

# Colombia



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There are currently no lesbian organizations in Colombia. A lesbian group called Las Brujas (The Witches) sought to establish a presence in the feminist movement in the city of Medellín in the mid-1980s. However, the group is no longer active, and while informal lesbian social groups exist in various cities in Colombia, they are in no way public or politically active. This invisibility is evidence of the first and most undeniable form of discrimination: lesbians are not able to establish a public, visible community. The invisibility of lesbians is evident in the law, in the women's movement, and in many spheres of Colombian society.

## THE LAW

Although the Constitution of Colombia does not explicitly recognize sexual choice as a fundamental right, Article 16

states that all citizens of Colombia have the right to "personal and family intimacy," and the right to develop their own personality.

The legal status of domestic partnerships was recognized in 1990, giving long-term unmarried couples the same conjugal and inheritance rights as married couples.<sup>1</sup> However, this law defines such couples as consisting of a man and a woman, and thus excludes same-sex couples, echoing Article 42 of the constitution, which defines "family" in a similar way. This distinction has far-reaching effects. For instance, if a lesbian dies, her female partner has no right to receive the benefits that the law provides for surviving heterosexual partners.

A recent case illustrates the difficulties that lesbians face in the Colombian legal system. In Colombian prisons, heterosexual inmates (whether married or not) are allowed intimate visits with their partners. In September 1994, Martha Lucia Alvarez, an inmate in La Badea prison in Pereira, requested permission to receive such a visit from her female lover. Her lover received initial clearance from the Prosecutor's office, but prison administrators refused to comply, and the case went before a judge. The judge expressed the opinion that the denial of conjugal visits violated her rights under the Colombian Constitution, but would not rule on the case because there was no written evidence that prison administrators had violated her rights.<sup>2</sup> The case was appealed to Superior Court, which declined to hear it, and in June 1995, the Constitutional Court also declined, thus exhausting all possibilities for appeal within Colombia. Alvarez, who formed a human rights group within the prison, was harassed by prison authorities and denied visitors of any sort; many of the women who were active in the group have been moved to other facilities.

#### SEXISM WITHIN THE GAY COMMUNITY

In Colombia, the term "homosexual" has a fundamentally

masculine frame of reference. Colombian society denies women the exercise of sexuality for pleasure. Even in gay publications, both the text and the illustrations are profoundly sexist. Lesbianism is generally invisible in the mainstream press and in the gay press as well.

With few lesbian and gay organizations and widespread prejudice within Colombian society, bars are the only public spaces in which lesbians and gay men are able to socialize. In Bogota there are over 50 bars that gay men patronize. Few, however, have significant numbers of women patrons. Several of the gay bars actually exclude lesbians; gay men in such establishments often openly express their disdain for women. In general, if any problems arise between men and women in gay bars, it is the women who are forced to leave. Thus, lesbians are denied access to the only public place in which they can gather. This forces women to retreat to more private venues, further diminishing their possibilities for establishing a community or organizing politically.

The Colombian Association of Lesbians and Homosexuals was founded in July 1994. Although the Association's policy

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stresses the equal participation of men and women, the organization is predominantly male, and the needs of lesbians have on the whole been marginalized. Some of the lesbians who have been involved are currently holding meetings with a view toward establishing a lesbian organization.

## DISCRIMINATION

Discrimination against lesbians in Colombia is part and parcel of the general discrimination against women in a male-dominated society. Unfortunately, this bias against lesbians can be found even among women who think of themselves as the defenders of women's rights and opportunities. Inside the women's movement, lesbian existence is no longer denied, but neither is it fully acknowledged. Although there is currently a great deal of discussion regarding sexual rights, emphasis is for the most part on reproductive rights and lesbian issues remain on the margins.

Interviews conducted with a number of lesbians revealed a range of responses that women have encountered when they acknowledge their lesbianism to others. Some women reported that friends, particularly those who have been involved with the women's movement, responded with support, respect, and acceptance. However, many of the women interviewed reported physical and psychological aggression from male family members, constant interrogation, and acceptance only on the condition that their sexual orientation was never mentioned or revealed to other members of the family. Some women report having been thrown out of the house by their family.

Out of fear of such reactions, the majority of lesbians lead a double life and avoid the few places that lesbians are known to congregate. They remain isolated, invisible to society and to each other. This invisibility means that the concerns of lesbians—their health, education, economic situation, and so forth—are ignored in public life. Under these conditions, it is very difficult for lesbians even to form organizations which would allow them to support and help one another.

## NOTES

1 Law 54 of 1990.