

**Gender, Funding, and the Social Order:  
Contradictions among the State, the Women's Movement, and Donors  
regarding the Nicaragua Women's and Children's Police Stations**

**Nadine Jubb**

Research Associate  
Centre for Research on Latin America and the Caribbean,  
York University, Toronto  
nadine.jubb@gmail.com

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In March 2002 in Managua<sup>1</sup> I presented my dissertation findings on the inter-institutional relations among the three national partners involved in the Women's and Children's Police Stations (CMNs for *Comisariías de la Mujer y la Niñez*) and how the donors impact on those interactions. A panel was invited to comment on my analysis, made up of a representative of each of the national partners – the National Police, the Nicaraguan Women's Institute (INIM), and the Women's Network against Violence – as well as one of the donors, NORAD (Norway). Both the national chief of the CMNs, Deputy Commissioner Cecilia López Taleno, and the Executive Secretary of the Women's Network, Violeta Delgado, largely accepted my arguments – even though they were critical – and used the opportunity to be self-reflexive about the difficulties of inter-institutional negotiations. Delgado even spoke to internal disagreements within the Women's Network. A representative of the INIM had confirmed she would attend, but in the end did not. The NORAD representative, Mette Kottman, took a much different tack. She criticized the methodology of my study and dismissed my critique of the donors. She also presented the donors' critiques of the national partners over the previous few years in relation to the joint project they had presented for funding a network of services incorporating all three partners. Finally she offered words of advice to each of the national partners about what they should do to improve their execution of the project and their institutional/ organizational mandates. My response to Kottman was that she had proven my argument: that donors influence the power relations among the national partners – even when addressing supposedly neutral administrative issues – and that donor policies also needed to be examined critically under the same light as their counterparts. The audience responded by both defending my work as well as point out the successes of the CMNs. The political implication of those observations, though not made explicit, was to defend the right to evaluate the donors.

Some background on the CMNs is required before delving into these contested relations. The first CMN was opened on 25 November 1993 – the international day to end violence against women – in Managua as a pilot project. Gradually more CMNs were opened such that there are now 23 in the country: one in every departmental capital and district of Managua. The services provided has always been inter-institutional and multi-disciplinary, wherein social workers work in the CMNs and users are transferred to and from women's centres that provide medical-legal certificates, psychological counselling, and legal counselling and representation. The constellation of forces and alliances among the partners as well as their specific roles have changed considerably from one period to the next. In the first phase, from 1994 to 1998, gradually 10 CMNs were opened, all funded by bilateral funds and a total of 22 women's centres provided complementary services. The INIM was the counterpart for the funds in this period. From 1998 to 2001 there was a transition as a new project was developed to be jointly executed by all the three national actors. That project was executed from 2001 to 2004, in which CMNs in 13 cities participated with a corresponding 38 centres. A new phase of the CMNs began in 2004 in which there is less collaboration among the partners than there was before.

In this paper I will analyze the relations among the three national partners over ten years, from 1995 to 2005, corresponding to the four different phases of the CMNs. The influence of external funding has been so great that the direct services available to users have changed significantly from one phase to the next, as have the roles of the national partners, such that the phases themselves are defined according to the funding projects. It draws on the those complex

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<sup>1</sup> A "Puntos de Vista" (Points of View) presentation at the NGO Puntos de Encuentro on 14 March 2002.

interactions and their changes over time to provide insights into how the funding relationship has affected key debates in Latin America about “engendering democracy” (Alvarez 1990): the gendering of citizen security, the institutional weakness of national women’s machineries (NWM), and the NGOization and professionalization of the women’s movement.

The CMNs are studied as points of articulation where the national partners clash over services – rooted in conflicting approaches to gender and the social order – and compete to be hegemonic. The funding dynamic mediates the relationship among the national partners, such that state institutions are strengthened, while the women’s movement’s participation is both relied upon and circumscribed. The social order refers to how the split between public and private, state and civil society is produced and contested in different ways over time through the roles assigned each of the national actors. Lest the opening comment suggest that donors will be portrayed as “villains,” the paper explores not only the effects of the conditions that the donors have placed on the national partners, but also how the national actors have invoked the funding relationship to pursue their own ends in relation to the other national actors. Some attention is also given to how the users of these services are placed within this complex terrain of struggle by the institutional/organizational actors and how they in turn position themselves.

The research for this paper began as dissertation research carried out for a total of eighteen months during the late 1990s. I also coordinated two project evaluations of the network of CMN services in 2003 and 2004. At the end of 2005 I updated the research. I have travelled to all the CMNs funded by the joint projects and spent six weeks each in three of the CMN localities during my dissertation research. Nicaragua has been my home for most of the last ten years, where I have participated in the women’s movement, including the Women’s Network.

### **An Analytical Framework:**

The CMNs operate on a terrain of struggle among the Police, the INIM, and the Women’s Network over gender and the social order, where donors participate and are invoked by the national actors in complex ways. An analytical framework to consider this proposition begins by looking at how specialized police services for violence against women have been analyzed elsewhere in the region. This contribution is contextualized in general debates on “engendering democracy” (Alvarez 1990) and the social order. This lens is then applied to re-examine specific debates related to engendering democratization, particularly in Latin America: the NGOization of the women’s movement, national machineries for women (NWM), and gender and citizen security.

Since specialized women’s police stations exist in several Latin American countries (Jubb et al. 2002) a good place to start to make analytical sense of the Nicaraguan CMNs is to consider how the issues of gender and social order have been conceptualized elsewhere in the region. The women’s police stations of Brazil (DDMs) have been analyzed to show how contradictions around gender get negotiated in the repressive arm of that state. Sarah Nelson draws on Bourdieu (1985) to argue that they present a “point of articulation” among contrasting and even contradictory understandings of gender, violence, and the police’s role in sanctioning violence. The “DDMs are social spaces [...] that embody a field of forces, a set of power

relations that impose themselves on all who enter it” (Nelson 1996, 145). Nelson’s analysis is directed specifically towards how the relationship between the state and the women’s movement affects the services provided in the CMNs and their impact on women users. She argues that the practices of the police officers and users of the specialized police stations cannot be explained if we stick to a dichotomous understanding of state and civil society, public and private spheres, which could lead to a reductionist critique of the “co-optation” of the women’s movement. Instead she argues that “the DDMs simultaneously reconfirm a partial hierarchy of power relations and ensure the continuation of state hegemony while they create the space and possibility for its subversion” (Nelson 1997, 26). This tension can also be found in the Nicaraguan CMNs, though it is more complex in the Nicaraguan case.

The work of Corrigan and Sayer (1985) has been applied in the Latin American context to examine democratization as a cultural transformation that gives meaning to institutional and structural changes (Alvarez, Dagnino, and Escobar 1998; Schild 1998). This approach has been used to avoid the pitfalls of democratic transitions literature (O’Donnell et al. 1986) which places too much emphasis on elite agency and takes the social order too much for granted. What are typically seen as binary opposites, if not dichotomies, in the liberal-pluralist literatures – public/private and state/civil society – are seen from this approach as being produced and re-produced through ongoing political process and struggle. They argue that fixing these key constitutive elements of the social order is an act of moral regulation: “a project of normalizing, rendering natural, taken for granted, in a word ‘obvious,’ what are in fact ontological and epistemological premises of a particular social order” (Corrigan and Sayer 1985, 4). These premises can be imposed in violent ways, but they are also very effectively imposed in subtle ways. They show that “descriptive names (seemingly neutral, natural, universal, obvious) are in fact impositional claims ... a means by which politically organized subjection is simultaneously accomplished and concealed, and it is constituted in large part by the activity of institutions of government” (Corrigan and Sayer 1985, 7). Corrigan and Sayer’s insights are particularly useful for understanding how the CMNs regulate the social order, especially where they consider the complexities of the state beyond being a single ‘black box’ and recognize gender as constitutive of the social order. In terms of the relationship between the state and the women’s movement in particular, it is not a matter of including others who have been excluded, as some critiques maintain, rather, we can examine how both particular exclusions and inclusions are elements of a certain form of rule and moral order that are being enforced. If we are to get at the full complexities of the CMNs as points of articulation, then we must also consider that within that terrain of struggle, the women’s movement also has some degree of influence on the state, as Santos argues in the case of the Brazilian DDMs (Santos 2005).

The CMNs’ terrain of struggle is further complicated by the funding relationship. The funding relationship has largely been ignored both in terms of the relationship between the state and civil society (or more specifically the women’s movement) in the global south as well as in much of the development cooperation literature produced by the “apparatus” (Escobar 1995) itself. Examining the impact of external development cooperation agencies is based on a critique of the traditional assumptions of state sovereignty at a metatheoretical level (Walker 1993) similar to the critiques mentioned above of the dichotomous underpinning of the national social order, rather than a criticism of whether donor policies around the CMNs are threatening Nicaraguan state sovereignty. Some attention has been paid by the Central American women’s

movement itself to how cooperation relations impact on its internal processes and its interactions with the state (Blandón 1997; Wilson 1999). In general the literature underlines the unequal power relations between donors and recipient NGOs (Perera 1997; Red entre Mujeres 1999), even in a “partnership” model of cooperation (Hatery 1997). Verónica Schild’s (1995) analyzes the effects of changing cooperation requirements and the state’s interception of cooperation funds to advance its own interests. She examines how women’s organizations in Santiago that work with poor urban women have transformed their projects from ones of collective empowerment through consciousness raising to a neo-liberal individual impowerment through microcredit schemes. Not only do women’s NGOs have to increasingly compete amongst each other for scarce funds, if they do not re-adapt or “re-tool,” they lose their funding.

To apply these insights to the Nicaraguan CMNs, they must be broadened to see how state agencies are also subject to donor conditionality. Furthermore, donor requirements get taken up by the national partners in different ways to influence the power dynamic amongst themselves, particularly within the context of regulating the social order. Thus the funding relationship re-frames the existing issues faced by all three national partners that are reflected in different literatures.

To understand the women’s movement’s participation in the CMNs we can look to recent debates in the Latin American literature that address the NGOization of the women’s movement and the changing relationship between it and the state. If the state orders the boundaries between the state and civil society, as Corrigan and Sayer argue, then we must question the seemingly natural boundaries that make the two distinct, if not mutually exclusive. For some, this allows us to see how state discourse sets the terms for resistance (Alvarez, Dagnino, and Escobar 1998). De Lauretis similarly points to discourse setting the boundaries – or “horizons of meanings” (de Lauretis, 1986) which enables the women’s movement both to define its subject, but within those boundaries, such that women are both subjects of culture and subjected to culture. For others, the division between state and civil society is “blurred” as particular activists and sectors of the women’s movement become professionalized, institutionalized, and even “absorbed” by designing and/or carrying out the programs of the women’s machineries (Alvarez 1999; Schild 98). Thus the dynamic spaces of the women’s movement have become “NGOized” since the 1990s, which can carry with it both positive and negative effects (Alvarez 1999). This dynamic of absorption and NGOization is re-enforced through donor conditionality, including an emphasis on strengthening administrative elements of women’s organizations. Faced with this situation, students of Latin American women’s movements argue that the women’s movement has been most successful at advocacy where it operates a variety of strategies simultaneously, some within articulated positions with the state and some more external (Alvarez 1990; Nelson 1996; Schild 1998). This approach can also be applied in terms of relations with donors, however it must be taken into account that the funding relationship can serve not just to simply strengthen one counterpart or another, but to shape both the NGOization and define or impose the appropriate boundaries between state and civil society.

