Gaining international legitimacy by improving women’s rights and gender equality – The case of Nicaragua

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Abstract

A reoccurring argument in previous research is that autocracies implement policy changes for women’s rights in order to gain international legitimacy. The idea is that by showing the international community that they are on-board with the global movement to empower women; focus is diverted from their shortcomings in other democratic aspects. What is left out of the discussion though, is how such legitimization take shape. With help of qualitative content analysis, this thesis aims to investigate whether Nicaragua, an increasingly autocratic state which has implemented policy changes to improve women’s rights and gender equality, has gained international legitimacy in the reports of two different watch dog organizations, Amnesty International and Freedom House, and simultaneously received less criticism for their flaws as a state. The results of the analysis are not straightforward but provides two key findings that suggests that the theory cannot be completely dismissed. The first one is that, by comparing the reports by Freedom House, less criticism is detected simultaneously as the two policy changes are referred to more often in year 2012 compared to year 2011 which supports the theory. The second finding is that the amendments of Comprehensive Violence against Women Law in 2013 is referred to rather differently between Amnesty International and Freedom House, which brings more complexity to this issue. Thus, future research on the subject with similar methodology should analyze data from more than two organizations in order to understand if any view is more common than the other.
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1. Introduction

1.1 Research problem

Gender equality and women’s rights are two hot topics in modern social sciences and research on the area is growing year by year. With feminists around the world as its primary advocates, the two topics has today become something that is being globally pushed for by all kinds of actors, on all levels in various of different institutions in society, social as well as political. Regarding state governance, a common perception is that gender equality and women’s rights are the most promoted and best achieved in democracies. However, previous research suggests that it is being promoted in more authoritarian states as well. Approximately 25% of autocracies today show equal performance or better than the average developing democracy regarding women’s rights, and the proportion of women legislators is equal between developing democracies and dictatorships (Donno & Kreft 2018, p.2). Gender equality in autocracies is also facing an increase in terms of women’s political representation, which is often achieved through the implementation of some sort of gender quota or parity law. One such case is Rwanda, an authoritarian state which currently has 49 of its 80 seats, or 61%, of their parliament belonging to women, putting them at first place on the world ranking of women in parliament (IPU 2019). However, previous research argues that when authoritarian regimes implement such gender equality measures, it is not for the sole cause to empower women.

A reoccurring argument in the literature is that autocracies conduct changes for women’s rights in order to show the international community that they are on-board with the global movement to empower women in order to divert focus from their shortcomings in other democratic aspects. Having a legislature that is gender-balanced is also considered as good governance (Towns 2012, p.203). Whether a regime is vulnerable to international pressure or not has also been theorized to affect the adoption of gender equality policies, which do not necessarily have to be empowerment through political quota (Htun & Weldon 2010, p.208,212). However, quotas have been proven to be one of the most effective measure to boost women’s representation, at least part of the reason why it is implemented seem to be more inclined with how the regime is perceived by the international arena (Bush 2011, p.104; Tripp & Kang 2008, p.358). Thus, previous research claims that autocratic states promote women’s rights by political reform or policy change in order to gain legitimacy on the international arena. The research literature proposes different ideas to why they crave such legitimization, but discussion on how such legitimacy takes shape has been left out, leaving a research gap to be filled.
1.2 Purpose & Research Question

Drawing from theories of previous researchers, the purpose of this study is to investigate whether autocratic regimes gains international legitimacy or not for their improvements toward women’s rights and measures to reach gender equality. Due to the lack of discussion regarding how international legitimization takes shape, this study suggest that it could be expressed by international watch dog organizations that publishes annual reports on human rights and the political development of various countries. These types of reports are popular and what is reported in them arguably has effect on how different international actors and stakeholders perceive a certain country.

This thesis provides a case study on Nicaragua, an increasingly autocratic state which has implemented policy changes that improves women’s rights and gender equality. The focus of the study lies whether Nicaragua has gained international legitimacy through the reports of two different watch dog organizations, Amnesty International and Freedom House, by being recognized for their policy changes or by being less criticized for their flaws as a state. The study will then analyze whether the recognition of the policies and the amount of criticism is interrelated or not, which could further support or deny earlier theories that suggest that autocracies implement changes for women’s rights or gender equality for other reasons than to empower women. To guide the research, this study will attempt to answer the following question:

“How is Nicaragua internationally recognized for their women’s rights improvements and gender equality measures, and are they simultaneously less criticized for their shortcomings as a state?”

2. Theory & Previous research

2.1 Democracy, Women’s Rights and Gender Equality

The founding of the United Nations after the second world war began its operation with a large emphasis on sustaining global peace and the establishment of the Declaration of Human Rights. A lot of these rights are also featured in democratic societies today and gender equality as a topic within democratic societies has gained increased popularity during the 21st century. Simultaneously, human rights in the 21st century has also seen an increased focus on gender
equality through e.g. the millennium development goals and the sustainable development goals which explicitly state gender equality as a goal (Millennium Development Goals 2019; Sustainable Development Goals 2019). Thus, it is not a bold assumption to claim that democracy as a form of governance promotes gender equality to a great extent, and that is generally acknowledged among most people. Not only is it generally acknowledged but there also exist theoretical similarities between the two. The Declaration of Human Rights stress equality between man and women, equality before the law and equal protection by the law, equal right to access public services, equal right to marriage and equal suffrage (Declaration of Human Rights 1948). Similarly, such emphasis on equality is also featured in democratic theory. Democracy as a form of governance is also believed to feature a process towards political equality better than any other feasible alternative (Dahl 1998, p.58).

Robert Dahl claims that democracy is something desirable by most individuals as it fosters principles of intrinsic equality which is based upon moral judgement (ibid, p.65). Despite the wide acknowledgement of Dahl’s ideas of democracy, he does not exclusively discuss gender equality in relation to democracy. More recently, democracy has been acknowledged not only as a type of governance that stands for equality, but more specifically, gender equality. New ideas of democracy stress the importance that in order to reach a citizen-wide democracy, the democratic institutions must be held accountable to women and the commitments to increase women’s rights. Otherwise, it neglects the participation of women as democracy in its full form only gets accessed by half the citizens (Bachelet 2011). The quality of democracy is determined by those able to participate in its institutions, which makes women and gender equality a crucial element of democracy (Moghadam 2008). With more modern ideas of democracy that includes specific elements of women’s rights and gender equality, those elements would arguably also fit within the modern theoretical definition of democracy as well.

How democracy is measured provides further evidence and show that the concepts are empirically connected, as women’s rights and gender equality are often used as an indicator to measure it. Organizations such as Freedom House and V-dem that measures the quality or amount of democracy of states uses gender equality as an indicator, either as on its own or main-streamed through the other indicators (Freedom House 2018a; V-dem 2019a). The connection between democracy and gender equality, which I claim to be widely assumed among the general public and significant on theoretical level, seem to be prominent on empirical level as well.
2.2 Authoritarianism, Women’s Rights and Gender Equality

Democracy as a rule of governance may improve measures to increase gender equality, but gender equality can be promoted by other measures than democratic rule, and democratic societies does not necessarily have to promote it. More interestingly, there seem to exist a type of connection between more authoritarian forms of governance and gender equality measures as well. One big distinction between the two relationships is that the latter is not widely assumed by the general public, or at least to a much lesser extent. This distinct perception provides the departure for the research phenomena of this thesis which is the reason why the link between democracy and gender equality had to be elucidated.

