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# Who is a legitimate actor under international human rights law? A story about women’s mobilization against enforced disappearances

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## ABSTRACT

This article inquires about who is deemed a legitimate actor by international human rights law. It offers an analysis of the role of the Latin American Federation of Associations of Relatives of Disappeared Detainees (FEDEFAM) as a women-led leading organization in creating the International Convention for the Protection of All Persons from Enforced Disappearances (CED) in 2007. The article shows that the wives and daughters of the disappeared played a determinant role in their struggle against enforced disappearances, undermining the view of the Working Group on Enforced Disappearances (WGEID), which did not recognize their struggle in its early reports. The article also critiques how international human rights law uses colonial and patriarchal power to produce and exclude subjects. Finally, it concludes by offering an analysis of the affective dimensions of FEDEFAM’s struggle as an opportunity to rethink human rights grassroots women-led mobilizations as a place for resistance against dominant narratives in international human rights law.

International human rights law defines enforced disappearances as any form of deprivation of liberty by agents of the state followed by a refusal to acknowledge the whereabouts of the person (United Nations, 2007: Art. 2). Dictatorships in Latin America committed enforced disappearances, mainly between the 1960s and 1990s (López, 2017: 97), believing that people vanishing without a trace might be even more harmful than execution (Scovazzi and Citroni, 2007: 5). Indeed, wives and daughters of the disappeared argued that this type of crime can be worse than knowing their beloved ones are dead, making them feel “forever in doubt” (Schirmer, 1989: 3). They have also reported feeling in a “detained time” without being able to move on. The permanent feeling of uncertainty regarding the destiny of their family members perpetuates the harm experienced by the relatives of the disappeared (López, 2017: 19–20). In Argentina, Uruguay, Colombia, México, El Salvador, Chile, and Brazil, the wives, partners, and daughters of the disappeared have been disproportionately affected by this crime, which led to the search for their loved ones (Maier, 2010: 33).

In this article, I present an inquiry into who is a legitimate actor under international human rights law. I analyze the case of the Latin American Federation of Associations of Relatives of Disappeared Detainees (FEDEFAM) as an example of a grassroots-women led organization that,

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moved by their feelings of love for their family members, pushed for an International Convention to end enforced disappearances. I will show that the narrative Working Group on Enforced Disappearances of the United Nations (WGEID) used colonialist and patriarchal views to delegitimize these women as political actors in their reports. I also argue that the WGEID used notions such as objectivity, neutrality, and the notion of “the expert” to invalidate members of FEDEFAM as political actors. Despite the United Nations’ WGEID official narrative, I expose FEDEFAM’s mobilization to rethink the relationship between affects and politics in human rights law. I conclude by showing that FEDEFAM’s activism highlights an opportunity to rethink the binaries reason/emotion and objective/subjective as elements used to exclude political agents in international human rights law literature.

Regarding my methodology, I will use a critical feminist discourse analysis of the United Nations’ WGEID reports to analyze “the interrelationship of gender, power, and ideology in discourse” (Lazar, 2007: 5). Analyzing UN discourse can be useful to show how the United Nations produces and reproduces knowledge by representing subjects as meaningful (Shepherd, 2017: 27). Regarding women’s representation in international law, its structures, processes, and methodologies have been used to marginalize women-led mobilizations (Chinkin, 2010). Critical feminist discourse analysis allows me to question the patriarchal and colonialist views in the WGEID’s reports, making visible the voices “in the margins” (Enloe, 1996: 186) and the silences in the history of the WGEID’s reports.