The literature on the “absorption” of the women’s movement in Latin America is often directed specifically towards its relationship with the national women’s machineries (NWM). Throughout and beyond the region, most (but certainly not all) NWMs have been criticized as being very weak, thus in many cases members of the women’s movement are contracted

individually to carry out policy review, programming, or coordinate projects that the NWM does not have the capacity to do. Specific areas of weakness of the NWMs that have been identified include: lack of a strong mandate; lack of sufficient resources to carry out its mandate; conflicting roles between implementing projects and designing and monitoring policy regarding women's rights and gender mainstream; its marginalized location with the state apparatus which makes it more difficult to have influence on other state and government entities; and its lack of autonomy to pursue its own agenda without being politicized, which in turn creates a sometimes confrontational relationship with the women's movement (Byrne et al. 1996). What has not been discussed in the literature is how donors contribute to the weakness of the NWMs and its complex relationship with the women's movement. The absorption of the women's movement occurs partially through the lack of technical capacity of the NWM to execute – or perhaps even formulate – its own agenda; owing to its lack of funds to contract employees, this dynamic is mediated through donors who supply the funding for those contracts.

A less developed debate in the literature regarding gender and democratization has to do with the switch from the national security paradigm that existed under authoritarian rule in Nicaragua and elsewhere in the region to a human or citizen security paradigm. Traditional analyses of these new forms of security emphasize how the police's role must change radically to become a guarantor of human rights (Bernales Ballesteros 1999; WOLA 1995). This further requires a decrease in impunity and discretionality of police, judges, and others towards imposing an impartial rule of law. This can be accomplished in part by having democratic police forces engage in a new relationship with civil society groups and its members. One important way of doing this is through community policing (Neild 1998). The literature emphasizes the different ways that power dynamics can be exerted in the relationship between the Police and the community depending on what kind of hierarchical (or horizontal) relationship is established, where having community representatives at an equal or oversight role in relation to the police will lead to more democratic policing. Feminist analyses expose the gaps in both national and democratic security approaches. Both, particularly national security, render gender-based violence invisible. By contrast, feminist contributions examine how gender identities are key to defining security (Thompson 1997). Tamayo and Cedano (1999) argue that by incorporating women's specific security needs, for example by showing how the home is not a safe place for women, the Police can better serve all citizens.

If we link the democratic security critique with that of the feminist one, can we understand the CMNs as an exercise in feminist democratic policing where women's specific security needs are met through particular policies and procedures and the women's movement is actively involved in shaping the CMNs? This takes us back to Nelson's (1997; 1996) argument regarding the contradictions inherent in this point of articulation. Furthermore, Thompson (1997) perceives contradictory effects for women's movement (including NGOs) mobilizing, wherein defending women's rights within the context of re-defining security to include violence against women does lead to strengthening the women's movement, but paradoxically it also helps to strengthen the state and its interests, even more than the women's movement. Again these debates also have to be infused with an analysis of the impact of donor relations, where donor support may intensify the dynamic of strengthening the state.

## The National Police of Nicaragua

The current police force was officially founded in September 1979 as the Sandinista Police and had no institutional ties to the previous combined police-military National Guard under the Somoza family dictatorship, which was set up in 1933 by the US marines as a replacement force at the end of its almost 20-year occupation of the country. Nevertheless, the few cases of sexual and domestic violence that women did report to the police were usually treated in much the same way (Solís, interview 1999). In cases of rape, women were typically blamed because of what they were wearing, whereas for domestic violence they usually told them that the police didn't deal with private matters. If an officer did respond, he [*sic*] typically did an extra-judicial arrangement (AEJ or *arreglo extra-judicial*) which consisted of a written agreement between the two "parties" that they would no longer abuse one another. It was signed by the husband and wife and the police officer. The officer could also opt to put the man in a holding cell for a certain period of time. The response was largely at the officer's discretion. Because the signing of an AEJ meant that the case could not be taken to court, in effect the AEJs served to publicly make domestic violence a private matter and subject the woman and her abuser – both held equally responsible since both had signed the agreement – to the authority of the police, rather than the rule of law.

However after the Sandinista revolution was voted out in 1990, Deputy Commissioner Aminta Granera became convinced that a change needed to be made. Then head of the Police Secretariat which, among other things dealt with crime statistics, she noticed that the number of rapes had risen disproportionately to other kinds of crimes. "The letup in the war has given us some space ... we're able to think as women, to feel as women, to act and struggle as women and for women. ... Women inside the police department said, 'this has got to stop'" (Granera in Randall 1994, 204). After participating in gatherings of the Nicaraguan women's movement in 1991 and 1992 and then visiting women's police stations in Argentina and Brazil, she developed a strong conviction and her own proposal for what was to become the CMNs. Among their features, they were to be staffed only by women officers with specialized training, women forensic doctors would also be on staff, and users would be treated with respect (Granera in Randall 1994, 205). Another fundamental feature was that the women's movement would participate actively in both service delivery and decision-making. "It is in support of women – that's the reason for this service ... where women have the capacity to make decisions: a collegial decision-making body" (Granera interview 1996). Granera faced an uphill battle to bring her vision to fruition, which indicates the lack of importance the hierarchy attributed to the idea at first. Given the difficult reception she received in the police, Granera approached her friend, Cristiana Chamorro, daughter of the President and wife of Antonio Lacayo who was the Presidential Minister. It was through that avenue, Granera claimed, that the INIM was suggested as the counterpart for the funds (Granera interview 1996).

Despite the initial lukewarm (at best) reception that Granera received, the CMNs have gradually become institutionalized within the Police, but this, too, has been an uphill battle for Granera and subsequent chiefs. The institutionalization of the CMNs began in 1996 when they were included in the new Police code. Although Granera was not successful at having them made a separate specialty (they were made a sub-specialty of Criminal Investigations) she did achieve her goal of having inter-sectoral relations recognized (Torres, interview 1998). The struggle for

institutionalization then continued over establishing a national office, as well as staffing and funding it, which was finally achieved by 1999 (Jubb 2001). In 2000, the CMNs received a donation from the Inter-American Development Bank to carry out several consultancies towards improving the services of the CMNs (participant observation, 25 July 2002).

The change in regime after 1990 affected the police in other ways, too. The official link with the FSLN was severed in a highly politicized way due to US involvement, particularly at the early stages (Saldomando 1992; WOLA 1995). However as the decade went on, other donors became involved and the top police chiefs took on the challenge of becoming an apolitical, modernized police force, pledging allegiance to the state while maintaining autonomy from the FSLN and a certain independence from the government (PPPG-GTZ forthcoming). In 1996, women chiefs (including Granera) sought changes to how policewomen were treated on the force. From that request the chief of police created the Consultative Gender Council (*Consejo Consultivo de Género*). With the technical cooperation of the German GTZ's Project to Promote Gender Policies the latter strategy was transformed into a gender mainstreaming programme and was made instrumental to the goal of police modernization and thus strengthening the Police's institutionality (Otero 1999).<sup>2</sup> The CMNs and the gender mainstreaming structures remain organizationally distinct from each other, though programming and funding have recently become somewhat linked, as the CMNs have been included in terms of gender mainstreaming citizen security issues.

### **The Nicaraguan Women' Institute (INIM or *Instituto Nicaragüense de la Mujer*)**

First established in 1987, under the Sandinista government the INIM was involved in policy and research, but did little around violence against women. It was not until the 8<sup>th</sup> of March 1993, almost three years after coming to office, that the INIM was reactivated: new programmes – including the CMNs – and a new mandate were announced by then-president Violeta Chamorro (Moreno 1993). Its new mandate included developing public policy to promote women's equality and eliminate discrimination in others, having an information and communication strategy regarding women's situation, and strengthening the government's participation in international institutions (Gobierno de Nicaragua 1993).

The INIM has been, like many National Women's Machineries, a fairly weak institution. Since 1993 the INIM has always received a minimal budget worth about 0.03% of the national budget (INIM n.d.). The funds it receives from the government covers its minimal operating expenses (about half the Institute's budget), meanwhile all the programming – including some of the staff – is covered by bilateral and multilateral funds (INIM 1999). Indeed part of the INIM's legal mandate states that the INIM must raise money for its work and it is responsible for its own "institutional strengthening" (Gobierno de Nicaragua 1993). Another sign of institutional weakness is the longevity of its directors: it has had 8 directors since 1990, 2-3 per administration.

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<sup>2</sup> Funds for gender mainstreaming and police modernization have also been provided by the Swedish International Development Agency (SIDA).

Under the second director, Auxiliadora Pérez de Matus, the INIM undertook the CMNs and a number of other initiatives, through which it gained a high profile. During this time the INIM was part of the Ministry of Social Action and participated in the social cabinet, though not the more powerful economic cabinet. Pérez de Matus considered that it had implemented Chamorro's government's policy of reconciliation following the end of the Contra War by coordinating with the women's movement to design a National Plan in 1994, including the post-Sandinista women's movement and centre and right-wing sectors. It also did trainings in leadership, violence, and gender with sectors related to the CMNs, with women's movement activists and women politicians of various stripes prior to the 1996 elections, as well as with other sectors. An important meeting that took place between the INIM and several representatives of the women's movement in August 1996 fits within that general approach, however at least some of the impetus came from the Project to Promote Gender Policies of the GTZ, which had recently been established in Nicaragua and whose initial counterpart was the INIM (Annette Backhaus, interview 1996; INIM 1996). There were at least two important drawbacks to the work of the INIM in this period. One, it carried out projects instead of developed policy. Two, its trainings were criticized for having highly centralized decision-making and responding to the directors' interests, not institutional priorities. Furthermore the activities suffered from a lack of both clear objectives and were not linked to planning and formulating public policy (Fauné 1998).

The situation of the INIM changed substantially under president Arnaldo Alemán (1997-2001). Not only did the INIM no longer participate directly in any government cabinet, in 1998 the Ministry of the Family was created, to which the INIM was subordinated. The mandate of the new Ministry reflected Aleman's close alliance with Nicaragua's Catholic church hierarchy, which included restoring the traditional family. In early 2000 a confidential document was leaked that contained a new, pro-Vatican definition of gender. Then at a regional meeting the Minister of the Family represented the government, not the director of the INIM, did not invite members of the women's movement as most other countries did, and made declarations representing a similar perspective (Imhof et al. 2000). Not only was the women's movement concerned that the government would not respect the INIM's autonomy or uphold women's rights, so were the donors (Freeman et al. 2002). By year end, the INIM tried to reassure the public and donors that new Ministry of the Family "ministerial agreements" guaranteed that the INIM would be able to continue to carry out its mandate (INIM n.d.(a)). The INIM was also politicized in another way. Since taking office, Alemán had made clear his opposition to the NGO community for what he perceived as their Sandinista links. After Hurricane Mitch in late 1998 this escalated to a veritable "war" in which the particular NGOs and leaders singled out, but with a strong bias against women (Kampwirth 2004). Some of this antagonism did surface in the context of the CMNs, but not to the extent that other government agencies were involved.

