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# Feminism: A Political, Social, Cultural and Human Rights Challenge\*

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## ABSTRACT

This article examines feminism as a legal, political, social, cultural, and human rights challenge. The study analyzes its origins, scope, and relationship with the evolution of the concepts of the individual and the legal subject. Through a documentary and bibliographic methodology supported by critical analysis, the article traces the development of feminism across four identifiable waves and evaluates the principal challenges that contemporary feminist movements confront. The article argues that feminism has played a decisive role in the transformation of modern legal and political thought by exposing the persistent gap between formal equality and substantive equality. Furthermore, it demonstrates that feminist theory and activism have contributed to a profound—although still incomplete—reconfiguration of legal and social structures through sustained critique of patriarchal arrangements and demands for more effective guarantees of dignity, equality, participation, and rights for women in both public and private spheres.

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**KEYWORDS:** feminism; proto-feminism; equality; women's rights; diversity.

## **Feminismo. Un desafío político, social, cultural y en materia de derechos humanos**

### **RESUMEN**

Este artículo analiza el feminismo como un desafío jurídico, político, social, cultural y de derechos humanos, examinando sus orígenes, alcances y su relación con la evolución de las nociones de individuo y sujeto de derecho. A partir de una metodología documental y bibliográfica con enfoque crítico-analítico, el estudio reconstruye el desarrollo histórico del feminismo a través de cuatro olas identificables y examina los principales desafíos que enfrenta en la actualidad. El análisis sostiene que el feminismo ha desempeñado un papel fundamental en la transformación del pensamiento jurídico y político moderno, al poner en evidencia la brecha existente entre la igualdad formal reconocida por los ordenamientos jurídicos y las condiciones materiales necesarias para el ejercicio efectivo de los derechos. Asimismo, se destaca su contribución a la ampliación de los debates sobre ciudadanía, participación política, autonomía corporal, violencia de género e inclusión social. Se concluye que el feminismo ha impulsado una profunda —aunque aún inconclusa— reconfiguración de las estructuras jurídicas y sociales, al cuestionar los órdenes patriarcales y exigir garantías más efectivas de dignidad, igualdad sustantiva, participación y protección de los derechos de las mujeres.

**PALABRAS CLAVE:** feminismo; profeminismo; igualdad de género; derechos de las mujeres; teoría jurídica; diversidad.

## I. Introduction

Since the nineteenth century, feminism has challenged legal systems, political structures, cultural norms, and forms of social organization through persistent critique of the historical exclusion of women from citizenship, public deliberation, legal recognition, and equal participation. Its evolution cannot be reduced to a single doctrine or political demand. Rather, feminism has emerged as a plural movement and an interdisciplinary field of thought that has exposed the persistent gap between formal equality before the law and the material conditions necessary for the effective exercise of rights by women.

From its earliest demands for education, citizenship, and suffrage to contemporary debates concerning intersectionality, digital activism, bodily autonomy, gender-based violence, and backlash against women's rights, feminism has contributed to the gradual reconfiguration of legal and political frameworks. These transformations, however, have neither followed a linear trajectory nor occurred without resistance. On the contrary, legal systems have frequently incorporated feminist demands only after prolonged social struggle, political confrontation, and cultural dispute.

This article examines feminism as a legal, political, social, cultural, and human rights challenge. In particular, it analyzes its origins, scope, and relationship with the evolution of the concepts of the individual and the legal subject. For this purpose, the study reviews selected historical and doctrinal milestones of feminist thought, organized around four identifiable waves, while also considering the tensions, achievements, and limitations that continue to shape contemporary feminist debates.

The article further argues that feminism constitutes not merely a historical movement aimed at recognition of women's rights, but also an enduring critical framework through which the capacity of democratic societies to guarantee dignity, equality, participation, and freedom from discrimination may be evaluated. From this perspective, the significance of feminism lies not only in the rights already secured, but also in the unresolved distance between formal legal recognition and effective social transformation.

## II. Theoretical Framework

### Conception and Evolution of Feminism

Defining feminism is not a straightforward task, since the term refers both to a historical movement and to a plural field of legal, political, social, and cultural thought. The term derives from the French *féminisme*, itself related to the Latin *femina* ("woman"). Its intellectual origin is frequently associated with the French tradition and, more specifically, with Charles Fourier, who regarded the degree of women's emancipation as a measure of the overall emancipation of society.

In broad terms, feminism may be understood as a movement and critical tradition oriented toward equality between women and men. Nevertheless, such a definition requires careful qualification. Feminism does not consist solely of a formal demand for equal treatment before the law, nor may it be reduced to a single doctrine or ideological current. Rather, it encompasses diverse perspectives that have questioned the legal, political, economic, symbolic, and cultural structures through which women have historically undergone exclusion, subordination, or representation as secondary subjects (Hernández García de Velazco *et al.*, 2022). For this reason, the term *feminisms* in the plural offers greater analytical precision, since feminist claims, methods, and theoretical foundations have evolved across different historical periods and social contexts.

Mackay (2015) defines feminism, in a broad political sense, as a global movement aimed at the liberation of women and society through the principle of equality among all persons. This definition proves useful because it situates feminism beyond an isolated claim for women's rights and places it within a broader horizon of social transformation. At the same time, the historical evolution of feminism demonstrates that the meaning of equality has undergone substantial change over time. Feminist demands have evolved from claims related to citizenship and education toward struggles concerning suffrage, liberation from patriarchal domination, recognition of diversity, intersectionality, bodily autonomy, gender-based violence, digital activism, and resistance to contemporary backlash against acquired rights.

For analytical purposes, this article adopts the wave model as an organizational framework. Such classification does not imply that each wave constitutes a closed, homogeneous, or disconnected stage. On the contrary, the different waves overlap, inherit previous debates, and revisit unresolved tensions. Nevertheless, this model facilitates identification of the principal historical moments through which feminist thought and activism have evolved. Following Alberdi (2020), together with later scholarship on contemporary feminism, the following stages may be broadly distinguished:

- **Proto-feminism**, or the early vindication of women's rights, linked to Enlightenment debates and to the first efforts to recognize women as rational and autonomous subjects capable of education, citizenship, and participation in public life.
- **The first wave**, or suffragism, centered on demands for civil and political equality, particularly women's right to vote, access to education, legal capacity, and recognition as citizens within modern constitutional systems.
- **The second wave**, or liberation feminism, focused on critique of patriarchy as a system of male domination and on transformation of both private and

public relations, including sexuality, family structures, labor relations, violence, and unequal distribution of power.

- **The third wave**, or feminism of diversity and plurality, characterized by expansion of feminist theory toward issues related to race, class, sexual diversity, identity, postcolonial critique, environmental concerns, and recognition that women's experiences cannot be explained through a single universal model.
- **The fourth wave**, or digital and intersectional feminism, associated with social media activism, transnational mobilization, denunciation of sexual harassment and gender-based violence, renewed debates concerning bodily autonomy, and the emergence of new forms of resistance as well as political and cultural backlash (Phillips & Cree, 2014; Abrahams, 2017).

This classification permits understanding feminism not as a linear succession of victories, but rather as a historical process marked by advances, disputes, internal debates, and resistance. Its evolution reveals a persistent tension between legal recognition and material equality, as well as between expansion of rights and persistence of structures that restrict their effective realization.

