

Children's Rights and the Tenuousness of Local Coalitions: A Case Study in Nicaragua*

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Abstract. Since Nicaragua's endorsement of the UN Convention on the Rights of the Child and the legislative passage of its own Code of Childhood and Adolescence, improvements in the welfare of marginalised youth have depended largely on community-based actions that are sponsored by NGOs and civic groups, many of which function in tangent with municipal government authorities and international aid agencies. In this article we review three community initiatives that have aimed at resolving problems associated with youth alienation and violence in a poor, heavily populated district of Managua. While some modest successes have been achieved, these relatively isolated initiatives have had no evident effect on either the magnitude or the systemic nature of youth marginalisation in Managua. In a context in which the central state is severely constrained by fiscal weakness and corporatist traditions, it is questionable whether in fact the organs of civil society do in fact possess the organisational capacity to generate the structural reforms necessary for the advancement of children's rights at community levels. Nevertheless, despite the amorphous nature of much of civil society in Nicaragua, in the long run children's rights legislation may help to foster growing solidarity among disparate civic forces working to improve the bleak livelihoods of many children.

The UN Convention on the Rights of the Child: problems of implementation in Latin America

The UN Convention on the Rights of the Child (CRC), unanimously adopted by the General Assembly in 1989, was a landmark charter for the global

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* The authors are grateful to the International Development Research Centre (IDRC) which provided a grant for this research project and to the Centro de Información y Asesoría en Salud (CISAS) which facilitated fieldwork in District VI between June 2000 and January 2002. We also wish to thank Hal Luft and Dan Dohan of the Institute of Health and Policy Studies, University of California (San Francisco), for their comments on an earlier version of this paper. The authors are also grateful for the comments of two anonymous JLAS reviewers.

human rights movement. Ratified by more than 170 countries, and reinforced by the Declaration and Plan of Action that emanated from the 1990 World Summit for Children, the CRC signalled a major shift in official international perceptions concerning the status and welfare of children. No longer are children to be regarded as objects solely dependent on adult authority. Instead, because of their vulnerability, all children (deemed to be persons below eighteen years old) are entitled to special rights guaranteeing their care and protection. Henceforth, the best interests of all children are to be a priority of governance. Accordingly signatory states are to share with parents the responsibility for the upbringing and development of children (Article 18). 'State parties' are enjoined to undertake legislation guaranteeing the protection of children's rights and to allocate maximum public resources for children's welfare (Articles 3 and 4). For this endeavour to succeed, particularly in developing countries, international aid and cooperation are recognised as being significant (Article 4).¹

Over the past decade the CRC and the corresponding Declaration and Plan of Action have become significant legal and moral reference points for the global children's rights movement. Yet there have been few illusions about the formidable challenge of implementing the provisions of these UN charters. This has been particularly evident throughout Latin America where governments have had neither the financial resources nor the political capital necessary to implement the sweeping social reforms mandated by the CRC. Instead, in the wake of economic crises, burdensome national debts, and structural adjustment programmes, central states have generally had to downsize social services and to shift responsibility for addressing the plight of marginalised children and other vulnerable social groups to municipal levels of government.² Yet this in turn has placed onerous responsibilities on municipal authorities. Often without independent tax bases, and rarely able to rely on substantive resource transfers from central ministries, cash-strapped politicians and bureaucrats working at local levels have been turning to NGOs and community associations to assist in providing social services and in dealing with pressing social problems.³ This has been especially evident in heavily populated urban centres that are characterised by extensive poverty,

¹ United Nations, *Convention on the Rights of the Child* (Geneva, 1989).

² Charles A. Reilly, 'Public Policy and Citizenship,' in Reilly (ed.), *New Paths to Democratic Development in Latin America: The Rise of NGO-Municipal Collaboration* (Boulder, CO, 1995), pp. 1-27.

³ Although there is no definitive distinction between NGOs and community associations, for purposes of this paper we regard NGOs as those organisations that are quasi-professional (i.e., with a formal organisational structure and usually some salaried staff) and are generally engaged in more than one locality. In contrast, community and civic associations are considered as voluntary groups of citizens whose activities focus on their own neighbourhood interests.

high rates of unemployment, and a paucity of state-sponsored social assistance programmes.

Nicaragua exemplifies many of the challenges confronting the discourse of children's rights and those who strive to transform the discourse into major improvements in the lives of disadvantaged children. Having ratified the CRC in 1990 – one of the last acts of the revolutionary Sandinista (Frente Sandinista de Liberación Nacional – FSLN) government before its defeat at the polls – the Nicaraguan state has undertaken several formal measures in line with its obligations as a signatory to the CRC. The most notable of these has been the formulation of the Code of Childhood and Adolescence (*Código de la Niñez y la Adolescencia*, henceforth referred to as 'the Code'). At the time of its approval by Congress in early 1998, the Code represented a triumph for children's rights advocates in Nicaragua, for it emulates many of the terms and objectives of the CRC. Yet more than half a decade later the Nicaraguan state has demonstrated little capacity or will to implement the provisions of the Code. Instead, NGOs and other local community groups that constitute civil society have continued to provide most of the impetus for improving the conditions of marginalised children and youth. However, although clearly civil society has a vital role to play in promoting and protecting children's rights in Nicaragua, there is little evidence that it has the cohesiveness and organisational capacity to make up for the social policy shortcomings of a fragile democratic state.

Civil society as a force for social change in Nicaragua: acclaim and uncertainty

In Nicaragua many of the NGOs and local civic groups that constitute civil society have retained vestiges of the oppositional social movement and democratic culture that emerged during the revolutionary Sandinista period of the 1980s.⁴ Although the elections of 1990 ended the leftist FSLN government and ushered in a new era of centrist and right-wing national governments,⁵ the Sandinista-inspired Communal Movement, a coalition of volunteer community associations, has attained prominence by juxtaposing political advocacy with the local mobilisation of social services. Likewise, a growing number of autonomous NGOs have become increasingly

⁴ Florence E. Babb, 'Negotiating Spaces: Gender, Economy and Cultural Politics in Post-Sandinista Nicaragua,' *Identities*, vol. 4, no. 1 (1997), pp. 45–69; Erika Ploakoff and Pierre LaRamee, 'Grass-roots Organizations,' in Thomas W. Walker (ed.), *Nicaragua without Illusions: Regime Transition and Structural Adjustment in the 1990s* (Wilmington, DE, 1997), pp. 185–201.

⁵ The Unión Nacional Opositora government of Violeta Chamorro (1990–96); the Alianza Liberal government of Arnoldo Alemán (1997–2001); and the current Partido Liberal Constitucionalista government of Enrique Bolaños (2002–present).

involved in processes of national policy dialogue and social policy implementation.