In addition to general belief, neither in theory are authoritarian rule associated with gender equality. State institutions within authoritarian regimes typically lack qualities of democratic features such as free and fair elections. There exist different types of authoritarian regime types and their definitions varies, but the basic elements are the same. Individual freedom and civil liberties are often restricted or abused, as well as press freedom. Media are commonly state owned or under strict control by the ruling regimes (EIU 2018, p.49). Thus, those with power and influence within authoritarian regimes becomes a minority and far from every citizen enjoy equal rights. The process of autocratization can hence be referred to as democracy in reverse (Lührmann et al 2018, p.1322, p.1336). By using that definition as well as acknowledging that democratic rule promotes equality, pairing autocratic rule with equality becomes difficult because the two forms of governance opposes each other. Another feature of autocracies is the limitation of power to a few percentages of the population. Although, equality between sexes could occur in such scenarios if the same amount of men and women belongs to the ruling elite but claiming that centralization of power would be measures towards a more equal society is a difficult argument to make. All autocracies do not necessarily take measures against gender equality, but in theory autocratic rule does not contain elements of improving it. While autocracies in theory can be gender equal, it lacks any feature that could be said to make a society more gender equal. Thus, a theoretical link between autocracy and gender equality cannot be made.

Measures to reach gender equality such as committing to the improvement of women’s rights and representation comes in different shapes. Empowerment of women can be resulted by either bottom-up pressure, often initiated by NGO’s focused on women, or from top-down implementations by constitutional amendments or political reform (Duflo 2012; Mathur &
One approach to reach gender equality has been increasing women’s political representation and often takes the shape of gender quotation. The implementation of political gender quotas has gained more popularity over the last years and the amount of countries that adopts gender quotas has been increasing a lot since The Fourth World Conference on Women in Beijing in 1995 (Towns 2012, p.191). However, the adoption of gender quotas does not necessary mean that a country is becoming more democratic. Lots of autocratic countries has high numbers of women representatives in their national assembly’s partially because of quotas with the most distinct example being Rwanda, an authoritarian state which currently holds the world’s highest amounts of women in their parliament of 61.3% (IPU 2019). Not only Rwanda, but also other autocracies seem to be making priorities in women’s rights sector. Approximately 25% of autocracies today show equal performance or better than the average developing democracy regarding women’s rights, and the proportion of women legislators is equal between developing democracies and dictatorships (Donno & Kreft 2018, p.2). Previous research acknowledges such conditions and scholars has begun to conduct research on the incentives for why some autocratic regimes promote women’s rights and what the possible causal mechanisms could be.

2.3 International legitimacy

A reoccurring argument in the literature is that autocracies conduct changes for women’s rights in order to show the international community that they are on-board with the global movement to empower women in order to divert focus from their shortcomings in other democratic aspects. If a regime is vulnerable to international pressure however, it has influence on their adoption of gender equality policies which do not necessarily has to be empowerment through political quota (Htun & Weldon 2010, p.208,212). Although quotas have been proven to be one of the most effective measure to boost women’s representation, at least part of the reason why it is implemented seem to be more inclined with how the regime is perceived by the international arena (Tripp & Kang 2008, p.358). Leaders of autocratic regimes may implement quotas to appear modern and attractive, especially if neighboring countries make similar progress in women’s political representation (ibid, p.340). Sarah Bush (2011, p.103) also argues along this line as she claims international influence and inducements to be the primary incentives to developing countries adoption of quotas. According to her, leaders of autocracies believe that quota adoption gives them benefits such as foreign aid or improved legitimacy (ibid, p.104).
To be recognized on international level seem to be one of the most prominent claims in the literature discussing causal explanations for what might be perceived as irrational behavior at first sight. Of course, the underlying interest may vary between states and certainly not all autocracies make efforts to increase gender equality at all (Donno & Kreft 2018, p.5). However, if the underlying reason is not in line with improving women’s status but rather to gain good reputation on the international arena, it becomes more intelligible why increasingly autocratic states make these changes.

Again, gender equality is generally not believed to be promoted by authoritarian regimes to the same extent as democratic regimes, and that is probably because the two concepts have no clear theoretical connection. As demonstrated though, authoritarian regimes have been proven to make measures that account for women’s rights improvement which provides an empirical link between the two concepts.

As discussed, there exists a joint belief that part of the reason why authoritarian regimes implement policy changes to improve women’s right is to receive legitimization by the international community. Furthermore, there seems to be different ideas of why they crave such legitimization. What is left out of the discussion though, is how such legitimization take shape. Judging by the different notions of why international legitimacy is desirable, how they achieve it could arguably be by having their country or regime referred to as more progressive when they implement women’s rights reforms or gender equality measures, or by receiving less criticism for their flaws as an authoritarian state. A more progressive depiction of a regime could arguably have the effects that has been brought up by previous research, to signal modernity and to divert focus from its flaws which could later result in benefits for the regime.

However, what the effects of a more progressive depiction could be is out of the scope of this thesis. The focus of this thesis lies whether autocracies are referred to as more progressive by the international community, either by being acknowledged for their policy changes on the improvement of women’s rights and gender equality, or by receiving less criticism for their flaws and authoritarian rule. It is arguably a measure of legitimacy, if international observers refer to a regime as positive and progressive for such policy changes. As the international community has set up global goals to reach gender equality by empowering women, policy change that moves towards that direction must then be seen legitimate. The second thought, that limited criticism for the flaws of an autocratic state would be representing something legitimate, is less clear. The idea of this claim is founded upon notions brought up earlier, namely how autocratic rule of governance is viewed to be promotive of human rights, in which
gender equality nowadays are included, to a lesser extent than democratic rule of governance in combination with the fact that autocratic rule of governance and human rights do not go hand in hand on a theoretical level. Being that human rights improvements is a legitimate action by the international community, regime types that is not associated with it but rather oppose it would then be labeled as illegitimate. Thus, having the autocracy label ‘reduced’ would count as an having their legitimacy increased.

3. Design

3.1 Case selection
Nicaragua’s political turnover that started in 2006 makes the country a suitable case to study. In this section, more detailed information regarding their political development in recent years will be provided to further motivate the choice of case.

3.1.1 Autocratic increase
Starting from the period of 2006 when Daniel Ortega was reelected president, the regime has become increasingly authoritarian. Ortega has pursued his presidency by exercising his power to eventually have his party control all the government’s branches by 2012 (Taft-Morales 2019, p.275). Up until 2014, the president was only allowed to do two terms in office. This rule was however removed by a constitutional amendment which allows Ortega to run for president a third time. The new rule also removed the previous 35% vote limit that is required for a winning candidate to become president (IPU 2017). Further constitutional amendments have been made, such as the revised military code that increased the presidents hold on power as well as it allowed the military a new role in public administration. Later the same year, Ortega imposed a reform law that granted him the responsibility of the Nicaraguan police force which previously acted under the interior ministry (Taft-Morales 2019, pp.276). Such changes demonstrate a move towards a more authoritarian rule as it pushes the boundaries of democratic values by the centralization of power.