### **Feminist Critique of Law and Legal Systems**

One of the most significant contributions of feminist thought lies in its challenge to the apparent neutrality of law and in its demonstration that legal systems may reproduce social hierarchies even while formally proclaiming equality. From this perspective, feminist critique does not merely seek inclusion of women within existing legal categories; it also examines the historical construction of those categories, the criteria through which legal subjectivity emerged, and the experiences excluded from legal reasoning and institutional protection.

This critique exposes a central tension between formal equality and substantive equality. Although modern constitutions and international human rights instruments generally recognize equality before the law, feminist theory has demonstrated that such recognition does not automatically eliminate the social, economic, political, and cultural conditions that restrict women's effective enjoyment of rights. Consequently, the problem concerns not only absence of rights, but also the persistent gap between legal recognition and lived reality, particularly when apparently neutral norms operate within structurally unequal societies (Aldasoro & De la Fuente, 2022; Paulilo, 2022).

Feminist legal analysis has therefore challenged the historical construction of legal subjectivity. In particular, it has questioned the extent to which the supposedly universal legal subject has reflected male experiences, public roles, and specific forms of participation, whereas women have frequently occupied private, domestic,

or dependent positions. This argument does not suggest that every legal rule emerged from explicit discriminatory intent. Rather, it indicates that legal systems have often reflected and preserved patriarchal assumptions embedded within culture, institutions, and social practices.

Accordingly, feminist legal critique seeks identification of the areas in which legal frameworks require transformation so that equality may constitute more than a merely formal declaration. Its purpose consists of examining how legislation, judicial interpretation, public policy, and institutional practices may either reproduce exclusion or contribute to effective realization of women's rights. From this perspective, feminism functions not only as a political and social movement, but also as a critical legal framework capable of exposing the limitations of formal equality and demanding more substantive forms of justice.

### **Equality as a Legal Principle and Human Right**

The starting point for this discussion lies in recognition of equality as both a legal principle and a human right. Within democratic constitutionalism, equality operates simultaneously as a limitation upon arbitrary power and as a criterion for evaluating whether rights receive effective protection for all persons. For this reason, equality may be regarded as one of the fundamental conditions that distinguishes a democratic legal order from systems that merely proclaim rights without guaranteeing their equal enjoyment (Arrieta-López, 2019; Martin Fiorino *et al.*, 2022; Sorzano Rodríguez *et al.*, 2021).

Equality before the law receives explicit recognition within most contemporary constitutional systems and within the Universal Declaration of Human Rights (United Nations, 1948). Its modern formulation may also be traced to the Declaration of the Rights of Man and of the Citizen, in which equality functioned as a guarantee against unequal legal treatment lacking sufficient and reasonable justification (Arrieta-López, 2020). In this sense, equality became one of the central principles through which modern law sought affirmation of human dignity and establishment of limits upon exclusion, privilege, and unjustified discrimination.

However, historical development of equality has neither occurred immediately nor progressed uniformly or without contradiction. Although universal language of rights emerged within modern legal and political thought, its practical application frequently remained restricted by hierarchies associated with gender, class, race, property, and political status. Consequently, recognition of equality within positive law represented a decisive achievement, though not a definitive solution to inequality. In this regard, and consistent with broader approaches to human rights as historically evolving legal claims, legal recognition must be understood as part of a broader process through which principles acquire meaning through social struggle, institutional development, and progressive normative interpretation (Arrieta-López, 2023).

From this perspective, feminism has exposed one of the principal tensions of modern constitutionalism: the distance between equality as a formal legal declaration and equality as a material condition of life. Although constitutions and international instruments may recognize equal human dignity, women have historically encountered barriers that restricted access to education, property, political participation, paid employment, bodily autonomy, and institutional protection. Feminist thought therefore does not reject equality as a universal principle; rather, it demands interpretation and application of that principle in ways capable of transforming the concrete conditions that reproduce subordination.

At present, development of fundamental rights requires legal systems to incorporate the historical achievements of feminist movements without assuming that formal recognition alone suffices. Democratic legislation, judicial interpretation, and public policy must therefore reduce the gap between proclaimed equality and effective equality. In this respect, feminism contributes to legal development by insisting that protection of women's dignity and rights must extend beyond abstract principles and become a lived reality within social, political, cultural, and economic life.

### **III. Methodology**

This article adopts a qualitative, documentary, bibliographic, and dogmatic-legal methodology. The study rests upon theoretical and analytical examination of feminism as a legal, political, social, cultural, and human rights challenge. Rather than producing empirical measurements, the research seeks to analyze, through critical interpretation, the historical and doctrinal evolution of feminist thought and its influence upon the understanding of equality, citizenship, legal subjectivity, and women's rights.

The temporal scope of the study extends from Enlightenment debates concerning women's citizenship and legal recognition to contemporary feminist discussions developed through 2024. The spatial framework adopts a comparative perspective focused primarily on Europe, the United States, and Latin America because of their central role in the construction, expansion, and contestation of feminist claims within constitutional, political, and human rights debates.

Selection of the documentary corpus followed four principal criteria: relevance to the objectives of the article; doctrinal and historical significance; connection with the legal, political, social, and cultural dimensions of feminism; and pertinence to contemporary debates. The analyzed sources include classical feminist texts, works on legal and political theory, international human rights instruments, and recent academic scholarship concerning feminism, intersectionality, gender equality, and feminist legal critique.

The study processed the information through critical thematic analysis. For this purpose, the article organizes the material around the following analytical categories: equality before the law, women as subjects of rights, political participation, social and cultural transformation, patriarchal structures, intersectionality, and contemporary resistance to women's rights. This methodological approach permits differentiation among historical description, doctrinal interpretation, and the authors' analytical reflections concerning the continuing relevance of feminism within democratic legal systems.

## IV. Results and discussion

### Proto-Feminism: Becoming a Citizen.

The origins of modern feminist thought may be located within the contradictions of Enlightenment political reason. Although the language of universal rights proclaimed equality, liberty, and citizenship, women did not receive full recognition as subjects of those rights. Proto-feminism emerged precisely from this tension: the promise of universality coexisted with legal, political, and cultural exclusions that restricted women's access to public life.

Within this context, the arguments advanced by Olympe de Gouges and Mary Wollstonecraft proved decisive. In the *Declaration of the Rights of Woman and of the Female Citizen*, De Gouges (1791) reformulated revolutionary discourse on rights by affirming that women are born free and remain equal to men in rights. Her intervention exposed the limitations of the Declaration of the Rights of Man and of the Citizen of 1789, whose universalist language did not translate into full political recognition of women. De Gouges's argument extended beyond rhetorical critique; it demanded recognition of liberty, property, security, and resistance to oppression as rights equally belonging to women and men.

Similarly, Wollstonecraft, in *A Vindication of the Rights of Woman* (1792), approached the issue from the perspective of education, autonomy, and rational capacity. Rejecting the assumption that women were naturally destined for dependency or domestic subordination, she argued that many differences attributed to women resulted not from nature, but from unequal educational opportunities. For Wollstonecraft, recognition of women as rational beings required access to education capable of cultivating judgment, independence, and civic participation.

