

# The conservative uses of law: The Catholic mobilization against gender ideology

Social Compass  
2020, Vol. 67(2) 252–266  
© The Author(s) 2020  
Article reuse guidelines:  
sagepub.com/journals-permissions  
DOI: 10.1177/0037768620907561  
journals.sagepub.com/home/scp



**Juan Marco VAGGIONE**

Universidad Nacional de Córdoba, Argentina

## Abstract

The term ‘gender ideology’ has become a conceptual and political tool used by various religious and secular actors who defend a legal system embedded in a sexual universal morality. Although the use of the term began within the Catholic sphere, it currently characterizes the politics of different countries that are facing a wave of neoconservative activism. The article analyzes the expansion and uses of this term by considering two main aspects: first, an analysis of its emergence as a strategy by the Vatican to combat the impact of Sexual and Reproductive Rights (SRR) on Universal Human Rights; second, a presentation of the appropriations and uses of the fight against gender ideology as part of a neoconservative movement in Latin America.

## Keywords

gender ideology, religion and politics, sexual and reproductive rights

## Résumé

Le terme « idéologie de genre » est devenu un outil conceptuel et politique utilisé par divers acteurs religieux et laïques qui défendent un système juridique ancré dans une morale sexuelle universelle. Bien que l’utilisation de ce terme a commencé dans la sphère catholique, il caractérise actuellement la politique de différents pays qui font face à une vague d’activisme néoconservateur. L’article analyse l’expansion et les utilisations de ce terme en considérant deux aspects principaux : premièrement, une analyse de son émergence comme stratégie du Vatican pour combattre l’impact des droits sexuels

---

## Corresponding author:

Juan Marco Vaggione, Universidad Nacional de Córdoba, Centro de Investigaciones Jurídicas y Sociales, Caseros 301, Córdoba, 5000, Argentina.

Email: [juanvaggione@yahoo.com](mailto:juanvaggione@yahoo.com)

et reproductifs sur les droits humains universels ; deuxièmement, une présentation des appropriations et des utilisations de la lutte contre l'idéologie de genre dans le cadre d'un mouvement néoconservateur en Amérique latine.

### **Mots-clés**

droits sexuels et reproductifs, idéologie du genre, religion et politique

## **Introduction**

The 1960s saw the formation of movements that would eventually push the legal limits of the regulation of sexuality and reproduction. The second wave of feminism and the 'homosexual movement' (as it was spoken of at this time) not only encapsulated important cultural changes, but also launched a new sexual order. These movements gradually began to impact the legal systems, legitimizing practices and identities that had previously been marginalized by the law or even criminalized. Issues such as same-sex relationships, abortion, universal access to contraception, and assisted reproduction techniques – among others – were no longer illegal and became part of the paradigm of Sexual and Reproductive Rights (SRR) that gradually impacted national and transnational legislations.

During this same period, the Catholic Church sealed its entrance into modernity with the Second Vatican Council (1962–1965). However, this *aggiornamento* (or bringing up to date) did not address sexual morality aside from a report by a Papal Commission on Population, the Family and Birth recommending the acceptance of the use of contraceptives by married couples (Fox, 1995), the possibility of which was negated by Paul VI in 1968, considering them as 'Unlawful Birth Control Methods'.<sup>1</sup> The Church 'entered' the modern world reaffirming a suspicious perspective toward sexuality and desire, asserting that 'Sexual pleasure is morally disordered when sought for itself, isolated from its procreative and unitive purposes'.<sup>2</sup> These decisions shut down the possibility of a more prudent approach to the sexual lives of both the constituents and clergy of the Church, especially in the context of the HIV/AIDS pandemic and with the wave of sexual crimes and their concealment.

Since then, and with varying intensities, the confrontation between the Catholic hierarchy and both feminist and LGBTQI movements has characterized the debates over ways of regulating the sexual order. The Catholic Church has led a defense of the legal and moral standpoint which upholds the unitive and procreative purpose of sexuality. For the Church, or at least for a vast part of its hierarchy, the confrontation with the aforementioned movements holds a place of importance not only within its internal community but also in the national and international arenas where laws to broaden SRR are being debated.

This confrontation, in which law is an institutionalized site of power struggle (Smart, 1989; Monte, 2018), has transformed the public roles of the Catholic Church according to different moments and contexts. One such transformation has been the growing use of the term 'gender ideology' by the Catholic hierarchy in order to understand and counter the influence of the feminist and LGBTQI movements. While the term originated within Catholicism, the battle against gender ideology represents a cleavage in the current politics of various countries, particularly in Europe and Latin America. The main

objective of this article is to contribute to the study of the meanings and tactical uses of 'gender ideology' in order to understand, at least partially, the religious politics regarding sexuality in contemporary democracies.

For this purpose, the article proposes two axes: first, an analysis of the emergence of the fight against gender ideology as a strategy by the Vatican to combat the impact of SRR on Universal Human Rights; second, a presentation of the appropriations and uses of the concept of gender ideology as part of the mobilization of law by moral conservative actors in Latin America.<sup>3</sup> Although the term has its roots in the Catholic sphere, today it is appropriated and reassigned meaning by a variety of religious and secular actors as part of neoconservative activism. To analyze the expansion of the fight against ideology allow to understand, at least partially, the political impact of the Catholic Church in contemporary democracies.