Under the current administration of Enrique Bolaños (2002-2006) the INIM continues to be weak. While the president has a fairly 'traditional' concept of gender, his administration has distanced itself from that of Aleman's and thus the INIM has not been involved in an anti-feminist agenda. Neither has it apparently been directly embroiled in the institutional crisis that plagued the government through much of 2005. Even though the INIM budget improved minimally in recent years to 0.04% of the national budget (INIM n.d.(b)) and a strategic plan for 2002-2006 was formulated, no government monies have been spent on programming (INIM

n.d.(b)) and it has made little significant impact on policy (Delgado 2003). For example, a National Development Plan was released in November 2005 to comply with structural adjustment policies under the Strengthened Growth and Poverty Reduction Strategy (SGPRS, 2001) and the Highly Indebted Poor Countries Initiative (HIPC, 2004), yet despite its centrality for directing economic and social policy, it contains no gender strategy or even mentions the INIM (Republic of Nicaragua 2005).

In terms of the CMNs and violence against women policy in general, the INIM first disputed the Police's central role in the set up and running of the CMNs, but eventually defined its own field of engagement. While the former INIM director, Maria Auxiliadora Perez de Matus was aware of Granera's early work to set up the CMNs, she disputed Granera's account of how the CMNs were established. She claimed that she had learned of them separately through the Women's Commission (CIM) of the OAS and had pursued funding for them separately. There was a competition between her and Granera's proposal, and hers was the first to be funded. Furthermore, she contended that it was her idea for "civil society" to participate in the CMNs (interview 20 December 1996).

In late 1997, INIM coordinated a national series of workshops (funded by the GTZ) on laws related to domestic violence (law 230), sexual violence (law 150), and child support (law 143) – facilitated by a Managua NGO – in which several government, state, and civil society entities participated. Out of this experience it was decided to re-activate the National Commission on Violence against Women<sup>3</sup> with a new mandate and develop a National Plan on Violence against Women, Children, and Adolescents (Comisión Nacional 1999). The Plan for 2001-2006 was approved in late 2000 and received \$150,000 from the Inter-American Development Bank for its implementation. The Commission has been relatively weak, as have been the outcomes of the plan. The Commission was later re-organized, but one of its central difficulties remained: decision-makers for the various government institutions rarely attended. The most successful projects of the plan, including the CMNs, have been those implemented by other government and state agencies in greater or lesser coordination with the INIM.

## **The Women's Network against Violence**

The contemporary Nicaraguan women's movement has its roots in the Association of Women Confronting the National Problem (AMPRONAC) founded in 1977 to support the FSLN in bringing down the Somoza dictatorship, which after 1979 became the Luisa Amanda Espinoza Women's Movement (AMNLAE).<sup>4</sup> As the mass organization for women affiliated to the FSLN, AMNLAE operated throughout Nicaragua, both representing women's demands and, increasingly with the impact of the Contra war, mobilizing women to defend the revolution. The historical antecedent to the CMNs was the Women's Legal Office set up in 1983 by AMNLAE to address violence against women, divorce, and child support. It provided free legal and psychological services to women, as well as information to the public, though it did not coordinate with the police (Oficina Legal de la Mujer 1986).

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<sup>3</sup> A National Commission on Violence against Women was first created in 1992 and its mandate related to a quite different institutional context.

<sup>4</sup> Victoria González has traced a right-wing women's movement linked to the Somoza regime (Gonzalez 2001).

By 1986 some women activists decided to form independent feminist collectives because of limitations imposed through AMNLAE, from which they provided direct services and information, as well as organized around violence against women (Colectivo n.d.). Following the FSLN's electoral loss in 1990, the women's movement began to grow, both in terms of the numbers of NGOs and grassroots women's groups, as well as their visibility and impact on the national stage. The burgeoning left-wing women's movement responded against the new UNO government's morally conservative discourse women, at the same time that it sought to strengthen autonomy from the FSLN, refuting a hierarchical relationship under AMNLAE.<sup>5</sup> In 1992, the Women's Network against Violence was formed along with six other thematically organized networks.

The Women's Network against Violence represents about 150 organizations and many individual women. It has a diverse membership in terms of socio-economic background, ethnicity, geographic origin, and ability, as well as the sectors represented, the kinds of activities they do, and the amount of funding they receive. From its founding until 2000, a non-hierarchical organizational structure was a key aspect of its autonomous identity. All decisions were made by consensus in the National Assembly (in which all members participated). Until 1996 there was only one full-time staff person, Violeta Delgado, who played the role of "liaison" and later "executive secretary," but she was not the official spokesperson or representative of the Network, nor was she affiliated with any of the member groups. As a network, it has never become an NGO and is not legally incorporated. A member NGO has represented the Women's Network as necessary, for example to sign donation agreements and cheques.

The Women's Network launched very popular national campaigns for November 25<sup>th</sup> with generated large amounts of media coverage. Between 1994 and 1996, as a result of these campaigns and other advocacy activities, it collected signatures to demand the ratification of the Inter-American Convention for the Prevention, Sanction, and Eradication of Violence against Women (Belem do Para Convention) and carried out an intensive one-year campaign to formulate a bill on domestic violence and get it signed into law (law 230) (Ellsberg et al. 1997). Except for its involvement with the CMNs, all the Women's Network advocacy activity during this period was external to the state. Indeed there was a lingering debate among members as to whether it should be directly engaged with the state through the CMNs (Jubb 1999). Other activities focused on providing information to women on how to seek help in the face of violence and a forum for women's groups to share approaches to dealing with violence against women (Delgado 2003).

In 1998, the Women's Network against Violence began to become a more professional organization. The catalyst was the aftermath of Hurricane Mitch, when members decided that it was necessary to have an official representative who could speak for the Network (Delgado 2003). A 1½ year institutional strengthening process led to a very different organizational structure: along with the national assembly and the commissions, there is now a secretariat and a coordinating commission, with representatives from the other groups. Despite maintaining the principle of "horizontalness" and the national assembly remaining the maximum decision-making body (Red 2001), in practice most decisions are made by the coordinating commission

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<sup>5</sup> See Ibester (2001) for an analysis of this period.

which meets more frequently than the assembly and relatively little information is filtered down. There is still no one executive leader of the organization, but there is one elected staff member per programme area, as well as an accountant.

Since 1998 the field of action of the Network has changed: its activities have become more professional and it has expanded its internal-external advocacy role (such as the CMNs), though it continues to play a strong external advocacy role. Though it continues to do the annual campaigns, less funds are raised and in 2005 only one large national activity was held as compared to the multitude of local activities that used to be the norm (Norori, interview 2005). Furthermore, since Hurricane Mitch the Women's Network has been involved in providing training for members. First the trainings dealt with psycho-social services for trauma survivors and in the last year it has begun to do "feminist training." The Women's Network is getting involved in national coordinating bodies beyond the women's movement (Delgado 2003), including both civil society ones and mixed state-civil society ones based on a broader understanding of "gender-based violence." It still breaks the silence on violence against women and demands that women's rights be defended. In 1998, it defended Zoilamerica Narvaez, the step-daughter of former president and current FSLN presidential candidate Daniel Ortega, in her process of denouncing the sexual abuse she suffered at Ortega's hands. In 2003, the Women's Network defended an 11-year old girl dubbed "Rosita" who had been raped where she was living with her migrant-worker parents in Costa Rica and consequently got pregnant, which raised a public debate over abortion with vehement opposition from the Catholic church and its supporters. These changes and campaigns have sparked intense debate within the membership (Delgado 2003) and not all have been satisfied with the results. One former staff member in particular remains an active member, though she disagrees with what she sees as a professionalization of the Women's Network (Norori, interview 2005).

While a handful of Managua women's organizations were directly involved at the local level when the first CMN was founded, the Women's Network itself did not begin to get involved until 1996. By then a number of Women's Network members in various cities were providing services and at the Women's Network meetings they began to compare experiences with both the INIM and the Police. They mobilized through the Women's Network to negotiate new terms for the project in 1996 and during the rest of the first phase played an external advocacy role at the national level on behalf of member centres who were directly involved at the local level. Its role has changed considerably since then depending on both internal politics and the model of CMNs funded by donors.

### **The First Phase of the CMNs: 1994-1998**

The first phase of the CMNs began in August 1994 with funding from Norway (NORAD) for a three-year project called "Strengthening and Expansion of the Women's and Children's Police Stations" to fund the CMNs in five localities. By the end of the first phase in August 1998, five more CMNs had been opened, which were funded by Holland, DANIDA (Denmark), AECI (Spain) and one was self-funded. The basic administrative and service model was the same for each, though the NORAD project was the largest in terms of geographic and programmatic

scope (including developing a database, training, media campaigns), with a total budget of about USD 1.5 million (Hidalgo et al. 1998).

In the first-phase model bilateral funds were provided by individual donors to the INIM, which was the sole counterpart. The INIM then distributed the money destined for direct services to participating centres in each locality that provided direct services to the CMN and to the local CMN. The 22 participating women's NGOs were contracted individually by the INIM to provide a set amount of each kind of service each month. The centres included Ixchen and AMNLAE (both with centres in several cities), and local NGOs. These centres were paid for providing legal, psychological, and forensic-medical services to users: they were reimbursed on a monthly basis for the number of each kind of service they had provided. The police received capital expenses, for example re-modeling or building an office for the CMN, a pick-up truck, and a computer, as well as other expenses – a salary “top-up” for the CMN chief and investigators, and phone service. Direct services also included the hiring of civilian social workers and psychologists to work in the CMNs, who were employees of the INIM. Within the INIM staff included one person who oversaw all the CMN projects, a finance person, and administrators for each of the various projects (Hidalgo et al. 1998; Jubb 1997).

In the first phase the CMN at the police station was considered to be the users' point of entry. With the exception of Bluefields,<sup>6</sup> two or more centres provided services in each locality, though only some of the centres provided all three kinds of services. Thus users would likely have to go to more than once centre to complete the “critical route” of services (Shrader and Sagot 1999), never mind the complicated process to take a case to trial. Police services were considered to be specialized because services were provided by specially trained policewomen and because of their multi-disciplinary nature (Jubb 2001b). The police officer would complete the process for either pressing charges or doing an extra-judicial arrangement (AEJ). The social worker would provide follow-up and referral services, liaise with the centres and also do outreach. The psychologist provided counselling for survivors, mostly in crisis situations, and supported the social worker. Only if a user wanted to press charges was she sent to a women's centre.

The first phase model also consisted of a joint management model at the local and national levels. Participants at the local level included not only the police and contracted centres, but was open to other state and non-state organizations, as well as individuals, who were interested in contributing to violence prevention. The membership and the effectiveness of the local commissions varied considerably. At the national level there were provisions for a national commission which was to be coordinated by the INIM, but in practice it never met (NORAD internal report 1997).

The greatest source of tension and even conflict among the partners related to the administration of funds. When the centres began to discuss their interactions with the INIM in the Women's Network, they found out that they were dealing with similar situations. They founded a working group, the CMN Commission, to share their experiences. In the first phase the agenda of the CMN Commission was built in an ad-hoc, bottom-up process, where centres

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<sup>6</sup> The Bluefields project covered the hiring of a psychologist, lawyer, and social worker who would work on staff at the CMN because of the lack of women's NGOs to provide those services.

shared their experiences at the local level and from there consensus was reached for an advocacy strategy. The Commissions had a facilitator or liaison, Lorna Norori, but the leadership was shared among most of the participants as they debated the issues and created a critical “space” to denounce the practices and policies of the INIM and the Police and propose alternatives (meeting minutes; participant observation).