Two inter-related factors have expanded the role of civil society as an arena of political activity and influence. First, as elsewhere in Latin America, the state in Nicaragua has been undermined by a host of problems that have weakened its ability to govern effectively. Prolonged economic stagnation and a debilitating international debt have forced government ministries to curtail their expenditures and to downsize public services, especially those directed towards the social welfare of children and youth. Total state expenditures on education and health fell steadily throughout most of the 1990s, and inevitably this resulted in an increase in privately borne costs for these services.⁶ Further damage came in 1998 when Hurricane Mitch wrought severe devastation on the country's infrastructure and agricultural sector. Added to these difficulties has been the erosion of government credibility stemming from public service corruption and the protection of elite private interests, particularly during the Alemán regime of 1997–2001.⁷ With the legitimacy of the state in question, many have looked to the diverse organs of civil society for social assistance and the promotion of social justice.

The second explanation for the strength of civil society in Nicaragua has been the influx of foreign aid that has been increasingly directed towards NGOs. Disenchanted with official development strategies that often have been seen as inefficient and skewed in favour of political elites, foreign donors now tend to regard NGOs as conduits of effective social service delivery and as vanguards of more participatory forms of governance.⁸ Increased donor interest in the non-governmental sector has consequently fostered a veritable boon in NGO activity in Nicaragua. By the year 2000 there were approximately 1,800 NGOs and community associations operating in Nicaragua, a ten-fold increase from 1990.⁹ Moreover, while official

⁶ Alec Ian Gershberg, 'Education "Decentralization" Processes in Mexico and Nicaragua: Legislative versus Ministry-led Reform Strategies,' *Comparative Education*, vol. 35, no. 1 (1999), pp. 63–80.34; Santamaria Sergio, *El costo de ajuste* (Managua, 1998), p. 17; Secretaría de Acción Social, *Evaluación del sector social* (Managua, 2001), p. 19.

⁷ Claudia Paguaga, 'Enrique Bolaños Geyer: A Step Towards Consolidating Democracy in Nicaragua,' Policy Paper, Canadian Foundation for the Americas (Ottawa, 2002), pp. 1–7.

⁸ Roger Charlton and Roy May, 'NGOs, Politics, Projects and Probity: A Policy Implementation Perspective,' *Third World Quarterly*, vol. 16, no. 2 (1995), pp. 237–55; John Clark, 'The State, Popular Participation, and the Voluntary Sector,' *World Development*, vol. 23, no. 4 (1995), pp. 593–601; Alan F. Fowler, 'Authentic NGDO Partnerships in the New Policy Agenda for International Aid: Dead End or Light Ahead?,' *Development and Change*, vol. 29 (1998), pp. 137–59; Laura Macdonald, 'A Mixed Blessing: The NGO Boom in Latin America,' *NACLA Report on the Americas*, vol. 28, no. 5 (1995), pp. 30–5.

⁹ Coordinadora Nicaragüense de la Niñez (CODENI), *Segundo informe de la sociedad civil, sobre la situación de los derechos de la niñez y la adolescencia* (Managua, 1999), p. 1.

bilateral assistance to the Nicaraguan government fell from US \$673 million in 1990 to US \$493 million in 1999, international aid to national NGOs in Nicaragua quadrupled from US \$34.6 million to \$161 million during the same period.¹⁰

As many have argued, the heightened prominence of NGOs and civic groups in Nicaragua, and indeed throughout much of Latin America, represents a significant step in the transition to democratic governance.¹¹ From this perspective, besides supporting the provision of social services to marginalised and impoverished sectors of society, NGOs have helped to foster 'secondary' citizenship among those excluded from participating in state-centred politics.¹² By encouraging dialogue, negotiation, and democratic resolution of conflict, NGOs have re-directed social and political energy that has often been manifested as resistance to state institutions and policies of the state. Within the last decade, however, as treasuries have become depleted and the strength of state corporatism has diminished, NGOs and civic groups have gained political influence, forming social movements demanding legislation and policies oriented towards improving the conditions of marginalised social groups. In many respects this has facilitated processes of democratisation and has helped to propel human rights issues into mainstream political discourse.¹³ It has also fostered a new spirit of 'pragmatism' which is reflected in a growing willingness among NGOs and local government authorities to cooperate.¹⁴

At the same time, however, although a vibrant non-governmental sector has contributed to a reconfiguration of political processes in Latin America, there are those who nonetheless maintain reservations about the capacity of NGOs and community groups to ensure significant advancement of human rights and democratic institutions. For just as central states are constrained by transnational economic and political forces that are oblivious to conventional national boundaries, so too are civil societies vulnerable to economic oscillations and to the politics of foreign aid. As Macdonald has argued, throughout Latin America 'the cards are stacked against the poor,

¹⁰ Foro de Cooperación, *El financiamiento externo de las ONGs nicaragüenses* (Managua, 2001).

¹¹ Anthony Dewees and Steven J. Klees, 'Social Movements and the Transformation of National Policy: Street and Working Children in Brazil,' *Comparative Education Review*, vol. 39, no. 1 (1995), pp. 76–100; Merilee S. Grindle, *Challenging the State: Crisis and Innovation in Latin America and Africa* (Cambridge, 1996), p. 3; Francisco Panizza, 'Beyond "Delegative Democracy": "Old Politics" and "New Economics" in Latin America,' *Journal of Latin American Studies*, vol. 32, no. 3 (2000), pp. 737–63; Enrique Peruzzotti, 'The Nature of the New Argentine Democracy: The Delegative Democracy Argument Revisited,' *Journal of Latin American Studies*, vol. 33, no. 1 (2001), pp. 133–55.

¹² Reilly, 'Public Policy and Citizenship,' p. 2.

¹³ Dewees and Klees, 'Social Movements and the Transformation of National Policy'; Peruzzotti, 'The Nature of the New Argentine Democracy'.

¹⁴ Reilly, 'Topocrats, Technocrats, and NGOs,' in Reilly (ed.), pp. 247–72.

and NGO activity can do little in the short term to reshuffle the deck' (p. 32).¹⁵ From this perspective, expectations that civil society can generate the structural changes necessary to reduce poverty and the marginalisation of vulnerable social groups are likely to be misplaced. While NGOs, civic and religious associations and social movements can play a key role in improving the welfare of poor communities and in nurturing democratic rule, they generally rely heavily on voluntarist memberships and on resources that originate from outside local communities.¹⁶ Similarly, although their diverse agendas may be strengthened through social networking, the different constituents of civil society are rarely able to establish institutionalised cohesion. As critics suggest, they may complement and indeed reinforce trends towards democratic rule, but they are no substitute for strong effective governments.¹⁷

A further criticism of the notion that civil society can be a catalyst of progressive change centres on the linkages that have increasingly bound NGOs and civic groups with national governments and international aid agencies. By embracing opportunities afforded by state accommodation and infusions of foreign assistance, many groups in civil society are becoming susceptible to hegemonic co-optation by governing elites.¹⁸ Viewed in this way, through collaboration in the development and implementation of social policies and programmes that are designed to offset the disintegrative tendencies of expanded global markets and reduced public services, many NGOs and community groups may be participating in a form of neoliberal subterfuge.¹⁹ As they become more numerous and more formally structured, these organisations tend to preoccupy themselves with the technical and administrative dimensions of social assistance. Moreover, as critics have pointed out, since most NGOs and growing numbers of community associations have come to rely heavily on foreign support, they tend to compete for

¹⁵ Macdonald, 'A Mixed Blessing: The NGO Boom in Latin America,' p. 32.