## **The emergence of gender ideology: Human Rights under threat**

Not without limitations and tensions, the SRR paradigm, inscribes pleasure and autonomy as some of the principles for regulation of the sexual order. This paradigm gives rise, among other things, to an alternative narrative, even a counter-narrative, of the (hyper) moralization of sexuality. The debate over these rights makes clear, and therefore criticizable, the moralistic and moralizing matrix of law that delegitimizes a wide range of sexual and reproductive practices and identities under a supposed neutrality. The battle for SRR is also a battle for a different articulation of the meaning of sexuality in law, religion and morality. It is (or is supposed to be) more than a demand for individual rights: it is also a redefinition of law's symbolic power aiming to dismantle a restrictive conception of sexuality, one based on reproduction and marriage.

To its critics, SRR appear not only as denaturalizing sexuality by detaching it from reproduction, but also de-naturalizing law by disconnecting secular legislation from universal morality. Among other aspects, it is the power of religion to control law as a symbolic order that is a stake; it is a debate about the limits of a universal sexual morality, still upheld by many religious traditions, and the need to recognize the plural composition of sexual ethics.

Therefore, it is not surprising that the advances of SRR come accompanied by strong reactions from religious institutions, in particular the Catholic Church, which considers these rights to subvert the very validity of secular law. The Catholic Church demands that secular law (referred to as civil law in the Vatican's documents) include and recognize the natural law as a 'necessary basis'.<sup>4</sup> For the Church, the legal forms of regulating the sexual order bring into question the very foundation of the law. As Ratzinger stated in his role as Prefect of the Congregation for the Doctrine of the Faith, referencing St. Thomas Aquinas: 'Every humanly-created law is legitimate insofar as it is consistent with the natural moral law.' Furthermore, the Church considers that secular law should not only reflect what is moral; it is in itself a moralizing instrument because the law 'play[s] a very important and sometimes decisive role in influencing patterns of thought and behaviour,' as stated by the Vatican in reaction to debates over abortion and same-sex unions.<sup>5</sup>

The Catholic Church defends its view on natural moral law regarding the regulation of sexual desire, reproductive practices, and kinship.<sup>6</sup> Many of the Church's public arguments and strategies are a direct or indirect response to the agenda of SRR (Vaggione, 2005). This reactive politicization has been accompanied by increasingly sophisticated arguments as well as institutional modifications that have transformed the law into a privileged arena for the defense of a moral order in crisis. The United Nations Conferences of Cairo (1994) and Beijing (1995) were a landmark in this reactive process. During these conferences, first reproductive rights, and later sexual rights, were recognized formally as part of Human Rights, producing a significant impact. SRR became a counter-narrative aiming to legalize an alternative understanding of sexuality both at national and transnational arenas.

In response to these Conferences, John Paul II (1995) published the encyclical *Evangelium Vitae*, which put forward a moral and legal framework on this inclusion of SRR within Human Rights. For the Pope, this inclusion represents a 'tragic denial' of human rights. The encyclical suggests that human rights are experiencing a moment of contradiction insofar as politics and society are 'in the midst of' a clash between the 'culture of death' and the 'culture of life'. The former is characterized not only by demands linked to abortion, artificial reproduction, or euthanasia but also by the proposal of a 'contraceptive mentality.' A series of quotes characterize this new sexual code, for example: 'the body . . . is reduced to pure materiality,' 'sexuality too is depersonalized and exploited', 'the life which could result from a sexual encounter thus becomes an enemy to be avoided at all costs' (John Paul II, 1995). John Paul reminded readers of these perceived dangers, stating that 'objective moral law . . . is the obligatory point of reference for civil law itself,' and that 'Democracy cannot be idolized to the point of making it a substitute for morality or a panacea for immorality.'

In addition to the publication of *Evangelium Vitae*, the Pontifical Academy for Social Sciences and the Pontifical Academy for Life were established by John Paul II in 1994 and 1998. The goals of these Academies include studying, informing and promoting knowledge about issues related to the law in accordance with the social doctrine of the Church. Beginning in 1994, John Paul II organized a periodic series of meetings called the World Meeting of Families, intended to be a global space for the articulation of an agenda contrary to any propositions to 'alter the sense of the family, depriving it of its natural model of marriage,' as the Pope said in the opening speech of the first meeting, explicitly referencing the previous Cairo Conference. According to the Pope, the Cairo Conference had 'demonstrated how necessary the steps taken by the Church [are] to defend the family and its indispensable mission in society'.<sup>7</sup>

During this same period, the term 'gender ideology' emerged in order to explain and resist the outcome of these Conferences. According to most studies, the rise of the term is associated with the works of Dale O'Leary, a Catholic pro-life activist, who aimed to explain what had occurred during the United Nations Conferences (Kuhar and Paternotte, 2017; Junqueira, 2018). O'Leary affirmed (1995: 20) that the strategy of gender feminists was to 'Push the evolution of human rights protected by the United Nations to include "sexual and reproductive rights and health" and use the mechanism of the United Nations to enforce these rights worldwide'. In her publications, O'Leary characterizes this feminism (considered as a radical one) and the homosexual movement as constructors of

a 'gender agenda' which seeks, through the influence of the United Nations, to impose itself in various countries. Her ideas presented a condensed, accessible narrative about what occurred during the conferences and provided a political framework that would allow for different appropriations, meanings, and tactical uses.