Many of the issues they discussed had to do with INIM administrative policies and what they perceived as their negative impact on the users and the centres. Since the CMN was assumed to be the start of users’ critical route, only when there was paperwork to prove that the users were transferred from the CMN to the centre would the INIM cover the services. Since users would not go immediately to the centre after being referred by the police, but might wait several days which could cross into the next month, this created bureaucratic nightmares for the centres and the CMN social workers when calculating monthly reports to get reimbursed. Another issue was the number of services that could be applied per user. The Women’s Network argued that a recuperation process could take more than three sessions with the psychologist, but the INIM would only pay for that quantity. The situation went on throughout the first phase of the project, though it became noticeably worse after the change in government. According to the centres, no fees for individual services were paid at all during the first six months of 1997. The women’s centres and others also rejected other aspects of the project’s administration. Although each local commission had to prepare a workplan (including outreach, training, and other activities) with a budget, they were never told how much money was in the budget (Hidalgo et al. 1998). Once the INIM had accepted the budget, the local commissions still had to submit a specific plan and budget for each activity ten days in advance to get final approval and the disbursement of funds. Not only did this create more work for the commissions, they often had to cancel or postpone their plans because they did not receive the money in advance. For its part the INIM argued it was under no obligation to reveal the budget to the local commissions and that it had to get approval from the donors to spend the funds to account for the delay, however donors disbursed the funds semiannually (Barahona, personal communication 1997). The director of the INIM during the Aleman administration defended her administration of project funds for the centres by arguing that many NGOs “lived off” violence against women and they inflated their costs to do so (López, interview 1998). The centres protested the ‘neoliberalization’ of the services: instead of having a user-centred model, the only issue at stake was counting pennies. On top of these problems at the local level, at the national level the INIM refused to call a meeting of the National Commission for the CMNs.

During the first phase the National Police’s attitude towards the Women’s Network varied considerably between some local CMN chiefs and the national CMN chief on the one hand, and many male station chiefs on the other. At the national level there was an ongoing alliance between the Women’s Network and the national CMN chief, Captain Ileana Torres, who replaced Granera in 1996. In part this was due to a common post-Sandinista heritage and distrust of the new government, as well as a common perception of violence, services, and the administrative model. Torres was outspoken about her support for the Women’s Movement and distanced herself from the INIM. She argued that “real social coordination ... the ideal model” of CMNs was a bilateral relationship between the Police and civil society (participant observation, Ocotol, 14 January 1998). She was concerned that the INIM was politicizing the CMNs for its own institutional benefit (Torres, interview 20 January 1998). Torres’s views were shared by

some but certainly not all chiefs of the stations where there were WPS and at the national level, as well as some CMN chiefs. They argued that the “real work” is done by the police itself, therefore neither the INIM nor the Women’s Network were fundamental (Díaz, interview 1997).

There were also contradictions over police services in the first phase. One was over the CMN trucks. Often the truck was not available for CMN work (arrests, investigations, follow-up) because it was borrowed by the regular station for other purposes. The Women’s Network and the INIM put pressure on the Police to ensure that they were only used for the CMNs. “For CMN Use Only” signs were painted on the trucks and an order was circulated from the National Chief of Criminal Investigations. Still the practice continued and chiefs unabashedly cited their lack of resources as the reason (Kañas, interview 17 February 2000). Another was over the use of extra-judicial arrangements (AEJs) to resolve so-called “domestic disputes.” They argued that with the passing of law 230, all cases of domestic violence had to be sent to court and could not be resolved by police mediation. The Women’s Network further argued that they inhibited women’s access to justice through the courts, therefore contributing to impunity and not enabling the users’ empowerment. Many in the police argued that the AEJs were useful and effective. Torres was so opposed to the AEJs that she conducted a study, funded by the Canadian International Development Agency (CIDA) to tell the other side of the story (Torres et al. 2000). In fact, the final evaluation found that AEJs were being applied in about 45% of cases (Hidalgo et al. 1998). Since users who signed AEJs were not sent to the centres, this limited the centres’ participation in service delivery and meant less follow-up was provided to the users. The AEJs thus served to enforce police authority on the users, not defend their legal rights (Jubb 2001a). Indeed the problem of the AEJs was raised by all parties, including the INIM (Lopez, interview 23 March 1998) and the German agency for Technical Cooperation (GTZ) when it was considering funding the CMNs (Quintana 1996).

Given all the concerns the women’s centres had about the CMN services and administration, in August 1996 the Women’s Network began to mobilize for a series of negotiations among the it, the National Police, and the INIM. That they could call the meetings and have the others attend, as well as some donor representatives, shows the prestige the Women’s Network had at this point in time through its campaign at that time to pass a bill on domestic violence, even though it was not even directly involved in the project. The Women’s Network pressed for the CMNs to be part of a single project with a single, global budget, where there would be a fully functioning national commission in which the Women’s Network along with the Police and the INIM would be equal partners in decision-making. The local commissions would be collegiate bodies with decision-making powers and a secretariat to implement decisions such that the women’s centres would no longer be participating in what they considered to be a neoliberal model of contracting services. A partial agreement was signed in October which recognized many of these points (Comisión de Trabajo 1996), but no agreement was ever made on how to implement them. Nevertheless, there were two important limitations to these agreements. One, it was not clear whether the donors would agree to them as at least a few of the points might have required that the projects be re-negotiated. Two, when the new government came to power in January 1997, the agreements were left behind.

As things got worse under the Alemán administration, the Women’s Network decided to contact the donors directly to express their concerns. In response to these complaints, the donors

went to the project sites and questioned the INIM. In the case of the Bluefields CMN, the donor was so frustrated that the specific measures undertaken to address the needs of the Caribbean coast communities had not been implemented,<sup>7</sup> that it almost considered cancelling the project (Als, interview 1997). It remained concerned throughout the funding period and pressured the INIM to conform to the terms of the project, but no further action was taken. The representative of the Norwegian embassy wrote a report that confirmed the complaints made by the centres and other local actors (Barahona, personal communication 9 October 1997). Although it also voiced its concern with the INIM and attempted to hold it accountable, it never considered cancelling the project. For its part, Spanish cooperation (AECI) eventually decided to contract someone to monitor the project it funded in Masaya for a year. The opinion of one women's centre director was that this person began as an intermediary between the INIM, AECI, and the local commission, but eventually took the side of the INIM (Altamirano, interview 1998).

At the end of the first-phase projects, Norway and Holland decided to have their projects jointly evaluated. The report found both achievements, particularly around making violence against women a public issue and the state's concrete commitment through both the INIM and the Police to act defend women's rights, as well as the articulation between the state and civil society (Hidalgo et al. 1998). At the same time they found many shortcomings, principally to do with the project's administration, but also in relation to the services. Most of its critique was levelled at the INIM, partially reflecting the Women's Network's perspective. The report showed that the project's administration lacked a strategic vision and instead it was overly centralized and micromanaged, which led to both the project being under-executed and the funds being underspent. Of the budget for human resources, which covered the INIM staff, the civilian workers in the CMNs, and the policewomen's "top-up," 84% of the funds were spent, meanwhile 43% of the funds for training workshops were spent and only 38% for publicity (outreach and mass media campaigns). The most underspent category was the funds allocated for the NGOs' services: only 23%. The evaluators' recommendations for a second round of funding largely reflected the Women's Network's early proposals. They called for a single global project to be funded jointly by all the donors and argued that an empowerment model for services should be applied instead of the welfare one that characterized the first phase.

Thus the first phase brought certain prestige to the Police for its commitment to undertake a radical change in how it dealt with violence against women. Even though there were complaints made about how police procedures and practices limited the defense of women's rights, not only by all the national actors, but also by the donors (Hidalgo et al. 1998; Quintana M. 1996), the pressure had little if any effect at the local level. It was the INIM that, as the counterpart responsible for executing and administering the project, was placed as the main actor responsible for projects' severe limitations. While the INIM was cast as the guilty party by the final evaluation, the INIM did gain prestige during the execution of the project, which also contributed to its institutional survival. Despite problems with the administration had been detected in the NORAD project's 1996 mid-term evaluation (Ellsberg et al. 1996), the Women's Network complaints, and even the donors efforts to get the project implemented more

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<sup>7</sup> In the southern Caribbean coast (RAAS) almost all communities are only accessible by air or by water, therefore provisions were provided for a motorboat. Furthermore, because of the distance from Managua and concerns to respect the region's legal autonomy and cultural diversity, an administrator was supposed to be hired to work in Bluefields and a monitoring position was also created.

effectively, the INIM continued to administer the project as it chose, with the consequent problems this created for the women's centres and ultimately the users. The impact on the Women's Movement was almost the inverse to that of the INIM. Its perspective was largely accepted by the donors at the end of this phase, which did open the door for the evaluators' recommendations to be incorporated into the second-phase project, and which in turn could potentially lead to implementing part of the Women's Network's vision of the CMNs. Meanwhile throughout the project it had to deal with the same limitations to its participation, despite its efforts to effect change.

### **The Transition Phase: 1998-2001**

The transition phase lasted 2½ years, from mid-1998 to early 2001. It began as a period imposed by the donors so that the national partners could develop a new model for both the services and the administration and management of the CMNs which would meet the recommendations set out in the final evaluation report. However the period was extended as the national partners attempted to negotiate amongst themselves and with the donors, meanwhile direct services to users were restricted. Important changes were eventually made to all aspects of the project, including the roles of each one of the national actors and even affected the donors. The negotiations over the roles of the partners within the project, their activities, and corresponding budget were informed by both a centripetal force imposed by the donors and a centrifugal force operating within and among the national partners.

The donors' accepted the evaluators' recommendations (Hidalgo et al. 1998) and sought to put the majority of them in place for the second phase. On the one hand, this was an indication of the donors' recognition of the achievements of the CMNs in the first phase and their contributions to not only ending violence against women, but also contributing to women's citizenship and an engendered democracy. On the other hand, that support was conditional on the project meeting a set of requirements that affected not just how the funds were administered or the technical aspects of the project, but also the roles of the three soon-to-be partners. The two most important conditions imposed were that, first, the next CMN project had to be submitted and administered/managed jointly by all three partners and second, the project had to become sustainable, as they would not continue funding the CMNs indefinitely. More specifically, they asked whether it would be possible for the salaries of the CMN workers to be absorbed by one of the partners. Though there were critiques implied for all the partners, it was strongest in relation to the women's centres. They suggested that the centres were already receiving funds from other donors to provide direct services, a very subtle accusation that they were charging double (Kottmann et al. 1998). They also wanted to see a project that would provide services as suggested by the evaluators: a universal model with an empowerment focus for the users. Finally, the donors insisted that all communications between the national partners and the funders had to be bilateral, where the national partners spoke in one voice, as would the donors. The donors insisted on there being a transition period for negotiations among the three parties so they could resolve the problems of the first phase, and to do so supported the national partners in two ways: they funded direct services for another six months and a consultancy to conduct to develop the second-phase project. Indeed as time wore on, some donors even set funds aside for

the next phase (Trejos, interview 1999), although AECI decided to work on violence against women with the courts instead.

