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Child Sexual Abuse: A Recurrent Problem in Rural Nicaragua

by Mike Leffert

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Rosita, the nine-year-old whose pregnancy and subsequent abortion shook Nicaragua and Costa Rica in 2003, is back in the news, this time as the mother of a 19-month-old daughter. It is now alleged that the man who assaulted her in 2003 was not a coffee worker in Costa Rica, where the family had gone from Nicaragua to work the Costa Rica harvest (see NotiCen, 2003-02-27).

The assailant was then, say accusers, and has continued to be for the past four years, her stepfather, Francisco Leonardo Fletes Sanchez. Fletes, together with Rosita's mother, pled with authorities all the way up to Nicaraguan President Enrique Bolanos for an abortion to save her life in 2003. The abortion was denied but performed anyway in a private clinic. Therapeutic abortion was legal at the time in Nicaragua, but only under highly restrictive conditions (see NotiCen 2006-08-31 and 2006-11-02).

It is also now alleged that Rosita's mother, Maria de los Santos Esquivel Reyes, was aware of and consented to the continuing sexual activity between the child and her stepfather. Rosita's story took on a life of its own long after the child had returned to obscurity. She was immortalized in documentaries on child abuse and her story was taken up by organizations supporting abortion. Books and any number of essays and articles were written supporting therapeutic abortion and supporting the helpless parents struggling to save their daughter.

That core narrative now requires revision; the facts as they were assembled now need re-examination. "What is happening now is tragic, it is a story with an end that nobody expected and that few of us believe," said Marta Maria Blandon of the Red de Mujeres contra la Violencia (RMCV). This organization took on Rosita's cause in 2003, standing by the parents and agitating for her right to an abortion. The RMCV also carried out, or sponsored, psychological testing of the child that had ruled out parental complicity. The organization is deeply involved this time as well.

It has seen to Rosita's care and housing with her daughter in a facility for this purpose and is keeping the location a secret. The issues were investigated in secret by the Comisaria de la Mujer (women's division of the police) of the department of Masaya, with the participation of the RMCV.

The local police were not talking when the story broke in early August. "We are only doing what the law demands, as happens in these cases where there are minors involved," police deputy commissioner Paola Vazquez told *El Nuevo Diario*, which broke the story.

The newspaper was able to track down a complaint that the mother filed on Aug. 1, "denouncing her life partner because she discovered that he has abused her 14-year-old daughter for no less than

three years." The paper noted that cases of this kind are common in Masaya, and this one might have gone uninvestigated had it not been for the Red de Mujeres.

Conflicting stories

The mother brought the case to the authorities, according to the newspaper account, because she viewed Rosita as a competitor for the affections of Fletes. Neighbors reportedly heard screaming fights between mother and daughter for some days. Then, first Rosita and her daughter disappeared, and, one day later, the mother disappeared. Fletes was unable to give neighbors an account of their whereabouts. That Rosita was a minor who gave birth to her father's baby was an open secret in the neighborhood. The Red de Mujeres, however, tells a different story.

The organization says that it was Rosita who confessed the abuse to her mother and that there never was any argument between the women. "It was a voluntary confession, we imagine that that was unbearable, but there was never mistreatment on the part of the mother," said spokesperson Jamileth Mejia. But, according to the newspaper, Rosita had sought refuge in a Masaya shelter, Accion Ya, on July 29, and told personnel there that her mother was involved in her abuse.

Psychologists at the facility confirmed that Rosita had been abused sexually and also determined that, even though Fletes is not her biological father, he is her legal father. Accion Ya notified the Comisaria de la Mujer, unaware that Maria de los Santos Esquivel Reyes had already been by that very morning of July 31 to denounce Fletes. Her charge read, "The abuse is old, but I only found out recently, because she confessed it to me in a discussion and told me that the baby is his."

The official who took Maria's statement asked why she had delayed reporting this, and she said that Rosita had slept with "other boys even of her own age, between 13 and 14." Hours after Maria filed the complaint, Fletes was arrested. He denied the charges and said it was all the result of a fight between his wife and his stepdaughter, and he had nothing to do with any of it. "They are jealous of each other. I'm not guilty of anything," he said.

