

On the Strategic Uses of Women's Rights: Backlash, Rights-based Framing, and Anti-Gender Campaigns in Colombia's 2016 Peace Agreement

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ABSTRACT

This article examines organized opposition to feminist and LGBTI political projects in Colombia. Although there is a large body of literature on feminist movements and a growing literature on LGBTI movements, there is little research on resistance to them. Through an intersectional feminist lens, this study analyzes the “anti-gender” campaign organized against the gender perspective in Colombia’s 2016 peace agreement to demonstrate the limitations of backlash theory and certain normative understandings of human rights. In contrast to assumptions that backlash is predetermined, the study demonstrates that the anti-gender mobilization against the peace agreement was circumstantial rather than inevitable. To highlight the productive nature of backlash, it traces how opponents employed human rights rhetoric to establish an alternative present and promote an imagined future rooted in exclusion and repression. In addition, it shows that mobilized backlash against feminist and LGBTI movements does not necessarily decelerate or reverse the respective movements’ agendas.

Keywords: Colombia, peace processes, anti-gender, backlash, women, LGBTI, Resolution 1325, plebiscite, human rights

Between 2000 and 2009, Latin America experienced its proverbial Pink Tide, in which the rise of left-wing governments throughout the region paved the way for unprecedented feminist and LGBTI policy wins (Friedman 2019).¹ Although the reasons for their successes went far beyond political ideology (Blofield et al. 2017), the recent revival of the right in Latin America is disquieting for many women’s and LGBTI groups as they experience heightened levels and new forms of resistance (Corrales 2019; Faur and Viveros Vigoya 2020; Krook and Restrepo-Sanín 2019). Often interpreted as backlash, the onslaught against social justice movements is typ-

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ically characterized as intrinsically reactive, exclusive in nature, and a major impediment to progressive policy (Faludi 1991; Mansbridge and Shames 2008).

Understanding of backlash is limited, however, because social movement scholarship has studied ideologically progressive mobilizations that aim to disrupt conventional power arrangements in the name of political inclusion and equal opportunity (McAdam 1982; Tarrow 2011). Typically, these movements are led by marginalized groups, those who have experienced historical discrimination and disenfranchisement related to nonvoluntary and immutable differences (Weldon 2011; Williams 1998). More recently, scholars have begun to examine ideologically conservative mobilizations that organize to protect power and privilege and preserve the traditional social order (Blee and Creasap 2010; Bob 2013; McVeigh 2009).

Similarly, the notion that rights are primarily a means to achieve liberal ideals of inclusion and equality for the underrepresented and the invisible has been called into question. At a time when right-wing populism is on the rise, rights discourse is being wielded by groups in positions of privilege and power to exclude marginalized groups.

This article investigates ideologically conservative groups that use rights rhetoric as a political strategy to preserve dominant group privilege at the expense of traditionally marginalized communities. Using the 2016 Colombian peace accords as a case study, it examines the opposition that mobilized against the agreement's *enfoque de género*, or gender perspective. It focuses on Colombia because that country offers a unique opportunity to examine how, in a time of war, human rights rhetoric can simultaneously be co-opted by a wide variety of groups—political, military, insurgent, and civic, all along the normative ideological right-left spectrum—to justify violence and exclusion. The Colombian case shows that the backlash thesis fails to grapple with the key power dynamics at play in the 2016 peace process.

This article begins with an overview of the backlash thesis, analyzing its contributions and limitations. It then considers how rights-based framing has been used as a political strategy by actors on all sides of Colombia's civil war to achieve decidedly different objectives. Next, using the Colombia's 2016 peace agreement as a case study, the article shows that contrary to received views of backlash, conservative resistance is not necessarily inevitable but contextually dependent; that such opposition is not merely a reaction or an attempt to hold on to the past but also a forward-thinking, productive process; and finally, that conservative backlash does not necessarily derail feminist and LGBTI agendas. In sum, this article seeks to counter normative understandings of human rights as necessarily emancipatory and challenges assumptions that backlash is predetermined, purely reflexive, and necessarily destructive.

THE BACKLASH THESIS

Susan Faludi defines backlash, in its classic formulation, as an intense “counterassault” on women’s rights in an “attempt to retract the handful of small and hard-won victories” by women’s movements (1991, 9–10). Backlash is understood to be dramatic responses by powerful actors, who mobilize because their “perception—accurate or not—is that women are making great strides” (Faludi 1991, 10). By purporting to defend a “natural” or “divinely ordained” gender order, backlash actors mobilize large constituencies in their battle to roll back the feminist agenda. They are often characterized by their desire to turn the clock back to a less complicated and more utopian time. Backlash is understood to be intentional and coordinated (Restrepo-Sanín 2020) and can manifest itself as a short-lived act or as a longer-term and more structured countermovement (Corredor 2019; Piscopo and Walsh 2020).