¹⁶ Clark, 'The State, Popular Participation, and the Voluntary Sector'; Alejandro Portes and Patricia Landolt, 'Social Capital: Promise and Pitfalls of its Role in Development,' *Journal of Latin American Studies*, vol. 32, no. 1 (2000), pp. 529–47.

¹⁷ Guillermo O'Donnell, 'Reflections on Contemporary South American Democracies,' *Journal of Latin American Studies*, vol. 33, no. 2 (2001), pp. 599–609; R. S. Ratner, 'Many Davids, One Goliath,' in William K. Carroll (ed.), *Organizing Dissent: Contemporary Social Movements in Theory and Practice: Studies in the Politics of Counter-Hegemony* (Toronto, 1997), pp. 271–86.

¹⁸ Michael Edwards and David Hulme, 'Too Close for Comfort? The Impact of Official Aid on Non-governmental Organizations,' *World Development*, vol. 24, no. 6 (1996), pp. 961–73; Fowler, 'Authentic NGDO Partnerships in the New Policy Agenda for International Aid'.

¹⁹ Steven J. Klees, 'NGOs: Progressive Force or Neoliberal Tool?,' *Current Issues in Comparative Education*, vol. 1, no. 1 (1998), Web-site: <http://www.tc.columbia.edu/~academic/ice/vol1no1/v1n1>; Ricardo Vergara, 'NGOs: Help or Hindrance for Community Development in Latin America?,' *Community Development Journal*, vol. 29, no. 4 (1994), pp. 322–8.

funding and often become absorbed by external demands for fiscal accountability and project efficiency. In such circumstances, organisations of civil society may increasingly function as sub-contractors for international donors and so be distracted from challenging the very structures of power that underlie situations of mass poverty and social injustice.²⁰

Nowhere are these challenges more acute than in the realm of children's rights. While the non-governmental sector in Nicaragua was instrumental in contributing to the formulation of the Code of Childhood and Adolescence, it is questionable whether civil society, even when aligned with municipal government authorities, has the capacity to generate fundamental changes to the status and conditions of the majority of marginalised Nicaraguan youth.

Civil society and the code of childhood and adolescence

Since the outgoing Sandinista government's ratification of the CRC in 1990, the cause of children's rights in Nicaragua has been championed by various NGOs, local governments, and international aid agencies. In 1992, following a series of meetings among numerous children's rights and social assistance agencies, the Nicaraguan Coalition for Children (*Coordinadora Nicaragüense de la Niñez*: CODENI) was formed. With a membership of approximately thirty national NGOs (current membership stands at forty-three), CODENI's principle mandate was to lobby for a national children's rights law and to bring pressure on various levels of government to heed the principles and objectives of the CRC. At about the same time a network of municipal groups, since known as the Mayors' Friends of Children (*Alcaldes Amigos de la Niñez*), was established to facilitate the development of community actions designed to improve the welfare of children. In 1994, in response to these developments, the Unión Nacional Opositora (UNO) government of Violeto Chamorro created the National Commission for the Promotion and Defence of the Rights of Children. Together with representation of the government, CODENI was granted a prominent role on the Commission.

Although initially set up to review social programmes for children, the Commission was eventually mandated to draft a statute that would legislate the principles and objectives of the CRC. This proved to be a painstaking process, subject to delay and political manoeuvring, especially during and immediately after the 1996 national elections that brought Arnaldo Alemán's

²⁰ Edwards and Hulme, 'Too Close for Comfort?'; M. Powell and D. Seddon, 'NGOs & the Development Industry,' *Review of African Political Economy*, vol. 71, no. 3 (1997), pp. 3–10; Anna C. Vakil, 'Confronting the Classification Problem: Toward a Taxonomy of NGOs,' *World Development*, vol. 25, no. 12 (1997), pp. 2057–70.

Alianza Liberal party to power. By early 1998, however, continued advocacy by members of the Commission propelled the National Assembly and the executive branch of government into formally approving the Code of Childhood and Adolescence. Recapitulating Nicaragua's obligations under the terms of the CRC, the Code is a legal charter that focuses on the inherently moral and legal concept of *rights* as opposed to the utilitarian notion of *basic needs*. Similar to the tenets of the CRC, children and youth are no longer to be considered as 'objects' who are entirely dependent on the arbitrary powers of family, community, school, and the judiciary. Instead, they are to be regarded as 'subjects' who are entitled to equal treatment before the law and to full access to basic social services (Articles 17 and 61).²¹

By passing the Code, the Nicaraguan government formally acknowledged the injustices of child poverty and reiterated its obligation to make children's rights as a priority of public policy. All public policies and programmes affecting the welfare of Nicaraguan children were henceforth to be guided by the articles of the Code. Yet as outlined in the Code, the onus for protecting children's rights does not reside solely with the state. Although the central government is expected to be the main guarantor of children's rights, the Code also stipulates that the welfare of children is a shared responsibility that necessitates the active participation of families, schools, and community organisations, as well as the participation of children and youth themselves (Article 56).²² Cooperation between state and civil society is thus deemed imperative for the promotion and protection of children's rights.

Within the last half decade, however, it has become clear that the state in Nicaragua has had neither the fiscal capacity nor the political and ideological will to satisfactorily enforce most of the Code's provisions. Structural adjustment and debt servicing have led to the downsizing of public services that directly affect children and youth.²³ Despite admonitions by the UN Committee on the Rights of the Child that the national government of Nicaragua must 'take all available measures ... to guarantee the full implementation of the Code',²⁴ it is generally accepted that much of the impetus for advancing children's rights continues to rest with NGOs, municipal authorities, and international aid agencies. In effect, just as organised civic pressure contributed to the formulation and legislative approval of the Code, so too will its application depend substantially on the efforts of NGOs and community

²¹ Gobierno de Nicaragua, *Código de la Niñez y la Adolescencia* (Managua, 1998).

²² *Ibid.*

²³ Richard Maclure and Melvin Sotelo, 'Children's Rights as Residual Social Policy in Nicaragua: State Priorities and the Code of Childhood and Adolescence,' *Third World Quarterly*, vol. 24, no. 4, Aug. 2003, pp. 671–89.