Fletes was held in custody, nevertheless, but was released two days later when a judge found errors in the indictment filed by the departmental prosecutor. The errors corrected, he was again picked up and taken before Judge Leonel Alfaro Sanchez of the Distrito de Audiencia de Masaya, who ordered him locked up until he could stand trial for sexual abuse against his adoptive daughter. Trial was set for Oct. 17. Rosita's mother was not arrested. Authorities left her fate pending while they investigated her testimony that she did not know of the situation between Fletes and Rosita until July 21.

Rosita had told her, she said, that the father of her child was a local youth of approximately her age named Oscar. Despite allegations from the neighbors that Maria had been aware of the situation, District Attorney Norma Moreno said she believed the mother to be innocent.

Fletes gives his version

Once in jail, and apparently without legal advice to the contrary, Fletes gave an interview to *El Nuevo Diario*. He told the paper that he was not the father of the fetus aborted in 2003, he had never had sex with her until she was 13, and that Rosita's mother knew all along what was going on. He said he loved Rosita and wanted to marry her. Fletes gave a vigorous defense of himself, pointing out that, if he had raped Rosita, she would accuse him of having done so, which she has not. He said Rosita loves him, and, if the judge agrees, they would marry. They would be free to do so because he has never married Rosita's mother.

He also claimed that Rosita is not 14, as has been claimed, and was not nine years old at the time of her first pregnancy, but is older, more than 15. He freely admitted to being the father of Rosita's child and said that Maria de los Santos continues to maintain the fiction that she is younger to damage him. He said Rosita told her mother that he was the father when she first began to appear pregnant, at about six months.

On the question of the original pregnancy, Fletes said he was not the father. "No, it wasn't mine. It was Alex Barquero's, who was the one Rosita accused. These women of the Red are harassing me because they don't have proof. They know that very well because the girl told them, 'I went with him because I love him and he loves me. I fell in love with him and he with me.' They know that very well." Fletes told the reporter that Rosita's child was intentionally conceived, "because she said she wanted a child to replace the one that was taken away." He spoke of his own desire for a child and said that part of the reason for the failure of the relationship with Maria de los Santos was that she was unable to conceive.

Fletes reiterated that his present troubles stem from Maria's accusations. Rosita has not accused him, nor denounced him in any way. He denied rape, describing rape as something that happens with violence and mistreatment, things that never happened between him and Rosita.

The reporter confronted him, saying, "But she is a minor. That is rape." He replied, "That's true, you're right about that. But that's nothing, if you saw what goes on there in Las Flores [where they live]. What happens is that the mothers don't say anything." Here, Fletes may be correct.

There are far more cases of this kind, say authorities, than ever come to official attention, or that are ever dealt with in the judicial system. Psychologists working with various social organizations recall countless cases. Martha Veronica Rosales of nongovernmental organization (NGO) *Dos Generaciones* recalled several and explained the case of Juanita, first abused at age nine, who told her teacher, who told her mother, who didn't believe her.

Juanita, now an adult, remembers, too. "The teacher told my mother. My mama didn't believe me. She hit me, and I remember her telling me, 'Liar, don't go around inventing these things because something's going to happen in school, they're going to run us out. I don't want anything said, I don't want people to know.' She hit me with a big thick leather strap."

Many such cases Lorna Norori, a psychologist with *Si Mujer*, noted that events that are couched as traditional cultural occurrences by Fletes and some others are anything but that for the traumatized

victims. She said that Rosita's case has resulted in an increase in denunciations in the last few years, about 7% more, according to data from Save the Children Foundation, and that this increase took place within a broader increase in the last eight years.

Figures from this organization and others, including the Coordinadora Nicaraguense de la Ninez y la Adolescencia, Dos Generaciones, and the UN, note an increase of nearly 100%, from about 3,000 to about 6,000 between 1998 and 2006. When the original Rosita story broke in 2003, ten young Nicaraguan girls between the ages of 12 and 16 with stories similar to Rosita's were being housed in a single refuge in Costa Rica run by the Patronato Nacional de la Infancia (Pani).