The backlash frame has been employed by feminist and LGBTI scholars alike to explain when and how women’s and LGBTI policy has been thwarted, shelved, or reversed over the decades (Biroli 2016; Faludi 1991; Jordan 2016; Krook 2015, 2017; Mansbridge and Shames 2008; O’Brien and Walsh 2020; Ruibal 2014). However, this thesis has also been challenged on several counts. Victoria Browne (2013) notes that notions of backlash are predicated on an inconsistent model of social change that is at once linear, yet inescapably repetitive, and teleological. She points to the commonly employed references of cyclicity and repetition, such as “endless feedback loops” that are regularly invoked in tandem with notions of feminist reversal, backsliding, and stagnation (Browne 2013, 910). From this perspective, backlash is an inevitable and recurring interruption in feminist progress, or in Faludi’s words, “a preemptive strike that stops women long before they reach the finish line” (1991, 11). Drawing from feminist philosopher Christine Battersby, Browne reconceptualizes backlash from the perspective of “recollecting forward,” whereby “genuine ‘repetition’ does not mean recurrence of the same” but instead infers a process in which “possibilities generated by the past are taken up and actualized in the present” (Browne 2013, 912). In other words, recurring efforts by opposition groups to resuscitate the past are not simply an exercise in turning the clock backward. Instead, they are a productive act, designed to create alternative accounts of the present and the future.

David Paternotte (2020) contends that overestimating the reactive character of backlash eclipses the complexity of feminist and LGBTI activism and its ability to navigate power systems. In the same vein, Piscopo and Walsh (2020) note that viewing backlash solely in terms of a response implies that it is time-bound and predetermined. They argue that it may be more useful to understand backlash as a manifestation of deeply entrenched and enduring patterns of misogyny and homophobia. In other words, backlash does not operate outside the system, nor is it an aberration, as implied in early works—instead, it is an integral part of our social world and an everpresent “condition of modernity” (Rowley 2020, 281).

Townsend-Bell conceptualizes backlash in terms of “the point when a group’s treatment signals that a Do Not Cross line has been breached” (2020, 287). Thus,

backlash is also an “enforcement tool of patriarchy” (2020, 288), used to warn women and LGBTI communities that “in the form of exclusion from various rights and benefits of political standing . . . their civic membership is always potentially revocable” (Murib 2020, 296).

Rights-based Framing

In March 2018, United Nations Assistant Secretary-General for Human Rights Andrew Gilmour stated that the global situation of human rights was dire, due to a backlash by some conservative governments that wished “to turn the clock back to some mythical idyllic era when rights and freedoms were supposed to apply to a very limited group of people” (2018). Like much of the early backlash scholarship, Gilmour asserts that human rights are necessarily progressive, emancipatory, and unidirectional in their development, unless subverted by reactionary forces.

As a social change strategy, human rights have often been associated with “weapons of the weak” (Scott 1985), a tool for disenfranchised groups to use against their more privileged opponents. Rights-based framing is compelling because rights are enshrined in international covenants and law and therefore carry considerable political backing (Donnelly and Whelan 2018; Forsythe 2000). International treaties are particularly prized because they impose specific obligations on states to promote rights, prevent such rights from future violation, and provide remedies to victims (Hawkesworth 2006, 84). On the ground, rights discourse is effective because it offers compelling language and powerful cultural symbols that evoke emotion, empathy, and feelings of moral righteousness (Abrams 2011; Carrillo Santarelli 2017). Rights-based frames offer the downtrodden a sense of rectitude and entitlement, a strategy of empowerment, and a motivation to mobilize.

Human rights, however, are not static tools solely for historically marginalized groups. In *Rights as Weapons: Instruments of Conflict, Tools of Power* (2019), Clifford Bob contends that human rights are “multiform weapons” (2019, 5) that are more than defensive measures deployed by the disenfranchised; they are also effective tools for privileged groups, who also regularly engage in rights-based framing to further their agendas. From this vantage point, rights-based framing is a strategic endeavor that can be used by movements all along the ideological and power spectrum to serve as rallying cries. Bob notes that “given the ubiquity and political utility of the term ‘rights,’ political movements will inevitably continue to drape themselves in moralistic terms” (2019, 211). He warns scholars that rights are not prior to politics, as often espoused by the movements that employ them. Instead, they are political devices used to achieve political ends. Human rights discourse can serve as a “potent ideological weapon for ends having little to do with human rights” (Peck 2011, 1), as seen when it is deployed to justify international military intervention (Tickner 2002), to defend the use of torture (Whal 2017), and to encourage Islamophobia (Schneiker 2019).

Rights-based Framing in Colombia

Colombia illustrates how actors from multiple sites of power and political ideologies can espouse rights-based rhetoric to justify violence and repression. In Colombia, political and military discourses are replete with rights claims, despite the country's troubled history with human rights violations. Colombia has suffered extreme levels of political violence since gaining independence in the nineteenth century. The most recent wave of violence, however, can be traced to the ongoing civil war between multiple leftist guerrilla groups and the national government.²

Although these conflicts emerged in the 1960s, violence peaked in the 1980s when guerrilla groups shifted strategy and engaged in more extreme forms of warfare. When the state's military response proved to be insufficient, private landowners countered by forming civil militias, or paramilitaries, in the name of self-defense. Over the next several decades, with the government's implicit (and sometimes explicit) support, right-wing paramilitaries became some of the most violent actors in the war, engaging in a "reign of terror" against all those accused of collaborating with guerrillas (Manrique Rueda and Tanner 2016, 88). Drug cartels infiltrated all sides of the conflict, providing immense financial resources to contending factions and greatly complicating the lawlessness that enveloped Colombia.