This position directly challenged the assumptions advanced by Jean-Jacques Rousseau (1755/1980), whose theory of education assigned women a domestic and dependent role. Although Rousseau occupies a central position within modern political thought, his conception of women reveals one of the principal limitations of Enlightenment universalism. His criticism of the *salonnières* and of women with intellectual ambitions demonstrates that, in his view, female virtue belonged

primarily to the private sphere and to the approval of the husband. The significance of this contrast lies not in reduction of Rousseau's philosophy to this single aspect, but rather in demonstration that modern political reason could simultaneously defend liberty while preserving patriarchal boundaries around citizenship and public authority.

Contemporary feminist theory has revisited this contradiction in order to explain the historical construction of legal and political universality. Maffía (2012) argues that legal discourse has frequently revolved around the category of "man" as though it naturally represented humanity as a whole. Such linguistic and symbolic operation produces a fundamental asymmetry: men generally possess certainty of inclusion, either as males or as representatives of the universal legal subject, whereas women historically lacked equivalent certainty within legal and political discourse.

Likewise, Ciriza (2002), following the issue previously identified by Wollstonecraft, emphasizes that women's political exclusion did not derive directly from nature, but from social and educational practices that displaced women from the public sphere. From this perspective, the supposed natural distinction between women and men functioned as a political argument intended to justify unequal citizenship. Women's exclusion therefore did not occur accidentally; rather, it rested upon cultural assumptions that associated reason, autonomy, and public authority with masculinity.

Scott (2012) adds another significant dimension to this debate. The modern concept of the individual made formulation of a principle of fundamental equality possible, yet it also tended to abstract individuals from embodied differences. Such abstraction facilitated recognition of universal rights while simultaneously concealing the fact that the citizen was frequently imagined according to male experiences and social roles. Consequently, the central issue concerned not merely inclusion of women within the category of the individual, but also the historical definition of that category itself.

In a similar vein, Costa (2016) observes that the apparently neutral subject of modern law frequently remained delimited by masculine assumptions. The Declaration of the Rights of Man and of the Citizen became a foundational symbol of modern equality; however, feminist critique has demonstrated that its universalist legal discourse did not immediately incorporate women as full political subjects. The contradiction between universal rights and restricted citizenship thus became one of the earliest major concerns addressed by feminist legal thought.

Proto-feminism, therefore, did not yet constitute a mass political movement in the modern sense; nevertheless, it established the intellectual foundations of subsequent feminist struggles. It challenged exclusion of women from education, citizenship, law, and public deliberation; exposed the limitations of abstract equality; and

demanded recognition of the universal subject of rights as genuinely human rather than implicitly masculine. These early arguments laid the groundwork for the first wave of feminism, within which demands for citizenship evolved into concrete political struggles concerning suffrage, legal capacity, and civil equality.

### **The First Wave of Feminism: Suffrage and Civil Equality**

The first wave of feminism transformed the intellectual claims of proto-feminism into an organized political struggle for citizenship. Inspired by the arguments of De Gouges and Wollstonecraft, this stage sought conversion of the principle of equality into concrete legal and political rights. Its predominant orientation remained liberal insofar as it demanded recognition of women as citizens capable of participation in public life under the same legal conditions as men. Nevertheless, its scope extended beyond the right to vote and included access to education, legal capacity, family law reform, labor conditions, and recognition of women as autonomous legal subjects.

Suffrage became the most visible demand of the first wave because voting represented the formal gateway to citizenship and political decision-making. Consequently, the movement became known as suffragism, and its activists as suffragists or suffragettes. However, as Mackay (2015) observes, the suffragette agenda also addressed other forms of legal and social subordination, including campaigns against marital rape, demands for equitable divorce and child custody laws, increases in the legal age of consent for marriage, equal educational opportunities, and opposition to prostitution and child prostitution. These demands demonstrate that the first wave extended beyond electoral rights and formed part of a broader effort to challenge the legal structures that confined women to dependency.

A decisive milestone within this process emerged through the *Declaration of Sentiments and Resolutions*, adopted at the Seneca Falls Convention. This document reformulated the language of the United States Declaration of Independence by affirming that men and women were created equal and that governments derive legitimacy from the consent of the governed. Its significance rests in its translation of abstract natural rights discourse into a concrete demand for women's political recognition. The Declaration exposed the contradiction between a constitutional order grounded in liberty and a social order that excluded women from full citizenship.

The first wave therefore challenged the assumption that women's exclusion from public life derived from nature. Against nineteenth-century representations of women as inherently domestic, emotional, or dependent, suffragist thought argued that political exclusion resulted from legal and cultural construction rather than biological destiny. Denial of voting rights, educational opportunities, property ownership, and legal autonomy appeared incompatible with the principle of equality that modern constitutionalism purported to defend.

John Stuart Mill emerged as one of the most influential male voices within this debate. In *The Subjection of Women* (1869), published in Spanish as *La esclavitud de las mujeres*, Mill argued that women had undergone socialization from childhood to accept submission, dependency, and obedience as though such conditions represented natural attributes of femininity. According to Mill, such subordination resulted not from nature, but from educational practices and legal arrangements that restricted women's personal, political, and intellectual development. His contribution helped situate women's suffrage within a broader critique of domination and legal inequality.

From this perspective, the first wave demonstrated that the central issue extended beyond absence of voting rights to encompass existence of a legal order that treated women as incomplete citizens. The struggle for suffrage therefore remained inseparable from demands for civil equality and critique of institutions that restricted women's autonomy within family life, education, labor relations, and public participation. Voting rights occupied a central place because they enabled women to participate in lawmaking; however, the broader objective concerned dismantlement of the assumption that citizenship, reason, and authority belonged primarily to men.

The first wave achieved significant advances in recognition of women's political rights; nevertheless, it failed to eliminate structural inequalities embedded within social and private life. Incorporation of women into citizenship opened the door to new legal possibilities, yet multiple forms of subordination persisted within family structures, labor relations, sexuality, and cultural representation. These unresolved tensions subsequently became central concerns of the second wave of feminism, which shifted the debate from formal political equality toward liberation from patriarchal structures within both public and private spheres.

### **The Second Wave of Feminism: Liberation**

The second wave of feminism is generally situated in the period following World War II and is characterized by transition from demands for formal equality toward a broader critique of domination within both public and private life. Whereas the first wave focused primarily upon citizenship, suffrage, and civil equality, the second wave expanded the feminist agenda to include sexuality, family relations, labor conditions, education, violence, cultural representation, and the structures that reproduced women's subordination.

*The Second Sex*, published in 1949 by Simone de Beauvoir, became one of the principal intellectual references of this period. Beauvoir (1987) argued that woman had undergone historical construction as "the Other" in relation to the male subject. This perspective enabled feminist theory to question not only legal exclusion, but also the symbolic and cultural mechanisms through which femininity became associated with dependence, immanence, and secondary existence. Her

contribution proved decisive because it connected women's liberation with critique of social, philosophical, and cultural structures that presented inequality as though it were natural.

Within this context, the concept of patriarchy acquired central importance as an analytical category. According to Mackay (2015), patriarchy refers to a system of male supremacy in which men, as a collective group, occupy the principal positions of power within culture, politics, business, law, and the military. The significance of this concept lies in its capacity to explain women's subordination not as an isolated legal deficiency, but as a structural arrangement that organizes authority, sexuality, labor, representation, and institutional power (Torreano & Bocanegra, 2022).