The labelling of gender as an ideology was later incorporated into Vatican documents and displaced the 'culture of death' as the framework for understanding the threat posed by SRR. Ratzinger, first as the Prefect of the Congregation for the Doctrine of the Faith and later as Pope Benedict XVI, had a central role in the adoption, circulation, and legitimation of the term 'gender ideology'. He had already been exposed to feminist critiques and politics while in Germany during the 1980's as he expressed in the Ratzinger Report (1985), which, for Case (2019) contains the main dimensions of what would later come to be called 'gender ideology'.

Gradually, the Vatican came to denounce this ideology as part of an international lobby to impose SRR around the world. In 2000, the Pontifical Council for the Family<sup>8</sup> reaffirmed this idea in the 50 years after the Universal Declaration of Human Rights, stating that 'Some international UN agencies, supported by powerful lobbies, wish to impose 'new human rights' on sovereign nations, such as 'reproductive rights', which include access to abortion, sterilization, easy divorce, a 'lifestyle' for young persons that favors the trivialization of sex, and the weakening of parents' lawful authority in their children's education.' This ideology is considered not only anti-life and anti-family but also 'destructive of nations'.

Another relevant moment in the institutionalization of gender ideology was the publication of the Lexicon of the Pontifical Council for the Family in 2003. The publication sought to avoid the misleading use of certain terms in order to create new rights that were contrary to universal principles; new rights that, according to the preface written by Cardinal López Trujillo, President of the Council, 'immediately turn crimes into rights' and are intensified by legal positivism, by the construction of a 'political truth,' or by the denial of natural law.<sup>9</sup> Thus, the Vatican formalized its fight against gender ideology as part of its role as the leader of a transnational movement to defend life and family values against the impacts of SRR. While the use of the term can be considered as a novelty or invention, as most approaches do, it is also a condensation of the Church's position toward the legal and the sexual.

Pope Francis, rather than open expectations of a more flexible sexual morality, continued to refer to gender ideology as a threat to Human Rights. However, he added two emphases that reflected his discursive priorities as head of the Catholic Church (Vaggione, 2016). First, he reinforced and refined a criticism of this ideology as part of a process of imposition and cultural colonization.<sup>10</sup> The Pope of the South inscribed the fight against gender ideology as part of the resistance to colonial powers that seek to undermine national autonomy and sovereignty. Second, he consolidated, at least discursively, the association between gender ideology and neoliberalism as an unjust regime, suggesting that this ideology is a result of the individualistic tendencies and the 'technocratic materialism' of neoliberal capitalism. This association is directly juxtaposed with another that links gender ideology with a neo-Marxist current that was at the origins of the term<sup>11</sup> and tends to characterize the majority of its tactical uses in various contexts. These two opposed narratives on the origins of gender ideology

illustrate the tensions and indeterminacy of the ways in which gender ideology is appropriated and tactically used.

The Congregation for Catholic Education (2019) published a few month ago the most extensive Vatican document on the subject, highlighting the importance of gender ideology for the politics of the Catholic Church.<sup>12</sup> This document combines three central aspects in the meanings and tactical uses that the Vatican employs in the fight against gender ideology. First, one of the main objectives of the document is to distinguish between gender theory and ideology in order to facilitate, as indicated by the title of the document, ‘a path of dialogue on the question of gender theory’. This differentiation, although already addressed in previous documents, acquires a central place in this publication. Among the topics that the Church identifies as pertaining to gender *theory*, and with which it is willing to establish a dialogue, are the rejection of discrimination, violence, insults based on aspects such as sexual orientation, and what it refers to as ‘the values of femininity.’ On the other hand, gender *ideology* is characterized by its unnatural tendencies that ‘[lead] to educational programs and legislative enactments’ that promote ‘ideas of personal identity and affective intimacy that make a radical break with the actual *biological difference* between male and female’.

The fight is thus not against all gender perspectives but, as the document says, against those that seek to eliminate the ‘anthropological basis of the family’ by denying ‘the difference and reciprocity in nature of a man and a woman and envisages a society without sexual differences’. This distinction between an acceptable version of gender perspective and a radical or ideological version echoes a similar discursive strategy the Vatican employed regarding feminism when it asserted that the feminist movement includes radical versions that do not defend the ordinary women (Garbagnoli, 2016). Already in *Evangelium Vitae*, John Paul II had called for a new feminism that would ‘acknowledge and affirm the true genius of women in every aspect of the life of society’.<sup>13</sup>

Secondly, in the face of this ideology, the document promotes the importance of science to demonstrate the inaccuracy of the proposed agenda. In accordance with the Church understanding of faith and reason as ‘two wings on which the human spirit rises to the contemplation of truth’,<sup>14</sup> its proposal for an adequate understanding of gender is argued by using scientific arguments and reasoning. This use aims to re-naturalize sex and sexuality and to sidestep the constructionist approach developed by sectors of the feminists and LGBTQI movements. This document, for example, refers to the medical definition of ‘sexual dimorphism’ and even advises that in cases where ‘a person’s sex is not clearly defined’ science should intervene on the ‘basis of objective parameters and with a view to establishing the person’s constitutive identity’ ignoring the person’s autonomy and freedom as part of this decision.