Caught in a vicious cycle of violent civil war, leftist guerrilla groups, right-wing paramilitaries, and the state all extensively violated international human rights norms. Yet each faction regularly employed rights-based rhetoric to justify its respective actions. In *Counting the Dead: The Culture and Politics of Human Rights Activism in Colombia* (2007), Winifred Tate details how the Colombian state, its military, and civil society groups all engaged in human rights discourse to defend their actions, procure resources, and influence the public imaginary. While NGOs were raising awareness of vast state repression, the government defended itself by claiming that it was powerless against the violent lawlessness of illegal armed groups, which, in the state's narrative, were the true violators of human rights. When NGOs accused the military of human rights abuses, the armed forces generated their own human rights campaigns, using due process and other human rights arguments to stave off allegations of misconduct.

Labeling the state's use of rights as manipulative and oppressive, Saffon and Uprimny (2007) show how the state has used rights discourse in the realm of transitional justice to facilitate impunity and deflect culpability in mass atrocities. Schlenker and Iturralde (2006, 29) examine how leftist guerrilla groups and right-wing paramilitary organizations each adopted rights discourses via international humanitarian law to "reproduce violence, favor exclusion and hinder the appropriation of human rights," ultimately positioning themselves as upholders and true defenders of human rights.

Instead of employing human rights as a tool to garner ethical consensus or work toward coexistence, human rights rhetoric is used by all parties of the conflict to discredit their enemy and anyone who dares to openly criticize their actions (Chambers

2013). “Fundamental rights of Colombians have been converted into political banners in the service of conflict” (Restrepo 2001, 101) and thus “the defense of human rights...has been subordinated to specific political interests” (Restrepo 2001, 103). Human rights as a site of conflict (Chambers 2013) and as “political weapons within the logic of war” (Schlenker and Iturralde 2006, 29) have not been restricted to the battlefield, however. As this case study shows, conservative groups have deployed rights-based claims in peace processes as well, to protect heteronormative and patriarchal privilege and to further exclude disenfranchised groups.

EMPIRICAL ANALYSIS: GENDERING COLOMBIA’S 2012–2016 PEACE NEGOTIATIONS

In 2010, President Juan Manuel Santos initiated clandestine peace talks with the leading guerrilla group, the Revolutionary Armed Forces of Colombia–People’s Army (FARC-EP). The secret deliberations led to a formal peace negotiation process between 2012 and 2016, which culminated in a public referendum on the proposed peace agreement and the eventual signing of the Final Agreement for the Termination of Conflict and the Construction of a Stable and Lasting Peace (Col-FARC-EP 2016b).

Despite a history of women’s participation in Colombian peace processes and Colombia’s commitment to UN Security Council Resolution 1325, which mandates women’s inclusion in all peacemaking and postconflict reconstruction, women were notably missing from the early phases of the peace talks.³ To redress this exclusion, in October 2013, more than 500 women from 30 of the 32 Colombian departments participated in the National Summit of Women for Peace, where 800-plus peace proposals were presented.⁴ Together they drafted a list of demands, including women’s presence at the negotiation table; demilitarization; a bilateral ceasefire; dismantling of paramilitary structures; truth, justice, and reparation for all victims; and recognition of women as essential peacebuilders (Cumbre Nacional de Mujeres y Paz 2013).⁵

Calling for a “comprehensive implementation of the economic, social and cultural rights of women and their families” (Cumbre Nacional de Mujeres y Paz 2013, 65), the primary frame used throughout the summit was that of intersectional, or differential, rights. Rights-based framing was evoked to address specific problems and needs faced by women, LGBTI persons, indigenous communities, Afro-Colombians, and victims of sexual and domestic violence. Rights-based frames were also deployed to highlight women’s absence from the negotiation table, shining a light on their political exclusion and the unequal power distribution within the peacemaking process.

In 2014, the negotiation table responded by establishing a Gender Subcommission with representatives from both sides of the conflict. The Subcommission was charged to mainstream gender throughout the peace agreement. Gender main-

streaming is a global strategy promoted by the United Nations and other international bodies to advance women's rights and gender equality (United Nations 2002). Its principal goal is to dismantle mechanisms that maintain gender inequality by incorporating gender perspectives throughout social, political, and economic systems. Gender perspectives seek to highlight and redress the various ways that our systems, and their subsequent policies, have differential consequences along gender lines (Chaparro González and Martínez Osorio 2016).

The Gender Subcommission committed to implementing a gender perspective—or an *enfoque de género*—to guarantee in concrete terms “the inclusion and exercise of equal rights and conditions for all of society, specifically for women and the LGBTI population” (OHCP 2016a, 2). The gender perspective sought to ensure that women's and LGBTI rights that had been enshrined in Colombia's 1990 Constitution would be articulated as a fundamental pillar of sustainable peace. The Gender Subcommission was advocating not for new legal rights but for the incorporation of extant constitutional rights in the peace agreement.⁶