There were many issues that the partners had to resolve to develop the second-phase proposal, where the more contentious ones related to the roles and different kinds of power each of the three partners would have. Three proposals were submitted to the donors before one was finally accepted. The most difficult issue to resolve had to do with which partner would be the actual counterpart for the funds and how would they be distributed. At the outset the INIM refused to be the counterpart for the funds because of the criticism it received from the evaluators, meanwhile the Police did not want to for its own institutional reasons. Only the Women's Network wanted all three to be counterparts. In 2000, the partners were still negotiating this point (Comisión Nacional de Comisarías, 2000). None of these alternatives were acceptable because they did not meet the conditions of the donors of having a separate project or of building the sustainability of the national partners, meanwhile the Women's Network could still not be a counterpart because it was not legally incorporated. The Police finally developed another proposal: it would accept the funds if another institution administered them. Despite the Women's Network's objections, this proposal did form the basis of the administrative model. On another point related to both the administration and the management of the project, the Women's Network did have its proposal accepted by the other two partners: it was decided that there would be a full-time secretariat of both the national and the local commissions (Torres interview 2000; participant observation 11 April 2000).

Another aspect that had to be negotiated was the new service model. In this aspect the Women's Network played a leading role based on its expertise in violence against women. It was agreed that a single, integral model would be applied in all CMNs. Not only would *all* cases would be sent from the CMN to the centres (Comisión Nacional de Comisarías n.d.) – but that a user could begin her critical route either at a CMN or at a women's centre. At first the police negotiators did not want to accept that the users could also begin receiving services at a centre but the Women's Network eventually convinced them (Delgado and Norori interview 1999; Báez, interview 1999).

Other than the way the three partners would be articulated in terms of an integral service model and the joint administrative/management model, there was also the matter of defining the specific role and sphere of activities for each partner. Eventually the national partners decided to let each partner define those aspects for themselves. The Police's role was “established by its vision and mission established in the regulations of [the police code]. Its role is oriented towards guaranteeing the rights of the human being” (INIM et al. 1999a, 25). Although to a large extent the role of the Police would be the same, it was now couched in new language such that its role in this project would dovetail with the internal gender mainstreaming process that it had recently expanded to include citizen security from a gender perspective (Policía Nacional 1999). For its part the INIM's new role was defined “as a formulator of public policy for women as per its vision and mission, and not as an administrator of funds. Its role must be oriented towards defining public policy for women's advancement, promoting policies in other state institutions that incorporate the gender perspective, and promoting institutional coordination around these policy issues” (INIM et al. 1999a, 24). This new role for the INIM reflected both the criticism it had received from donors in the past – as well as from the Women's Network – and also the new

role it had established for itself as Coordinator of the renewed National Commission on Violence against Women, Children, and Adolescents.

While the INIM's role did change much more than the Police's, it was the Women's Network's role that changed most of all. Its official role in the second phase was to be "proactive and do advocacy on relevant public policy issues ... to advise, provide technical monitoring, audit the service model, and prioritize the strengthening of the territorial commissions" (INIM et al. 1999a, 25). This role could be understood as formally recognizing part of the role that the Women's Network had demanded in the first phase: doing advocacy from a joint state-civil society spaces, as well as being directly involved in the management of the project. As time wore on, the Women's Network began to take on yet another role: it had to become directly involved in the administration of each one of the member centres. To avoid the first-phase model, it was decided to provide funds to the centres for "institutional strengthening," which would be calculated partially on the kinds of services provided by each centre as well as the quantity of users they could receive. The money they received, however, could be used to cover staff salaries, but could also be used to pay for utilities, or other related costs. The major sticking point was determining how much each centre should receive. This required all the centres that wanted to participate in the project – whether they were affiliated to the Women's Network or not – to provide detailed information to the network about the services they provided. After the centres had supplied this information a first time, they were told they had to provide an even more detailed accounting, which made some of them uneasy (participant observation, 4 February 2000).

While the partners were forced to come together to build a common vision of the future of the CMNs, so too were the donors, albeit to a lesser extent. They took it upon themselves to accept another of the evaluators' recommendations: that the donors should fund a single global project amongst them all. This gave them the challenge of having to coordinate the requirements of each one of the donors. This included everything from conditions on how much money could be spent on administrative costs to reporting requirements. For many of the donors at the time, it was the first time they had engaged in this level of cooperation in Nicaragua and presented a challenge to them, although now it is a more common experience (Espinoza interview 2005). Other donors (CIDA, GTZ and SIDA) even expressed an interest in funding the second-phase project for a time, underlining the appeal of the CMNs to the donors, despite their limitations.

The budget was a focal point for disagreement both among the national partners and between them and the donors. However the national partners came to an early agreement amongst themselves that along with each one's role and activities, each partner should also write their own budget (the police for the national and local levels; the Women's Network for itself and the centres) without any input or contestation from the other partners. Together they wrote the budget only for the administration and management at the local and national levels and any coordinated activities. Indeed the first project proposal submitted to the donors in 1999 had a budget of almost USD 20 million, of which almost two-thirds were to be provided by the donors and the rest by the national counterparts (INIM et al. 1999b).

The donors responded that the amount was too high (Comité de donantes 1999), even inflated (Trejos, interview 1999). They argued that administrative costs were too great, citing in

particular the proposed national and local secretariats, which they argued would decrease the project's sustainability, thus disagreeing with the national counterparts, particularly the Women's Network, that the secretariats were key to ensuring both the collegiate decision-making model and the integral service model. Even when the budget was lowered to USD 6 million, they were still unsatisfied. The situation raises another point that the donors differed on: their level of engagement with the national partners. While some, like the GTZ or CIDA had licence to deal directly with their counterparts and speak their minds, this was not the policy or established practice of others, particularly the Nordic countries (SIDA, NORAD, DANIDA) and Holland. Unlike the carefully worded suggestion of the donors letter in 1998, Trejos quite clearly voiced the critique that it seemed that the Women's Network was trying to get paid twice for the work it did and that it appeared that it was no longer interested in fulfilling an advocacy role. While on the one hand she expressed the view that these services should be supplied by state agencies, at the same time she made it clear that the donors were not averse to funding the centres, but they wanted that funding to not be included in the project. Other critiques were extended to the three counterparts jointly. One related to the poor technical quality of the proposal was very sub-standard. Furthermore the project seemed to have been written in three separate parts and just added together, both technically and financially. While the donors were unwilling or unable to fund such an expensive project, they could not fund it either because it did not meet their technical requirements. Moreover Trejos wondered how the three "partners" would implement the project together if they could not even design it together. Eventually both the GTZ, which was already funding the Police's gender mainstreaming initiative, and CIDA withdrew because of the delays and the problems. The remaining donors eventually agreed to funding direct services provided by the centres, but insisted that the total donations for a three-year project not exceed USD 3 million, of which about USD 1.2 million would go to the centres.

During the transition, direct services to users were greatly affected. Though funds were provided for six months, the transition period lasted five times longer. Even though they received no salary, some of the civilian CMN workers and those in the centres continued to work for a period. The centres reported that they were receiving far fewer referrals from the CMNs. Also, the CMN trucks were increasingly less available for CMN work. Though some pressure was placed on the Police, without the backing of a contract, there was even less possibility that the rule would be enforced than before. For their part, the Police argued that they did not need CMN project funding to survive – they would provide the services no matter what (Gámez, interview 1999). During this period, a documentary was done of the CMNs and aired on national TV that showed AEJs being done when clearly the law should have been applied instead. This led to a crackdown against them by the national chief of Criminal Investigations (Báez, interview 2000) though in practice they were still done but without any police record of them (participant observation July 1999).

During this phase each of the new phase began taking on new roles. The Police's former role was extended; the INIM's role decreased within the sphere of the CMNs, but expanded in a new one; and the Women's Network seemed to be in a contradictory position of trying to be doing both management and advocacy, within and outside the state simultaneously. Not only were they planning new roles, they also began to implement them during this period. The Inter-American Development Bank gave money to the CMNs to implement studies and a new service model; it also gave money to the INIM to begin to execute the projects of the new National

Commission on Violence against Women. By contrast, the Women's Network decided to do advocacy both inside and outside the country to put pressure on the other national partners and the donors to begin the second phase promptly so that users would continue to receive services. It was also a crisis for some of the centres, because this was their main source of funding (participant observation, 5 November 1999). While the Women's Network's efforts met with limited success, it did effectively launch its new administrative role with the centres.

### **The Second Phase of the CMNs: 2001-2004**

The second phase project, called "Network of Services for Women, Children, and Adolescents, Victims and Survivors of Inter-family and Sexual Violence, Phase II, Comisaría Programme" began in February 2001 and concluded in January 2004 with CMNs in 3 parts of Managua and 10 other cities. A total of 38 centres were direct participants in that they provided funded services, while many more participated in the local commissions. The three partners at the national level were the National Police, the Nicaraguan Women's Institute (INIM), and the Women's Network against Violence, who comprised the Technical Committee which oversaw the project. The donors for the project were: NORAD, DANIDA, Holland, and SIDA. The total donation for the project was USD 3 million, with an additional sum (about USD 1.2 million) as the counterparts' contribution (Comité Técnico 2000). While a large part of the project was dedicated to providing direct services, as in the first phase, there was also a greater training component to be implemented by all three partners, a universal service model based on an empowerment perspective was to be developed and implemented, as well as a database, and the national partners were supposed to work towards the sustainability of the project for the future. The roles of all three national partners changed significantly in the second phase, reflecting both the internal policy of each partner and also the project. The project brought them very close together, but at the same time the project and institutional interests were steering them apart.

The administration of the project funds and the management of the project operated quite distinctly from the first phase. The Police was the sole counterpart for the funds; but it was the Technical Committee which was ultimately responsible for implementing the project. The project funds the police received were immediately transferred to a separate firm (CECSA) that administered the project. The initial arrangement was that this firm would administer the project for one year, then the administration would be taken over by the project partners. The firm reported to the Technical Committee. A secretariat (one person) also reported to the Technical Committee, whose function was to operationalize its decisions. At the local level there was a local Territorial Commission to accompany the work of each CMN and the service network. Each had a volunteer coordinator, usually from one of the women's centres directly involved in the project, and a tiny budget. The centres were no longer paid just for services rendered. The new model allowed them to apply the funding not just to pay the services of their professional staff, but also enabled them to cover some of the centres' indirect costs (including administrative costs) to contribute to their financial stability and institutional strengthening (Comité Técnico 2001b).

The service model also changed and many components of a universal model were implemented, though there were tensions among the Women's Network and the Police in

particular over appropriate roles. The basic actors were the same – CMN police, CMN social worker and psychologist, and the professional staff of the centres – but how they interacted to provide services and the kinds of services they provided were different. The model placed the user in the centre, such that the network of services was activated whenever she (or he) first had contact with one of the participating organizations or institutions. All users were to be sent to receive the other services available in the network. Two levels of services were included in the project: the first included prevention, detection, and crisis services; the second involved the process of responding to the violence with professional services, either through psychological counselling or going through the judicial system (Comité Técnico 2001a). The social workers and psychologists began to provide the second level of services to users, as the professionals in the centres had done in the first phase and continued to do. The Women’s Network did not consider this to be appropriate, again because the lack of specialization in the Police regarding an empowerment model of services, but the Police stood its ground (Jubb et al. 2003). Service delivery itself was a strength of the project as it had many more beneficiaries than intended, and the network and referrals in general worked quite well. The CMNs continued to be main point of entry, but many users started at a women’s centre or other participating centre or institution. As was intended in the new model, most users of the CMNs were transferred to centres, and some to state institutions, depending on the service they required. All the CMNs except two accepted the users who were transferred from the centres, although the CMNs only kept records of the cases they transferred, and not the ones they received (Jubb et al. 2003). It was also found that promoters or popular defenders<sup>8</sup> linked to the women’s centres played an important role in the network as a point of entry and by accompanying users through their critical route. Thus local services were provided by complex networks that involved many more actors than those who were being paid through the project (Jubb et al. 2004).