Thirdly, the church prioritizes the law as an arena to confront and resist the advance of gender ideology, which it claims seeks to create not only a ‘cultural and ideological revolution’ but also a ‘juridical revolution, since such beliefs claim specific rights for the individual and society’. The document lists a series of fundamental rights that must be defended and protected against this ‘juridical revolution’, among them, the rights of the family and those linked to freedom of thought, conscience and religion. As noted earlier, to resist the advance of gender ideology on lawmaking processes is a political priority for

the Catholic Church. It is the power of law to determine legality and morality of the sexual order that is at the center of the political struggle on gender.

The fight against 'gender ideology' occupies a central place in the Vatican's political interventions along with a rejection of the 'new human rights', used as a euphemism for SRR. As part of this rejection, the leadership of the Catholic Church also spread the use of the term 'gender ideology' to different contexts as part of new conservative movement. As analyzed in the following pages, the mobilization against gender ideology has moved beyond the Catholic sphere and become part of the moral neoconservatism that characterizes contemporary democracies in different regions.

## **The expansion of gender ideology: The neoconservative movement in Latin America**

In Latin America, as in other regions, there has been a consolidation of a neoconservative movement whose objective is to re-moralize the law, specifically on issues related to sexuality. The prefix 'neo' does not imply a dismissal of the prevalence of conservatism in the history of the region, but rather the need to understand new modulations generated by the expansion of SRR. The Catholic morality was for a long time considered the indisputable base of secular law; a temporality that has been eroded mainly by the impact of feminist and LGBTQI movements on lawmaking processes. This impact has generated strategic changes and mutations of the actors in defense of a moral order aligned with the catholic doctrine. More importantly, the neoconservative movement generates a particular political rationality, or in Brown's words (2006) 'a specific form of normative political reason organizing the political sphere, governance practice, and citizenship' for which the moral regulation of sexuality is a central goal.

A central aspect of this neoconservative political rationality is the antagonistic relationship with the feminist and LGBTQI movements. The construction of an enemy (gender feminists and homosexual movements) as a constitutive outside (Laclau and Mouffe, 1985), enable the design of a common identity (an 'us') that emerges in the defense of an endangered order. The neoconservative movement is a heterogeneous formation, both in public arguments and in the actors that comprise it, but the tracing of these identity borders allows a coalescence that goes beyond mere circumstantial alliances. Although the religious is a determining influence of the neoconservative movement in Latin America, it does include a variety of secular actors and arguments that prioritize legal mobilization to protect and guarantee a sexual morality considered under risk.

The growth of this neoconservative movement in the region has begun to be analyzed through different concepts such as a fundamentalism, counter-movement, conservative backlash, anti-rights, anti-egalitarian or anti-gender. It is not the objective of this article to investigate more deeply the different dimensions of neoconservatism but to consider one important aspect in its political interventions: the use of gender ideology as a menace to the moral and legal order. The rising impact of gender ideology in contemporary politics has led to an increased interest in studies of this neologism, which is considered in different perspectives to be an empty signifier (Kuhar and Zobec, 2017), a syntagm (Junqueira, 2018), a counter-strategy/counter movement (Corredor, 2019), a symbolic glue (Kováts and Pöim, 2015) or a rhetorical device (Garbagnoli, 2016) to name a few.

The purpose of this section is to consider how these neoconservative actors contributed to the expansion in the use of gender ideology and to present some examples of the different uses and appropriations of the term. Although this neoconservative activism is strongly shaped by religion, it involves a myriad of secular and religious actors in dynamic alliances. For analytical purposes, three types of actors that converge under the conceptual umbrella of neoconservatism are distinguished: conservative Christian, pro-life/pro-family NGOs, and anti-gender politicians.

### *Conservative Christian activism*

The global structure of the Catholic Church has been, without a doubt, central to the process of expanding the fight against gender ideology. The incorporation of the term in official Vatican documents implies its dissemination in various regions of the world. However, in the 90's, Latin America had already begun to generate its own circuits of crafting and expansion of the term (Morán Faúndes, 2019; Miskolci and Campana, 2017). In 1998, the Episcopal Conference of Peru published a document based on O'Leary's work that marks the earliest reference to gender ideology in the region. In the prologue of this publication, Bishop Alzamora Revoredo (1998) warns of the existence of an ideology hidden behind the concept of gender. He states that, due to its impact, 'all morality is left to the individual's decision and the difference between allowed and forbidden disappears.'<sup>15</sup>

Gradually, 'gender ideology' was incorporated into the official documents and public declarations of the Catholic hierarchy in Latin America. Currently, it is referenced in statements by the Episcopal Conferences of various countries regarding issues such as sexual education, gender identity, rights for same-sex couples and abortion. A key moment in this expansion was the incorporation, in 2007, of the term into the Conclusive Document of the Fifth Latin American and Caribbean Episcopal General Conference (CELAM by its Spanish acronym). The document argues that: 'Among the premises that weaken and undermine family life, we find the ideology of gender, according to which each and every one can choose his or her sexual orientation, without taking into account the differences imposed on them by human nature.' In addition, the document considers that this ideology is responsible for a number of legal reforms that 'gravely injure the dignity of marriage, respect for the right to life, and the identity of the family' (CELAM, 2007: 40), insofar as such reforms put aside the common good in order to give way 'to the creation of new, and often arbitrary individual rights' (CELAM, 2007: 44).<sup>16</sup>

This expansion in the use of the term did also involve some leaders of Evangelical churches, in particular Pentecostals. As demonstrated by different studies, the growth of Pentecostalism has changed the religious landscape in the region, challenging the (supposed) monopoly of the Catholic Church. Without ignoring the heterogeneity of Pentecostal evangelicals in matters of sexual morality, it is worth noting that the shared threat implied by SRR allows for alliances between representatives of Catholic and Evangelical Churches. These alliances were unimaginable in the 80's and 90's when the Pentecostal Evangelical churches mobilized to confront the privileges of the Catholic Church (Campos Machado, 2016), but they have been made possible by a common opposition to feminist and LGBTQI agendas. Due to the appropriation by some evangelical



leaders, the use of gender ideology has expanded beyond the Catholic conservative actors to consolidate a Christian conservative activism.

