

Analysis of Public Gender Policy in Colombia (1990-2014)

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Abstract

This article discusses the Gender Equity Policy in Colombia, recounts the policy from 1990-2014, starting with a conceptual and theoretical framework, presenting the foundations of what will be the article in its entirety; secondly, analyses policies, decrees, laws, etc. that have been formulated on gender and gender equity in the country during this period of time; and finally, a relationship between a sort of Development Plans and the approach given to gender issues is made. The purpose of this article is to evidence the consistence of the policy over the years and to provide the reader a critical view towards this subject.

Key words: Gender, Gender Equity, National Development Plans.

Resumen

En este artículo se analiza la política de equidad de género en Colombia, desde 1990 hasta 2014, a partir de un marco conceptual y teórico, se presentan las bases de lo que comprende el artículo en su totalidad; en segundo lugar, se analizan las políticas, decretos, leyes, etc., que se han formulado en la equidad de género y el género en el país durante este período de tiempo. Por último, se hace una relación entre los planes de desarrollo y el enfoque dado a las clases de género. El propósito de este artículo es poner de manifiesto la consistencia de la política en los últimos años y proporcionar al lector una visión crítica frente a este tema.

Palabras claves: Género, Equidad de Género, planes de desarrollo nacional.

Introduction

Laws validating women's rights as part of society have had significant changes, but on the practice is quite weak, because in countries such as Colombia, inequities still affect the female population, the non-differential recognition of the work of women in the various aspects persists, one of the most common, which is not valued, is the "unpaid work" for women at home, because for our culture is a "duty" of the woman to his family.

Gender differentiation is unfair when we talk about important political, commercial and social charges, because in this society women's participation, when making big and important decisions, is scarce when compared to male participation. That is why the progress, real impact and results in public policy in the fields of action are unknown.

From the above, the present dissertation aims to analyze national public policy dynamics on the gender issues in the republic of Colombia, understanding the importance in economic matters gender equity. Developed countries have effective policies for gender equity, measured in the competitiveness and economy productivity, due to social issues, partner diversity makes educational, social, political and business

programs even more effective when producing relevant results. Within households is seen that women inclusion in all sectors balances the role of men and women, making them both feel an important part of the family, involving them in citizen participation, integrating work and family life and empowering all family members to build together an efficient and contributor society to the environment and humanity.

Many social, political and cultural efforts have been enacted in a number of documents, laws, decrees and plans with which we have tried to ensure women a life free of violence, and enable them to do their duties within the competitiveness, productivity and economic development.

This document is elaborated in three parts: 1. conceptual and theoretical clarity: It addresses concepts such as gender, equity, equal opportunity, gender approaches, gender equity, among others, being this a result of a rigorous literature review proposed by gender theorists, in order to clarify the conceptual apparatus that guides the study. 2. Public gender policy in Colombia: This section provides, in chronological order, a summary of the history of gender issue in Colombia on the policy scope, decrees, laws and plans, trying to find continuities and

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discontinuities on this approach. 3. National Development Plans and gender Discussion: It presents the gender-related analysis categories previously identified on each of the Development Plans. In general terms, a discussion about the continuities and discontinuities in terms of the policy instrument in the different periods of government is held, attempting to measure until to which level this policies have been embodied in different Governments Development Plans.

This reflection article has been compiled from secondary sources, consulting both the conceptual and theoretical apparatus, the information available by social organizations and the national government. File tonnage technique was mainly used, supported by summary tables and identifying analysis categories. The research is of qualitative explanatory.

Among the most important findings, it highlights how several policy documents on gender become outdated when a government period ends, changing both the approach and how to address the issue of institutional gender as it operates, which generates more wear and tear and less precise results.

The methodological route

The methodological approach used for this research is social critic, a paradigm that aims to understand reality, and establishes a critical proposal to assist the transformation of society. This research is analytical-explanatory, research techniques and instruments are qualitative, in this case the file tonnage, whose information allowed to establish analysis categories and subsequent information triangulation (López-Posada & González-Rubio, 2015).

The information sources were essentially secondary, including: documents of the Republic Presidency, Congress, related with the Gender Equity Policy, CONPES documents, opinion articles, theoretical framework and Intersectoral Coordination monitoring and advice to policy implementation committee reports (Díaz, 2013).

Information consulted was arranged on tables, with these labels: document name, author, year of publication, summary and relevant categories. This exercise allowed to find the first findings regarding politics continuities and discontinuities. Afterwards, these categories were triangulated with the information identified in the Development Plans and the categories registered in the Intersectoral Coordination Group reports.

All of this, along with the theory and experience of the research team as a background, allowed the discussion and reflection of this article.