Anti-Gender Ideology Countermobilizations in Colombia

In the summer of 2016, just three months before the peace agreement's national referendum, Colombia experienced a rise in what is commonly referred to as anti-gender campaigns. Anti-gender mobilizations are local and regional manifestations of a global phenomenon that rejects feminist and queer assertions that gender is culturally and socially constructed (Anić 2015; Case 2019; Corredor 2019; Fassin 2016; Graff 2014; Kuhar and Paternotte 2017). These groups believe instead that gender identity, biological sex, and heterosexual orientation are predictably correlated and transcend political, historical, and social arrangements shaped by people (Garbagnoli 2016; Hogan 2015). More expansive interpretations of gender are perceived to “eras[e] differences between men and women, promot[e] homosexuality, and incit[e] gender confusion” (Alzamora Revoredo 2003, 465). Anti-gender camps label feminist and queer interpretations of gender as gender ideology, genderism, and gender theory in a rhetorical effort to delegitimize both feminist and LGBTI scholarship and their respective social movements. Furthermore, they collapse two distinct and complex social movements—feminism and LGBTI rights—and all their diverse subgroups into one unit to create a single enemy. These campaigns are emotionally charged, often using fear and panic as a primary mobilization tactic (Cespedes-Baez 2017; Domínguez Blanco 2020; Korolczuk and Graff 2018; Rodríguez-Rondón 2017). Because the primary goal of anti-gender mobilizations is to maintain political and social control over the meaning of gender, a chief strategy is to oppose gender mainstreaming efforts in public policy, as the Colombian case demonstrates.

Las Cartillas

In 2015, one year before the national referendum on the peace agreement, Colombia's Constitutional Court ordered the public education system to revise "manuals of coexistence," following the suicide of a 16-year-old boy who had been bullied by school administrators because of his sexual orientation (*El Tiempo* 2016). Together with the United Nations Children's Fund, the United Nations Population Fund, and the United Nations Development Program, in 2016 the Ministry of Education revised a 97-page manual to educate teachers about the distinctions among and relationships between sex, gender, sexuality, and gender identity. Its goal was to present recent scholarship on the complex nature of embodiment and identity in ways that could help teachers support and foster the development of children who identify as LGBTI (Ministerio de Educación et al. 2016). The chief purpose of the update was to promote freedom from discrimination based on sexual orientation or gender identity in public schools. The new manuals, which came to be known as *las cartillas*, were set to be released to school administrators in the summer of 2016, just a few months before the peace agreement referendum. At the time of the manuals' development and release, the Ministry of Education was being led by Gina Parody, an openly gay woman and a member of President Santos's party.

In July 2016, days before *las cartillas*' release, religious communities and political conservatives furiously organized, and accused Minister Parody of promoting dangerous "gender ideology." Led primarily by the Catholic and Evangelical Churches, with the support of the right-wing Democratic Center Party, mass demonstrations took place throughout the country, asserting that *las cartillas* constituted a form of "ideological colonization" that sought to indoctrinate children with "gender ideology." The anti-gender campaign leveraged rights rhetoric, insisting that the anti-bullying program violated constitutional rights to freedom of religion, belief, and dignity, as well as parents' rights to educate their children (*El Espectador* 2016; Marcos 2016).⁷ The Minister of Education was accused of imposing her sexuality on children and threatening the "natural order." The anti-bullying initiative was foiled; the manuals were never distributed to schools (*El Herald* 2016).

National Plebiscite for the 2016 Peace Agreement

In August 2016, right-wing politicians organized a No campaign to oppose the peace agreement in the forthcoming plebiscite. The No campaign was led by a coalition of forces including the right-wing populist Democratic Center Party, supported by former president Andrés Pastrana; the Association of Retired Officers of the Military Forces; the Colombian Federation of Victims of the FARC; former Supreme Court justices; the Evangelical-based political party Colombia Justa Libres; and conservative Evangelical Church leaders. Reasons for opposing the peace agreement ranged from concerns about land rights, impunity, and political opportunities for war criminals and drug traffickers to claims that the agreement did not go far enough to protect victims (Feldmann 2019; OHCP 2016b).

Capitalizing on the massive mobilization around the anti-bullying program, anti-gender advocates joined the No campaign, arguing that the gender perspective in the peace agreement was a form of gender ideology. The composition of this mobilization, however, differed significantly from the previous campaign. While conservative Evangelicals were at the forefront here, as in the last campaign, a key difference was that the Catholic Church was not officially involved in opposing the peace agreement or its gender inclusions. The Catholic Church encouraged its members to read the peace agreement and vote, but due to institutional hierarchy and Pope Francis's public support of the peace agreement, it did not promote one position or another.⁸

This aspect sets the Colombian case apart from other anti-gender campaigns around the globe, which are typically led by the Catholic Church. That said, key politicians who were practicing Catholics and known for their religiosity publicly opposed the gender perspective on religious and moral grounds; however, they were not speaking as official representatives of the Catholic Church, but as elite politicians, unlike their Evangelical counterparts. It is also important to note that while most Evangelical churches opposed the peace agreement, a significant Evangelical minority, such as Mennonite and Baptist churches, favored the agreement and its gender perspective and therefore did not actively participate in this specific campaign.⁹

In the period leading up to the vote, leaders of the right-wing Evangelical groups included the Christian Pact for Peace, a coalition of high-profile Evangelical church leaders; the World Center of Revival, a megachurch whose leaders have held political office and currently maintain strong ties to the Democratic Center Party; megachurch Ríos de Vida; and the Evangelical Confederation of Colombia. Also in the group was the Charismatic International Church, led by Cesar and Claudia Castellanos, founders of the Charismatic International megachurch and the National Christian Party (PNC), one of the first Evangelical political parties. Pastor Marco Fidel Ramírez, a Bogotá city councilor; the Evangelical-based party Justa Libres; and Evangelical government officials Senator Viviane Morales and State Representative Ángela Hernández also participated. Far-right Catholic politicians included Attorney General Alejandro Ordoñez and former undersecretary for the family Ilva Myriam Hoyos Castañeda.