One of the many tactical uses proposed by this conservative Christian activism is the defense of the national culture and laws in resistance to SRR. As previously noted, one of the characteristics ascribed to gender ideology is the use of human rights discourse as a way of imposing its agenda worldwide. Despite the fact that both churches are the product of transnationalization, they oppose SRR for being part of an international ideological imposition. For example, in Panama in early 2018, the Episcopal Conference, the Ecumenical Committee and the Evangelical Alliance published a statement<sup>17</sup> in which they criticize an advisory opinion issued by the Inter-American Court of Human Rights (IACHR). They state their concern over the attempt to impose 'new notions of marriage and family outside our reality' putting the 'legal sovereignty of the country' at risk. The statement claims that the IACHR intends to impose 'an ideology not established in the American Convention on Human Rights' within the region and considers it part of the 'new attempts to attack marriage and the family.'

Another relevant example is the presentation of a joint brief of the Bolivian Episcopal Conference and the United Evangelical Churches before the Plurinational Constitutional Court of Bolivia. In response to a request from the Court, legal representatives from both Churches argued the unconstitutionality of the Gender Identity Law (approved in 2016).<sup>18</sup> Throughout the document, a distinction is made between a realistic gender perspective and a radical one associated with gender ideology, keeping in line with the characterization of the concept recently proposed by the Vatican. This radical perspective is considered incompatible with Constitutional Law and with Human Rights, being that, according to the document: 'only a realistic gender perspective is compatible with the intercultural, counter-majoritarian, and categorical nature of human rights recognized in the Political Constitution of the State and in international treaties.'

This conservative Christian activism, conformed by catholic and evangelical actors, finds in the defense of the nation a limit to the imperialist tendencies of gender ideology. As it is analyzed in the first section of this article and also shown in the previous examples, the religious hierarchies reinforce the need to defend the national legal systems in reaction to the roles of intergovernmental organizations, such as the United Nations and the Organization of American States. The appeal to the nation when defending a restrictive regulation of the family has been part of sexual politics in the region for a long time. However, the nation as a signifier is no longer exclusively Catholic and is becoming more broadly Christian in the fight against gender ideology. There is a shift from the Catholic majority towards religious (Christian) minorities, including Catholic ones, that find in 'gender ideology' a threat to national sovereignty and moral order.

### *Pro-life/pro-family NGOs*

Self-named pro-life/pro-family activism plays a central role in the dissemination and utilization of gender ideology in Latin America. Through publications, congresses, and media participation these activists have contributed to the conceptualisation and fight against the widespread growth of gender ideology. The transnational existence of

pro-life/pro-family activism is also a central force in the fast generalization of the use of the term across the region. A pioneer in this movement is Jorge Scala, a lawyer and Catholic pro-life activist. Beginning in the 1990s, Scala (1995, 2001) has published multiple works warning of the need to defend Human Rights against ‘Marxist, feminist, gay sectors that use them to obtain privileges’. Precisely, human rights are, according to this author, the main strategy to impose gender ideology worldwide. Although originally published in Argentina, his works have also been regionally distributed, some being translated into Portuguese.

The protection of the children from the threats of gender ideology is one of the main aspects of this activism. Precisely, portraying gender ideology as a form of indoctrination of children has become a relevant argument of the neoconservative movement. Thus, campaigns have been extended throughout the region with the aim of denouncing the interference of this ideology in public policies and legal reforms. For example, ‘Con mi Hijos no te Metas’ (‘Do not Mess with my Children’) originated in Peru in 2016 and quickly expanded to various countries where the spread of gender ideology was being viewed as a threat. This campaign, among other forms of intervention, touts the slogan ‘do not homosexualize our children’ and uses the colors blue and pink to symbolically mark the biological difference between boys and girls. Another example that also highlights the transnational character of this activism is an orange bus created by the Spanish organization Hazteoir. The bus, which bears the statement ‘Boys have a penis. Girls have a vulva. Do not be fooled,’ has begun to circulate in some Latin American countries.<sup>19</sup>

The protection of children from gender ideology is also linked to distinct legal strategies being implemented by these NGOs. In the face of SRR that defends the progressive capacity of children and adolescents, this activism prioritizes the rights and freedom of parents to make decisions regarding their children’s education. Pro-family activists and organizations have argued in defense of the rights of parents in various countries as a way to oppose sexual education or universal access to contraceptives. This activism mobilizes the rights of parents, both in judicial cases and parliamentary debates, as a way of confronting the expansion of SRR.