The second wave also renewed attention to the relationship among patriarchy, capitalism, and division of labor. Socialist, Marxist, and anti-capitalist feminist perspectives argued that women's subordination could not be fully understood without examination of unpaid domestic labor, reproductive work, economic dependency, and organization of production and care. From this standpoint, capitalism did not merely constitute a "male product"; rather, it functioned as a system historically intertwined with gender hierarchies and unequal distributions of labor and social value (Beltrán Pedreira *et al.*, 2008; Mattos, 2022).

The *Feminine Mystique* (1963) also belongs to this intellectual and political context. Friedan criticized domestic confinement imposed upon many middle-class women and exposed dissatisfaction produced by a social model that equated femininity with marriage, motherhood, consumption, and private life. Although scholars have criticized Friedan's approach because of its limited social perspective, her work helped formulate one of the most influential slogans of the period: "the personal is political." This principle enabled feminism to demonstrate that experiences apparently restricted to private life remained deeply connected to broader structures of power.

Kate Millett further developed this critique through analysis of sexuality as a political field. In *Sexual Politics*, Millett (1970) argued that relations between women and men did not constitute merely personal or intimate interactions, but rather reflected power relations, cultural representation, and institutionalized domination. Her work strengthened the second wave's argument that patriarchy extended beyond legislation and formal institutions and also operated through literature, family structures, sexual norms, and everyday social expectations.

Gender-based violence became one of the clearest manifestations of this structural critique. The second wave contributed decisively to transfer of violence against women from the sphere of private conflict to that of public concern, legal responsibility, and human rights protection. From this perspective, violence did not consist of isolated individual acts; instead, it represented manifestation of unequal

power relations sustained through cultural norms, institutional omissions, and social tolerance. Within debates concerning family and intimate partner violence, later legal and social discussions continued examination of the limitations of private mediation and the necessity of effective protection mechanisms (Becerra, 2021).

The principal contribution of the second wave therefore lay in expansion of the meaning of equality. Women's liberation required more than access to voting rights or formal legal recognition; it demanded transformation of patriarchal structures embedded within family relations, sexuality, labor systems, culture, and law. At the same time, the second wave left unresolved tensions that subsequently became central to feminist self-critique. In particular, its tendency in certain contexts to treat "women" as a relatively homogeneous category underwent challenge from later feminist perspectives that emphasized race, class, coloniality, sexual diversity, and differentiated experiences of oppression. These critiques opened the way for the third wave of feminism and for emergence of diversity and intersectionality as central categories of feminist thought.

### **The Third Wave of Feminism: Diversity and Intersectionality**

The third wave of feminism, generally situated from the 1990s onward, emerged simultaneously as a continuation of and a critique directed toward previous feminist agendas. Although it did not abandon the struggles for equality, autonomy, and liberation advanced during the first and second waves, it challenged the tendency to speak of "women" as though they constituted a single and homogeneous category. Its principal contribution consisted of demonstrating that women's experiences are shaped not solely by gender, but also by race, class, sexuality, religion, ethnicity, nationality, disability, culture, and other conditions that influence access to rights and social recognition.

Within this context, diversity acquired central importance as a category of feminist thought. The third wave opened intellectual and political space for Black feminism, postcolonial and decolonial feminisms, lesbian and queer feminism, ecofeminism, Indigenous feminisms, and Latin American feminist perspectives, among other currents. These approaches exposed the limitations of hegemonic models of womanhood commonly associated with white, Western, heterosexual, and middle-class experiences. As Keller *et al.* (2022) suggest in relation to gender, science, and the history of knowledge, feminist critique also requires examination of who produces knowledge, whose voices receive recognition, and which experiences remain excluded from dominant narratives.

The concept of intersectionality became one of the most influential theoretical tools of this period. **Kimberlé** Crenshaw (1989,1991) demonstrated that forms of oppression do not operate independently, but rather intersect within concrete lives and institutions. A woman may therefore experience discrimination not exclusively

because of gender, but because gender interacts with race, class, migration status, sexuality, or other social positions. This analytical framework enabled feminism to move beyond abstract notions of equality and to understand how legal and political systems may fail when discrimination undergoes treatment as a single-axis phenomenon.

The work of Judith Butler also contributed significantly to theoretical expansion during the third wave. Through critique of stable and essentialist understandings of sex, gender, and identity, Butler (1990) opened debate concerning the performative and normative dimensions of gender. This intervention did not merely introduce a new subject into feminist theory; rather, it transformed feminist understandings of the body, language, identity, and power. From this perspective, gender does not constitute merely a private condition, but rather a field regulated through social expectations, cultural codes, and institutional practices.

The third wave also broadened feminist reflection toward culture, representation, sexuality, the body, and environmental concerns. Within this framework, ecofeminist and feminist-vegetarian critiques, such as those developed by **Carol J. Adams** (1990, 2015), connected domination of women with broader ethical debates concerning nature, consumption, embodiment, and systems of exploitation. These perspectives should not be interpreted as representative of all third-wave feminism; nevertheless, they illustrate the extent to which feminist theory expanded beyond strictly legal or electoral demands.

At the same time, the third wave did not eliminate internal tensions within feminism. Certain strands of radical feminism continued to shape debates concerning sexuality, violence, pornography, prostitution, and patriarchy, while simultaneously receiving criticism because of potentially essentialist interpretations of masculinity and femininity. Mackay (2015) provides a useful framework for understanding the persistence of radical feminism as both an activist and theoretical current, although its claims require placement within a broader and more plural feminist landscape. Likewise, Campbell (1980) had already warned against tendencies that idealized women as morally pure or naturally closer to care and nature. This critique remains relevant whenever feminism risks replacing one form of essentialism with another.

Such pluralization of feminism also required greater attention to contexts of violence, armed conflict, and institutional response. Contemporary feminist debates cannot be separated from the differentiated effects that sexual violence, armed conflict, and social invisibility produce upon women according to territory, class, race, and vulnerability. Within the Colombian context, for example, Blanco *et al.* (2021) demonstrate the importance of visibility, prevention, and institutional protection in relation to sexual violence against women within the framework of the internal armed conflict. Analyses of this nature confirm the importance of intersectionality for legal and human rights approaches.

Similarly, the third wave's concern with diversity must be understood within global and intercultural contexts. Feminist demands increasingly circulate across borders, languages, institutions, and political traditions. Consequently, debates concerning recognition, rights, and cultural difference cannot be isolated from international and intercultural relations, within which legal and political agendas undergo transformation through changing forms of cooperation, identity, and global dialogue (Noli *et al.*, 2018; Meza-Godoy *et al.*, 2021).

The third wave also encountered external criticism. **Christina** Hoff Sommers (2013), for instance, questioned what she perceived as the growing distance between certain academic forms of feminism and the concrete realities experienced by many women. Regardless of whether one accepts this critique, it raises an important issue: contemporary feminism must preserve analytical rigor while maintaining connection with the material experiences of women across diverse social contexts. A feminism reduced to purely abstract discourse risks losing contact with the inequalities it seeks to transform.

Accordingly, the third wave did not replace earlier feminisms, but rather reopened their assumptions and reformulated their analytical categories. It demonstrated that equality cannot be understood apart from diversity and that liberation cannot emerge through a single model of womanhood. Its principal contribution consisted of making feminism more plural, more attentive to difference, and more capable of analyzing the complex mechanisms through which oppression operates. These developments laid the foundation for the fourth wave, within which intersectionality, digital activism, denunciations of sexual violence, bodily autonomy, and resistance to new forms of backlash became central elements of feminist struggle.