The Police’s role in the project expanded and its focus shifted to match its citizen security and gender mainstreaming policy. The most significant change was its new role as counterpart. For the most part this role was carried out without any complications or conflicts (Jubb et al. 2003). The Police also eventually assumed responsibility as employer of the civilian workers in the CMNs. The Women’s Network expressed some opposition to this based on the lack of professional expertise within the Police to supervise them. The Police’s other major role was to provide direct services in the CMNs, which shifted to reflect its “citizen security model from a gender perspective” programme (Policía Nacional 1999). During this phase the Police received funds from the Japan International Cooperation Agency (JICA) to build eight more CMNs. These CMNs were never included in this second phase project, but funds from the Inter-American Development Bank and other sources were used to expand the training component of the second-phase project to include policewomen and policemen from all the CMNs and the regular stations they were connected to. With outside funds the Police also developed a training manual and a manual for a police service model (Jubb et al. 2003). One practical consequence of this change was that all units of the Police were supposed to respond to sexual and intrafamily violence. The evaluations found that this was indeed the practice in some places, but not in the majority of cases (Jubb et al. 2004; Jubb et al. 2003). This lack of service limited the Police’s

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<sup>8</sup> The promoter or popular defender are woman volunteers who have received training from a women’s centre in the law, human rights, gender, and other topics. Usually they are grassroots leaders. Members of their communities seek them out for advice or other kinds of help. A centre might support a network of promoters in urban and/or rural areas.

defence of users' rights and security, which was also found to be placed at risk by another practice: police officers gave Police summons to users to deliver to their abusive partners. A further issue that was raised in the evaluations was that the CMN vehicles were still being used for non-CMN purposes, despite another order being set from the national Criminal Investigations chief to all police stations (Jubb et al. 2003). Thus the Police had taken strides to design a new model of services, provide training in it, and even had some clear institutional policies, but their implementation was dependent on the discretion of local chiefs and officers.

The INIM's role was significantly different than in the first phase: it still had administrative responsibilities as part of the Technical Committee, but was no longer in a hierarchical relationship to the other participants. The INIM's activities centred around providing training to officials in other state institutions on gender and violence against women in the localities of the thirteen CMNs. This contributed to fulfilling INIM's institutional mandate, as well as contributed to its other responsibility as coordinator of the National Commission on Violence against Women. The evaluations found that many more government or state institutions were participating in the territorial commissions and service network, for example doctors and administrators from hospitals and health centres, teachers, and even some judges. This was found to be mostly the result of either personal conviction and discretion or national-level policy changes, thus could not be seen as an outcome of the INIM's activities (Jubb et al. 2003). These findings echoed a previous evaluation (Fauné 1998) which had found that INIM's trainings had had little impact.

The Women's Network's participation also changed significantly. On paper the Women's Network was responsible for doing advocacy to contribute to strengthening women's rights and contributing to the sustainability of the CMNs. In practice its administrative responsibilities for overseeing the work of the centres took precedence. The dynamic of the CMN Commission changed substantially in the prelude to the new phase as most meetings dealt almost exclusively with project implementation, and information flowed from the liaison to the members. There continued to be debates and discussions but they dealt with how the centres were implementing the project at the local level, as well as the Women's Network's share of joint national activities (for example, setting up the information system; service model; training). Advocacy debates usually centred around ensuring that the Women's Network's perspective was incorporated into the activities. The leadership was centralized around both the liaison, Juana Jiménez, and another member, Martha Munguía, both of whom most often represented the Women's Network at the Technical Committee. Furthermore Munguía was hired to do some of the project's consultancies. Thus there was also greater professionalization of the leadership. Since both also represented particular centres, there was also a certain amount of dissent within the membership of the Commission, though this was rarely expressed openly (meeting minutes; participant observation; personal communications).

There were a few contradictions around the payments for the centres' services both among the centres (and thus within the Network's CMN Commission) and among the partners. Not all the centres agreed with the assessment of their costs as well as the types of services that was done by CECSA and Munguía as the basis for calculating their monthly payments they would receive. Since a variety of administrative and technical information had to be supplied by each centre both to calculate the "institutional strengthening" payment and verify how the

payment was used by each one, in effect there was far greater intrusion into the centres' privacy than what the INIM had done in the first phase. Centres also complained that they received their payments late, but this was because both some centres and some CMNs submitted their monthly reports late, owing to limited administrative capacity (Jubb et al. 2003). Among the different partners there was still somewhat of an issue as to whether the centres should be paid for their services from this project because they had other sources of funding. There was also some conflict in the Technical Committee around whether the centres should be charging the users small fees for things that were not included in the project, such as some medical treatment or special paper that had to be used for legal procedures. In the end it was agreed that they could. Counter to this the centres mentioned that they did provide some items and services to some users that were not included in the project budget, for example money to cover their transportation costs, food, or the services of the promoters (Jubb et al. 2004).

The Technical Committee with the participation of the INIM, the Police, and the Women's Network, was supposed to have both an administrative role, to ensure the effective execution of the project, and a political one, in terms of articulating the policies and services of the three actors and building the long-term sustainability of the project. In the end the Technical Committee, which met weekly on average, dealt almost exclusively with the execution of the project. This included monitoring the implementation of the project at the local and national levels, as well as implementing the shared national components of the project. Throughout the project there were disputes among the project partners over many components of the project, from the universal service model and the information system to the publicity campaigns (Jubb et al. 2003; Jubb et al. 2004). Most of the disagreements were between the Police and the Women's Network, while the INIM, which did not play a leading role, often sided with the Police. The disagreements existed at various levels: institutional interests of the Police contrasted with "expertise" ones on the part of the Women's Network; different conceptions of services for violence against women (e.g. how to do prevention) and which partner should provide what role; and there was also personal conflict (meeting minutes; participant observation).

Sustainability was not addressed fully as the donors had intended. One of the donors' concern was that the Technical Committee take over the responsibility for administering the project from CECSA after the first year to build up their institutional capacity and sustainability. When the mid-term evaluation revealed this had not happened, the donors insisted on this condition, and it was eventually accomplished (Espinoza interview 5 December 2005). The donors' priority continued to be the services' future financial sustainability. Though the mid-term evaluation also pointed out that this had not been achieved nor had a plan been implemented, the donors also insisted. Although their preference was to have funds allocated from the national budget, this was never attempted by the partners. The final evaluation found that despite the fact the both the INIM and the Women's Network had responsibilities related to advocacy, neither of them pursued the goal of financial sustainability, nor did they ever coordinate their efforts to meet that or any other goal (Jubb et al. 2004). Instead, during the final evaluation the national partners argued that the Police's increasing commitment to the CMNs, particularly the eventual absorption of the costs of the civilian workers, was a sufficient outcome. In contrast to these forms of sustainability emphasized by the donors, the evaluations highlighted institutional and social sustainability that local participants – both service providers and members

of the local commissions – had built in almost every locality covered by the project as one of the project’s most important successes (Jubb et al. 2003; Jubb et al. 2004).

The second phase brought the national partners together to collaborate in an articulated, jointly created and partly imposed space. While collaboration was successful at the local level, at the national level what stood out was conflicting interests in some aspects and divergent fields of action in others. Conflicts over administrative issues between the INIM and the Women’s Network in the first phase were replaced by conflicts between the Police and the Network in the second regarding roles and expertise in violence against women from contrasting perspectives. The two state actors were able to make use of the project to further their institutional mandates in separate spheres. The Women’s Network, meanwhile played two very different roles. One was inside the project, where it focused on administering the project and supervising the centres, along with advocacy to have its empowerment perspective reflected in user services and related components. Beyond the project, the Women’s Network continued to play an external advocacy role, and a highly visible and controversial one in particular around its support of Rosita (Delgado 2003). The donors’ conditions – some of which originally reflected the Women’s Network’s vision – were largely met, especially around administrative issues, but in turn they contributed to both the successes and the contradictions of the second phase.

### **Phase Three(?) and the Future: 2004-**

Since 2004 yet a new set of dynamics have been at work where, for the most part, it has been the centrifugal forces that have had the greatest force. Unlike the end of the first-phase project, there were no three-way negotiations for future services requested either by the donors or by any of the national partners. All three national actors and the donors continue their commitments to addressing violence against women, but are proceeding mostly separately or bilaterally. The Police has independent funding for the CMNs and a new organization emerged, the Alliance of Centres, which is engaging with the INIM for projects separate to the Police. This section will consider new adjustments to the social order brought about by changing projects, roles, and services, as well as consider the donors’ views for the future.

Before the second-phase CMN project had ended, the Police was already negotiating short- and medium-term funding for the CMNs with donors without the other (former) national partners. The short-term funding was a one-year bridging fund from SIDA and DANIDA that covered all 23 CMNs. After that bridge, the CMNs were to be included in the institutional modernization and sustainability plan (Espinoza, interview 2 December 2005). The then-national chief of the CMNs, Captain Carlota Espinoza, insisted that it was very important for the CMNs to be sustainable and not always rely on funding. This was an indication of the Police’s own strengthened institutional commitment to the CMNs as well as indirect comment on the women’s centres continuing to seek funding for their services. Indeed the CMNs are in the process of being institutionally strengthened: along with consolidating all the local CMNs into a single funding package, plans are underway to elevate the CMNs from being a sub-speciality of the Judicial Auxiliary Directorate<sup>9</sup> to becoming a speciality of its own. Furthermore, the Police was

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<sup>9</sup> The Judicial Auxiliary Directorate was formerly called Criminal Investigations.

broadening the scope of its services, to be defined in another service manual written from the force's gender mainstreaming perspective (Espinoza, interview 2 December 2005).

The Women's Network and the centres had made a significant shift in roles. The Women's Network was no longer directly participating in any CMN-related project, instead a new organization had been formed to be the counterpart for the funds. Prior to the end of the second-phase of the project, an invitation-only meeting was held at a resort where the Alliance of Centres was created. The coordinator of the Alliance, Zoraida Zosa, believed that it was important to have the Alliance to avoid the pitfalls of the Women's Network not being able to be sign contracts with bilateral donors (Zosa, interview 13 December 2005). Others in the Women's Network, including the director of one women's centre who was not a member of the Alliance, Reyna Rodríguez, as under-cutting or even "robbing" the project from the Women's Network, which had given birth to it (Rodríguez, interview 7 December 2005). Rodríguez argued that perhaps their interest was purely financial and their political motives – unlike those of the Women's Network – were specious. Despite the conflicts that the Alliance generated, 32 centres joined the Alliance that had participated in the second-phase project, and the remaining six participated in the project alone. A one-year bridging project from July 2004-June 2005 was funded jointly by NORAD and SIDA. Yet the Alliance was not the counterpart of the funds because it was not legally incorporated either, instead it approached the INIM to be the counterpart. Following the conclusion of the second-phase project, the CMN Commission was disbanded – substituted by the Alliance, according to the former liaison (Jiménez interview 2005) – and another commission, the Advocacy Commission, was formed to work on a broader set of issues. Its current task is to conduct a qualitative study of the lack of access to justice of women survivors of violence (Red de Mujeres 2006). There was also a difference of opinion regarding the lack of discussion of the CMNs in the National Assembly meetings. The CMN Commission and now Advocacy Commission liaison thought it was important for the Women's Network to discuss the CMNs so it could develop a strategy (Jiménez interview 2005). She thought the CMNs were not being discussed because of the strength of members who had never been in agreement with the Network engaging directly with the state. Meanwhile others believed that the lack of discussion within the Network was an effect of those who supported the Alliance of Centres (Norori, interview 2005).