I argue that the WGEID reports used a colonial and Eurocentric vision of human rights, “assuming exclusive authority and legitimacy” to European perspectives and disregarding the relationships between modern empires and colonies (Barreto, 2013: 6). For instance, FEDEFAM argued that the US military intervention in Latin America was the main cause of disappearances (Museo de la Memoria y los Derechos Humanos, 2021). However, this imperialist intervention was unanalyzed by the WGEID reports. I also argue that the WGEID discourse used a patriarchal viewpoint ascribing more power to men based on anatomical differences (Viveros, 2015: 4). It used hierarchized binaries such as inferior/superior, passive/active, and rational/emotional (Cixous, 1981: 90–91) derived from the social construction of women in the sex/gender system (Rubin, 1975: 179) to delegitimize the FEDEFAM struggle, such as the false idea that their search for their loved ones was emotional, private, natural, and, therefore, apolitical (Ortner, 1974).

Discourse analysis is useful to make explicit the silences, exclusions, and representations of FEDEFAM’s petitions as an attempt to disrupt the notions of colonial and patriarchal power behind the WGEID discourse. I will show that FEDEFAM’s voices were not heard, if they could be heard (Spivak, 1988) by the WGEID. Making visible FEDEFAM’s role behind the International Convention for the Protection of All Persons from Enforced Disappearances (CED) makes these voices a subject of history and can allow redefining the terms that colonial power used to silence them (Trouillot, 1995: 23). The focus on FEDEFAM as a women-led Latin American grassroots organization will contribute to redressing the lack of analysis regarding the role of grassroots organizations in international human rights law (Nash, 2015).

Telling FEDEFAM’s story is significant because the ways in which academics recount histories of human rights movements offer new paths for social change (Alston, 2013: 2081). By making their story visible, I contribute to another view in which grassroots organizations can resist the colonial and patriarchal representations imposed upon them, creating a tension between subjectification and active subjectivity as a form of resistance (Lugones, 2010: 746).

## **The actors: FEDEFAM and the working group of enforced disappearances of the United Nations**

The *Federación Latinoamericana de Asociaciones de Familiares de Detenidos Desaparecidos* (FEDEFAM) “brings together civil society organizations composed of relatives of the

disappeared—whose leaders and activists tend to be women—throughout Latin America” (Cosgrove, 2010: 183). Since its beginnings in 1981, Pamela Ferreira was FEDEFAM’s president for many years (Museo de la Memoria y los Derechos Humanos, 2021), and María del Carmen Pariente its executive secretary, followed by Judith Galarza Campos (Ayala, 2011: 1; FEDEFAM, 1997).

Patrick Rice was another important figure in FEDEFAM, as can be seen in many WGEID reports. He was an Irish priest and a crucial spokesperson on the WGEID because he was one of the few members of FEDEFAM who had experience working with international organizations (Ayala, 2012). Despite Rice’s protagonist role, most organizations that constitute FEDEFAM are composed of and directed mainly by women (Donoso and Valdéz, 2007: 28; Valdés, 2000: 67). By 1991, FEDEFAM’s was composed of 21 grassroots organizations, 15 of which were grassroots organizations explicitly led by mothers and sisters of the disappeared.<sup>1</sup>

FEDEFAM condemned enforced disappearances for political reasons as an extended practice in Latin America (Museo de la Memoria y los Derechos Humanos, 2021). Although each organization within FEDEFAM had its own demands, in Pamela Ferreira’s words, their mission was, “Rescue the disappeared alive, clarify each case, prevent these events from occurring, and demand for an international convention to investigate and sanction States responsible for enforced disappearances”<sup>2</sup> (Agrupación de Familiares de Detenidos Desaparecidos, 1982: 3).

Regarding FEDEFAM’s mobilization repertoires, many used photographs in their marches and public protests, as in the case of ASFADES in Colombia, as a first strategy to maintain the images of their loved ones as a way of protesting the imposed oblivion (Álvarez, 2015: 152; Schirmer 1989: 20). Comadres in El Salvador participated in marches, sit-ins, and hunger strikes (Stephen, 1997: 36); and in Peru, Mexico, Argentina, and Brazil, women-led protests in the streets and public spaces continued as a resistance strategy to keep the memories of their loved ones alive (Álvarez, 2015: 152; Garza, 2017: 162–163).