In January 2017, the wife of Daniel Ortega, Ms. Rosario Murillo became the vice president despite being illegal according to the constitution as article 147 prohibits those related to the president, by either blood or affinity, from being elected for the post of vice-president (ibid). Measures like these are made to secure the hold of political power and demonstrates a more
authoritarian style of ruling by President Ortega and FSLN. Beyond constitutional violations, Ortega has also made himself guilty of electoral fraud and violence in certain electoral situations to guarantee victory of his party (Anderson, Dodd & Park 2016, p.972). In the campaign of the 2016 elections there were reports of the opposition parties as well as civil society activists and other critical voices were harassed and silenced, and the FSLN had almost total control over the radio and television which shows clear signs of an uneven political playing field (Stuenkel & Feldmann 2017). Altogether, these are some of the events which reveal how Nicaragua is becoming more authoritarian and has today turned into an outright autocracy from being a well-functioning democracy in the 1990’s and the early 2000’s.

3.1.2 Women’s rights and gender equality improvements

During the first period of Ortega’s second presidency, starting in 2006, the women’s rights situation in Nicaragua had deteriorated for quite some time. The primary example of this is the arguably the strict and extensive law on abortion. Implemented in 2006, Nicaragua’s abortion law means a total ban on abortion which have a severe effect on women in the country. The law prohibits abortion to be made with no exceptions, even under circumstances where pregnancies are life-threatening or resulted by rape (HRW, 2017).

Despite the ban still being in effect, Nicaragua has since its implementation made somewhat of a turn-around, imposing several new constitutional amendments in different areas all aimed directly towards women or gender equality, such as domestic violence, equal rights regarding marriage, human trafficking, violence against women and women representation. In 2012, Law 779, the Comprehensive Violence against Women Law, was implemented, which is founded on principles of non-discrimination and equality. It is implemented to guarantee citizens a life free from violence and to protect human and especially women’s rights. It contains a legal framework which aim to prevent, punish and eliminate all forms of violence against women as well as it aims to diminish patriarchal attitudes and social norms that sustain the unequal relations of power between men and women (SIGI 2019). With this law, femicide was criminalized for the first time on national level in Nicaragua which refers to the murder of a women by a man caused by extreme violence, both in domestic and public spheres. The law also covers misogyny, hateful behavior toward women that takes shape in cruel or violent acts against them for being women (Peacewomen 2012). The comprehensiveness of this law
demonstrates the efforts by Nicaragua to become more women friendly. The law is one of the most comprehensive policy changes in the country since the abortion law in 2006.

During Ortega’s presidency, measures to increase women’s political representation has also been taken. An amendment to the electoral law imposed in 2012 enacts a 50% quota for each sex in the national assembly (IPU 2017). Women in Nicaragua currently hold 41 out of 92 (45%) seats in their national assembly, putting the country on the ninth place on the world ranking of women in parliament (IDEA 2019a; IPU 2019). Not only is this a very ambitious quota, but quotas over-all is becoming increasingly popular all over the world in countries with different types of ruling regimes (IDEA 2019b). The implementation of the legislated candidate quota supports what is demonstrated by the implementation of Law 779, that Nicaragua is becoming more women friendly. By increasing women’s representation in the national assembly, the quota also increases equality between the sexes on political level.

The implementation of Law 779 and the adoption of the quota provides the baseline for the analysis and will be discussed in a later section of the thesis. One aspect that deserves attention though, is that despite the fact that the regime of Nicaragua is responsible for implementing these policy changes, they are not the only ones that should be accounted for them. There are various of different women’s organizations in Nicaragua that fight for women’s rights and gender equality. Law 779 came as a result of a bill sponsored by the María Elena Cuadra Women’s Movement, a local NGO, and with the support of 12,000 signatures from women around Nicaragua (Peacewomen 2012). However, this thesis is more concerned with the actual implementation of the quota and not to what degree women’s movements influenced the decision. The NGO’s, perhaps to a larger degree than the regime, should at least receive credibility for their work and be recognized for the policy changes implemented in Nicaragua that improves women’s rights and gender equality.

3.1.3 Support by index

To further demonstrate the political and social development of Nicaragua, various of gender and political indexes supports this trend. Nicaragua scored 5.73 out of 10, where 10 represents full democracy, in The Economist Intelligence Unit’s (EIU) democracy index in 2010 (EIU 2010). In 2018, the country scored 3.63 in the same index (EIU 2018). In 2019, Nicaragua has also declined in all six indicators that V-dem uses to measure democracy since they began publishing their reports in 2017 (V-Dem 2019b). In the democracy scale of Bertelsmann
Stiftung’s Transformation Index, where 10 represents full democracy, the country has dropped from 5.9 in 2010 to 4.9 in 2018 (BTI 2019). All these indexes show a decline in democracy in Nicaragua which makes it a suitable case for this study.

Regarding gender equality and women’s rights, the biggest change has arguably been in the political sector regarding women’s representation in parliament. In July of 2009, 17 of 92 seats in the Nicaraguan parliament were held by women compared to 41 of 92 in February of 2019 (IPU 2019). The 50% quota implemented in 2012 arguably what partially caused this massive increase of women representatives. The Global Gender Gap report published yearly by World Economic Forum measures the progress of countries progress toward gender parity in four different. Their scale goes from 0 to 1, where 1 represents total parity between the sexes. In this index, Nicaragua has made a positive development going from scoring 0.7176 on the scale in 2010, to score 0.809 in 2018 which leaves them on place five on the world ranking (WEF 2011; WEF; 2018). What has caused this increase is difficult to determine, but the development supports that Nicaragua is becoming more gender equal, which is the point I am trying to demonstrate. All these index values in combined thus show support of the trend that was accounted for earlier, that Nicaragua is becoming more gender equal. This trend does not only make Nicaragua a suitable case to study, but also a very interesting one. The fact that the total ban on abortion still remain, despite the recent policy changes, also suggests that there are mixed incentives to their implementation.

3.2 Methodology

To answer the question of this study, qualitative content analysis or text analysis as its sometimes referred to, will be used as the research method. To see how Nicaragua is referred to in text published by international observers would be a suitable approach to see whether they gain recognition for their policy improvements on women’s rights and if they consequently get less criticized for their flaws as an autocratic state, which is the purpose of this study. By analyzing texts published a fair amount of time prior to the policy changes, as well as during the time of its implementation and the time period that follows, it should be possible to see whether Nicaragua gained recognition for their policy changes on women’s rights or gender equality or not. This method also allows to see if there has been any change in the amount of criticism against Nicaragua for its autocratic rule. The approach to analyzing the text in this study is thereby twofold. On the one hand, to determine whether Nicaragua has gained
recognition for their policy change requires specific attention to the topic of women’s rights and gender equality. On the other hand, to determine if they receive less critique for their flaws as an autocratic state when implementing such policy changes requires an over-time analysis in order to see if there has been any change. Analyzing text is considered as a good approach to see whether it has been a change over time in any perspective, and beneficial when examining “the attention paid to a particular topic” (Boréus & Bergström 2017, p.6, p.26).

The previous research on this topic that has outlined the ground theory for this research has mostly been using quantitative data and analysis (Bush 2011; Donno & Kreft 2018; Towns 2012). Qualitative research is still very limited in this area which creates space for good qualitative studies to contributes to the research field, but it also means that there is very little research to guide the methodology of this study. With qualitative content analysis it will not be possible to provide a causal explanation for the research topic and controlling for other variables that may affect the outcome will be difficult. What qualitative content analysis could provide however, is to see whether or not there is a covariance between autocratic regimes improvements on women’s rights issues and to which degree they gain international recognition, which would further strengthen or weaken earlier theories of why autocratic regimes impose policy change for women’s rights and gender equality.