### **Table 1. Landmarks of Feminism Across the Four Waves**

The following table systematizes selected milestones in the historical development of feminism. The events were selected according to three criteria: their legal relevance, their political or cultural impact, and their contribution to recognition, expansion, or contestation of women's rights. The purpose of the table is not to provide an exhaustive chronology, but rather to assist the reader in identifying the principal transformations, tensions, advances, and setbacks that structure the analysis developed throughout this article.

**Table 1.** Landmarks of Feminism in the Four Waves

Year	Landmark and Analytical Relevance
1791	Olympe de Gouges published the <i>Declaration of the Rights of Woman and of the Female Citizen</i> , reformulating revolutionary discourse on rights and exposing exclusion of women from the universal promises of modern citizenship.
1792	Mary Wollstonecraft published <i>A Vindication of the Rights of Woman</i> , arguing that women's subordination resulted not from nature, but from unequal education and social arrangements that restricted autonomy and rational development.
1848	The Seneca Falls Convention took place in the United States under the leadership of Elizabeth Cady Stanton and Lucretia Mott. Its <i>Declaration of Sentiments</i> denounced women's civil and political exclusion and became a foundational milestone of first-wave feminism.
1869	John Stuart Mill published <i>The Subjection of Women</i> , one of the most influential liberal critiques directed against women's legal and social subordination and in favor of suffrage and civil equality.
1872	Susan B. Anthony voted in Rochester, New York, invoking the Fourteenth Amendment. Her subsequent arrest and fine transformed the case into a symbol of the struggle for women's political citizenship in the United States.
1920	The Nineteenth Amendment to the United States Constitution was ratified, prohibiting denial of voting rights on the basis of sex and marking a decisive achievement of the suffrage movement.
1949	Chile enacted legislation recognizing women's right to vote in national elections. During the same year, Simone de Beauvoir published <i>The Second Sex</i> , a foundational text for subsequent development of second-wave feminism.
1954	Colombia recognized women's suffrage through Legislative Act No. 3 under the government of Gustavo Rojas Pinilla, thereby expanding women's formal political citizenship within the Colombian constitutional order.
1963	Betty Friedan published <i>The Feminine Mystique</i> , criticizing domestic confinement imposed upon many middle-class women and contributing to the second wave's critique of private life, gender roles, and social expectations.
1970	Kate Millett published <i>Sexual Politics</i> , while Shulamith Firestone published <i>The Dialectic of Sex</i> . Both works contributed to second-wave analyses of patriarchy, sexuality, family structures, and power relations as political rather than merely private matters.
1989	Kimberlé Crenshaw introduced the concept of intersectionality through critique of anti-discrimination doctrine, demonstrating that gender discrimination cannot be adequately understood apart from race, class, and other axes of oppression.
1990	Judith Butler published <i>Gender Trouble</i> , a decisive contribution to debates concerning gender, identity, performativity, and queer theory that strongly influenced third-wave feminism and subsequent feminist theory.
1990	Naomi Wolf published <i>The Beauty Myth</i> , contributing to feminist debates concerning beauty standards, the body, media representation, and cultural mechanisms that shape women's self-perception and social value.

Year	Landmark and Analytical Relevance
1991	Crenshaw further developed intersectionality through analysis of violence against women of color, identity politics, and institutional responses to overlapping forms of discrimination.
2015	The United Nations adopted the <i>2030 Agenda for Sustainable Development</i> , including Sustainable Development Goal 5, aimed at achieving gender equality and empowerment of all women and girls.
2015	Women in Saudi Arabia received the right to vote and to stand as candidates in municipal elections for the first time, a limited yet symbolically significant step toward women's political participation.
2017	The #MeToo movement became a global digital phenomenon, increasing visibility of sexual harassment and abuse and demonstrating the capacity of fourth-wave feminism to connect personal testimony, social media activism, institutional accountability, and public debate.
2021	The return of the Taliban to power in Afghanistan produced severe restrictions upon women's rights, illustrating that advances toward equality are neither linear nor irreversible.
2022	The decision in <i>Dobbs v. Jackson Women's Health Organization</i> overturned <i>Roe v. Wade</i> and returned regulation of abortion to individual states in the United States, thereby becoming a central example of contemporary backlash against reproductive autonomy.
2024	The United Nations Working Group on discrimination against women and girls warned of an escalating global backlash aimed at restricting equal enjoyment of the rights of women and girls.
2024	In the United States, legislative disputes concerning abortion, gender-affirming care, LGBTQ+ rights, and diversity policies demonstrated that fourth-wave feminism confronts not only new forms of digital activism, but also organized legal and political resistance.

**Source:** Authors' elaboration, updated through 2024.

### Intersectionality as a Critical Bridge Between the Second and Third Waves

Intersectionality emerged as a decisive conceptual bridge between the limitations of second-wave feminism and the plural orientation of the third wave. Its significance lies in demonstrating that women's experiences of inequality cannot be understood through gender alone, as though all women occupied identical social, racial, economic, cultural, or political positions. Rather, gender interacts with race, class, sexuality, ethnicity, nationality, disability, religion, and other conditions that shape the concrete forms through which discrimination is experienced and reproduced.

The second wave expanded feminism beyond formal equality and placed patriarchy, sexuality, family structures, labor relations, and violence at the center of feminist analysis. Nevertheless, it also encountered significant criticism because of its tendency in certain contexts to present "women" as a relatively homogeneous

category. Feminists of color, working-class women, lesbians, and other marginalized groups argued that a feminism centered primarily upon the experiences of white, Western, heterosexual, and middle-class women could not adequately explain the multiple forms of subordination experienced by women located at the intersection of diverse structures of power.

Within this context, Black feminist thought played a fundamental role. Works such as *Ain't I a Woman?* by bell hooks and *Sister Outsider* by Audre Lorde criticized racial and class exclusions embedded within dominant feminist narratives and insisted that race, gender, sexuality, and class could not undergo separation in analyses of oppression (Hooks, 1981; Lorde, 1984). These contributions did not merely add diversity to feminism; rather, they compelled feminism to reconsider the subject in whose name it spoke and the exclusions it could unintentionally reproduce.

Although the term *intersectionality* later received formulation by Crenshaw, its intellectual and political foundations were already present within these earlier critiques. Crenshaw (1989) provided the concept with decisive legal articulation by demonstrating how anti-discrimination law frequently failed whenever race and gender underwent treatment as separate categories. Under such conditions, women who experienced discrimination precisely because of interaction between race and gender became invisible within legal analysis. Crenshaw (1991) later expanded this framework through examination of violence against women of color, identity politics, and institutional responses to overlapping forms of vulnerability.

The third wave adopted intersectionality as one of its principal analytical foundations because it enabled feminism to move beyond a single model of womanhood. From this perspective, equality does not imply treatment of all women as though their situations were identical. Rather, it requires recognition that legal, social, and political responses must remain attentive to differentiated experiences of oppression. Women affected by poverty, racial discrimination, migration status, armed conflict, disability, or sexual violence may encounter barriers that cannot be adequately understood through purely formal or universal concepts of gender equality.