As demonstrated in the second phase, the INIM alone did not have much leadership around violence against women nor adequate human resources.<sup>10</sup> Since the end of the second phase, Martha Munguía, a member of the Women's Network who had been hired to do consultancies under the second-phase project, has been working as a consultant for the INIM. While the INIM has hired many national consultants to carry out project and policy work, rarely have members of the post-Sandinista women's movement or the Women's Network worked directly with the INIM. Although the INIM still has the same staff person responsible for the violence programme as during the second phase, now the design of programming, reporting, etc. is being done by Munguía (personal communication 13 December 2005). She participated in writing the bridge project along with members of the Alliance, and was also the architect of the new Prevention and Services Programme for Gender-Based Violence. The bridge project was intended to fill the gap between the second-phase project and a very different funding set-up. A

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<sup>10</sup> The work of the National Commission on Violence against Women, Children, and Adolescents had previously been coordinated by another consultant to the INIM who was not a Women's Network member.

project for services was supposed to be included as part of the National Development Plan, wherein municipal governments would receive the funds and work together with the centres (Wilson et al. 2005), however neither of these projects have received funding thus far (personal communication 10 May 2006). Both of these initiatives are also linked to the INIM's coordinating role of the National Commission on Violence against Women, Children, and Adolescents.

Interaction among the national actors, both in terms of direct services and coordinating responses to violence against women, has been limited. The National Commission on Violence against Women, Children, and Adolescents continues to operate, but in 2005 it had little funding. Espinoza attached little relevance to coordinating with the Women's Network and the INIM as part of her mandate as national chief of the CMNs. Appointed after the end of the second phase, she thought the Technical Committee had only had an administrative role that concluded with that specific project. In practical terms she did not consider that the Commission was doing very important work and thought that the INIM's role in coordinating it was weak (Espinoza, interview 2 December 2005). The Women's Network had no direct official relationship with either the Police or the INIM, interacting directly only as related to the National Commission.

The network of services and the services provided by the centres and the Police are perhaps more diverse in the case of the centres and more centralized in the case of the Police. The Police was consolidating the multiple services it offered in the CMNs. All now had psychologists and social workers who were to eventually be absorbed into the Police's budget. Furthermore, the Police was engaging in prevention beyond the purview of the CMNs: they had begun making visits to schools and had planned a door-to-door campaign. The Police continued to provide or facilitate AEJs, despite the official policy not to do them. In some localities the social worker would do the agreement. In Managua, a contract was signed by one of the universities to open legal aid clinics staffed by upper-year law students in most of the Managua stations. The chief of one of the Managua CMNs considered that it was good that the clinic existed because in the CMN they could not keep up with the demand. At the same time she said the AEJs were ineffective and the women ended up going back to the CMN (Berríos, interview 2004). The CMNs continued to network with centres to fulfill some or all of the integral service model, however of the centres that participated in the second phase, only the Ixchen centres continued to receive transfers. Other centres that were used were clinics that had been established in various places by municipal governments. Since these clinics did not receive project funds from a CMN project, Espinoza considered that they were not motivated by financial interests and therefore it was better to work with them (Espinoza, interview 2 December 2005). Despite what appeared to be sustainable territorial commissions in the second phase, the national CMN chief reported that she preferred to work with the Police's own Crime Prevention Committees (Espinoza, interview 2 December 2005). These Committees had existed for some time but had never been involved with the CMNs. Unlike the CMN territorial commissions, these Committees were subordinated to the Police and involved a different set of actors.

The women's centres did not all face the same situation. While they were all included in the bridge project, they did not all receive the same quantity of referrals from the CMNs as they had received in the second phase. And since the bridge project ended in June 2005, some had had

to let go part of their professional staff for lack of other sources of income to pay for their salaries (Rodríguez, interview 7 December 2005). Others did have other sources of funding, through other projects or through charging for services or other income-generating activities and so were not affected as badly at the end of the contract.

Since the end of the second phase, the donors had also become less connected amongst each other, engaged in projects presented by national counterparts which also linked to their own strategies. The DANIDA representative reported that the agency had decided to respect what it saw as an informal division of labour among the donors, where DANIDA was only going to fund the Police (Gómez, interview 2005). This division of labour was not so clear cut with the other donors. NORAD had financed half of the INIM-Alliance bridge project and by December 2005 was waiting to receive the national project. They had earmarked funds for 2005 which they were not able to spend for lack of a project and also had funds allocated for violence for 2006 (Espinoza, interview 5 December 2005). The Netherlands cooperation agency did not fund any of the bridge projects, in part because it was organizing a new fund for equity and sexual and reproductive rights that would fund direct services, prevention, and training. It was targeted specifically at civil society organizations because the agency considered that they had a key role to play, but also with a view to those eventual counterparts engaging in dialogue with the state (Porrás, interview 2005). Holland had also donated a small amount of money to the INIM in 2005 for a publicity campaign. AECI had two separate programmes, one regarding financing that was directed towards the courts and another programme to mainstream gender in all of AECI's projects, with a component dedicated to institutional support for the INIM (Soler, interview 2005). SIDA had the most diversified funds. It had jointly funded both the Alliance-INIM and the Police bridge projects. Funds for the CMNs were being administered for the first time by the SIDA office at the Police Academy which provided both technical and financial support to gender mainstreaming in the Academy. In December 2005 they were engaged in an assessment of the previous cooperation with the Police before making a final decision about future funding, although a multi-year project with the Police, including the CMNs, was planned in harmony with the Police's own 2005-2009 strategic plan. SIDA did provide some funding to INIM via the local UNIFEM office, meanwhile SIDA funded Swedish NGOs which in turn funded Nicaraguan NGOs (Jansson, interview 2005). Thus, there was little joint coordination among the donors as compared with the second phase of the CMNs, but they were aware of what each of the other donors were funding. Two things stand out: the donors continued to be committed to funding violence against women projects and they had different strategies about which national counterparts to work with and why.

The donors had chosen different counterparts for funding since the second phase, but they held fairly similar views as to what they saw as the appropriate roles for the national counterparts and the success of each one. The Police received the most recognition for carrying out the appropriate role and doing it well. In general the donors praised the Police for having strategic vision, the changes they had made to their services, and institutionalizing the CMNs. At the same time, both donors supporting the Police pointed out that it was the women's movement that had successfully lobbied the Police to take on this role (Gómez, interview 2005; Jansson, interview 2005). The INIM received a range of critiques, all related to its weak institutionalization and implementation of its policy mandate. Problems cited around the INIM included its lack of leadership – it had had three executive directors under the Bolaños administration. They

recognized that the INIM had had leadership and vision in the past, but this was dependent on the individual director. It was also criticized for the turnover in staff, their lack of specialization in their jobs, and having a conservative stance on gender issues, and the lack of progress made in the National Commission on Violence against Women (Espinoza, interview 2005; Gómez, interview 2005; Jansson, interview 2005; Soler, interview 2005). What is remarkable is that despite the critiques of the INIM, almost all the donors were supporting it in one way or another. Indeed one AECI representative described the INIM as a “veritable candy” because so many donors seemed to want to fund it (Soler, interview 2005). Thus these two state institutions were supported in quite different different forms.

The donors’ views of the Women’s Network was not so favourable: they received substantial criticism, without the benefits of the funding the INIM received. In general the donors considered that the Women’s Network should be more involved in advocacy work than providing direct services – though the NORAD representative considered that she did not see the advantage to having formed the Alliance (Espinoza, interview 5 December 2005). A few also mentioned the lack of administrative capacity of the Women’s Network, which the DANIDA representative in particular cited as a reason why not to fund it. The Dutch representative, however, considered this was understandable as the strength of their work was external (Porrás, interview 2005). What stands out in some of the comments is that not only was the Women’s Network criticized for not fulfilling its role in advocacy, but some of the problems of the second phase of the project were directed at it exclusively. The DANIDA representative argued that the women’s centres/ Women’s Network lack of capacity held the Police back from executing the project as it could have, while the Dutch representative singled out the centres’ technical capacity specifically in relation to the information system, which in the end was quite costly and did not provide the expected results. Yet both project evaluations showed that there were problems with the information system in almost all the counterparts – including the CMNs – and that the problems of the Technical Committee were shared among all of its members (Jubb et al. 2004; Jubb et al. 2003).

Some, but not all, the donors had a self-reflexive view of their own participation as donors. One AECI donor noted the apparent contradiction of funding the INIM despite all its problems. The NORAD representative was self-critical about the lessons the donors had learned from the second-phase project and the need for greater coordination among them. She argued that it was important for the donors to work together and be flexible enough to combine or consolidate their requirements – despite the difficulties this created for the donors – so as to decrease the burden on the counterparts caused by having to conform to different reporting requirements, which took resources away from implementing the projects. Both the Dutch and NORAD representatives also considered that it was perhaps a mistake on their part to have insisted that the Technical Committee be responsible for the projects’ administration, which in their views was the crux of the contradictions among the national counterparts. It also impeded them from focusing on what the donors still considered to be the strategic goal: including the CMN services in the national budget. Despite the self-reflexion, the Dutch funder clearly stated that the national counterparts were out of sync with the interests of the donors in terms of what they were prepared to fund and under what conditions. Thus some of the donors gave some recognition to the drawbacks of their funding conditions, and though they had made some effort to make concessions on some issues, they generally insisted on those conditions.

## The Users of the CMNs

The contradictions among the national partners and among them and the donors had ambiguous consequences for the users of the CMNs. One reason for this is because it is difficult to tell from the registries what have been the results of the services they have received. Another reason has to do with the different assessments of users' empowerment, one of the goals of the second phase project, and whether the CMNs are indeed increasing users' exercise of their rights.

Police records are in general an important source of information on violence against women (Jubb et al. 2002), however weaknesses in the Nicaraguan CMN records and those of the CMN service network – despite concerted attempts to improve them – mean that they are of limited value in ascertaining which services users receive and the results. While detailed information is collected in centres and in the CMNs, this information does not get consolidated. Furthermore, most of the data collected has responded to institutional and funding priorities. The CMNs' consolidated records only account for how many reports were filed for different types of crimes. Other information does get recorded, and Torres did use this data for her AEJ study (Torres et al. 2000). First-phase funds were also allocated to improving the CMNs information system – which remains marginalized from the rest of the Police – and the gender mainstreaming cooperation of the GTZ has also been dedicated to improving statistics, but it has still not happened (Ellsberg et al. 1996; GTZ forthcoming). As for the centres, the numbers reported to the INIM were never publicized or analyzed; they were merely used for accounting purposes. Even in the second phase it was difficult to assess what kind of services the users had accessed to understand how the network of services was operating (Jubb et al. 2004; Jubb et al. 2003). The second-phase CMN project also had a component dedicated to building a joint information system among both the CMNs and the centres but it was plagued with problems throughout and was never operational. Despite the wealth of information potentially available, service providers and decision-makers had limited access to it. Much better use could have been of the data, even given their limitations, to both improve by making them more respondent to the situations faced by users and also be used in lobbying efforts, for example to improve the financial sustainability of the CMNs.