I highlight FEDEFAM’s struggle against disappearances as an example to ask about their legitimacy in international human rights law, because one of their main objectives was to create a universally binding international mechanism approved by the United Nations to prevent and punish enforced disappearances (Ayala, 2011; Kovras, 2017: 116; Ramcharan, 2015: 504). Therefore, their experience shows that grassroots organizations that wish to engage with international law can be silenced and misrepresented by those very mechanisms to which they look for accountability. FEDEFAM’s experience exemplifies that legal institutions tend to be double-edged—upholding the status quo while providing opportunities for episodic challenges in that ruling order (McCann, 2004: 519).

Although each organization member of FEDEFAM operated in different countries, they shared a common pain that united them (Agrupación de Familiares de Detenidos Desaparecidos, 1982: 2). Another commonality was that the military used most of the same methods throughout Latin America (Stephen, 1997: 51). However, there were also tensions among FEDEFAM’s members regarding their relationship with feminist demands. In Argentina, Mothers of Plaza de Mayo identified themselves as feminists, arguing that their struggle allowed them to reflect on women’s rights (Di Marco, 2010: 100–109). In contrast, Ofelia Antezana, founder of the Committee of Family Members of the Disappeared (COFADER) in Peru, argued that “feminists did not address the issue that mattered most to them: the disappearances” (Bueno-Hansen, 2015: 34–35).

On the other hand, the WGEID was created by means of Resolution 20 (XXXVI) of February 29, 1980, following numerous allegations of cases of enforced disappearances. This was the first international mechanism to assist the relatives of the disappeared in finding their family members. Since its inception, the Working Group on Enforced or Involuntary Disappearances has dealt with 50,000 individual cases in almost 80 countries (UN Office of the High Commissioner for Human Rights, 2009: 20).

The purpose of the WGEID was not to determine states' responsibility for disappearances. Instead, its main mandate is humanitarian (Scovazzi and Citroni, 2007: 95). Its mandate is to "assist relatives of the disappeared to ascertain the whereabouts of their family members acting as a mediator between the families and the Governments" (UN Office of the High Commissioner for Human Rights, 2009: 13). The WGEID receives information from organizations and family members and requests that governments carry out investigations and inform the WGEID of the results (UN Office of the High Commissioner of Human Rights, 2021). The WGEID also reminds governments, at least once a year, of the total number of cases transmitted in the past that have not yet been clarified (UN Office of the High Commissioner for Human Rights 2009: 13).

### **The efforts of FEDEFAM as a women-led grassroots organization to push for an international convention against enforced disappearances**

Even though the UN General Assembly and the WGEID had condemned enforced disappearances in 1978 and 1980, mothers and relatives of the disappeared believed these statements were insufficient and have pushed for an international binding convention since 1981 (Albani, 1987: 219–224). The project of creating a universally binding document against enforced disappearances began in Caracas (Venezuela) on January 20–23 of 1981 (FEDEFAM, 1982). According to the first annual reports of the WGEID and the documents of FEDEFAM, FEDEFAM itself argued for an international convention as early as 1981 and from that time lobbied for a binding document, which was finally adopted in 2007 (UN Commission on Human Rights, 1983a: para. 19, 1985a: para. 40–42, 1986: para. 11).

Kovras's (2017) research detailed the importance of FEDEFAM's work lobbying at the WGEID as well as the WGEID's own awareness of the crucial role of FEDEFAM's lobbying behind the CED. Wilder Tayler, secretary-general of the International Commission of Jurists, stated, "relatives [of the disappeared] were the first ones to demand a universal convention on disappearances." Olivier de Frouville, a former member of the WGEID, also noted, "From the beginning to the end ... the very idea of having international instruments dealing with enforced disappearances had come from associations of families of the disappeared" (Kovras, 2017: 116).