²⁴ UN Committee of the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child: Nicaragua. 24/08/99* (Geneva, 1999), p. 3.

associations that are committed to redressing the plight of Nicaraguan children in myriad local communities.

Yet it is far from certain whether locally based alliances, even when supported by external donor agencies, have the necessary organisational capacity, sustained leadership, and political strength to engender the structural reforms recommended by both the CRC and the Nicaraguan Code. Coalitions tend to fluctuate over time and space, as socio-economic and political contexts evolve and as institutional interests shift, and even dissipate.²⁵ There is a perpetual risk, therefore, that progressive actions oriented towards the improvement of children's welfare in Nicaragua will remain as small isolated 'jewels' of achievement rather than as building blocks of social transformation.²⁶

So far, however, little is known about the dynamics of specific municipal-level actions aimed at ameliorating the plight of indigent children and youth in Nicaragua, nor on how these relate to the discourse of change as articulated in the Code of Childhood and Adolescence.²⁷ A challenge for researchers is to examine local initiatives aimed at improving the situations of marginalised young people, and to assess the factors that are likely to enhance or confound the effectiveness of such initiatives. In the following sections of this paper, we present a review of three community-level projects that were intended to address problems associated with youth violence and the conditions underlying youth marginalisation in Managua's District VI. In each case, while varied in terms of their success as small-scale local initiatives in their own right, there is no indication that they have helped to foster a structural transformation that might ensure long-lasting improvements in the welfare of Nicaraguan children.

The study

Research for this study was conducted as part of an overall inquiry into the effects of the Code of Childhood and Adolescence on social policies and programmes affecting marginalised urban youth in Managua.²⁸ From May

²⁵ William K. Carroll, 'Social Movements and Counterhegemony: Canadian Contexts and Social Theories' in Carroll (ed.), *Organizing Dissent*, pp. 3–38; Alberto Melluci, *Nomads of the Present: Social Movements and Individual Needs in Contemporary Society* (Philadelphia, 1993).

²⁶ Dewees and Klees, 'Social Movements and the Transformation of National Policy'.

²⁷ In part this was because the text of the Code refers to 'the state' and to 'civil society' in general terms, but does not elaborate on the specific role of municipal governments in implementing its provisions. Without such directives, municipal authorities have tended to view the Code in rather abstract terms.

²⁸ Funded by the International Development Research Centre (IDRC), this case study was part of a larger inquiry into social policy change and risks of adolescent violence in Nicaragua. The research therefore also included an examination of the government's

2000 to March 2002, one of the authors (Sotelo) was a research consultant working with the Centro de Información y Asesoría en Salud (CISAS). A national NGO founded in 1983, CISAS has worked for more than a decade in various neighbourhoods of District VI, a large municipal zone in Managua. As part of his responsibilities, Sotelo served as CISAS' representative on the Intersectoral Commission for Integrated Care of Adolescents (CIS), one of the initiatives discussed below. During this period he conducted extensive participant observations of community meetings and various social programmes designed to improve the welfare of children and youth. Interviews were also conducted with NGO representatives and public officials associated with the CIS. In addition, two other civic activities in District VI were reviewed – the Villa Libertad school programme for at-risk youth and a community policing initiative. As both these latter activities had begun prior to Sotelo's research fieldwork, information was obtained through interviews with the Villa Libertad school director, and with numerous public officials and community leaders. While documents obtained from different local government sources provided some background information on District VI, most of these were unedited and unpublished. Our knowledge of the district was therefore enhanced through participant observation and informal interviewing.

Most interviews were audio-taped and transcribed; the remainder were recorded through detailed note-taking. Analysis of fieldnotes and interview transcripts was essentially a reductive process that involved reading and re-reading the collated information as a way to organise content and to highlight significant statements and key themes. Collaborative interpretation of the data was complemented by the authors' familiarity with the context of District VI and their knowledge of recent economic and political developments in Nicaragua, particularly the debates surrounding the formulation of the Code of Childhood and Adolescence.

District VI

District VI is the largest of Managua's municipal zones. It is governed locally by an elected Municipal Council that is responsible mainly for taxation, security, and the coordination of state social services. It is also the site of a host of neighbourhood civic groups, most of which are represented within

'Gang Plan' and the relative effectiveness of the public sector Youth Crime Prevention Commissions in Managua (Maclure and Sotelo, 'Children's Rights as Residual Social Policy in Nicaragua'). Through interviews and focus groups, young people and parents in Managua's District VI were also invited to offer their perspectives on the conditions and prospects of youth in poor urban neighbourhoods (to be presented by the authors in a forthcoming article).

the district-wide non-governmental Communal Movement. With a population of over 300,000 residents and a steady influx of immigrants arriving from the impoverished central and northern regions of Nicaragua, demographically the district is growing rapidly. Its social and economic problems are likewise multiplying.²⁹ Infrastructure such as potable water, electricity and sewage are in short supply. Housing is seriously inadequate, with many instances of two or more families living under the same roof. Such is the cramped nature of family living arrangements that many teens simply abandon their natal homes to live in the streets. Approximately thirty per cent of families are headed by single mothers. Poor health is endemic. While three health clinics offer free consultations in the district, many people are unable to afford the purchase of medicines required for treatment. Unemployment in the district is high – an estimated sixty per cent of individuals who are eligible for work are without jobs. Another twenty per cent are assumed to be working in the informal economic sector, mainly as street and market vendors.³⁰ This leaves approximately twenty per cent of the district's working age population employed in full-time jobs in either the public sector or as employees in private companies.³¹

Circumstances confronting the majority of youth in District VI are bleak. In 2001, out of an estimated 58,000 adolescents (aged 13–18) who were eligible for formal schooling in the district, fewer than 20,000 were officially enrolled in schools.³² Two out of every three youth had thus either dropped out of school or had never enrolled at all. For these young people the likelihood of obtaining any form of legitimate remunerative employment is sparse. In addition, since many are bereft of strong family and community support, large numbers of (mostly male) youth in District VI have been drawn towards neighbourhood youth gangs. While serving as mutually reinforcing groups, gangs of young teens are also invariably engaged in illegal and often violent activities. Sometimes violence is inflicted on members of the general public, but for the most part assaults are perpetrated on other youth. According to district police, the most common forms of youth violence involve property damage, robbery with intimidation, assaults, and murder.³³

²⁹ Manuel Fandiño, *Trabajo en red con adolescentes* (Managua, District VI, 2000), p. 15.

³⁰ Centro de Salud de Villa Venezuela, *Clínica para adolescentes* (Managua, 1997). ³¹ *Ibid.*

³² Figures procured from the education office of the district Municipal Council.