The choice of qualitative content analysis as method for this study is appropriate and provides the necessary means to answer the research question. Analyzing text in qualitative terms is a suitable approach to see how a Nicaragua is referred to and provides the necessary tools to measure over time whether the recognition of their policy implementations covaries with the amount of critique they receive. With this said, qualitative content analysis in this study is restricted to measure how Nicaragua is referred to in forms of text and will not be able to account for references in other types of media, such as pictures or film, which also could refer to its policy implementations as well as give criticism towards the country. The reason to analyze text instead of other types of media is because text is more formal and the most usual form of media in this type of context.

3.3 Material

Time limitation leaves me with a crucial trade off in this study and allows me to either analyze more material from one organization, or less material from different organizations. Analyzing more material from one organization would have the benefit of providing a greater variation of
different types of policy changes regarding women’s rights and gender equality. This could perhaps eliminate the risk of not knowing whether policy changes in different areas accounts differently or have different outcomes. For example, policy change on violence against women might receive greater attention than policies regulating parental leave. The downside of this approach would be that the material to be analyzed are the words from one organization, and to claim that they speak for all observers of the entire international community would be difficult, even if they speak as a part of it. The other design also has its pros and cons. By analyzing less material but from different organizations would create better conditions to account for the common voice of the international community. On the other hand, analyzing less material could be problematic as it in this study, the material is based upon policy changes and therefor one has to decide which policy changes that should be accounted for. This approach faces the risk of not including all types of policy changes that improves women’s rights and will thereby not be able to ensure different policy changes has different outcomes.

In this study, a choice was made to mix the two approaches by using annual reports from two organization and material concerning two different policy changes. The material that will be analyzed in this study are the Freedom in the World-reports published yearly by Freedom House and the international human rights reports published every year by Amnesty International. Freedom House is a non-governmental and independent watchdog organization working towards challenges to freedom, political rights and civil liberties (Freedom House 2019). The organization was founded in 1941 and has since 1973 published their annual reports, which makes it one of the oldest democracy- and humans rights related organizations in the world. Their annual report on freedom in the world is very comprehensive and provides a view of the global state of freedom. The reports are also frequently referred to by political scientists, journalists and policymakers around the world. Their long history, together with their independency and broad audience makes them a legitimate representative for the international community’s aspect on global political development.

The annual reports are country specific and the methodology which the reports built upon is largely based upon measures of human rights (Freedom House 2018a). As mentioned earlier, the modern view of human rights often emphasis gender equality and women’s rights explicitly, I have reason to believe that the measurements done by Freedom House in their annual report will highlight these parameters if there is a contextual change in any country. Furthermore, their assumption is that freedom for people is best achieved within liberal democratic societies (ibid). Logically, it implies that they would have a positive attitude towards democratic rule of
governance and more critical attitude towards authoritarian rule of governance, such as autocracy. Such an assumption is beneficial, if not completely necessary, as it is implicitly understood in this study that autocracies are criticized for their rule of governance by the international community. One concern though, is that Freedom House receives 88% of their funds large from the U.S. government (Freedom House 2018b, p.17). Due to the large amount of funds the organization has sometimes been accused for bias of U.S. interests (Czepek & Hellwig 2009, p.27). Despite critical voices, their label as an independent NGO is widely acknowledged and their methodology for their annual freedom reports is versatile and show no direct bias towards U.S. interest that are not shared by the international community.

Amnesty International is a global movement independent of any religion, political ideology or economic interest with more than 7 million people. They were founded in 1961 and has grown immensely from engaging in the release of political prisoner and are today working to uphold the whole spectrum of human rights (Amnesty International 2019a). Their goal is to fight abuses of human rights all over the world by mobilizing people against oppressive laws and to bring justice through petitions, protests, letters and campaigning for action (Amnesty International 2019b). Amnesty International’s yearly report is one of the most comprehensive reports in the world that covers the global state of human rights. Their reports provided detailed information about the human rights situation divided by countries. The fact that Amnesty International is independent, in combination with the broadness of their field of activity and deep engagement to promote human rights makes them a legitimate representative of the international community and its views concerning the global as well as domestic political development. Once again, women’s rights and gender equality are today part of the global definition of human rights. Just like with Freedom House, I believe that contextual change within a country on these parameters will be highlighted by Amnesty International in their annual reports. One small side note on the choice of organizations is that Freedom House has a larger focus on political rights and civil liberties while Amnesty International has a larger focus on human rights such as the absence of violence. This differentiation will however be beneficial for the study as it might cover a broader area.

The reports covering the years of 2011, 2012 and 2013 by Amnesty International and Freedom House will be analyzed in this study. These specific reports were chosen because the analysis is centered around two policy changes that were implemented in 2012, The Comprehensive Violence against Women Law (Law 779) and the legislated 50% candidate quota. As discussed in the methodology section, the analysis will be made concerning the time period around these
policy changes. Analyzing the reports that covers the same year, the year before and the year after the policy implementations is therefore a suitable choice.

3.4 Operationalization & Analytical framework:

In order to conduct the analysis properly, a coding scheme with specific questions to ask the text has been conducted. Such coding schemes are quite popular in quantitative content analysis as it guides the reader so that he or she knows exactly what to look for (Boréus & Bergström 2017, p.27). I believe however that such an approach would be suitable for this qualitative analysis as well, as long as the questions are modified in such a way that fits the study. The questions asked in this scheme will function as the primary analytical tool for this study. The questions are also formed quite broadly in order to capture the variety of content that might be found in the material. Coding instructions will follow successively after each question in the coding scheme in attempt to make these broad questions more comprehensible.

3.4.1 Coding scheme

Question 1: How are the policy changes referred to?

_The policy changes_ referred to in the questions do not include all political reforms or constitutional amendments that has been imposed by the regimes. Nor does it include all policy changes concerning women’s rights and gender equality, but in this study, it specifically refers to the legislated 50% candidate quota and The Comprehensive Violence against Women Law (Law 779) as previously discussed. The idea behind this approach is to create plausible ways to measure actions by the regime, which is one of the cores of this analysis. If women’s rights improvements or measures towards gender equality are accounted for in other ways without the company of the policy change, it might not be possible to know for certain if the improvements are an effect caused by the regime which is why the analysis is limited to these two policy changes. If the policies are recognized or not will determine if the regime gains legitimacy for them. However, the policies might be referred to in different ways in the material. _How_ the policy changes are referred to also matters. For this study, three different categories are provided to sort the different answers. This will create a fine structure when the analysis is being conducted and the risk of to having to many diverse answers is limited which could otherwise hinder the possibility of drawing any conclusions to the study. Firstly, the policy
changes could be referred to in positive terms, meaning that the implementation of the policies are regarded as good or progressive. Secondly, the policy changes could be referred to in negative terms, meaning that the implementation of the policies are met with criticism or accused of having no real effect on their designated areas. Thirdly, the policy changes could be referred to in a neutral tone, meaning that the policy implementations are referred to plain and simple, with no further discussion to it.

**Question 2: Does the criticism towards Nicaragua change between the years?**

The *criticism* that is being measures in this study concerns three areas: Human rights, civil liberties and political rights. These three areas are chosen because that they are centered in the material that is chosen of this study, the annual reports on Nicaragua published by Amnesty International and Freedom House. Any criticism in these reports therefore concerns at least one of these three areas. In order to measure change in criticism, the best way will be to analyze one specific topic at the time and compare it between the reports. If criticism regarding a certain topic, corruption for example, occurs more or less frequently or with smaller or larger amounts of texts in one report, then it accounts for as a change. The best way to determine if the criticism changes between the years is not by having predetermined ideas of how it may differ but comparing the texts between each other will provide the necessary means to reveal if there has been a change or not. When the two questions have been asked to the text, the answers will be compared to each other in order to reveal whether or not there occurs a pattern that can give support to the theory behind the research question.