Together, these leaders insisted that language pertaining to sexual diversity and diverse gender identity threatened Colombia's legal system, the rights to marriage and family, and the right to life and religious freedom (*Semana.com* 2016a). The attack on the gender perspective was championed by the most conservative factions of the Evangelical Church, with the support of conservative Catholic and Evangelical politicians. In an interview, Evangelical leader Héctor Pardo (2019) affirmed that "[members of] the Catholic Church were with us . . . [as was] the Democratic Center Party, but the movement was led by us."

In the national referendum on October 2, 2016, the peace agreement failed by an incredibly small margin, with 50.2 percent voting against it and 49.8 percent voting in favor. While reasons for voting no in the plebiscite ranged widely, there was general agreement among both the no and the yes forces that the anti-gender campaigns served as a tipping point for the No campaign's win (Santos 2019). In

the days following, the negotiation table embarked on a Grand National Dialogue, conducting “more than 60 exhaustive meetings” (De la Calle 2019, 298) with factions from both the Yes and the No campaigns to renegotiate the terms of the agreement, including the gender perspective. High officials met with representatives of women’s and LGBTI groups and members of the anti-gender campaign. After reviewing the concerns “with extreme care” (Santos 2016a), the president announced a series of changes to the gender-sensitive language (Santos 2016b). On November 30, 2016, Congress approved the revised peace agreement, officially ending the civil war between the FARC and the Colombian government.

FRAMING ANALYSIS

Conservatives’ use of rights rhetoric indicates that far more was going on in the anti-gender campaign than the backlash thesis suggests. This study analyzed the construction of problems and solutions and the location of blame and responsibility (Mayer et al. 2014) in six documents published by the Office of the High Commissioner for Peace (OHCPb), an executive office in the Colombian government tasked with advising the president on all matters of peace policy, as well as leading peace negotiations with armed groups. In 650-plus pages, the anti-gender campaign articulated its objections and demands. Anti-gender advocates submitted these documents just days after the failed plebiscite, and they are recognized as the official positions of the opposition. Also analyzed were key texts written by opposition leaders in the No campaign, published in news media, press releases from Evangelical coalitions, and social media.

Although the analysis attempts to isolate the anti-gender campaign actors to understand their strategies and their impact on the peace agreement, it should be acknowledged that they were often operating alongside and in tandem with other groups in the No campaign, demonstrating a reliance on strategic partnerships among conservative groups to advance their diverse agendas.¹⁰

OPPOSITION TO THE GENDER PERSPECTIVE: GRIEVANCES AND SOLUTIONS

Opponents of the gender perspective insisted that it went above and beyond the application of women’s rights and served as an encrypted form of gender ideology. Although the term *gender ideology* does not appear anywhere in the peace agreement, the anti-gender campaign emphasized this trope, suggesting that it pervaded the agreement, surreptitiously infused “under a garment of neutrality and objectivity” to destroy the rights of women and the traditional family (Hoyos Castañeda 2016, 28). The proposals are replete with statements such as

Even though the word *ideology* does not appear in the Agreement textually, it is materialized throughout the aforementioned terms. (Castaño Díaz et al. 2016, 1)

You may not expressly say it, but you do mean it. That is why it is reasonable to affirm that the “gender ideology” could be encrypted in the Final Agreement. (Hoyos Castañeda 2016, 28)

Consequently, the word *gender* has been used intentionally and subtly as a tool [that] distorts the original purpose of defending and promoting women’s rights [and] putting the Family at risk. (Castaño Díaz et al. 2016, 1)

Definitions of the so-called gender ideology are consistent. Gender ideology, and by extension the gender perspective, is framed as a mechanism that overlooks the real interests of women and the traditional family as a mainstay of Colombian culture. It is interpreted as a radical feminist and queer theory that constructs a new reality, or a new way of thinking and being. In this new reality, the vital distinction between male and female, which is believed to be the fundamental pillar of society, becomes obsolete and is replaced by terms such as *diverse sexual orientations* and *gender identities*. The position statement of the Evangelical Council Federation of Colombia (CEDECOL) notes:

Although the agreement’s “gender perspective” begins with the protection and promotion of women’s rights, its usage evidences an additional conceptual level that includes terms such as *gender diversity*, *diverse sexual orientation*, *gender identity*, *gender perspective*, *diverse gender identity*, *gender*, *sexual condition*, and *gender justice*; thus exceeding a guaranteed application of women’s rights and [instead] generating ambiguity and confusion. . . . the so-called “Gender perspective” has absorbed “Gender Ideology,” whose scope promotes a new anthropology of being, which ignores sexual distinction and denies the difference and reciprocity between men and women. (Castaño Díaz et al. 2016, 1)