This latest chapter in Rosita's case has also brought to light in Nicaragua another common aspect of the phenomenon, lack of maternal support, or even hostility to her plight, on the part of the victim's mother. Another, said Rosales, is the role of the "protector figure" that the abuser plays in the victim's life. "Just their being an authority figure, teacher, neighbor, family member, makes them keep quiet; that, and fear of blame," said Rosales.

Fletes' assertion that more of this is going on in Las Flores and everywhere else than has been acknowledged is borne out by evidence, said Jeanne Palacios Braga, coordinator of the complaints section of the Procuraduria para la Defensa de Derechos Humanos (PDDH). "There are many cases like that of Rosita. In the countryside, in rural zones, incest, rape among relatives, is something that is not denounced and is even seen as normal in these sectors," she said. Perhaps because of the prevalence of the phenomenon, there are no precise figures on the number of juvenile pregnancies stemming from abuse.

The Red Nacional de Casa Materna has partial figures. The organization runs 48 homes nationwide. In 19 of these, 1,050 girls between the ages of 12 and 18 were sheltered in 2006. Of this number, 448 were pregnant. The number of girls who do not seek or find shelter, but who live out the consequences of this abuse within their communities, cannot be extrapolated from this data. What is known, said Rosales, is that "there is a demand from the adult figure (the mothers of the victims) for the pregnant children to assume the role of mother, because it is believed that the function of being a mother is something natural, it is something women are born to do." Norori added to that, "I don't find the positive part of maternity in children and adolescents.

Even though they are forced to assume the responsibility, inside they feel dead. And the risk for these girls is to live through another forced pregnancy if they are not properly treated. First, because of the abuse itself. Second, because if they have no preparation for life, they lose access to 'no'. They don't know how to say no. That is why the same person or some other can abuse them again."

Norori has also observed aberrant relationships between the child-mother and her child. She says the relationship typically grows worse as the infant grows and results in rejection, mistreatment, and eventually abandonment. Juanita and her daughter are examples of this. Juanita admits she was unable to play with, or even spend prolonged periods with, her daughter. "She grabs me to give lots of kisses and hugs, and I tell her, 'Quit it, I don't want to.' She suffocates me, she irritates me. She reminds me of when I was a child."

The World Health Organization (WHO) estimates that Juanita and Rosita are just two of 150 million girls who are abused each year. Both are in treatment aimed at improving the probabilities for a tolerable life for them, or at least, for their children.

In the short term, Rosita is somewhere in the process of being transferred, under the authority of the Family Ministry (MIFAMILIA), to an undisclosed shelter. MIFAMILIA lawyer Oscar Gomez has requested police protection for her in the meantime. "We have been insisting with RMCV that she should be transferred to a center that the ministry has designated, because there, in addition to her other protections, she must have physical protection." Personnel at the RMCV facility have said they have been threatened by Fletes.

Under a plan being worked out, the therapist working with Rosita will continue to treat her at the new facility. "We have agreed that we are going to accompany MIFAMILIA in the transfer of the child to a special protection center, and our specialist, who has been working with Rosita, is going to continue accompanying this process," said Martha Munguia of the Red. Although she may yet face charges in this case, Maria de los Santos will also get help in a women's center, with the support of the state's attorney.

The authorities and treatment personnel have said things are improving somewhat. Munguia said that the relationship between Rosita and Maria is showing some improvement and that they understand each other better now that Fletes is out of the picture. Munguia said Rosita is making some progress in seeing that she is not the guilty party in this drama. Also yet to be seen is how this case will continue to affect the cultural norms that underlie child sexual abuse in Nicaragua.

It must be noted that Nicaraguan President Daniel Ortega stood accused of this offense. His stepdaughter Zoilamerica Narvaez Murillo accused him of sexually abusing her for 19 years, from the time she was age 11. She pursued the case from 1998 until a judge threw it out in 2002 (see NotiCen, 1998-03-19, 2002-01-10).

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