The actions of this pro-life/pro-family activism in Latin America demonstrate another tactical use of the term gender ideology: to disseminate fear and panic (Barcenas, 2018; Junqueira, 2018). This activism characterizes the agenda of SRR as putting the survival of the family at risk. In various specific documents, it is suggested that the validity of these rights implies the annihilation of the traditional family. Legal reforms linked to sexuality and reproduction spread fear in a kind of contagion effect threatening the social order as such. As Rubin (1993) argued in her classical work, discussions about ways of regulating sexuality tend to create moments of moral panic; while these panics stem from matters of sexuality, they also spark anxieties linked to other social issues.

### *Anti-gender politicians*

Politicians and political parties defending conservative sexual values is a common trend in Latin America countries. The influence of the Catholic Church in the region has

produced close ties between public officials and religious hierarchies protecting, among other things, a legal system imbricated in a Catholic morality. The Evangelical churches have also become influential by either direct intersections (creating their own confessional parties) or indirect ones (influencing the existing party systems) (Carbonelli, 2018). In this sense, it is frequent to observe politicians with close connections to both churches leading the defense of family or life values (Campos Machado, 2018). This defense is channeled not only by resisting the recognition and implementation of SRR but also by proposing legislation that reinforces abortion criminalization or prohibits same sex marriages (to name a few).

A more recent phenomenon, however, is the direct confrontation by some of these politicians of gender based laws and public policies. There is a shift from a defensive position to an offensive one: these politicians are not only protecting family and life values but also aiming to illegalize any gender reference. Either for religious convictions or for electoral opportunities (or both), this type of politician has included the fight against gender ideology as part of their public agenda. The most visible and extreme example in the region is the current president of Brazil, Jair Bolsonaro, who has held the fight against gender ideology as one of the main axes of his electoral campaign and governmental decisions. During his inaugural speech in January 2019, he stated that: 'We will unite the people, value the family, respect religion and our Judeo-Christian traditions, [and] combat gender ideology, conserving our values. This Brazil will once again be a country free of ideological moorings.'<sup>20</sup> The case of Brazil makes visible not only the power of neoconservative sectors but also the role that the reference to gender ideology has begun to have in contemporary politics.

It is possible to observe initiatives in various countries that aims to exclude the use of terms that refer to gender ideology in public policies regarding issues such as sex education or violence against women. In Peru, for example, there are drafts of laws that seek to prohibit the inclusion of terms such as 'gender perspective' and 'gender violence' in the 'legal system and public policies of the State'. In Guatemala, as in other countries in Central America, there are bills that aim to prevent the inclusion of 'sexual diversity and gender ideology' and the 'teach [ing] as normal behaviors other than heterosexuality' in education programs. In Brazil, educational policy guidelines favoring gender equality have been eliminated at state and municipal levels (Correa, 2016). A more extreme example from this same country is a proposal that seeks to criminalize the promotion or development of gender ideology (Luna, 2017). Although these projects in general are not approved, they serve as examples of the ways in which anti-gender proposals have become a relevant political cleavage. A successful case of anti-gender regulation occurred in Paraguay when the term was included in a resolution of the executive branch when the Ministry of Education sanctioned a decree expressly prohibiting 'the dissemination and use of materials' linked to 'gender ideology.'

The term 'gender ideology' has detached itself from its Catholic origins and become a signifier for those politicians who confront the influence of feminist and LGBTQI movements. These anti-gender politicians have begun to include the fight against gender ideology as part of their campaigns, legal initiatives, and public decisions receiving electoral support from different sectors of the population. This appropriation allows to consider a double effect: the penetration of the term among some sectors of the population

who elect anti-gender politicians and the diffusion of that term when used by these politicians in public campaigns and legal projects.

## **Closing remarks**

The defense of ‘humanly created law’ based on universal sexual morality is a political priority for the Catholic Church. The Catholic hierarchies, in different national and transnational arenas, is leading the public defense of a legal order they consider to be endangered by the expansion of sexual and reproductive rights. It is the symbolic power of law to determine legality and morality of the sexual order that is at the center of the political struggle. For the Catholic Church, legal reforms allowing contraception, abortion, assisted reproductive methods, same-sex partnerships, or gender identity are not only immoral but also illegal and should be resisted by believers and citizens worldwide.

Adopting the term gender ideology, the Catholic Church has found a conceptual and political tool for the public defense of a legal system embedded in a universal morality. Gender ideology has become a conceptual tool that, despite the absence of a clear definition (or perhaps because of this absence), provides an effective frame to capture (while reducing) the complex politics of feminist and LGBTQI movements. According to this frame, these movements are actively seeking to impose an agenda contrary to scientific rationality and Christian values. Simultaneously, the fight against ‘gender ideology’ has become a political tool that demands public action in order to defend a series of values, such as family, life, national sovereignty and human rights (among others). As considered in the article, law is instrumentalized in different ways as a privileged strategy to confront the so-called gender ideology.

The fight against gender ideology has allowed for multiple usages and sparked new proposals for governance which have taken root in different places. Although the use of the term began within the Catholic sphere, it currently characterizes the politics of a number of countries that are facing a wave of neoconservative activism. In Latin America, this fight is being waged through three linked actors who constitute the neoconservative movement: factions of the Catholic and evangelical hierarchies, pro-life/pro-family NGO’s, and anti-gender politicians. This movement, which transcends the religious-secular dichotomy, is changing the political map of the Latin American region and pushing gender ideology to the center of public debate.

Far from being a remnant of the past, the fight against gender ideology is a reactive response projected to the future. It is part of a political rationality that is changing contemporary democracies in different regions and that involve, among other goals, the mobilization of law against the expansion of sexual and reproductive rights.