Catholic politician Ilva Myriam Hoyos Castañeda, who at that time served as undersecretary for children and the family in the attorney general’s office, wrote in her opposition statement:

[T]he expression “gender perspective” . . . goes beyond what would be “gender equity” or equal rights between men and women, since both are holders of the same dignity. . . . this expression recognizes the LGBTI population as the architect and beneficiary of public policies that are not based on an anthropology that recognizes sexual difference between men and women, but rather are based on a new anthropology focused on gender identity and sexual orientation. (2016, 24)

“Gender ideology” was also touted as having serious consequences for Colombia’s social and legal institutions. While serving as attorney general of Colombia, Alejandro Ordoñez declared, in an interview with *La Semana*, a leading Colombian newspaper:

[the peace agreement] is being used as an instrument to impose gender ideology as a constitutional norm and in that way give a mortal blow to the Colombian family . . . it is an absurdity to say that man is not born with a sex but rather becomes a man or becomes a woman. . . . this whole philosophy is permeated throughout the

agreement. . . . The serious thing is that . . . public policies based on this concept are being created to redesign our legal system, the family, marriage, the right to life and religious freedom. (*Semana.com* 2016a)

Similarly, Undersecretary Hoyos Castañeda asserted that gender ideology posed a serious institutional threat to Colombia. She warned that if left intact, gender ideology would serve as

a basis on which institutions that are essential to society will have to be modified, such as marriage, family, adoption, filiation, civil status, all of which will not only have constitutional recognition, but will also be reinterpreted through . . . diverse sexual orientations and gender identities. (Hoyos Castañeda 2016 25)

Such modifications would “limit the rights of women to motherhood and men to fatherhood . . . [and result in the] implicit constitutionalization of abortion, the morning after pill, [and] assisted reproduction techniques” (Hoyos Castañeda 2016, 11).

Hoyos Castañeda also questioned whether issues of “family planning, abortion, assisted reproduction techniques, sterilization, [and] sex change” were cryptically implied in the section of the peace agreement that addressed rights to sexual and reproductive health for rural women (Hoyos Castañeda 2016, 18).

GRIEVANCE ANALYSIS

Throughout the proposals, it became apparent that gender ideology was viewed as a dogma that simultaneously threatens traditional interpretations of women’s rights; undermines traditional ideas about a fixed relationship linking biological sex, gender identity, and sexual orientation; and prioritizes LGBTI rights while subordinating others. Because sexual difference and notions of a traditional family unit “are hallmarks that simultaneously inspire, drive, and protect society” and in turn, “[transcend] political, historical, and social arrangements shaped by man” (Corredor 2019, 621) for the opposition, gender ideology threatens the very basis of their preferred social order. The use of the term *gender ideology* was more than a rhetorical response reflecting different viewpoints, however. At its core, it operated as a preemptive effort to gain epistemological and ontological control over gender, sex, and sexuality.

Conservative rhetoric also highlights a strategic use of rights as an opportunity to offer an alternative interpretation of the present. By characterizing the gender perspective as a veiled attempt to advance nefarious LGBTI agendas, the opposition positions itself as the victim in the process, as well as the true defender of women’s rights. This rights-based platform helps organize and motivate the public. This framing implicitly identifies an enemy: it casts those who lobbied for, drafted, and supported the gender perspective as disingenuous, designating conservatives as right and social movements as wrong. Moreover, conservatives discredit the process itself, implying that the agreement violates democratic norms of transparency and therefore cannot be trusted.

Demands for Change

The opposition's chief demand focused on eliminating the term *gender perspective* and replacing it with *women's rights approach* (Castaño Díaz et al. 2016; Rodríguez et al. 2016). The purpose of a women's rights approach was to ensure "special recognition of the greater victimization of women in the development of the armed conflict," to safeguard the priority of women victims, and to make certain that their rights and equality were "restore[d] . . . with respect to the rights of others" (OHCP 2016b, 131). A women's rights approach would downgrade LGBTI rights and bolster traditional rights of women, as conservatives positioned themselves as true defenders of women's rights.

Multiple proposals demanded recognition of the traditional family as the central mainstay of society, around which all social and legal institutions should be structured (Castaño Díaz et al. 2016; Hoyos Castañeda 2016; OHCP 2016b; Rodríguez et al. 2016). Diana Sofía Giraldo, director of the Visible Victims Foundation, for example, insisted that the family be specified as "the fundamental nucleus of society [defined] by the free decision between a man and a woman to marry" (OHCP 2016b, 134). Ricardo Arias, founder and leader of *Justa Libres* and a vocal critic of the gender perspective, also reiterated that the family is "the main nucleus of society" and a "fundamental institution in the construction of peace" (OHCP 2016, 143).

Conservatives also proposed eliminating all mention of the word *gender*, as well as specific terms like *Promotion of nonstigmatization due to sexual orientation and diverse gender identity* (OHCP 2016b, 133).

Analysis of Demands

Feminist and LGBTI organizations have been working for decades to address the structural and institutional aspects of sex-based inequality in Colombia. Their efforts culminated in crucial rights gains in the 1991 Constitution. The Gender Subcommittee sought to incorporate those rights into the peace agreement, drawing insights from international bodies, such as the United Nations. That history is elided by conservative claims about "women's rights," which allege that women and families are victims of gender ideology and seek to eliminate LGBTI rights. In contrast to an emancipatory approach to women's rights, conservatives seek to entrench women's roles as caregivers, mothers, and wives—ignoring women's contributions to the labor force, political, civic, and military life.