This approach possesses particular importance within law and human rights discourse. Intersectionality exposes the limitations of legal frameworks that analyze discrimination through isolated categories and invites a more precise understanding of structural inequality. It therefore requires legislators, judges, public institutions, and human rights bodies to examine not only whether discrimination exists, but also how different forms of disadvantage converge within concrete situations. In this sense, intersectionality strengthens feminist legal critique by connecting formal equality with the material conditions necessary for effective enjoyment of rights.

At the same time, intersectionality has generated important debates within feminism itself. Certain authors and activists have questioned how this approach may be incorporated without dissolving specific analysis of gender oppression, whereas others have warned that institutional or academic appropriations of intersectionality may depoliticize its critical force. These debates remain significant because they demonstrate that intersectionality does not constitute merely a decorative language of inclusion, but rather a demanding analytical framework. Its purpose does not consist of fragmenting feminism, but of making feminist analysis more precise, more just, and more capable of responding to the complexity of lived experience.

Accordingly, the transition toward intersectional feminism represents a necessary corrective to universalist approaches that confuse one experience of womanhood with the experiences of all women. Its principal contribution lies in demonstrating that oppression does not operate along a single axis and that liberation cannot emerge through a single strategy. By linking gender equality with broader struggles against racism, class inequality, coloniality, violence, exclusion, and social marginalization, intersectionality establishes the basis for more effective legal, political, and institutional responses. These implications become especially visible within contemporary debates concerning public policy, feminist activism, gender-based violence, and protection of human rights.

### **Practical Implications of Intersectionality for Law, Public Policy, and Activism**

Once understood as an analytical framework, intersectionality also entails significant practical implications for law, public policy, activism, and protection of human rights. Its value lies in preventing equality policies from treating women as though all confronted identical barriers. Instead, intersectionality requires attention to the different ways in which gender interacts with race, class, ethnicity, migration status, disability, sexuality, territory, poverty, and exposure to violence. This approach aligns with Crenshaw's critique of legal frameworks that treat discrimination as a single-axis phenomenon and therefore fail to recognize the specific forms of harm experienced by women situated at the intersection of multiple structures of oppression (Crenshaw, 1989, 1991).

Within the legal field, intersectionality permits a more precise understanding of discrimination. It demonstrates that inequality does not always arise from a single isolated factor, but rather from convergence of multiple conditions that reinforce vulnerability. Consequently, an intersectional perspective may assist legislators, judges, and public institutions in identifying forms of exclusion that remain invisible whenever legal analysis separates gender from other social realities. Such an approach proves especially relevant in cases involving gender-based violence, access to justice, labor discrimination, migration, armed conflict, reproductive rights, and institutional protection.

In the sphere of public policy, intersectionality provides a framework for development of more differentiated and effective responses. Policies intended to prevent violence against women, for example, cannot assume that all women possess equivalent access to information, transportation, legal assistance, shelters, health services, or institutional trust. Black, Indigenous, migrant, rural, impoverished, displaced, or disabled women may confront specific linguistic, economic, territorial, cultural, or administrative barriers. Within contexts of armed conflict, these realities become particularly visible, since sexual violence against women requires not only legal recognition, but also visibility, prevention, institutional response, and differentiated protection mechanisms (Blanco *et al.*, 2021).

Intersectionality has also transformed feminist activism. By revealing the connections among sexism, racism, class inequality, homophobia, coloniality, and other forms of domination, it has encouraged alliances between feminist movements and broader struggles for social justice. This development does not imply disappearance of the specific problem of gender oppression. Rather, it suggests that gender equality becomes more effective when analyzed together with the social conditions that shape women's lived realities.

At the same time, practical application of intersectionality requires caution. If reduced to a rhetorical formula or a generalized language of inclusion, it risks losing its critical force. Its purpose does not consist merely of naming diversity, but rather of examining how power operates through overlapping structures and how institutions may respond more accurately to differentiated forms of harm. For this reason, intersectionality demands more than symbolic representation; it requires concrete transformations in legal reasoning, data collection, institutional design, prevention strategies, and access to remedies.

The digital era has expanded circulation of intersectional claims. Social media and transnational networks have enabled activists to render visible forms of injustice previously confined to local, private, or marginalized spaces. These platforms have also facilitated campaigns that connect gender violence, racism, migration, poverty, and other forms of exclusion across borders (Grosland, 2018). Nevertheless, digital visibility also generates risks. Complex experiences of oppression may undergo reduction to slogans, absorption into commercial discourse, or transformation into superficial forms of recognition lacking institutional consequences. Furthermore, digital environments have generated new legal and social challenges related to sexual exploitation, online vulnerability, and the necessity of more effective forms of regulation and protection (Delva & Gonzalez, 2022).

For these reasons, the future of intersectional feminism depends upon its capacity to preserve both analytical rigor and practical effectiveness. Intersectionality must continue to illuminate the differentiated ways in which inequality is produced while simultaneously contributing to development of legal, political, and social responses

capable of reducing concrete harm. This task becomes especially urgent within a context marked by new forms of backlash against gender equality, minority rights, and reproductive autonomy.

Accordingly, intersectionality should not be understood as a fragmenting force, but rather as a method that renders feminism more precise. It strengthens the struggle for equality by insisting that rights must become effective for women within their actual social conditions, rather than for an abstract subject imagined outside race, class, sexuality, territory, violence, or poverty. This practical orientation prepares the transition toward the fourth wave of feminism, within which intersectional claims acquire increasing visibility through digital activism, public denunciation, human rights campaigns, and resistance to renewed political and legal opposition.

### **The Fourth Wave: Digital Activism, Rights, and Backlash**

The fourth wave of feminism, which emerged during the twenty-first century, represents a new stage in the relationship among feminist activism, public denunciation, digital communication, and human rights. Although its boundaries remain subject to debate, this wave is commonly associated with the use of social media and digital platforms to expose gender-based violence, challenge cultural stereotypes, mobilize transnational solidarity, and demand institutional accountability. In this sense, digital technologies did not create feminism; rather, they transformed the speed, visibility, and scale through which feminist claims circulate within the public sphere (Phillips & Cree, 2014; Abrahams, 2017).

One of the most visible expressions of this wave has been the #MeToo movement. The movement transformed personal testimony into a global form of political denunciation. By enabling women and other victims to narrate experiences of sexual harassment, abuse, and institutional silence publicly, #MeToo demonstrated the capacity of digital activism to connect individual suffering with structural patterns of power. Its relevance lies not only in viral circulation of testimony, but also in the pressure exerted upon workplaces, universities, media organizations, courts, and public institutions to revise practices of impunity, silence, and normalization of abuse (Mendes *et al.*, 2019).

The fourth wave also inherits the intersectional orientation of the third wave while expanding it through digital networks and transnational campaigns. Contemporary feminist activism increasingly attends to the ways in which gender violence, racism, poverty, migration, disability, sexual orientation, gender identity, and territorial vulnerability intersect. Unlike earlier feminist debates that circulated primarily through academic, activist, or institutional spaces, fourth-wave feminism has rendered these claims more publicly visible through hashtags, online campaigns, digital archives, testimonies, and collective mobilizations.

Another defining characteristic of the fourth wave consists of its critique of rape culture, body shaming, beauty standards, and objectification of women. These debates connect cultural representation with bodily autonomy and consent. Through digital activism, feminist movements have challenged narratives that normalize sexual aggression, blame victims, or reduce women's social value to appearance, desirability, or conformity with dominant standards of femininity. Abrahams (2017) provides an important framework for understanding the manner in which fourth-wave feminism links digital mobilization with public debates concerning consent, body politics, and everyday sexism.