³³ As we were unable to attain statistics on the types and extent of youth crime (which would probably not have been reliable), indications of youth crime were elicited from interviews with a former district police chief and with members of the government's district-level Youth Crime Prevention Commission.

Exacerbating the marginalisation of youth in District VI, as indeed throughout Nicaragua and elsewhere in Latin America, is a commonly held view that children and adolescents are dependents who must be subjugated to the family, community, school, and the judiciary.³⁴ This perspective has been sustained by the powerful moral sway of the Catholic Church and the dogmatic practices of a doctrinaire formal school system. As publicly stated by Humberto Belli, a Minister of Education in both the Chamorro and Alemán governments, the proper behaviour of children in school is ‘to listen, to obey, and to be guided’.³⁵ Traditional and still widely practiced methods of teaching emphasise discipline, conformity, and the transmission of a fixed body of curricular knowledge to passive child learners. This approach to teaching is reinforced by most parents in District VI who hold to the belief that children must comply unquestioningly to all forms of adult authority.³⁶ Dominance and obedience are the foundations of relations between parents and children. In this cultural context, conventional approaches to youth delinquency generally involve punitive interventions designed to intimidate and control youth, and if necessary, to detain them indefinitely as a way to protect society.³⁷

In light of these prevailing structural and normative conditions, not only are there serious concerns among children’s rights groups about the overall well-being of the majority of youth in District VI, but there is also growing popular anxiety about the long term social effects of youth marginalisation on the general welfare of the district and on the city of Managua as a whole. Consequently, in the last decade, in order to respond to the plight of youth and allay popular fears of youth crime, a number of civic groups in District VI have initiated three separate and quite distinctive youth-related projects in the district. Each of these community projects has made inroads towards fostering changes in local perceptions of at-risk youth and in the way they are dealt with by institutional authorities. Yet, each of these youth-oriented initiatives has been limited in scope and has inevitably fostered doubts about the capacity of local coalitions to bring about the broad structural changes that are essential for the long term advancement of children’s rights.

The Villa Libertad school initiative

In the late 1980s, as the fervour of the Sandinista revolution dissipated, and as migration to urban centres increased, a vast number of adolescents in the

³⁴ Robert F. Arnove, ‘Education as Contested Terrain in Nicaragua,’ *Comparative Education Review*, vol. 39, no. 1 (1995), pp. 28–53.

³⁵ This sentiment was expressed in a speech delivered in May 1996 in which the Minister also criticised the draft text of the Code of Childhood and Adolescence.

³⁶ Emilio García-Méndez, *Child Rights in Latin America: From ‘Irregular Situation’ to Full Protection* (Florence, 1998).

³⁷ *Ibid.*

districts of Managua found themselves confronted with declining opportunities for post-primary schooling and for remunerative work. In a social environment dominated by chronic poverty and disintegrating family bonds, many young males and (less visibly) young females began to group themselves into neighbourhood gangs. As peer enclaves that gravitated easily to violence and criminal activity, youth gangs inevitably generated disruption and fear among local inhabitants. This was particularly evident in and around the school of Villa Libertad, a neighbourhood of District VI.

Established in the mid-1970s, the school in Villa Libertad is one of the largest public schools in Managua, offering both primary and secondary education to children in the district. By 1991 clashes between rival youth gangs frequently took place in the environs of the school. Students and teachers became victims of harassment and assault. As the school director, Doña Esmeralda Espinoza, recounted,

There were nights that I would take youths who had been beaten up, shot or stabbed to the Carlos Marx Hospital. School desertion was tremendous, especially for the night shift, because that is when they attacked the most. Even teachers resigned because of the problem.

School appeals for police protection were met with insistence that the school pay the costs of police transportation and overtime expenses – veiled pretexts for avoiding night-time entry into what was considered a dangerous area for police officers.³⁸ Similar entreaties to the Ministry of Education, in writing and through face-to-face meetings, met with little more than a sympathetic hearing.

Faced with official non-responsiveness to youth violence and to the subsequent endangerment of children's safety and loss of educational opportunities in Villa Libertad, Doña Esmeralda turned to the community's inhabitants. In due course, a group of parents and teachers decided to try to reduce the threat of continued gang harassment by forming what came to be known as the school 'Social Action Committee' (SAC). Given their proximity to youth in the neighbourhood, and to the lack of action from local government authorities, the members of the SAC decided to approach the perpetrators of violence – the gangs themselves – directly. Among the first of its measures, the SAC invited gang members to several informal meetings at the Villa Libertad school so that all sides could express their mutual concerns.

Following these initial contacts, an agreement was established between the school and the neighbourhood gang leaders. In return for gang acceptance of the school as a neutral safety zone, the SAC agreed to work with gang members and other out-of-school youth in organising mainly

³⁸ Interview with Doña Esmeralda Espinoza.

recreational activities. Initially this involved the hosting of youth dances and bazaars. These events incorporated fund-raising components for purchases of sports equipment and books. By 1993, the threat of gang violence had been dramatically reduced at the Villa Libertad school. Yet rather than disbanding, the SAC decided to embark on a programme of outreach for youth gangs and other out-of-school youth. Numerous adolescents were enticed to return to school and several were able to complete their high school certificate examinations. As part of their educational outreach, Doña Esmeralda and SAC representatives undertook home visits to the families of at-risk youth. Doña Esmeralda also routinely visited gang members who had been incarcerated by the police or injured in fights and were confined in hospitals. More recently, a series of informal education projects, focusing mainly on basic health issues, has been established for youth and their parents at the school.

Over the past decade, largely because of the efforts of Doña Esmeralda and the SAC, over one-hundred erstwhile gang members have completed their high school studies. Of these, an estimated seventy-eight youth have gone on to further studies, five have received university scholarships, and sixty-three have obtained paying jobs.³⁹ Among Villa Libertad inhabitants a consensus exists that the efforts of the SAC, combined with the dynamic leadership of Doña Esmeralda, has had a positive impact among many at-risk youth in the district. This was officially acknowledged in 2001 when Doña Esmeralda was formally honoured as the best school director of the year by the Ministry of Education. At the time of our inquiry, the school in Villa Libertad continued to maintain its reputation as a zone of safety.

Despite these positive outcomes, indications are that the Villa Libertad school initiative has encountered difficulties that have constrained its effectiveness. Notwithstanding conferral of the 'best school director' accolade, the Ministry of Education has offered no exceptional support either to the school or to the SAC, nor has any other branch of government extended assistance. Similarly the school received no support from NGOs or foreign donors. Even more troubling, apart from the rhetorical encouragement of the police and local Communal Movement leaders, the Villa Libertad school initiative has garnered limited interest from the population of District VI. Deeply fearful as they are of youth crime, and accustomed to coercive forms of conflict resolution, many people question the value of assisting youth who are deemed to be hooligans. Steeped in traditional authoritarian values and a belief in rigorous coercion as the way to deter youth crime, vocal elements in the community continue to insist that only through higher rates of arrest,

³⁹ *Ibid.*

conviction, and punishment can the problems of organised youth crime and violence be resolved.