These documents contain no mention of women as autonomous agents or key decisionmakers. Instead, conservatives seek to entrench essentialized dualisms that conceive men as warriors and women as victims in need of protection, while denying the existence of nonbinary and gender-fluid people (Cockburn 1998; Puechguirbal 2010). Opponents' demands remain out of step with life in contemporary Colombia, yet they attempt to discipline societal institutions, such as the family and the health care, legal, and education systems, to keep women in subor-

minated social and political positions and erase the presence of LGBTI citizens from the population. Backlash often suggests a return to the *status quo ante*, but the anti-gender campaign in Colombia seeks to impose a gender order that does not currently exist, except in the fervid imaginations of conservative ideologues.

TEXTUAL ANALYSIS: ASSESSING THE EVANGELICAL IMPACT ON THE FINAL PEACE AGREEMENT

Although the No campaign won a strategic victory with the referendum's defeat and lobbied long and hard to influence the language of the revised peace accord, it had remarkably little influence over the final agreement passed by Congress in November 2016. To assess their impact, this analysis inductively coded and compared the rejected and approved peace agreements. The analysis indicates that the conservatives' demands did not fundamentally alter the final peace agreement's gender perspective.

Women's Rights Approach and Elimination of Key Gender and LGBTI-oriented terms

The anti-gender campaign sought to replace the term *gender perspective* with *women's rights approach*, thereby eliminating all mentions of the term *gender* and progressive gender mainstreaming. In the final agreement, however, the term *gender perspective* is preserved, and *women's rights approach* does not appear anywhere in the text.

In fact, in chapter 6, on Implementation, Verification, and Endorsement, the final agreement includes a new clause that defines the gender perspective as a "guiding principle" of the agreement (Col-FARC-EP 2016a, 192), stating that the gender perspective refers to "equal rights between men and women and the special circumstances of each one, especially women, regardless of their marital status, life cycle, and family and community relationships, as a subject of rights and of special constitutional protection" (Col-FARC 2016b, 193).

While this definition posits a binary conception of sex (male/female), that binary construction was already present in the original gender perspective—a point obscured by the anti-gender camp. In fact, in the first agreement, there were 17 occasions within each of the six substantive chapters where the phrase *gender perspective* was defined or discussed along the gender binary. References to the gender perspective were frequently coupled with language that recognized the "protection of women, girls, boys and adolescents" (71, 79), "women as independent citizens with...access under equal conditions to men" (10, 12), "the contribution of women as political subjects in public life" (48, 55), and rejected "any form of discrimination against women" (48, 55). References to LGBTI rights were and remain rare when referencing the gender perspective.

The final agreement adds a new nondiscrimination clause, however, that explicitly addresses LGBTI citizens: “The implementation of this Agreement shall respect equality in all its aspects and equality of opportunity for everyone in accessing the different plans and programs provided for in this Agreement, without any form of discrimination . . . on account of their membership of the LGBTI community” (Col-FARC 2016b, 193). Citing protections enshrined in the Colombian Constitution, the final accord goes on to say, “nor shall it be understood or interpreted as denying, restricting or infringing the right to unhindered development of the personality or the right to freedom of conscience” (Col-FARC 2016b, 193). Members of the Gender Subcommittee and leading LGBTI and women’s rights activists who were involved in advocating for the gender perspective have praised this clarification as strengthening the final agreement’s commitment to promoting and protecting the rights of LGBTI communities (Baron-Mendoza 2019; Millán-Hernández 2019; Sánchez 2018).

With regard to eliminating the term *gender*, in the final agreement, 59 of the original 113 mentions of gender were eliminated, a 52 percent decrease. Additionally, all mentions of sexual orientation, diverse gender identity, and sexual condition were eliminated. Yet the original spirit of the gender perspective remains nonetheless intact because many references were replaced with analogous language. For example, *gender equity* was replaced with *equal opportunities between men and women* and *gender perspective* with terms such as *equal access to these solutions for men and women*. Phrases such as *gender and sexual condition* or *diverse sexuality* were rarely omitted altogether. Alternate phrasing typically replaced these terms. In some instances, the wording was superseded by ambiguous terminology, such as *vulnerable populations*, but in other instances, it was supplanted with the acronym LGBTI. Although all mentions of sexual orientation, sexual diversity, diverse gender identity, and sexual condition were removed, LGBTI appears 60 percent more often in the final agreement than in the original. These rhetorical changes were intentional on the part of LGBTI organizations involved in the renegotiations (Sánchez 2018; Castañeda 2019), and in the end they did not derail the Gender Subcommittee’s goal of including LGBTI communities in the architecture of the gender perspective.

The Heterosexual Family as Nucleus of Society and Victim of War

The opposition’s demand that the peace accord recognize the heterosexual family as the mainstay of Colombian society and as a primary victim of war also fell far short of its aspirations. The introduction to the final agreement does recognize “the family as the fundamental nucleus of society,” but it does not define who or what constitutes a family. Furthermore, this statement is qualified by the stipulation that “The implementation of the Agreement should be governed by the recognition of equality and protection of pluralism of Colombian society, without any discrimination” (Col-FARC 2016b, 310).