### 3.4.2 Validity & Reliability

Before conducting the analysis, a brief note on validity and reliability issues will be presented. Good validity is required in order to be able to provide a credible conclusion at the end of a study. Validity refers to the absence of systematical errors, meaning that the study measures what it claims to be measuring and the theoretical definition corresponds to the operational indicator (Esaiasson et al. 2017, pp.57). Regarding improvements in women’s rights and gender equality measures, the validity is secured in this study as it strictly aims to measure it through the recognition of the two policy changes. As the type of criticism that is measured for this study is decided upon the content of the reports of Amnesty International and Freedom House,
good validity should be provided here as well. The reliability is however more of a concern in this study. Good reliability refers to the absence of random and unsystematic errors and would indicate that the same study should reach the same result if it is conducted several times by different people (Teorell & Svensson 2007, pp.56). In this study, the code scheme which represents the analytical framework consists of two broadly formulated questions which could be interpreted differently by different persons. Although some guidelines are provided in relation to the questions in order to limit the possibility of different interpretations. However, good reliability cannot be completely granted as there still can occur subjective interpretations within these guidelines, such as what is regarded as positive, neutral or negative recognition in relation to the first question.

4. Results & Analysis

4.1 Question 1: How are the policy changes referred to?

The first part of the analysis was to see whether or not the 50% legislated candidate quota and The Comprehensive Violence against Women Law (Law 779), both implemented in 2012, were mentioned in the reports by Amnesty International and Freedom House covering the years of 2011, 2012 and 2013 and also in what context they were mentioned, whether they gave a positive, negative or neutral depiction of the political development in Nicaragua. The result was mixed, and the table below demonstrate which organization that referred to which policy change and in what year:

<table>
<thead>
<tr>
<th></th>
<th>Amnesty International</th>
<th>Freedom House</th>
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<tbody>
<tr>
<td>2011</td>
<td>-</td>
<td>Law 799</td>
</tr>
<tr>
<td>2012</td>
<td>Law 779</td>
<td>Quota &amp; Law 779</td>
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<tr>
<td>2013</td>
<td>Law 779</td>
<td>Quota &amp; Law 779</td>
</tr>
</tbody>
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Table 1. Table displaying what policy is recognized in what year by which by the two organizations.

Starting with Amnesty International, neither of the two policy changes were referred to in their report covering the year of 2011. The results are not surprising as the policies were not implemented until the following year. However, in the report by Freedom House covering the same year they mention a bill that seeks to regulate how violence against women is legislated:

- “A draft bill prohibiting violence against women and instituting stronger penalties for violations was introduced in May 2011; although the National Assembly reached
The timing of this proposition suggests that this bill lead to what came to be the implementation of Law 779. The vote was however delayed, and the law was not passed until January the following year (Freedom House 2013). Concerning the reference by Freedom House, the piece of text they provide is of informative character. The drafting of the bill is not described in a negative manner and no criticism is presented. The text does not contain praise of any kind neither, but judging by the content of the bill which proposed to prohibit violence against women and more strict regulation on the penalties for such crimes, it can definitely be said that Nicaragua is recognized for good and positive development for drafting this bill.

In the following year, Law 779 is referred to by both Amnesty International and Freedom House. The report by Freedom House also mentions the implementation of the 50% candidate quota. Concerning Law 779, Freedom House writes:

- “In January 2012, the Comprehensive Law Against Violence Toward Women was passed by the National Assembly. The law, which went into effect in June 2012, addresses both physical and structural forms of violence, and recognizes violence against women as a matter of public health and safety. The law also sets forth sentencing guidelines for physical and psychological abuses against women, as well as the newly established crime of femicide” (Freedom House 2013).

The quote highlights the most important aspects of the law. The law is not praised nor criticized, but as the law resembles a positive development concerning women’s rights it strengthens the picture of Nicaragua as good and progressive, making it a positive reference. The first sentence of this quote can also be found bolded in the overview section of the report which only contains three sentences. It is one of the first pieces of information that the reader comes across in the report, which further strengthens the positive depiction of Nicaragua. Amnesty International on the other hand, refer to the implementation of Law 779 as following:

- “A new law on violence against women came into effect” … “The Integral Law Against Violence Against Women (Law 779) came into effect in June. While the law represented a positive step, lack of resources assigned to ensure its implementation remained a concern” (Amnesty International 2013, p.194)
The first sentence is provided in bold type in the introduction similarly to how it is in the Freedom House report. Although, it is presented in a less positive way as the sentence is placed in between two other sentences describing the criminalization of abortion and victims of rape and sexual violence (ibid). The second quote does not present much more information on the law, but it does acknowledge it as a step in a positive direction. However, as the acknowledgement is instantly followed up by criticism regarding the failure of its full implementation it immediately halts the positive picture of Nicaragua which was given by acknowledgement of the law. Despite recognizing the law, Nicaragua is not depicted as good and progressive by Amnesty International due to the negative comments in relation to reference of the law, which ultimately has a soothing effect on the positive development. The fact that the quota is not mentioned at all in the report by Amnesty International also supports the claim that Nicaragua is not particularly acknowledged for their positive development in the area of women’s rights. However, no direct criticism is referred directly to the law and the reference to the law can therefore be labeled as neutral. In contrast to Amnesty International, Freedom House do refer to Nicaragua’s quota implementation in their report that covers the same year:

- “In May 2012, the National Assembly approved numerous changes […] and instating a requirement that half of each party’s candidates for mayor and council seats be women” (Freedom House 2013).

It may not be referred to as a legislated candidate quota, but the policy change is brought up by Freedom House. It does not get much attention though, as it is noted very brief and the word “quota” is not used. The text is strictly informative and does not contain any praise nor criticism in relation to it. Seeing the quota being reported in such unpretentious manner it cannot be argued that Nicaragua is referred to other than in neutral tone.

Furthermore, the two policy changes are reported in similar notion in the time period of 2013 as they were in 2012 but with some differences. Identically to their report covering the year of 2012, Amnesty International did not mention the legislated candidate quota in their report covering the year 2013 which implicates no changes of depiction regarding that area. Instead, they provide even more information concerning Law 779:

- “Reforms passed in September 2013 weakened the effectiveness of the Comprehensive Law against Violence against Women (Law 779), introduced in 2012. As a result of the reforms, women who filed complaints about domestic violence may be offered mediation with their attackers in cases involving crimes punishable by less than five
years’ imprisonment, such as actual bodily harm, the abduction of children, and threats. This means that women may find themselves having to face their attackers in the mediation process, while those accused of committing abuses may avoid being held to account for their crimes” (Amnesty International 2015, p.272).