## **Acknowledgements**

The author would like to thank the Program on Sexual and Reproductive Rights, National University of Córdoba, for its support.

## **Funding**

This research received funding from Consejo Nacional de Ciencia y Técnica (CONICET) and Research Projects PICT of the Agencia Nacional Promoción Científica y Tecnológica.

## Notes

1. Available at: [http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf\\_p-vi\\_enc\\_25071968\\_humanae-vitae.html](http://w2.vatican.va/content/paul-vi/en/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae.html). (All websites referred to in the Notes and References section were accessed on 12 December 2019.)
2. Catechism of the Catholic Church (1993: 2351).
3. The debate on legal mobilization exceed the purpose of this article. For an analysis of conservative legal mobilization or counter-legal mobilization in Latin America see Ruibal (2015).
4. Available at: [http://www.vatican.va/archive/ccc\\_css/archive/catechism/p3s1c3a1.htm](http://www.vatican.va/archive/ccc_css/archive/catechism/p3s1c3a1.htm)
5. [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20030731\\_homosexual-unions\\_en.html#fnref14](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20030731_homosexual-unions_en.html#fnref14)
6. This view does not necessarily coincide with the catholic population (Dixon, 2018).
7. [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/speeches/1994/october/documents/hf\\_jpii\\_spe\\_19941008\\_incontrofamiglie\\_sp.html](http://www.vatican.va/holy_father/john_paul_ii/speeches/1994/october/documents/hf_jpii_spe_19941008_incontrofamiglie_sp.html) [http://www.vatican.va/roman\\_curia/pontifical\\_councils/family/documents/rc\\_pc\\_family\\_doc\\_20001115\\_family-human-rights\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_20001115_family-human-rights_en.html)
8. [http://www.vatican.va/roman\\_curia/pontifical\\_councils/family/documents/rc\\_pc\\_family\\_doc\\_20001115\\_family-human-rights\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_20001115_family-human-rights_en.html)
9. <https://www.ewtn.com/catholicism/library/preface-to-the-lexicon-2393> [http://www.vatican.va/roman\\_curia/pontifical\\_councils/family/documents/rc\\_pc\\_family\\_doc\\_20001115\\_family-human-rights\\_en.html](http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_20001115_family-human-rights_en.html)
10. For example: [http://w2.vatican.va/content/francesco/en/speeches/2016/july/documents/papa-francesco\\_20160727\\_polonia-vescovi.html](http://w2.vatican.va/content/francesco/en/speeches/2016/july/documents/papa-francesco_20160727_polonia-vescovi.html)
11. O'Leary (1995) affirms that Gender Feminist theory is based on a Neo-Marxist interpretation of history.
12. [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20190202\\_maschio-e-femmina\\_en.pdf](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20190202_maschio-e-femmina_en.pdf)
13. [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_25031995\\_evangelium-vitae.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html)
14. [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_14091998\\_fides-et-ratio.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.html)
15. <https://www.aciprensa.com/controversias/genero.htm>
16. <http://www.celam.org/aparecida/Ingles.pdf>
17. <http://iglesia.org.pa/2018/01/en-defensa-del-matrimonio-y-la-familia/>
18. <https://www.aciprensa.com/noticias/bolivia-iglesias-cristianas-denuncian-inconstitucionalidad-de-ley-de-identidad-de-genero-90825>; <https://www.aciprensa.com/Docum/MemorialBolivia.pdf>
19. <http://www.hazteoir.org/noticia/91892-busdelalibertad-llega-chile>
20. [https://www.nodal.am/2019/01/brasil-bolsonaro-llama-a-combatir-la-ideologia-de-genero-en-su-discurso-de-asuncion/#Bolsonaro\\_fala\\_em\\_combater\\_ideologia\\_de\\_genero\\_veja\\_integra\\_do\\_discurso](https://www.nodal.am/2019/01/brasil-bolsonaro-llama-a-combatir-la-ideologia-de-genero-en-su-discurso-de-asuncion/#Bolsonaro_fala_em_combater_ideologia_de_genero_veja_integra_do_discurso)

## References

- Bárceñas Barajas K (2018) Pánico moral y de género en México y Brasil: rituales jurídicos y sociales de la política evangélica para deshabilitar los principios de un estado laico. *Religião & Sociedade* 38(2): 85–118.
- Brown W (2006) American nightmare: Neoliberalism, neoconservatism, and de-democratization. *Political Theory* 34(6): 690–714.
- Campos Machado M (2018) Religion and moral conservatism in Brazilian politics. *Politics and Religion Journal* 12(1): 55–74.

