic](#) or [ectopic](#) one – has to be carried to its limits. A woman who gets pregnant through an act of rape or incest has to have the baby; and the deeper you delve into the horrors enumerated in this week's Amnesty International [report](#), the more inhumane it gets: 77% of rape cases involve girls under 17; between 2005 and 2007, 16% of those crimes resulted in pregnancy, and the great majority of those pregnancies were in girls of between 10 and 14, at which age obstetric complications are very common. It's a double violation, first by an individual, then by the state, made all the more grotesque when you consider that the reason the births are so treacherous is that these girls are simply too small and young to be pregnant in the first place.

A pregnant woman with cancer has to have the baby first, then treatment for the cancer, no matter what the risk to her chances of survival. Doctors, facing a prison sentence for any involvement in abortion, have become unwilling even to treat a woman having a spontaneous miscarriage. It's a situation that, truthfully, I think even many anti-abortion campaigners would find sickening, and we don't need to rehearse here the arguments for a woman's right to choose.

We can usefully, though, look at why on earth this would happen in Nicaragua. Although it is nominally 96% Catholic, the government is independent and secular. The current president, Daniel Ortega (who also governed from 1985 to 1990), is a lifelong Sandinista, a socialist, a man whose first term as president saw 31% of the executive positions and 27% of leadership positions occupied by women.

Ortega is no political caveman, blundering through women's rights as if these arguments were new and strange to him. The feminist element in the original Sandinista revolution of the late 1970s was vocal and much like any other first-wave women's movement anywhere in the world. Esther Major, the author of the Amnesty report, recaps: "They fought under the banner of democracy in the country, in the home and in the bed. Most of the activists agreed that the revolution only really brought in democracy in the country, not in the home, nor in the bed." Whether or not its aims were met, we can assume from this that Ortega knows the precepts of equality, and has chosen, for political expedience, to betray them.

Major is fascinating on the atmosphere surrounding this legislation: "Having spoken to the government about the legislation this week, no one will take responsibility for it. It would be understandable if we came here, and they said: 'But look, we believe in this, here is the evidence that shows it is a good law, that it has been having a good effect.' Nobody will do that. The government refused to engage in a meaningful debate before, as international and regional groups protested, and it refuses now. These are closed doors."

One of these groups, the Coordinadora Civil, consisting of unions, NGOs, environmentalists and others, called on the government "not to give in to external pressures to prohibit abortion in the electoral context". This isn't an issue of conscience, in other words, at least not for either of the mainstream parties. It's a trigger issue for the religious lobby, obviously and, incredibly, the human rights of half the population were ultimately considered expendable in a feverish election.

It reminds me forcefully of President Karzai and his legalisation of rape within marriage, first unleashed in March in Afghanistan: not the law itself, but the flurry, the speed, the sleight of hand, the sense that Karzai himself had no ethical stake in it at all, it was all a vote scam – and still is, as he plans to woo Shia voters with this barbarism at the presidential poll next month. A democracy in flux can be as dangerous to the vulnerable, particularly to women, as a hardline dictatorship or even a government of religious fanatics. The way a weak secular state will perceive threats to its own power has it cowering before its own religious activists long before it bends to international pressure.

Finally, a postscript about the tactics used by anti-abortion campaigners in Nicaragua: they routinely fabricated medical advances, and that contributed towards persuading Ortega that a total ban on abortion had public support. Nicaraguan religious groups speciously asserted "that nowadays there are no occasions when abortion or interruption of pregnancy are required, due to advances in medicine which eliminate all such risks during pregnancy".

Meanwhile Nadine Dorries, the MP for Mid Bedfordshire, was asserting that foetuses felt pain at 18 weeks and were viable at 22 weeks. Campaigners on this issue, even those in responsible positions in a developed democracy, have no compunction about peddling rubbish. It is always worth remembering that sometimes it has an effect.

I know none of this helps much if you're a pregnant Nicaraguan, but it does underline how much more there is to gender equality than sporadic employment for women at executive level, or the ceremonial opening of a girls' primary school. It takes generations to build a parity that one self-serving politician can't destroy.