Results and discussion

Concept of gender

Gender is a symbolic construction that refers to the set of cultural attributes given to people from sex; sexual difference becomes social inequality (FONGDCAM, 2004).

In order to make an initial approach to this gender issue, it is necessary to clarify and differentiate two frequently used concepts: gender equality and gender equity. It is assumed that equity is different from equality; the latter refers to the acceptance and valuing equally the differences between women and men and the different roles they play in society, including the right for difference (Mainstreaming, 1999). On the other hand, the concept of equality states that the different behaviors, aspirations and needs of women and men are considered, valued and promoted equally. Therefore, gender equality means that women and men can enjoy the same rights, all aspects of human development; same respect level; same choice opportunities and same capacities to develop autonomy and the results of these options (FONGDCAM, 2004).

Meanwhile, equity raises the need for a differentiated treatment because it implies recognizing inequalities, offsetting men and women inequalities and trying to achieve true equality in terms of rights, benefits, obligations and opportunities (UNDP, 2004).

Gender approach

The gender perspective involves identifying discrimination evidences, unveil these cases and rebuild them, in order to promote gender relations in which gender difference implies neither discrimination nor subordination. To assume this perspective, it implies a serious commitment to change women's condition, status and position to achieve a fairer sex-gender system (Colorado, 2000; cited by Garcia, 2008).

According to Diakonia (2004), this paradigm enables an approach to reality that allows visualizing position, opportunity and treatment differences between men and women, built by society over time with membership to a specific sex. The incorporation of a gender perspective is a gradual and progressive process, possible after a

transition from a traditional and hegemonic structuring of gender relations approach, to a proposal for gender relations based on the principle equity with a rights approach.

Therefore, gender approach must propose concepts, methods and strategies in programs and development projects in order to restructure power relations between men and women, building up conditions for decision-making allowing the personal and collective future to be equitable in all areas of human interaction.

The roles and gender

Social gender analysis is a participatory process involved in all stages of a project, which permits identify and point out, throughout the cycle, what kind of mechanisms need to be modified to ensure less powerful groups benefit, especially women and the roles they play. The roles of men and women and their relationships differ depending on the context, whether rural or urban, (IFAD, 2012); gender attributes are not given, they are a social and cultural construction, an everyday event, something repetitive, but it is not a personal attribute in a specific time and space (Navarro, 2010); the man role is traditionally linked to productive and communal or public work, while women are related to reproductive or domestic roles (Burbano & Burbano, 2011; Calantrava, 2012). Women actions and social participation are more visible now, thanks in part, to gender relations transformations (Farah and Perez, 2004; Navarro, 2010). Fawaz and Soto (2012) suggest that women will have to face new roles such as chief operating or small businesswoman, they will be integrated to intensive agriculture as temporary labor, or to non-agricultural rural occupations or directly urban.

Gender Public Policy

International background

The United Nations has had an important role in the positioning of the gender issue on the global agenda. Several global conferences whose centerpiece was the woman, have united the international community to support a set of common objectives, to position them everywhere in the public spheres and private life (Botero, 2008).

The most important events in this process were: the World Conference for Women - Mexico 1975, whose main topics were equality, development

and peace. From there the GPA Care of Women was formulated, in order to ensure equal access to education and employment opportunities for women (Botero, 2008).

In 1980, five years later, it took place the Copenhagen World Conference, where an action program for the Global Plan of Action was approved, suggesting countries to adopt stronger national measures to assure the right of women's ownership and property control, as well as improvements in women's rights to inheritance, custody and loss of nationality. Later, the Nairobi World Conference was held in 1985. This event was an important turning point for the global agenda of gender equality, because it recognized that women participation in decision-making and management issues were not only their legitimate right, but it was a social and political necessity that must be incorporated in all institutions of society (Botero, 2008). Years later, in 1995, the Beijing World Conference was held. The discussion focused on equality and, as a result, an empowerment program for was created.

Public gender policy in Colombia

The *Equal Opportunities Policy* is a set of decisions, objectives and measures adopted by a country to seek equality among the sexes, willing to improve their situation and the social, economic, political, cultural and symbolic women's conditions (Astellarra, 2005).

The background of the policy of gender equality in the country, goes back to 1984, four years after the Copenhagen World Conference and the Plan of Action for Women approval. At that time, the Council of Social and Economic Policy CONPES created the document CONPES-2109/1984, containing public policy guidelines for rural women. However, it was only until 1991, with the promulgation of the Constitution of 91, this issue started to become important, and from this moment on, new CONPES documents were created, used as a support for the creation of the Public Policy for the Gender Equality, currently used in the country. The route of this amazing work is presented in the upcoming pages:

Comprehensive Policy for Women - CONPES 2626/1992

The Comprehensive Policy on Women was developed a year after the amendment of the Constitution of the Republic of Colombia; this policy wanted to raise and improve women living

conditions and strengthen their participation and organization processes. Similarly, adjust the services supply and development resources to the needs of poor women in rural and marginal urban areas (DNP, 1992).