The reforms to Law 779 are outright stated to have a negative impact on the law. In addition to this, Amnesty International describes quite thoroughly the effects of the law which implicates that women who have been victims of violence may have to be confronted and to meet their perpetrators face to face in what can be interpreted as an attempt to “straighten things out”. It is understood that those women who are at risk of encountering their perpetrators in these mediation sessions might suffer additionally from it although it is not directly written in the text. At the same time, it is stated those accused of being the perpetrators might not even face charges and not being held accountable for their wrongdoings, which is inherently a bad thing. The crimes committed which can result in these mediation sessions are also rather serious which strengthen the negativity of the report, as well as seven out of 47 women that were killed in the first half of 2014 had partaken in such mediation sessions with their partner (ibid). These elements combined make up for a large amount of negative criticism aimed towards the changes to the law and ultimately results in a report that does not emphasis a positive, but a rather negative development, of Nicaragua.

What was written by Freedom House in their report covering year 2012 regarding Law 779 reoccurred in their report covering year 2013 with the exact same words. This mean that the good and progressive depiction of Nicaragua’s development was also given by Freedom House this year. Furthermore, the reforms to the law that Amnesty International wrote about were also discussed in the report by Freedom House:

- “Opponents of the law challenged it before the Supreme Court, claiming that its prohibition of mediation between female victims and their abusers was unconstitutional. Religious officials claimed that the bill would lead to the disintegration of the family. In August 2013, the court ruled that the law was constitutional, but sent a proposal to the National Assembly that the law be amended to allow mediation. The National Assembly passed the reforms despite concerns from rights groups” (Freedom House 2014).

Comparing this piece of text with what was written in the report by Amnesty International it is apparent that Freedom House is critical to a much lesser extent in their report. What could be
the reason is that even though both organizations report on the same reforms, they highlight different issues. Amnesty International described the situation once the reforms were passed and what effects it had on the law, while Freedom House discuss the process towards the passing of the reform. Unless the mediation between female victims and their abusers is regarded as an inherently negative thing by the reader, it is difficult to interpret the reform as something negative at first glance. The text carries a relatively neutral tone which mentions the opinion of proponent side of the reform as well as the opinion of the opponent side. However, critique raised by the proponent side of mediation, the religious officials, describes possible effect by not implementing mediation, which they claim would lead to disintegration of the family. The opponent’s critique on the other hand, is merely described as concerns without specification, and no effects of implementing the bill is discussed. The voice of the proponents of the bill is thus given more space in this text and becomes more present than the opponent side. Therefore, Freedom House’s report on this concern is not more negative than positive. It rather portraits the mediation bill as a positive, yet contested, development in Nicaragua. The positive depiction is also supported by the following piece of text:

- “Nicaragua’s political rights rating improved from 5 to 4 and its civil liberties rating improved from 4 to 3 due to the positive impact of consultations on proposed constitutional reforms, advances in the corruption and transparency environment, and gradual progress in women’s rights and efforts to combat human trafficking” (Freedom House 2014).

Firstly, the mediation bill that just have been discussed should be one of the issues that concerns the consultations on proposed constitutional reforms which is here referred to. These reforms are also described to have had a positive impact, which literally frames Nicaragua’s development as positive. The constitutional reforms that the text refers to could also include the legislated candidate quota that was implemented. If Freedom House considers the quota to be an issue of women’s rights it definitely does. However, this is the only recognition of the quota in the report covering the year of 2013 and the acknowledgement of it is therefore quite minimal. Moreover, if the reader is not aware of that a quota has been implemented, it would be impossible to make this connection by just reading the quote from above. Therefore, Freedom House’s recognition of the legislated candidate quota cannot be accounted to acknowledge a positive development of Nicaragua by itself but has arguably contributed to it.

Amnesty International and Freedom House report differently regarding the political development of Nicaragua concerning women’s rights and gender equality. Regarding the
legislated candidate quota, Amnesty International left it out of their report while Freedom House recognized it as a positive development in their reports covering the years of 2012 and 2013. Law 779 is mentioned in almost every report by the two organizations, with the report covering year 2011 by Amnesty International being the exception. Amnesty International furthermore recognizes the law as a positive step forward but has a rather critical tone when they discuss it. Freedom House on the other hand is less critical in their report and paints a positive picture of Nicaragua’s development regarding Law 779 in all of their reports. To sum up, Freedom House mentions the legislated candidate quota and the implementation of Law 779 to a greater extent than Amnesty International and they also provide a more positive picture of Nicaragua’s development regarding these policy changes.

4.2 Question 2: Does the criticism towards Nicaragua change between the years?

In this section an analysis on how Amnesty International and Freedom House present Nicaragua concerning its deficiencies as a state will be provided. A discussion on whether the two organizations have changed their way of reporting the country will be given. In order to do so, what the country is criticized for but also how it is criticized must first be analyzed. The two organizations have provided reports on Nicaragua that are similar to some extent but is constructed very differently. For this reason, the organizations will each be analyzed one at the time in order to create a more systematic report of the results. The reports by Freedom House are more extensive and covers a broader area of subjects, while the reports by Amnesty International are less concerned with state institutions but provide more detail on violations of human rights on individual level. Many of the issues that Freedom House reports on are reoccurring in the reports, while the reports by Amnesty International tend to be less repetitive. This made the Freedom House reports easier to compare over time.

Regarding the political development of Nicaragua over the years of 2011, 2012 and 2013, Freedom House reported on several flaws and concerns of the country’s institutions. The presidential candidacy, the Supreme Electoral Council, corruption scandals, labor unions and the police are some of the areas that came under constant criticism in all their reports. Most of the criticism reoccurred in the exact same words and were often described very briefly, but with enough information to acknowledge it as criticism:
- “The FSLN controls many of the country’s labor unions, and the legal rights of non-FSLN unions are not fully guaranteed. Although the law recognizes the right to strike, unions must clear a number of hurdles, and approval from the Ministry of Labor is almost never granted” (Freedom House 2012; Freedom House 2013; Freedom House 2014)

This piece of text is present in all three reports by Freedom House and provides information on how the right to strike which is legislated fails to be implemented in real life. The situation over the labor unions of the country indicates that one cannot enjoy same equal rights unless you are actively supporting FSLN, the ruling party in Nicaragua. Either that, or you will get strongly discouraged which does not seem to fall in line with the current legislation that should ensure the right to strike. The fact that Freedom House copy-pastes their own report show that the criticism regarding this matter has not changed during the year, and this is something they do on other subjects as well:

- “Despite long-term improvements, the security forces remain understaffed and poorly funded, and human rights abuses still occur. Forced confessions are also a problem, as are arbitrary arrests” (Freedom House 2012; Freedom House 2013; Freedom House 2014)

This piece of text provides information on the flaws of the Nicaraguan security system, which clearly does not function as it should due to forced confessions and arbitrary arrests. The fact that human rights abuses still occurs could also be linked to a faulty security system. Just like the quote before that discusses the right to strike, Freedom House emphasis an element of the Nicaraguan society that does not function as it should and can therefore be regarded as criticism. This type of criticism, one that is merely informative and quite brief, without any empirical examples attached to it to further demonstrate the effects of the flaws, is the most common type of criticism in the reports by Freedom House. However, there are some areas that are reported, also similar year to year, but not entirely copy-pasted, and that contain a stronger kind of criticism:

- “The press has faced increased political and judicial harassment since 2007, as the Ortega administration engages in systematic efforts to obstruct and discredit media critics. Journalists have received death threats, and some have been killed in recent
years, with a number of attacks attributed to FSLN sympathizers” (Freedom House 2012; Freedom House 2013; Freedom House 2014)