Nevertheless, the fourth wave is not free from tensions. One recurrent criticism concerns the risk of *slacktivism*, namely, the possibility that digital support may remain confined to symbolic gestures without producing institutional or material transformation. Online denunciation may generate visibility; however, visibility alone does not guarantee due process, public policy reform, legal transformation, prevention, or reparation. Consequently, the effectiveness of fourth-wave feminism depends upon its capacity to connect digital mobilization with sustained legal, political, educational, and institutional action.

The phenomenon commonly described as online cancellation has also generated significant debate. For some observers, it constitutes a form of social accountability within contexts where formal institutions fail to respond adequately to abuse or discrimination. For others, it may contribute to polarization, punitive public judgment, or reduction of complex social conflicts to immediate moral condemnation. This tension reveals one of the central dilemmas of digital feminism: how to combine denunciation, accountability, dialogue, education, and respect for rights without reproducing new forms of exclusion or simplification.

An additional challenge concerns appropriation of feminist language by commercial interests. Corporate feminism may adopt the vocabulary of empowerment, diversity, and equality while simultaneously preserving labor inequalities, consumerist stereotypes, or institutional practices that reproduce exclusion. This observation does not imply that feminist messages cannot circulate through cultural or commercial spaces. Rather, it requires differentiation between symbolic appropriation and genuine transformation. The fourth wave therefore confronts the task of preserving the critical force of feminism within contexts where its language may undergo absorption by markets, brands, and institutional image strategies.

At the same time, the fourth wave must be understood in relation to contemporary backlash. Feminist advances have not proceeded in a linear or irreversible manner. In the United States, the decision in *Dobbs v. Jackson Women's Health Organization*, which overturned *Roe v. Wade* and *Planned Parenthood v. Casey*, became a central example of legal regression in the field of reproductive autonomy. Following *Dobbs*, regulation of abortion returned to the individual states,

intensifying legal fragmentation and transforming reproductive rights into one of the most visible arenas of contemporary feminist struggle.

This backlash extends beyond abortion. During 2024, debates in the United States also involved gender-affirming care, LGBTQ+ rights, education, diversity policies, and the limits of state intervention in matters concerning identity, the body, family, and autonomy (American Civil Liberties Union, 2024; Forouzan *et al.*, 2024). These conflicts demonstrate that fourth-wave feminism operates within a paradoxical context: feminist claims have acquired unprecedented public visibility, yet they also confront organized legal, political, and cultural resistance. In this sense, the fourth wave constitutes not merely a digital movement, but also a field of institutional dispute concerning the meaning and scope of equality.

This phenomenon has also received recognition at the international level. In 2024, the United Nations Working Group on discrimination against women and girls warned of an escalating global backlash aimed at restricting equal enjoyment of the rights of women and girls and reaffirmed the urgency of substantive equality. This diagnosis proves especially significant because it confirms that contemporary feminism must address not only persistence of inequality, but also active resistance directed against previously recognized or emerging rights.

The future of the fourth wave will depend upon its capacity to transform visibility into protection, denunciation into due process, and digital mobilization into institutional change. Its contribution lies in demonstrating that gender violence, sexual harassment, reproductive autonomy, digital vulnerability, and discrimination do not constitute isolated problems, but rather interconnected human rights challenges. However, its limitations also reveal that feminist activism cannot rely exclusively upon networks, hashtags, or symbolic recognition. It requires legal guarantees, public policy, education, prevention, access to justice, and mechanisms of accountability.

In this regard, the fourth wave represents both an opportunity and a warning. It has expanded feminist participation, amplified marginalized voices, and rendered visible forms of violence and exclusion previously silenced. Yet it has also demonstrated that every expansion of rights may provoke resistance, co-optation, and backlash. The central challenge, therefore, consists of moving from digital visibility toward substantive equality and ensuring that feminist claims become effective guarantees of dignity, autonomy, participation, and freedom from violence.

### **Analytical Synthesis: Feminism as a Legal, Political, Social, Cultural, and Human Rights Challenge**

The preceding sections demonstrate that feminism cannot be understood merely as a chronological succession of waves or as a historical movement aimed at recognition

of women's rights. Its development also reveals a set of enduring analytical problems that continue to challenge contemporary societies: the gap between formal and substantive equality, the limitations of legal neutrality, persistence of patriarchal structures, the differentiated effects of intersectional oppression, and emergence of new forms of backlash against achieved or emerging rights. For this reason, feminism must undergo examination not only through its historical evolution, but also through the legal, political, social, cultural, and human rights transformations that it demands.

### **The Legal and Political Challenge of Feminism**

The legal and political challenge of feminism lies in transforming formal recognition of equality into effective guarantees of participation, protection, and justice. Feminist movements have demonstrated that law does not operate independently from social power, cultural stereotypes, economic inequality, or institutional practices. Consequently, feminist critique of law does not limit itself to demands for new rights; it also examines how existing legal frameworks undergo interpretation, application, and experience by women within concrete contexts.

Within Latin America, this challenge has acquired particular relevance in constitutional law, family justice, political representation, gender-based violence, and access to justice. Kohen (2007) contributes to this debate through examination of the relationship between gender and family justice, a field in which apparently private conflicts frequently reveal deeper inequalities concerning care, authority, economic dependency, and institutional treatment. Likewise, Jaramillo Sierra (2022), from the perspective of Latin American constitutional law, provides a framework for understanding sex equality as a central issue of democratic constitutionalism rather than as a merely sectoral demand.

From this perspective, feminism requires legal systems to move beyond abstract declarations of equality. Constitutional texts, statutes, and international human rights instruments may recognize equal dignity and non-discrimination; however, these principles remain insufficient whenever women confront barriers within courts, public administration, political parties, labor markets, educational institutions, or family relations. The essential issue therefore concerns not merely whether equality exists within legal language, but whether institutions possess the capacity to render it effective.

The political dimension of feminism possesses equal importance. Women's participation in public life cannot undergo reduction to voting rights or formal eligibility for public office. It also requires conditions that permit meaningful participation within decision-making spaces, protection against political violence, recognition of leadership, redistribution of care responsibilities, and removal of cultural and institutional barriers that restrict women's presence within democratic

deliberation. In this sense, feminism questions the quality of democracy itself, because no political order may be regarded as fully democratic when half of society participates under unequal conditions.

The academic field also plays an important role in this transformation. Feminist legal studies, gender theory, sociology of law, constitutionalism, and human rights scholarship have contributed to identification of the limitations of legal neutrality and the necessity of more precise analytical tools. Incorporation of gender perspectives into legal education, judicial training, public policy design, and legal research does not constitute a merely symbolic exercise. Rather, it enables future lawyers, judges, legislators, and public officials to recognize forms of discrimination that traditional legal categories may overlook.

Accordingly, the legal and political challenge of feminism consists of connecting rights with institutions and institutions with lived realities. Its contribution lies in insisting that equality must undergo evaluation not only through what the law proclaims, but also through what women may effectively exercise within social, political, economic, and cultural life. This challenge remains unresolved, especially within societies where formal progress coexists with persistent violence, underrepresentation, economic inequality, and resistance to gender justice. The following section examines the manner in which these legal and political tensions are also rooted in social and cultural structures that shape the position assigned to women within collective life.