This CONPES emphasized on promoting programs for the linking of women to the opportunities offered by society. It's a big contrast with the political effort made in the year 1984 for rural women, which at that time gave priority to the development of specific assistance programs for women, perhaps as if they were isolated problems of society as a whole.

Involvement Policy and Women Equality - CONPES 2726/1994

The policy of equity and participation for women is geared to address the immediate problems affecting their living conditions, structural problems reproducing the inequality culture and building an institutional system that operates the proposed policy: this is the core for the creation of the National Office for Equality for Women. This CONPES, highlights the need to integrate a gender perspective into sectoral policies through the creation and strengthening of an institutional offering and operate services to enable positive discrimination in favor of women (DNP, 1994).

In this order of ideas, Cesar Gaviria Trujillo's government support for the implementation of the policy to regulate its development and investment plan 1995-1998, by Law 188 of 1995. In it, positioned in the State Administration component promoting actions aimed both to equity and women participation. Also, this government created the National Office for Equality, under the Administrative Department of the Presidency of the Republic, a body with administrative autonomy and its own responsible for developing political participation and equality for women. It also empowers the management to have a seat on the National Council for Economic and Social Policy - CONPES (National Development Plan, 1994).

Later, in 1999, the Decree 1182 of 1999 modifies the organizational structure of the Administrative Department of the President's Office and the National Office for Equality for Women, which becomes Presidential Adviser on Equality of amending Woman. Broader functions in terms of policy implementation are assigned in this political and administrative structure, including these duties: to promote a cultural change that will

build equality gender relationships in all spheres of social activity, promoting the incorporation of gender perspectives in the formulation and management of policies, plans, programs and development projects by all public, sectoral and regional authorities, and advance work aimed at ensuring that the design and implementation of state actions, access and utilization of resources and equal benefits to ensure women and men (Administrative Department of the Presidency of the Republic, 1999).

Plan for Equal Opportunities for Women-1999

Although this plan was formulated in 1999, there's not enough information about this date, because it was only until 2003 that the theme is enacted with the Law 823 of 2003: "By establishing rules on equal dictate opportunities for women." This law, in art. 4, says that: In order to adopt policies of equal opportunities for women, and the strengthening of institutions responsible for implementation, the Government should, inter alia: adopt gender criteria in the political, administrative measures to responsible institutions have adequate tools for implementation, promote the adoption of gender indicators in producing statistics agencies and public and private institutions, and also to disclose the constitutional principles, laws and international instruments signed by Colombia, which consecrate the real equality of rights and opportunities of all people, especially those related to women and girls rights (DNP, 1999).

The different policies around gender issue and the operating instruments in the country have allowed women and their organizations to be included in a different political scenario.

The gender issue in Colombia, unfortunately, has not had a constant process, because when analyzing the development of public policy documents, it is found that in each period of presidential government, a new document is prepared, creating a new entity in charge of this issue. Despite it all began with the Policy for Rural Women in 1984, the issue was subsumed only after the Reformation to the Constitution in the year 1991. On this occasion, during Cesar Gaviria Trujillo government, with his Plan Development "Peaceful Revolution" (1990-1994), the Integral Policy for Women was created and to run it he created the Technical Office for Rural Women (DNP, 1990). This policy is defined by the "opportunity" analysis category, argues that the

issue of poverty and marginalization is a consequence of the lack of equal opportunities; thereby with this plan, it will be possible to improve and guarantee women living conditions, including participation and organization.

Then, Ernesto Samper Pizano government period (1994-1998) appears with his Development Plan called "Social Leap", which considers that in addition to the required "equal opportunities" condition among men and women, it is required to incorporate, in all social spheres, the "equity" and "participation" because achievements reached in education, health and employment have not allowed a full solution to gender inequality (DNP, 1994). He creates, then, the Political Participation and Gender Equality for Women, with particular focus on the "operational policy" interest, related to categories such as equity, participation, the need for life and weight to the institutions in the policy and the incorporation of gender perspective in different sectors. To do so, he found Equity for Women Directorate. In that moment, the biggest problem to address was the "inequality" and not marginalization and poverty as in the previous period.