This piece of text occurred in all three reports of Freedom House and one of the things that distinguish this text from the prior quote is that this information is more personal in a sense. In the prior quote, there was no detailed information on who were forced to confess or who was arbitrary arrested. This quote, which describes political and judicial harassment by the regime, specifically labels journalists as a group who have been ill-treated by receiving death threats and even being murdered. This makes the critique more palpable for the reader to sympathize with. The quote is also followed up by additional information which differs slightly between the years which also makes the critique more powerful:

- Luis Galeano, a reporter for El Nuevo Diario, received death threats in February 2011 following a series of articles on government corruption that included allegations against CSE president Roberto Rivas Reyes. Another El Nuevo Diario reporter, Silvia González, reported receiving death threats following a series of articles on corruption and the mysterious death of a former Contra leader. Though the Ortega administration condemned the attacks, González ultimately fled the country. In addition, members of the ruling elite have acquired stakes in media outlets and used their ownership influence to sideline independent journalists” (Freedom House 2012)

This quote is taken from the report that covers the year of 2011 and immediately follows the quote above. The journalists that were mentioned in the first quote now has been exposed with their full names which makes the situation more comprehensible for the reader to grasp. Also, the name of the newspaper organization and the type of work the journalists were conducting while receiving the death threats is also stated. By including this additional information, the criticism gains more credibility and trustworthiness, which in turn makes it more serious. The report that covers the year of 2012 uses the same two examples but is slightly re-written (Freedom House 2013). A new example is however illustrated in the report that covers the year of 2013:

- “Several reporters for the newspaper El Nuevo Diario have been subjected to threats. In 2013, reporter Ismael López Ocampo of the online news site Confidencial received threats after reporting on armed antigovernment groups, while Agence France-Presse photojournalist Hector Retamal was arrested and deported for alleged security and migration violations in May. In addition, members of the ruling elite have acquired
stakes in media outlets and used their ownership influence to sideline independent journalists” (Freedom House 2014)

Even though this piece of text is different compared to the previous year, it is not the type of change that is interesting for this study. Firstly, the criticism carries the same elements of illustration as the prior year despite that new cases are presented. The journalists that has been ill-treated are presented with full names, in what news organization they are working for, and what type of accusation they are held with. The details might differ, but it is the same kind of details, which makes it difficult to determine that one report is more critical than the other. Secondly, the new examples are of events that occurred the same year as the time frame that concerns the report, meaning that these particular examples could not have been reported any earlier. These types of changes occur on other areas as well in the reports but are neither acknowledged as different from the year before. The type of changes that matter for this study must contain either more criticism regarding a subject, or new criticism to a subject that has not been criticized before. In the reports by Freedom House, such types of changes occurred rarely. Out of the three reports, the one covering the year of 2013 were the least critical, as all the criticism it contained were present in the other two reports as well. The report covering the year of 2011 contained criticism on one other area that were not reported the other two years:

- “Nicaragua purchases 10 million barrels of oil annually from the Venezuelan government; the funds generated from the resale of that oil are dedicated to social projects but are administered directly by Ortega’s office and are outside of the national budget, raising concerns that the money could be allocated in a corrupt or politicized manner” (Freedom House 2012)

The reports of that covers the years of 2012 and 2013 does not mention any concerns regarding money handling by oil resales, which indicates that Nicaragua, or Ortega himself, is no longer criticized for administering the money in a non-transparent manner. This is the only piece of information that could not be detected anywhere but in the report covering the year of 2011, which demonstrates a change indicating less criticism toward Nicaragua. Most changes however, occurred in the report covering year 2013 but were still quite few. This report contains criticism on two areas that were not criticized in earlier reports. One of them was regarding representation of ethical minorities:
“Minority groups, especially the indigenous inhabitants of Nicaragua’s eastern and Caribbean regions, frequently complain that they are politically underrepresented and their grievances are largely ignored by the government and FSLN” (Freedom House 2014)

This piece of text illustrates a rather mild type of criticism, but emphasis the ignorance by the government towards the indigenous population of the country. Still, this criticism has not been uttered in the previous report which indicates a change of Freedom House’s reporting of Nicaragua. The other topic that has not been criticized in earlier year, is LGBT-rights:

- “Same-sex marriage and civil unions remain barred in Nicaragua, and the country’s LGBT (lesbian, gay, bisexual, and transgender) population is subject to intermittent threats and discriminatory treatment, such as the barring of a pride march on International LGBT Pride Day in Managua in June 2013” (Freedom House 2014)

This criticism is more serious, because the targeted group seem to have been threatened rather than ignored, which arguably is harsher treatment. To sum up, Freedom House criticize Nicaragua on various of different areas in all of their reports. Their criticism is mostly reoccurring, and little change could be detected between the 2011, 2012 and 2013 reports. Those changes that were found however, indicates that Freedom House criticizes Nicaragua less in 2012 than in the other two years, and that their report of 2013 was their most critical one.

Amnesty International addresses criticism against Nicaragua in a number of areas, such as freedom of speech, corruption, post-electoral violence, sexual violence and representation of minorities. While Freedom House conducted their report in a systematic and repetitive way, Amnesty International tend to have more variation in their reports and emphasis different areas from year to year, arguably with regards to the political developments that relates to the year that the report covers. The criticism that Amnesty International put forward also tends to be more sincere than Freedom House’s, as they often provide empirical examples to further illustrate their criticism, as were the case in the report covering the year of 2011:

- “On 10 November, a group of around 30 youth activists from the Nicaragua 2.0 Movement taking part in an anti-Ortega demonstration outside the University of Central America in Managua were allegedly threatened and attacked supporters of the youth wing of the Sandinista National Liberation Front. Police officers present at the scene
reportedly did not intervene to prevent the attacks. Local and international NGOs demanded that action be taken to protect the right of all Nicaraguans to demonstrate peacefully” (Amnesty International 2012, p.254)

Instead of just presenting information that entails the lack of interference by the police force in a violent situation related to a demonstration, Amnesty International chooses to present a more thorough picture of the event. The fact that the demonstration is anti-Ortega, and that the police do not interact when violence occur suggest that the ruling regime and the police force are conspiring, and the criticism is thus not only aimed towards the police but also towards the regime. These events are only highlighted in the report covering the year of 2011 and left out in the other two. However, each report contains some type of criticism that is unique for each year, all with empirical examples in relation to them. For the report covering year 2012, Amnesty International criticizes the prevention of sexual violence in Nicaragua:

- “In July, the Ministry of Health announced that over the decade 2000-2009, the number of births to girls aged between 10 and 14 had increased by 47.9%. Sexual intercourse with a child under the age of 14 is classed as statutory rape under Nicaraguan law” (Amnesty International 2013, p.195).