Combining dynamic leadership with an innovative dialogical approach to addressing problems associated with youth violence, the Villa Libertad school initiative has achieved some notable successes. Yet without substantial external support and a groundswell of popular local interest, it has remained a relatively isolated set of actions that has had limited effect on youth gangs and on patterns of youth crime in District VI.

The community policing initiative

Throughout the 1990s youth gangs became increasingly visible in Managua and were inevitably a source of growing popular concern. In 1998, responding to organised youth violence in District VI, representatives of the Communal Movement met with the district police chief to discuss ways in which local people and the police could cooperate more effectively in preventing youth crime. Mindful of the recently approved Code of Childhood and Adolescence, and concerned about a lack of constructive community participation in local law enforcement, Communal Movement leaders proposed a form of collaboration that would combine conventional policing with efforts to resocialise youth gang members. The police chief was receptive to the proposal, and over the course of the following year several meetings were convened to develop a 'community policing' initiative to foster cooperation between community representatives and the police. These initial meetings, which involved police officers, church officials, groups of parents, and members of the district Communal Movement, focused principally on methods of local surveillance and crime monitoring. Within two or three months, however, the meetings had expanded to include youth representatives. Dialogue consequently shifted to focus on ways of reducing gang activity and steering children away from association with gangs. On the basis of these discussions police and community representatives formed several preventive 'neighbourhood watch' units. Informal workshops for police and youth were likewise arranged in order to foster awareness of the issues and concerns confronting each side. Several social events were also organised, notably soccer football matches that included local gang members and police as players.

Although the idea of improved community-police collaboration was initially undertaken with some enthusiasm, by 2000 scepticism and resistance had begun to set in. There were mutterings among the police rank-and-file that collaboration with the local populace was an imposition above and beyond their law enforcement mandate, designed to diminish their authority to arrest and incarcerate young delinquents. As one police officer stated,

albeit half in jest, ‘They wanted to change us into youth social workers’. As a way of expressing their resentment, police officials began to demand remuneration for such ‘overtime’ expenses, such as vehicle depreciation, fuel purchases, and additional hours of work. Gradually, too, it became apparent that some police were using information obtained through their ties with the Communal Movement to augment surveillance practices and apprehend youth suspected of gang activity. Further disenchantment followed the misappropriation of locally raised funds that had been earmarked to attract a matching external grant for community policing activities. By early 2001 the district police chief was re-assigned to another post. With the departure of this key figure, local leaders lost interest in continuing formally organised community-police collaboration.

The Intersectoral Commission

In 1997 the German bilateral aid agency, GTZ, launched a study of the reproductive and sexual health of adolescents in District VI.⁴⁰ On completion of the study, GTZ hosted a workshop to inform interested NGOs, community groups and local government authorities of the results of the study. In the ensuing dialogue much attention was directed towards the socio-economic dimensions of adolescent sexuality and reproduction, as well as the lack of social services available to teens in the district. Following recommendations of the GTZ study and the resolutions of the workshop, further deliberations among NGOs and local government authorities led to the formation in early 1998 of the District VI Intersectoral Commission for Integrated Care of Adolescents – commonly known as the *Comisión Intersectorial* (CIS). Comprised of local public officials, representatives of various national NGOs and local community associations,⁴¹ and delegates from GTZ which agreed to finance the initiative, the newly formed CIS proposed as its mandate the following principal objectives:

- to improve factors affecting adolescent health;
- to develop coordinated social programmes for out-of-school and under-employed youth in District VI;

⁴⁰ The study focused specifically on teen sexual practices, on their knowledge and attitudes pertaining to sexual behaviour, and on the available services providing treatment and information on reproductive health. Deutsche Gesellschaft fuer Technische Zusammenarbeit [GTZ], *Conocimientos, actitudes y práctica, sobre la sexualidad en adolescentes* (Managua, 1997). Melvin Sotelo was the principal researcher of this study.

⁴¹ Public services represented on the CIS include the Ministries of Health and of Education, the Ministry of the Family, the Ministry of the Interior (police), and the municipal District Council. The most prominent non-governmental organisations represented on the CIS are: CISAS, Quincho Barrilete, Dos Generaciones, Colectivo Ocho de Marzo and the district Communal Movement.

- to encourage active involvement of youth in the socio-economic life of the district, thereby increasing opportunities for their personal, social, and occupational development;
- to foster the ideals of neighbourhood solidarity, gender equity, and respect for children's rights as outlined in the Code of Childhood and Adolescence.⁴²

Throughout its first year of existence the CIS served as little more than a forum for encouraging its member organisations to develop or expand their own programme initiatives for youth in the district. Under the auspices of the CIS, for example, GTZ financed the establishment of weekly adolescent-only clinics at the three government health centres in the district. A key aim of these clinics was to function not only as treatment centres for physical ailments, but to provide educational and informational services for youth, especially on issues related to reproductive health. These clinics have since been complemented by GTZ-sponsored health education outreach sessions conducted by government health officers for teens in the district.⁴³ Similarly, with assistance from UNICEF and the UN Drug Control Programme, two district offices of the Ministry of the Family, both attached to the CIS, began to assist community associations in establishing counseling programmes for out-of-school youngsters suffering from drug abuse and domestic violence. Several NGOs affiliated to the CIS likewise developed their own extension activities for youth. These included health education, diverse forms of vocational training, and individual counseling.

For a while, as these examples show, what appeared to be CIS activities actually consisted of the collected but separate youth-oriented initiatives of its members. Nevertheless, since 1999, drawing on an annual grant of approximately US \$10,000 per year from GTZ, the CIS has emerged as a recognisably autonomous entity with its own youth programme focusing on four areas of intervention. First, it has sponsored the creation of neighbourhood youth clubs and a district-wide 'adolescent commission' whose membership is drawn from the youth clubs. By supporting a regular schedule of adolescent commission meetings, and by encouraging this assembly to articulate youth concerns and needs, the CIS has cultivated youth involvement in its own deliberations and decision-making processes. Several adolescents have become active participants at CIS meetings and in CIS-sponsored interventions.

A second programme focus for the CIS is education and training, mainly through the youth clubs and the representative adolescent commission.

⁴² Fandiño, *Trabajo en red con adolescentes*, p. 101.

⁴³ *Ibid.*

Most prominent are educational forums on health and sexual relations, on leadership and democratic governance, on gender issues, on youth violence, and on the principles and objectives of the Code of Childhood and Adolescence. These forums have generally been conducted as seminars in which the youth participants are encouraged to discuss issues in small groups and in plenary sessions. In addition, the CIS has provided financial assistance for some youth to attend vocational training workshops and to complete formal schooling.