Subsequently, during Andres Pastrana government, gender policy is aimed at the need for processes of "equality" and "opportunities", concerning two central issues: the measurement indicators and financial shares gender guidelines. Under the "*Change for building peace*" Development Plan, the Equal Opportunities Plan and the Presidential Adviser on Equality for Women, executing agency of this policy, are created (DNP, 1998). The most common work categories under this plan are "*indicators*", "*rights*", "*integral health*" and "*opportunities*".

During Alvaro Uribe Velez's first government, the Women Builders peace policy was created, giving priority to items such as: "*development*", "*fairness*", "*participation in social life*" and "*gender approach into sectoral policies*", inscribed on the "Towards a Community State" development plan principles. Although we continued with the same executing agency, the emphasis was on equity and peace, issues that were continued during the two governing periods of Alvaro Uribe (DNP, 2003).

Finally, Juan Manuel Santos government, takes the concept of *Gender equity* from the previous government, but directs its policy towards the emphasis of *violence* and *freedom*. He transformed Ministry for women into the High Council for Women with his "*Prosperity for all*" Development

Plan, and through the National Policy on Gender Equality for Women, which seeks tools development for measuring unpaid work, deals with equal opportunities and ultimately boost the women participation in political life (DNP, 2011).

In short, gender policy in the country has been the sway of successive governments in a conceptual dispute, so far unclear whether the approach should be approached from gender equality, opportunities or equity. The need for this policy is argued from elements such as inequality, but also peace, the country development and finally violence and women participation in politics. It seem that gender is proposed as a strategy that makes it more attractive the development plans of each government, whatever the document, instrument development plan is to guide Public Policy Gender.

This policy has had obstacles in their development and securing women rights, mainly due to institutional problems, as there has been no effective training to generate a significant change. There is not something like institutions identity, so it is necessary to create awareness in the academic, economic, politics and culture fields so that the objectives and policy goals may be achieved. Despite there has been progress in terms of employment, the women role in society remains the same, causing economic, social and political gaps.

It is argued that the policy has not had the expected impact, mainly because this gender concept is still understood as the benefit or the supremacy of women over men. It is necessary to recall that gender determines what is expected, allowed and valued in a woman or a man in a given context, therefore it does not refer only to men and women, but also the social relationships established between them. Therefore, it is one specific sociocultural construction of each culture, changing over time (UNDP, 2004). In most gender strategies analyzed, it is still understood as a dispute of the violated, rejected, threatened, abused women and it is more likely to forget: equity and equality should be the result of the inclusion of women in all social sectors, which will promote a balance role of men and women and making both capable feeling included in citizen participation.

When analyzing policy implementation investment, the numbers are high, but in most cases there are high rates of poverty, showing that its impact has been minimal, or at least not what it

should be, taking into account all policies and laws that are created in order to mitigate this situation. Changes should be done not only in numbers, but on in accordance with the approaches to what is actually going to invest, especially in vulnerable groups, in order to overcome this reality.

Despite on each CONPES analyzed document in social issues, there is no real plan to incorporate or implement a gender perspective in all institutions such as health, government, commercial, social, legal and educational sectors. Furthermore, although there is a gender based legislation, these are highly unknown both among women and among officials and civil servants, and as a result any of them are not settled right now. Still, positive actions have been developed from national, regional and local governments, and from women's organizations and academia, in favor of women, in most cases with a focus on rights, wanting this normativity to be recognized and subsequently can generate enforcement actions.

Conclusions

By way of conclusion, it can be said that the Policy for Gender Equity does not have the expected range due to, every change of mandate, the proposals made by the previous government are hampered and replaced by a newest ones. This does not allow continuity neither a positive impact within society.

Such disarticulation decreases the participation of those actually affected by this situation; besides, it can blur the real objective and true purpose of implementing the Gender Equity Policy. This is one of the reasons why, changes should be made to deal with this subject; it is a problem that requires more attention and greater commitment from governments as it is crucial to establish a continuity of policy between mandates, in order to achieve a real impact to mitigate inequity between men and women in the country. In addition to this, many of the costs incurred by each government when designing new policies can be reduced by modifying and not completely abandoned the previous mandate policies.

On the other hand, it is relevant to analyze the problem from root, at the local level, ranging from the smallest to the biggest, and, in that way, generate major changes and indicators that are much more favorable creating more opportunities of inclusion for Colombian women. The issues are not the same in all departments, cities neither municipalities; here is when a micro-analysis can

provide more timely and precise assistance to each of the difficulties presented by each region. Furthermore, from an economist's perspective, it allows a simpler metering, generate more accurate indicators and more complete and accurate reports to analyze the actual situation in a more concrete way; which entails to raise respective solutions and make corrections more specifically, leading to relevant and significant progress in the Gender Equity Policy in the country.

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