Tying the family as a pillar of sustainable peace to constitutional commitments to pluralism and nondiscrimination makes clear that the peace agreement reaffirms

Colombia's legal commitment to rights for same-sex couples to marry and adopt and the right to change gender identity on legal documents. References to the family increased by 10 percent in the final agreement, but none of these mentions recognizes the family as a victim of war or restricts the meaning of family to a heterosexual relationship. In fact, the majority of mentions of the family are in relation to family-based economies, such as family farming and family-run businesses.

CONCLUSIONS

Contestations over the *enfoque de género* in the Colombian peace agreement challenge longstanding assumptions about the nature of backlash and the implicit agenda of human rights claims. Backlash is neither inevitable nor necessarily a setback for women's and LGBTI groups. The anti-gender campaign emerged because of a multitude of political factors that coalesced to provide a window of opportunity for the opposition to organize. Much of the campaign's mobilization capacity grew from an unrelated fight over a school education program that occurred just a few weeks before the plebiscite. Moreover, the anti-gender forces capitalized on previously established political relations in the well-organized No campaign, which had already garnered a tremendous amount of the public's attention. The emergence of the anti-gender campaign was therefore contingent—not predictable or inevitable, as the received view of backlash suggests.

Moreover, this analysis indicates that “backlash” should be understood as productive as well as reactive. Although the anti-gender campaign was certainly responding to feminist and LGBTI policy proposals, it also used the *enfoque de género* to discredit the peace agreement as a whole and to vilify those who supported it. Rather than shoring up an existing social order or the *status quo ante*, conservatives tried to use the peace process to impose a heteronormative ideal at great remove from the complexity of contemporary Colombia. By attempting to assert epistemological and ontological control over the meaning of sex, gender, and sexuality, the anti-gender camps leveraged the referendum process to elide constitutional rights gained in 1990 by the Colombian people and portray Colombians as victims of a hostile takeover by radical feminist and LGBTI groups. Casting themselves as the true defenders of women's rights, the anti-gender leaders championed an imagined future in which women's rights would be mired in victimization and subordination and LGBTI rights eliminated outright.

This examination also challenges the dystopian idea that backlash necessarily signals a reversal of social movement gains. Despite its efforts, the anti-gender campaign was not successful in dismantling the gender perspective in the peace agreement, nor did it succeed in eliminating LGBTI protections from the agreement. In fact, feminist and LGBTI groups insist that the spirit of the intersectional gender perspective remains intact and, in some respects, has been strengthened, a view that is echoed by key anti-gender leaders who remain dissatisfied with the final changes (Caracol Radio 2016; *Semana.com* 2016b). The Colombian accord contains the most comprehensive approach to women's rights in a peace agreement to date, with

more than one hundred measures pertaining to a gendered perspective. It is the first in the world to address LGBTI rights (Hagen 2017; UN Women 2018).

Finally, in contrast to optimistic assumptions about human rights rhetoric, this study has traced the utility of rights-based framing for groups all along the sociopolitical spectrum. In the context of Colombia's peace process, rights claims were deployed by progressives and by conservatives. Contending camps leveraged virtually identical language about women's rights for decidedly different objectives. In contrast to the notion that human rights discourses are universal and invariant, the Colombian case shows how rights rhetoric can be emancipatory or repressive; it can foster inclusion or facilitate exclusion; it can bolster the disenfranchised or protect the powerful. The elasticity of rights-based claims suggests that scholars should never assume the altruistic nature of rights discourse. Empirical investigation is essential to discern the political stakes in rights claims.

NOTES

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1. Women's and LGBTI groups and movements are understood to be distinct, each comprising an array of subgroups with diverse agendas. While these movements have informed each other during different periods and can come together as allies around specific agendas, they are independent movements. This article refers to women's or feminist groups coupled with LGBTI groups not as a single entity but as a common opponent of anti-gender campaigns, since both are subjects of anti-gender attacks.

2. For more on how polarizing politics in Colombia has resulted in ongoing political violence, see Feldmann 2019.

3. For a review of women's substantive and descriptive representation in Colombian peace negotiations, see Chaparro González and Martínez Osorio 2016.

4. For background on women's role and differential experiences in Colombia's civil war, see Bouvier 2016.

5. See Paarlberg-Kvam 2018 for discussion regarding women's visions of peace and how they relate to the 2016 peace agreement.

6. See Cespedes-Baez and Jaramillo Ruiz 2018 for more detailed information regarding the membership and work of the negotiation table's Gender Subcommission.

7. For an in-depth framing analysis regarding this mobilization, see Corredor forthcoming.

8. For a more nuanced explanation for the lack of participation among Catholic officials in this anti-gender campaign, see Corredor forthcoming.

9. For an in-depth explanation of which Evangelical churches supported and opposed the 2016 Colombian peace agreement, see Moreno 2016. For a history of Evangelism in Colombia, see Beltrán and Quiroga 2017; Duque Daza 2010; Ortega 2018.

10. For more information on the dynamics and agenda items of the No campaign, see Lucio et al. 2019.

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