- Campos Machado M (2016) Pentecostales y controversias de los derechos humanos en Brasil. In: Saez M and Morán Faúndes JM (eds) *Sexo, Delitos y Pecados: Intersecciones entre religión, sexualidad y el derecho en América Latina*. Washington: American University.
- Carbonelli M (2018) Political parties and churches in Argentina: Intersections in quicksand. *Politics and Religion Journal* 12(1): 75–97.
- Case M (2019) Transformations in the Vatican's war on 'gender ideology'. *Signs: Journal of Women in Culture and Society* 44(3): 639–664.
- Catechism of the Catholic Church (1993) Vatican City: Libreria Editrice Vaticana.
- CELAM Latin American Episcopal Council (2007) Concluding document: Fifth Latin American and Caribbean Bishops' Conference. Aparecida, Brazil, 29 May. Available at: <http://www.celam.org/aparecida/Ingles.pdf>
- Congregation for Catholic Education (2019) Male and Female He Created Them: Towards a path of dialogue on the question of gender theory in education. Vatican City, 2 February. Available at: [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20190202\\_maschio-e-femmina\\_en.pdf](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20190202_maschio-e-femmina_en.pdf)
- Corrêa S (2016) Theologies' and contexts in a Latin American perspective. *Religion and Gender* 6(2): 256–263.
- Corredor E (2019) Unpacking 'gender ideology' and the global right's antigender countermovement. *Signs: Journal of Women in Culture and Society* 44(3): 613–638.
- Dixon R (2018) Post-secularity and Australian Catholics. In: Anthony Maher (ed) *Faith and the Political in a Post-Secular Age*. Bayswater, Victoria: Coventry Press: 50–71.
- Episcopal Conference of Peru (1998) La Ideología de Género. Sus Peligros y Alcances. Lima. Available at: <https://www.aciprensa.com/controversias/genero.htm>
- Episcopal Conference, the Ecumenical Committee and the Evangelical Alliance of Panama (2018) En Defensa del Matrimonio y la Familia. Panamá. Available at: <https://iglesia.org.pa/2018/01/en-defensa-del-matrimonio-y-la-familia/>
- Fox T (1995) *Sexuality and Catholicism*. New York: George Braziller.
- Garbagnoli S (2016) Against the heresy of immanence: Vatican's 'gender' as a new rhetorical device against the denaturalization of the sexual order. *Religion and Gender* 6(2): 187–204.
- Paul John II (1995) *Evangelium Vitae. Encyclical Letter on the Value and Inviolability of Human Life*. Available at: [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_25031995\\_evangelium-vitae.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html)
- Junqueira R (2018) A invenção da 'ideologia de gênero': A emergência de um cenário político-discursivo e a elaboração de uma retórica reacionária antigênero. *Revista Psicologia Política* 18(43): 449–502.
- Kováts E and Pöim M (2015) Gender as symbolic glue: The position and role of conservative and far right parties in the anti-gender mobilizations in Europe. Foundation for European Progressive Studies and the Friedrich-Ebert-Stiftung.
- Kuhar R and Paternotte D (eds) (2017) *Anti-Gender Campaigns in Europe: Mobilizing against Equality*. London: Rowman & Littlefield International.
- Kuhar R and Zobec A (2017) The anti-gender movement in Europe and the educational process in public schools. *CEPS Journal* 7(2): 29–46.
- Laclau E and Mouffe C (1985) *Hegemony and Socialist Strategy* London: Verso.
- Luna N (2017) A criminalização da 'ideologia de gênero': uma análise do debate sobre diversidade sexual na Câmara dos Deputados em 2015. *Cadernos Pagu* (50). Available at: [http://www.scielo.br/scielo.php?script=sci\\_isoref&pid=S0104-83332017000200311&lng=en&tlng=pt](http://www.scielo.br/scielo.php?script=sci_isoref&pid=S0104-83332017000200311&lng=en&tlng=pt)
- Miskolci R and Campana M (2017) 'Ideologia de gênero': Notas para a genealogia de um pânico moral contemporâneo. *Sociedade e Estad* 32(3): 725–748.

- Monte M E (2018) Disputas sobre la regulación jurídica del aborto en Argentina. *Oñati Socio-Legal Series* 8(5): 722–738.
- Morán Faúndes J (2019) The geopolitics of moral panic: The influence of Argentinian neo-conservatism in the genesis of the discourse of ‘gender ideology.’ *International Sociology* 34(4): 402–417.
- O’Leary D (1995) The deconstruction of women analysis of the gender perspective in preparation for the Fourth World Conference on women. Available at: <https://digitalcollections.library.gsu.edu/digital/collection/booth/id/1384>
- Rubin G (1993) Thinking sex: Notes for a radical theory of the politics of sexuality. In: Abelove H, Barale M and Halperin D (eds) *The Lesbian and Gay Studies Reader*. New York: Routledge, 143–178.
- Ruibal A (2015) Movilización y contra-movilización legal: Propuesta para su análisis en América Latina. *Polít. gob* 22(1): 175–198.
- Scala J (2001) *Género y derechos humanos*. San José de Costa Rica: Promesa.
- Scala J (1995) *IPPF: la multinacional de la muerte*. Rosario: J.C. Ediciones.
- Smart C (1989) *Feminism and the power of law* New York: Routledge.
- Vaggione J (2005) Reactive politicization and religious dissidence. The political mutations of the religious in social theory and practice. *Social Theory and Practice* 31(2): 233–255.
- Vaggione J (2016) Francis and ‘gender ideology’: Heritage, displacement and continuities. *Religion & Gender* 6(2): 302–307.

### Author biography

Juan Marco VAGGIONE is Professor of Sociology, National University of Córdoba and full-time researcher, National Scientific and Technical Research Council (Argentina). He is the Director of the Program on Sexual and Reproductive Rights, School of Law – National University of Córdoba. Address: Centro de Investigaciones Jurídicas y Sociales, Caseros 301, 5000 Córdoba, Argentina. Email: [juanvaggione@yahoo.com](mailto:juanvaggione@yahoo.com)