One of the goals of the second-phase project, as both the donors and the Women's Network had pressed for, was that the services be user-centred and contribute to the users' empowerment. Originally this was defined largely according to the number of users who pressed charges (INIM et al. 1999a). The counterparts' reports indicate that anywhere from 40-50% of users pressed charges; the users consulted in workshops for the project evaluations indicated that pressing charges was better than doing an AEJ (Jubb et al. 2004). However it is not clear what the other half or more of the users did, let alone the outcomes. Users and some service providers had other conceptions of empowerment: telling someone; reporting the crime; breaking the myth of "having to put up with it"; and the user's appropriation of her/his own criminal justice and psychosocial processes, among others (Jubb et al. 2004; Jubb et al. 2003). One proxy indicator of users' empowerment might also be how the users rated the quality of services provided. In general the women's centres scored higher than the CMNs, but the psychologists at both the women's centres and in the CMNs scored the highest marks of all (Jubb et al. 2004; Jubb et al.

2003). Despite the intention to construct a user-centred model, the final evaluation found that greater emphasis was in fact placed on institutional concerns, particularly the definition, content, and implementation of the four specific services provided in the CMNs (legal, medical-legal, psycho-social, police), instead of the social and cultural dimensions of violence, which would expand the horizon from just direct services to include also detection and prevention, as well as promoting women's rights (Jubb et al. 2004). Furthermore, focus on institutional aspects and requisites became a lens through which the users were also considered, such that little focus was placed on differences among users, including their ages, ethnicity, and socio-economic background, as well as the kinds of violence they experienced which could be used to tailor services to meet specific need). This reflected a logic of declaring the different realms of expertise of the partners, particularly the Women's Network and the Police, which was also needed to justify how funds were spent to the donors. In contrast to this, the users (and some service providers) had a more flexible understanding of the division between public and private which did not necessarily coincide with those of the institutional actors, in terms of linking different acts of making public their experience of violence to their empowerment.

One of the fundamental issues for assessing the CMNs is whether users are more able to exercise their rights. On the one hand, having specialized police stations where users are able to file charges is in and of itself a tremendous improvement. However, we have to go beyond that to see the outcomes. In the first phase it was found that almost half of the CMN users were doing AEJs, not pressing charges (Hidalgo et al. 1998). In the second phase no data was available because officially the Police was no longer doing them, even though they did them in different ways, and even contracted them out to legal aid clinics (Jubb et al. 2004; Berríos interview 2004). By doing AEJs, the users were giving up their right to press charges and were effectively attributing partial guilt to themselves by signing the agreements. Furthermore, they were submitting to the authority of the Police (or the person/institution who did the AEJ) instead of that of the courts or even the law, since they were in fact *extra-judicial* arrangements. It is important to point out that despite the Women's Network official rejection of the AEJs, there were some member women's centres who did them citing, as the Police also did, that the users requested them (Jubb 1997). Even if we were to assume that the other half of the users did press charges, very few of those cases went through the judicial system. One study found that only 10% of women who press charges in cases of domestic and sexual violence go to trial (AECI 2002), meanwhile anecdotal evidence from service providers in the women's centres pointed to an estimated 10% of cases that go to trial finish with a sentence in favour of the survivor (Jubb et al. 2004). Other studies of specialized policing services show that the users make use of the services according to their own interests. In Brazil, it was found that they often go to the DDMs not to press charges but to scare their abusive husbands (Santos 2005). In Nicaragua, users attempted to draw on Police authority, especially as expressed through the AEJs, to tip the power scale between them and their abusive husbands in their own favour (Jubb 2001).

How the various services were articulated might also contribute to users exercising their legal rights. It was argued by some centres, as well as the INIM and the Police at different times that having all three disciplines in one centre – medical-legal, psychological, and legal – was beneficial for users because it meant the professionals could more easily coordinate to support the users' trial. Indeed it could be that the added complications of having to go to more than one centre to receive services might create a barrier to users continuing through the whole process,

pointing to another reason for coordinating all the services. But the Women's Network has always rejected this option as it would not respect the independence of the centres (Jubb 1997). Though it might seem that the new configuration of the CMNs is an example of this, this is not in fact the case. No lawyers work in the CMNs, therefore there is still no direct link in the services between police work and sending the case to trial. Indeed it could be argued that the social worker and psychologist positions in the CMNs are supporting a Police-centred model of services, since those professionals do not participate in cases going to trial, but instead a re-enforcement of police services. Furthermore, the Police are expanding the services beyond their field of expertise to include prevention campaigns, psychological counselling processes, etc., even while there are still important limitations to what are legally mandated police procedures. Human resources were found to be already stretched in the second-phase project evaluations; and yet they are being stretched even further over areas of work and expertise which pertain to the women's centres. Still, if services in the women's centres will be uninterrupted due to funding cuts, this would provide for greater accessibility of the services.

Do the users' indicate what they believe to be the appropriate roles of the women's centres and the Police just as the institutional national and international actors do? The evaluations found that users use different criteria for deciding whether to go to a centre of a CMN. Urban users were more likely to go to a CMN, whereas rural users often had their first contact with a promoter or popular defender linked to a women's centre. Users were more likely to go to the CMN if they wanted to press charges, but if they wanted to have their health issues addressed that were caused by violence, they would like go to a hospital or health care centre, without ever reporting the violence or it being detected. Finally, the users pointed out that they would go to the CMN if they felt in danger, but identified more with the centres (Jubb et al. 2003).

## **Conclusion**

I want to conclude by considering what the experience of the CMNs over the last ten years, particularly the interactions among the national partners as mediated by the funding relationship, brings to bear on specific debates related to engendering democracy in Latin America.

The four phases of the CMNs show that the forces that have brought the partners together or coaxed them apart have been comprised of the national partners' interests as well as the donors. Whether they have worked closer or further apart, there has been a certain competition over appropriate roles among them, for example who should provide what kind of prevention services. These roles speak directly to charting the division between the state and civil society, as well as between public and private. For example in the third phase, some of the donors praised the Police for not only institutionalizing specifically Police procedures but also services – such as prevention campaigns in the community which have traditionally done by the Women's Network or jointly. They considered this an end result of successful Women's Network advocacy. However the Police was expanding its services, even while there were still concerns about how it was implementing its own mandated role as judicial auxiliary. Indeed the extra-judicial agreements that the CMNs continued to do or contracted out did not contribute to changing the

social order in terms of the division between the public and private spheres. Yes, domestic violence was being addressed instead of ignored, but the premise of the procedure was that users would not go to court if they signed an AEJ.

The AEJs and the relationship between the Police and the Women's Network also relates to debates around citizen security. Though in the 1990s the leading vision of the CMNs within the Police was based on a shared perspective on violence with the Women's Network, as the CMNs have become more institutionalized and received greater recognition for their services among donors and the public,<sup>11</sup> they saw less need for coordination with the Women's Network. Despite on the one hand, points made in the literature that coordination with civil society is key to ensure democratic policing that respects human rights and on the other, the CMNs long experience of linking the Police with the women's movement, the Police did not consider the CMNs to be an example of community policing (Jubb 2001b). Indeed with the Police taking on more roles in the CMNs and switching its community partners to non-feminist ones, as well as donor support for this transition, what is likely to be the outcome for the users? Has the Police's institutional commitment now overcome the bias that used to exist in the Police against addressing violence against women? It has been shown that despite the Police's gender mainstreaming official policy and support for it from many in command, others in the Police remain unconvinced, and some even argue that the CMNs should not be solely responsible for family and sexual violence services, even though it is their unique specialization (GTZ forthcoming). The Police has sought to further institutionalize the CMNs and donors have been eager to support this move, intensifying a process which has at the same contributed to decreasing the women's movement's participation and has not clearly produced improvements in users' security. Thus the contradictions of the Police's response to violence against women have shifted somewhat over the years, but are still at issue.

The INIM has benefited institutionally from the CMNs, but in different ways than the Police. Even though it continues to receive international funding, amounting to about half of its budget, the donors themselves have pointed out that this is not the result of its successful leadership role either in the CMNs or the National Commission. Arguably the INIM does not continue to be weak institutionally *despite* the technical and financial support from donors, but it is partially *because* of or through support from donors. Donors contribute to the INIM because of their need to fulfill their own targets on gender mainstreaming (Soler interview 2005). Donors' funds have enabled the INIM to implement projects, coordinate inter-sectoral commissions, and formulate some plans, but the INIM has yet to have a significant impact on law or policy. In effect the INIM has survived through donor funds, though it has not been strengthened.

The experience of the CMNs demonstrates that the Women's Network has faced a contradictory situation both in its relation to donors and the state, as well as internally. The Women's Network participation up until the current phase has been critical to defining CMN services – for example pressing for an inter-institutional decision-making model in the second phase – and it has received the most blame for the limits that emerged in practice, even though they were only partially responsible for their execution. Though the literature links the impact of donors to the professionalization of the women's movement (Alvarez 1999; Schild 1998; Schild

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<sup>11</sup> One of the studies of the CMNs done with funding from the Inter-American Development Bank found that the public rated CMN services above all others provided by the Police (Borge et al. 2001)

1995) the CMN experience shows the complexities of that process. On the one hand, in the first phase it was the INIM's invocation of the donors, rather than specific criteria imposed by the donors, that contributed to limiting the Women's Network's participation in both direct services and decision-making. On the other hand, in the transition and second phases, it was decisions made internally by the Network itself – within the context of appropriately allocating donor funds – that led to an even greater professionalization of its work. This suggests another lesson regarding the women's movement. Much of the literature argues that the key to the women's movement successfully overcoming the negative impact of professionalization and “absorption” by the state is to engage a number of strategies simultaneously both in coordination with and outside the state. However the CMN experience indicates some of the complexities of executing this. Though the Women's Network has indeed implemented this strategy, it has been difficult to negotiate because of both contradictions among the membership over engaging directly with the state and the influence of donors which want to assign only an advocacy role to the Women's Network.

Amidst the tug-of-war between the national partners, the users have had to rely on the services being offered at any point in time in order to chart their own critical route to survive their experiences of violence. Though the services defined the parameters for the users, at the same time the users made use of the services to pursue their own strategies, which did not necessarily reflect the perspective on violence of the Women's Network or the Police. Rather than fitting neatly into the services provided by one or other provider or the network, the users mobilized them according to what best suited their needs. In effect, each user charted her own course through a malleable division between public and private, where few ever defended their rights through the courts, but found multiple ways to empower themselves through the services provided.

Even though the donors have over the life of the Nicaraguan CMNs imposed some conditions more than others and do have their own funding mandates to guide their choice of projects to support, the CMNs clearly show that they have also responded to the situation at hand. The complex negotiations over the transition period saw the donors negotiate among themselves for the benefit of the national partners. They imposed certain conditions, mostly administrative ones, and conceded on others, for example funding the centres' direct services. Although the NORAD representative in 2002 rejected the critique that donors' administrative conditions had direct consequences for the power struggle among national partners, the current representative was self-critical about this dynamic (Espinoza, interview 5 December 2005). This admission will hopefully open the door to greater analysis of the impact of donors' policies, towards action that, though unlikely to resolve the contradictions of engendering democracy, will at least lead to more concerted effort to defending women's rights.

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