A third set of activities consists of socio-cultural and recreational events that are organised for, and often by, adolescents. These include dances, theatre workshops, a festival of the arts and an annual sports tournament. Most of these activities have attracted scores of youth and have helped to generate modest revenue for the adolescent commission. The fourth domain of CIS intervention consists of a series of discussion forums for parents and adolescents. With many families in District VI experiencing domestic violence and other types of abuse that often result in youth drifting away from their homes, the purpose of these meetings has been to foster stronger relationships among parents and youth.

In the last three years some 3,000 adolescents and about a hundred parents have been directly involved in organising and participating in this range of CIS-supported activities. By sponsoring social assistance specifically for youth, and by endeavouring to mobilise adolescents in the district through participation in programme planning and delivery, the CIS has helped to promote the ideal that most of these youth, no matter how indigent their circumstances, are legitimate members of the community and potentially productive citizens. The CIS has also initiated dialogue and a degree of mutual empathy among seemingly directionless youth on the one side, and parents and community leaders on the other. It is evident, too, that the establishment of the CIS as an *intersectoral* body composed of diverse state and non-state member institutions has fostered a local discourse that reflects a broad perspective of disadvantaged youth. By connecting local government, NGOs, and neighbourhood civic associations, it has provided these bodies with a legitimate forum to collaborate on specific district-level youth projects, to negotiate their differences, and to consider youth issues holistically and collegially. As one local official observed, before the CIS was created in District VI, 'there was rivalry among the state institutions and the organisations of civil society: *we do this; you do that; we have this; you have that*. Now there is more cooperation'.

Yet despite these encouraging developments, the CIS is not without its internal tensions. Nor has it escaped concerns about its long term viability. The most visible and vocal of CIS member organisations are its NGO participants. Since its inception, the CIS coordinator has been an NGO

representative, and while senior NGO personnel (executive directors and programme directors) regularly attend CIS meetings, rarely have senior government officials done so. As a result, NGO perspectives on how best to address the long term needs of at-risk youth in District VI have tended to dominate CIS discussions. One frequent topic of debate has been the CIS preoccupation with community projects. As most of its NGO members have argued, the focus on project work tends to be technical and short-sighted. Some claim, therefore, that the CIS should move beyond discrete project interventions and take on a greater advocacy role by challenging government policies that reinforce the indigence of children and youth. For example, by openly denouncing compulsory school fees and the prohibition of sex education in the schools, the CIS would *de facto* assume a more critical and outspoken political stance. Not surprisingly, however, the prospect of openly denouncing the state does not sit well with local public bureaucrats. From the perspective of government representatives, collaboration between the state and organs of civil society requires consensus and the avoidance of politically charged declarations and actions. For this reason, to date the CIS has remained essentially apolitical and has confined its activities to information sharing and to the techniques of project planning and administration. Yet these opposing views concerning the appropriate function of the CIS have sowed an element of discord among its state and non-state members.

A further source of tension relates to the role of GTZ as the principal sponsor of the CIS. Most of the NGO membership has indicated uneasiness about singular reliance on German bilateral aid. By way of contrast, public sector members of the CIS have remained largely indifferent to appeals for diversification of donor funding. In part this reflects their reliance on GTZ support for many of their own youth-oriented interventions in District VI. In 2001 the issue of financial dependency came to a head when a GTZ representative announced that German financial aid to the CIS was to be reduced in the following fiscal year. This created consternation even among non-governmental members who were keen for more diversified sources of funding. As the CIS coordinator indicated, while multiple sources of financial assistance are essential for purposes of sustainability, abrupt withdrawal of the sole funding agency would probably result in the demise of the CIS as a viable association in District VI. An agreement for a transition period has therefore been worked out whereby GTZ will scale back its support gradually as new sources of financial input are established. Yet however the issue of dependency on GTZ funding is resolved, it is clear that all interested parties anticipate the need for continued external donor assistance if the CIS is to continue to function.

Conclusion: the limits of community action in the pursuit of children's rights

In District VI it is evident that collaboration among civic groups, NGOs, and local government authorities is essential if the conditions of children and youth are to be improved. In this brief descriptive review of three such collaborative initiatives, it is also clear that a shift in perspectives about youth, and in the ways that they are engaged, is critical to achieving any semblance of progressive change. Common to each of these initiatives was the democratic nature of their inception and of the decision-making processes that were imperative for their continuance. In addition, all three initiatives attempted to depart from a conventional crime control approach to youth delinquency and violence. Instead of focusing on intimidation and punishment, they all adopted strategies of prevention and dialogue that rested upon relations of trust and interdependence. Attention was devoted not just to individual youth, but also to immediate environmental risk factors that give rise to youth violence and crime. In this way, community activities were developed in an effort not only to alter individual attitudes and behaviour, but also to contribute to changing the social and physical environment of youth.

The conceptions that these interventions had of children and youth were parallel to those espoused by the CRC and the Nicaraguan Code. Solutions to youth marginalisation were sought as much through stakeholder discussion and participatory decision-making as they were in the projects and activities that emerged from such processes. Youth were treated as 'subjects' of special rights rather than as 'objects' of authoritative interventions. Both the Villa Libertad school initiative and the more recent CIS were notable in establishing forums that enabled adolescents to voice their own concerns and to participate in developing and managing youth-oriented activities. The CIS has likewise gone some way towards engaging youth as *bona fide* participants in planning and organising CIS-sponsored activities and in promoting the Code of Childhood and Adolescence as an ideological framework for community action.

As we have observed, however, all three of these initiatives encountered difficulties that limited their scope of action and influence. All were discrete endeavours conceived in response to pressing local concerns about youth crime and violence in District VI. They were neither affiliated with, nor arose from, a comprehensive nation-wide or even city-wide youth network. Instead, they were developed through strong local leadership whose focus of attention was the plight of youth in this one urban neighbourhood. Invariably, therefore, questions of sustainability and long term effectiveness have arisen. Despite dynamic leadership and shared local concerns about the problems associated with youth delinquency, discord among different

stakeholders became evident in all three initiatives. Indeed, in the case of the community policing project, disagreements led to rank-and-file resistance and to disillusion among many inhabitants, a combination that hastened its demise.