### **The Social and Cultural Challenge of Feminism: Religion, Family, and Symbolic Representations**

The social and cultural challenge of feminism lies in demonstrating that inequality undergoes reproduction not only through legal norms or political institutions, but also through symbolic representations, educational practices, family models, religious imaginaries, and everyday forms of socialization. Law may proclaim equality; nevertheless, culture frequently determines how women are perceived, which roles society expects from them, and what forms of authority, autonomy, and desire are considered legitimate.

Within societies shaped by Judeo-Christian traditions, particularly in Spain and Latin America, certain historical interpretations of Christianity and Catholicism have influenced family relations, educational models, and gender roles. This observation does not imply that religion should be understood as a homogeneous or exclusively oppressive force. Rather, feminist analysis invites examination of the ways in which particular religious and cultural interpretations have contributed to consolidation of social imaginaries that associate women with obedience, domesticity, sacrifice, chastity, or moral responsibility for preservation of family order. Within the Colombian context, Mazo (2019) analyzes the influence of Catholic tradition upon

construction of women's roles within the traditional family and its relationship with intimate partner violence.

From this perspective, feminist critique of culture does not direct itself solely toward institutions, but also toward the symbolic narratives through which societies define femininity. One of the most persistent examples lies in the opposition between Eve and Mary within certain patriarchal interpretations of the Judeo-Christian tradition. Eve has frequently undergone representation as the woman associated with temptation, fault, and disorder, whereas Mary has often functioned as the model of purity, virginity, motherhood, and self-denial. These figures have operated not merely as theological symbols, but also as cultural archetypes that contributed to definition of what societies expected women to become.

The problem therefore does not reside in existence of religious symbols themselves, but rather in the ways such symbols have occasionally undergone interpretation in order to restrict women's autonomy and historical agency. A patriarchal reading of Eve may associate femininity with suspicion, guilt, or moral danger, whereas a restrictive reading of Mary may reduce the ideal woman to chastity, maternity, silence, and sacrifice. Between the woman portrayed as dangerous and the woman idealized as pure, women's real lives, voices, desires, intelligence, and social contributions may disappear from view.

This symbolic order also affects the family sphere. Whenever family organization depends upon rigid gender roles, care work becomes naturalized as a female obligation, authority undergoes coding as masculine, and women's personal development may become subordinated to service, motherhood, or emotional availability. Feminist theory has demonstrated that what frequently appears as "tradition" often constitutes a social arrangement that distributes power unequally. Consequently, the cultural sphere does not remain secondary to law or politics; rather, it constitutes one of the principal spaces within which inequality undergoes learning, repetition, justification, and occasionally resistance.

The educational field possesses equal importance. Schools, religious institutions, literature, art, media, and family narratives transmit ideas concerning what women and men are expected to become. Whenever these spaces reproduce stereotypes, they may restrict women's aspirations and normalize discrimination. Conversely, whenever they undergo critical transformation, they may become instruments for equality, autonomy, and recognition. Abreu's (2018) discussion of materialist feminism proves particularly useful in this regard because it emphasizes that women's subordination must also undergo analysis in relation to social structures, historical conditions, and the material organization of life.

Exclusion of women from history, religion, science, culture, philosophy, and the arts has also produced profound consequences for collective memory. Sánchez (2016)

demonstrates the ways in which patriarchal orders contributed to symbolic exclusion of women, thereby making recovery of women's presence within construction of culture and social meaning necessary. Such recovery does not constitute merely a commemorative exercise; rather, it represents a condition for understanding that women have not occupied a marginal position within civilization, but have instead remained central to its reproduction, imagination, resistance, and transformation.

Accordingly, the social and cultural challenge of feminism consists of transforming not only laws, but also the imaginaries that shape social life. Equality requires more than formal recognition; it requires cultural transformation capable of questioning stereotypes, redistributing care responsibilities, recognizing women's authority, and restoring women's historical agency. In this sense, feminism functions as a critical force that invites society to reconsider the stories it tells about women, the roles assigned to them, and the forms of dignity it remains willing to guarantee within everyday life.

## **V. Conclusions**

Feminism has played a decisive role in transforming the ways in which modern societies understand equality, citizenship, legal subjectivity, and human rights. Its historical development demonstrates that recognition of women as full subjects of rights was neither immediate nor automatic. Rather, such recognition resulted from sustained intellectual, political, legal, and social struggles that challenged exclusion of women from education, public life, political participation, property ownership, labor, bodily autonomy, and institutional protection.

The evolution of feminism across its different waves reveals progressive expansion of its analytical and political agenda. Proto-feminism exposed the contradictions embedded within modern universalism; the first wave transformed demands for equality into a political struggle for suffrage and civil recognition; the second wave challenged patriarchy within both public and private spheres; the third wave pluralized feminism through diversity and intersectionality; and the fourth wave has employed digital activism to render visible forms of violence, discrimination, and exclusion that had long remained silenced or normalized.

One of the principal conclusions of this article is that feminism cannot undergo reduction to formal recognition of rights alone. Equality before the law constitutes an indispensable condition; however, it remains insufficient whenever social, economic, cultural, and institutional structures continue to restrict women's effective enjoyment of those rights. Feminist legal critique has therefore demonstrated the persistent distance between formal equality and substantive equality, while insisting that democratic legal systems must undergo evaluation not solely according to what they proclaim, but also according to what they effectively permit within women's lived realities.

Intersectionality has strengthened this critique by demonstrating that women do not experience inequality in a uniform or homogeneous manner. Gender interacts with race, class, ethnicity, migration status, disability, sexual orientation, territory, poverty, violence, and other conditions that shape differentiated forms of vulnerability. Consequently, legal and public policy responses must become more precise, context-sensitive, and capable of addressing overlapping forms of discrimination.

The fourth wave confirms that feminism remains a contemporary human rights challenge. Digital activism has expanded visibility, facilitated transnational solidarity, and strengthened public denunciation of sexual harassment, gender-based violence, and institutional silence. Nevertheless, visibility alone does not guarantee justice. The central challenge consists of transforming denunciation into prevention, due process, reparation, legal reform, public policy, education, and effective institutional accountability.

At the same time, recent forms of backlash demonstrate that feminist achievements are not irreversible. Contemporary debates concerning reproductive autonomy, gender-based violence, LGBTQ+ rights, diversity policies, and bodily freedom reveal that the struggle for equality continues to encounter legal, political, cultural, and religious resistance. This reality confirms that feminism should not be understood as a closed historical movement, but rather as an ongoing democratic task.

The social and cultural dimension of feminism proves equally decisive. Laws may recognize equality; however, stereotypes, family models, religious imaginaries, educational practices, and symbolic representations continue to shape the position assigned to women within collective life. For this reason, feminism also requires transformation of the cultural narratives that have historically associated women with obedience, sacrifice, domesticity, guilt, or silence.

Ultimately, feminism has contributed to a profound, although unfinished, reconfiguration of legal, political, social, and cultural structures. Its greatest contribution lies not only in expansion of women's rights, but also in its demand that dignity, equality, autonomy, participation, and freedom from violence become effective realities. In this sense, feminism remains one of the most significant critical frameworks through which the democratic quality of contemporary societies and their commitment to human rights may be evaluated.

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