These statistics is not an empirical example in the same notion as the previous one, but it gives credibility to the criticism in a similar way. It is stated that child rape is increasing in Nicaragua despite legislation against it, which undeniably indicates that the legislation is not functioning. Finally, the report that covers the year of 2013 exclusively criticizes the situation of minorities in the country:

- “In March, Indigenous, Afro-descendant and other groups expressed concern at the government’s decision to grant a licence for the construction of a major infrastructure project known as the Gran Canal Interoceánico, a channel connecting the Atlantic Ocean and Pacific Ocean. Among other concerns, the groups claimed that the licence was granted without the free, prior or informed consent of the Indigenous groups whose territory the canal would cut across. Works started in December, amid protests that resulted in clashes with protesters and included reports of police beatings of detainees” (Amnesty International 2015, p.272).
This piece of text provides information on how the interests of the government overrides the living standards of the indigenous groups of the country, as the canal project will cut right across their territory. The fact that the canal project began without any consultation suggests that the government has no interests in the will of the indigenous population, and the beating of the protestors proves it even more. These three examples visualize the criticism it contains by emphasizing a violent outcome, physical or sexual. Despite that the yearly reports have covered criticism in different areas, they also contain criticism on reoccurring topics such as violence against women. The criticism on this topic is similarly report to as the previous ones, namely with empirical examples in relation to it:

- “Rape and sexual abuse remained a concern. Despite this, in July the Supreme Court of Justice reduced the sentence imposed on Farinton Reyes for the rape in 2009 of his co-worker, Fátima Hernández, to four years’ imprisonment. The Court sought to justify its decision on the grounds that Farinton Reyes had committed the crime while under the influence of alcohol and in a state of sexual excitement that he could not control. The judges also argued that Fátima Hernández had acted permissively and co-operated in the rape” (Amnesty International 2012, p.254).

- “In October, the police in Matagalpa, in the north of Nicaragua, were instructed to execute an arrest warrant against a teacher accused of sexually abusing a 14-year-old pupil. However, the arrest warrant was not executed, allegedly due to a lack of space in the prison system and lack of police capacity; the teacher reportedly fled the city. At the end of the year, the accused remained at large” (Amnesty International 2013, p.195).

- “Reforms passed in September 2013 weakened the effectiveness of the Comprehensive Law against Violence against Women (Law 779), introduced in 2012. As a result of the reforms, women who filed complaints about domestic violence may be offered mediation with their attackers in cases involving crimes punishable by less than five years’ imprisonment, such as actual bodily harm, the abduction of children, and threats. This means that women may find themselves having to face their attackers in the mediation process, while those accused of committing abuses may avoid being held to account for their crimes. According to the NGO Women’s Network against Violence, seven of the 47 women killed in the first six months of 2014 had been in mediation with their abusive partner. An executive decree issued in July further reinforced the mediation aspect of the law and reduced the definition of femicide to killings of women within relationships. The executive decree raised concerns around the use of mediation.
to redress violence against women. Numerous legal challenges against the decree were submitted to the Supreme Court of Justice.” (Amnesty International 2015, p.272).

Part from discussing violence against women with empirical examples, these three quotes demonstrates criticism aimed towards some of the state institutions of Nicaragua. In the report covering the year of 2011, criticism is directed to the Supreme Court of Justice for its decision to cut the sentence of a convicted rapist. In the report covering the year of 2012, the police and prison system is criticized for its failure to arrest a teacher accused of sexually abusing one of its 14-year old pupils. Lastly, the report covering the year of 2013 criticizes the changes that weakened the effectiveness of The Comprehensive Violence against Women Law which concerns the Supreme Court but also the National Assembly. The cases that visualize the criticism of 2011 and 2012 are both very similar. Women are sexually assaulted, and the perpetrators are both favorable by the institutions of the state that are assigned to handle them. The case presented in 2013 is slightly different but follows the same logic as the previous ones, namely that men who commit violent acts against women are still favored in their sentencing and that the legal institutions of the state keep failing to impose any change. Judging by this, the criticism by Amnesty International regarding violence against women in Nicaragua has not changed remarkable in any aspect. To sum up, Amnesty International criticize Nicaragua on various of different areas in all of their reports. Although the content of the reports tends to change to a certain degree, it cannot be determined that Nicaragua is criticized more or less between the years, but they are rather criticized to a similar degree throughout all reports.

4.3 Comparison

This third and last section aims to puzzle the two pieces together in order to give an answer to the research question. The two previous parts of the analysis section will be compared to each other in order to see if Nicaragua is criticized for their flaws to a lesser extent at the same time as they are highlighted for their efforts in women’s rights and gender equality through the implementation of Law 779 and their legislated candidate quota. Considering the variety of results found between Amnesty International and Freedom House, as well as the variety of results of their respective reports from year to year, the results in this section will be discussed one organization at the time. Two tables are presented which gives an overview of each year and to what extent the policies were referred to as well as the different amount of criticism that was reported.
Freedom House

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<td>Not referred to</td>
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<td>Referred to</td>
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<tr>
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<td>Most referred to</td>
<td>Less referred to</td>
<td>Most criticized</td>
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Table 2. Table displaying frequency of policy reference and criticism in Freedom House reports.

The optimal conditions to give support for the theory behind the research question would be that the two organizations were the least critical in the same year that they referred to the policy implementations the most, and vice versa. Table 2 entails that regarding Freedom House, this is not the case. The theory behind the research question do get some support however when comparing year 2011 with year 2012. The relation between these two year suggest that Nicaragua is less criticized at the same time as the two policy changes are referred to. This pattern is maintained in the year of 2013 concerning the quota implementation, as that is less referred to and amount of criticism increase. Although, the fact that Law 779 is referred to the most this year, parallel to the criticism being most frequent, proves the theory wrong because of the contradictory connection between the two. Because there seem to be no straight pattern that fully supports the theory behind the research question, a straight answer to the question cannot be given in this case, as evidence points in two different directions.

Amnesty International

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<td>Equally criticized</td>
</tr>
<tr>
<td>2013</td>
<td>Least referred to</td>
<td>Not referred to</td>
<td>Equally criticized</td>
</tr>
</tbody>
</table>

Table 3. Table displaying frequency of policy reference and criticism in Amnesty International reports.

The optimal conditions to give support for the theory behind the research question is neither provided by Amnesty International. As no clear difference in the amount of criticism could be detected between the two reports, the type of comparison that is provided in this section becomes rather modest. The fact that the quota is not referred to and the criticism remains unchanged is however not contradictory to the theory, but totally insignificant. The variation of reference to the implementation of Law 779 would suggest that the amount of criticism also should have changed, according to the theory. Seeing that the criticism remain unchanged,
means that the theory gains no support in this sense. Adding the results of both organizations to each other, the theory behind the research question gains less support than it is refuted.

5. Conclusion

Previous research suggests that autocratic regimes implement changes to improve women’s rights or gender equality in order to gain legitimacy from the international community. While there exist various ideas of why those types of regimes crave international legitimacy, discussion on how such legitimacy take shapes has been left out. This thesis suggest that international legitimacy can be granted by international watch dog organizations for how they frame the regime in relation to their policy changes. The purpose of this study was to investigate how Nicaragua is recognized for their women’s rights improvements and gender equality measures by the international community, and if the criticism for their shortcomings as a state differed around the time of these improvements. With the help of qualitative content analysis, reports by Freedom House and Amnesty International covering the human rights situation and the political development of the years 2011, 2012 and 2013 was analyzed. Overall, the results of the analysis are not straightforward, but dismisses the theory behind the thesis, which is that autocratic regimes gain legitimacy for their women’s rights improvements and gender equality measures, rather than supports it. However, two key findings suggest that the theory cannot be completely dismissed. The first one is that, by comparing the reports by Freedom House, less criticism is detected simultaneously as the two policy changes are referred to more often in year 2012 compared to year 2011 which supports the theory. The second finding is that the amendments of Comprehensive Violence against Women Law in 2013 is referred to rather differently between Amnesty International and Freedom House, which brings more complexity to this issue. Thus, future research on the subject with similar methodology should analyze data from more than two organizations in order to understand if any view is more common than the other.
6. Bibliography


Teorell, Jan & Svensson, Torsten, 2007, Att fråga och att svara, Liber, Stockholm