While local leadership has been instrumental in addressing youth issues in District VI, there are also indications that reliance on the charisma and energy of prominent individuals in the community tends to hinder the expansion and institutional consolidation of otherwise innovative youth assistance programmes. The community policing initiative owed much to the combined stewardship of members of the District VI Communal Movement and the former district police chief. Unfortunately, the latter's re-assignment to another post, coupled with the disinterest of his successor in continuing the initiative, spelled the end of participatory community policing. Likewise, while the Villa Libertad school programme has been maintained largely due to the strength and commitment of Doña Esmeralda, the school director who has been recognised nationally for her efforts, it is open to question whether the programme will continue after her eventual retirement or transfer. With no support from the Ministry of Education, and no indication that school-based outreach to youth gangs and other at-risk adolescents are being replicated in other schools in Managua, the prospects of sustaining – let alone expanding – the Villa Libertad school initiative are not promising. Strong local leadership, while essential for the advancement of children's welfare, cannot be guaranteed to last.

A further problem confronting all three of these initiatives has been that of external assistance. In the case of the Villa Libertad school, the inability to entice outside support from the Ministry of Education or from any other central government source has not only had the effect of limiting the scope of this community programme, but it has greatly diminished the likelihood of its replication elsewhere in the school system. Likewise, those who promoted the community policing initiative did not connect with outside sources of expertise or funding, an oversight that left the project fragile until its demise. In contrast, the CIS emerged essentially as a result of donor agency support for collaborative youth projects in District VI. Ironically, however, an inherent weakness of the CIS lies in its dependence on one major funding source. To ensure its sustainability as a coordinated initiative, its members are now in the position of having to seek diverse sources of financial assistance.

Although our analysis of three youth-oriented programmes in one district of Managua is clearly limited, it does raise a question about the capacity of community-based initiatives in Nicaragua to function as bases for long-term social change. In particular, while the Villa Libertad school and the CIS have assisted a small number of youth in District VI and have helped to

heighten local consciousness of the structural and environmental antecedents of youth crime, they remain small ‘jewel boxes, ... beautifully crafted efforts’,⁴⁴ which nonetheless have had virtually no effect on either the magnitude or the systemic nature of youth marginalisation in District VI and elsewhere in Managua. As Ratner has suggested, when such relatively isolated initiatives are conducted in a context in which there is a multitude of disparate social assistance projects, often initiated independently at local level, there is a strong propensity for them to attain prominence only briefly as ‘episodic moments ... with little programmatic, strategic, or political coherence’.⁴⁵ Without the cohesiveness and power to ensure comprehensive social change, such fractured interventions, while fostering incremental improvements for small numbers of youth and other vulnerable social groups, may actually have the effect of distracting attention away from the structural conditions that perpetuate child poverty and adolescent neglect in Nicaragua.

Such strategic incoherence points to the relative disconnectedness of civil society in Nicaragua, and elsewhere in Latin America. Constrained by fiscal weaknesses and by deep-rooted corporatist traditions, Latin American governments have generally failed to consolidate their authority through genuine democratic processes. Yet it is far from clear whether civil societies possess the concentration of power that can generate a countervailing force for structural reforms and the enhancement of social justice. Consisting of loose coalitions that pursue diverse interests and tend to shift like nomads in place and time,⁴⁶ civil societies have for the most part been unable to compensate for weak democratic states. In Nicaragua, while a coalition of NGOs and civic groups (CODENI), assisted by supportive international agencies, was able to unite in cajoling a rather chary government to pass landmark children’s rights legislation, it remains to be seen whether this civic cohesion at the national level can be translated into a movement of interconnected and sustainable social actions at community levels. As the financial base of the Nicaraguan state is limited, and as the privatisation of social services and the reach of global markets have become more apparent, hopes for the resolution of severe social problems may simply reinforce situations in which resource-strapped municipal authorities and externally dependent NGOs struggle to initiate and sustain myriad short-term social assistance programmes.⁴⁷ To the extent that this is true it would seem to bolster the critique that NGO interventions and community-based

⁴⁴ Dewees and Klees, ‘Social Movements and the Transformation of National Policy,’ p. 93.

⁴⁵ Ratner, ‘Many Davids, One Goliath,’ p. 275. ⁴⁶ Melluci, *Nomads of the Present*.

⁴⁷ Edwards and Hulme, ‘Too Close for Comfort?’; Sheelagh Stewart, ‘Happy Ever After in the Marketplace: Non-government Organisations and Uncivil Society,’ *Review of African Political Economy*, vol. 71 (1997), pp. 11–34.

social assistance programmes help to strengthen the hegemony of a neo-liberal agenda of vibrant markets and weak states. Certainly without a democratic central state that is fully engaged in protecting and promoting children's rights, it will be difficult to transform the pursuit of changes at household and community levels into nation-wide structural reforms that fundamentally alter the prevailing conditions and treatment of marginalised youth.⁴⁸

We are, however, still at the point of conjecture. Only a little over five years have passed since the Code of Childhood and Adolescence was passed into law in Nicaragua. While the government's approval of the Code appears to have been an essentially symbolic act, placating the demands of a coalition of child rights advocates and demonstrating its formal commitment to the articles of the CRC, the Code nonetheless does serve as a critical reference point for NGOs, civic associations, and municipal government authorities that are working in multiple sites. Over time the interventions of these groups may generate what Ratner has described as 'countless underground rumbles ... that mark an expansion in the theatre of collective actions' across local, national, and international planes.⁴⁹ This underscores a key argument of contemporary social movement theorists: that the foundations of social transformation – which is the essential ideal of the Nicaraguan Code and the UN Convention on the Rights of the Child – lie in diverse, yet increasingly interconnected, grassroots actions.⁵⁰ Parallel to Michel Foucault's notion of networks or webs of power,⁵¹ the struggle for change in attitudes and practices vis à vis millions of marginalised children and youth is one that is de-centred, fragmented, and must derive from the agency of local people, including youth themselves. Yet it is also one that must penetrate the public sector, at national as well as municipal levels. Through daily interaction among many different community associations, public sector services, and growing numbers of youth groups, community-based alliances such as those that have been developed in District VI may help to augment a groundswell of critical awareness concerning the political and economic dimensions of children's rights. Thus, while the discourse of legislative reforms such as the Code of Childhood and Adolescence can serve the politically expedient ends of fragile states

⁴⁸ O'Donnell has argued that the enhancement of social rights in Latin America depends on the existence of genuinely democratic central states that are 'more friendly' to social movements promoting human rights agendas. O'Donnell, 'Reflections on Contemporary South American Democracies,' p. 607.

⁴⁹ Ratner, 'Many Davids, One Goliath,' p. 277.

⁵⁰ Melluci, *Nomads of the Present*; R. S. Ratner, 'Many Davids, One Goliath'.

⁵¹ Michèle Barrett, *The Politics of Truth: From Marx to Foucault* (Stanford, 1991).

by placating forces of opposition, paradoxically in the long run it may contribute to an emerging solidarity among disparate forces working to improve the bleak livelihoods of many Nicaraguan children. For the time being, however, the consolidation of these forces into a broad social movement is still not apparent.