However, despite the explicit recognition of FEDEFAM's work from 1981, only in 2012 did the WGEID recognize the importance of their struggle. The 2012 WGEID report stated that "women play a fundamental role in securing and advancing the rights of disappeared persons" and that "the Working Group recognizes that women are often at the forefront of the struggle against enforced disappearances" (UN Human Rights Council, 2013a). Since its first reports, the WGEID had shown concern for women being detained and forcibly disappeared (UN Commission on Human Rights, 1981a: paras. 22, 48, 59, 85–86, 109, 170–171; 1981b: para. 39, 41, 48, 51, 69, 78, 80, 170, 1983a: paras. 25, 32, 58). However, it did not acknowledge them as activists and leaders of the struggle to end disappearances in its reports until 2012.

If many scholars supported the view that family members were the main actors behind the adoption of the 2007 Convention, why did their role as activists remain unexamined by the WGEID annual reports until 2012? Finally, why were FEDEFAM members not recognized as political actors in the WGEID reports? Perhaps, as MacKinnon (1993: 61) argued, if an experience is "somehow female, [it] floats beneath international legal space." In the following section, I offer tentative responses to these questions.

### **Representation and production of subjects in the WGEID reports**

In this section, I analyze four intertwined elements in the narrative of the WGEID Annual Reports and General Comments to identify how that narrative produced subjects. First, the WGEID preferred a *humanitarian* perspective detached from a country's politics in contrast to a

call for states' *accountability* presented by FEDEFAM. Second, it valued the notion of *legal experts* represented by international law lawyers, in contrast to the *empirically grounded* knowledge exemplified by FEDEFAM. Third, it entailed a *neutral* and data-driven approach at the expense of the complex everyday stories of searching for their family members presented by FEDEFAM. Finally, it devalued the *women-led* nature of this struggle due to gender stereotypes, such as the affective dimension of FEDEFAM's advocacy, upholding a faulty binary of reason and emotion in which the latter is devalued.

My analysis of the WGEID's production of subjects is framed in the Foucauldian notion of power as productive of subjects (De Lauretis, 1985). Human rights acts as a power technique through which a grid of intelligibility allows some agents to be considered subjects who deserve to be heard and others who do not (Brown, 2000). According to Foucault, practices, knowledges, and values create productive meanings according to a specific governmental rationality (Gordon, 1991: 4). In this regard, I highlight that, to the WGEID, the narrative of what counts as "knowledge" in international law is supposedly apolitical, neutral, quantifiable, and produced by "international law experts."

The practices of the WGEID were never explicit about its production, and therefore its exclusion, of subjects, which relates to Foucault's analysis on governmentality in which the logic of practices is directed to managing subjects in a subtler way (Foucault, 1991: 95). In this regard, the WGEID used discipline practices—such as excluding wives of daughters due to their affective ties to the disappeared and therefore "subjective" standpoint—under the veil of objectivity and neutrality. These practices of discipline in the WGEID's narrative created subjects in the sense that women and daughters were fixed as subjective and inexperienced women in contrast to the data-driven experts and neutral and objective lawyers. As I show in the following section, the distorted representation of the wives and mothers of the disappeared did not bring justice to their struggle to end enforced disappearances. I will also argue that their exclusion as knowers and political agents reinforces colonial and patriarchal practices in human rights law.

### **Humanitarian/political concerns**

According to the WGEID, its approach to enforced disappearances was purely humanitarian (UN Centre for Human Rights, 1997: 5–6). In its 1980 annual report, the WGEID argued that, due to its humanitarian approach, it would not make any pronouncements or attributions of responsibility (UN Commission on Human Rights, 1981a: para. 9). Two years later, the WGEID argued that it had an absence of political interests and a purely humanitarian concern for alleviating the pain of the families of the disappeared (UN Commission on Human Rights 1983a: para. 7).

The WGEID's humanitarian approach allowed it to cooperate with governments and helped clarify thousands of cases at the cost of not asking for states' accountability for this crime. The WGEID played a crucial role in assisting family members of the disappeared by asking governments in cooperating with them. However, the Mothers of Plaza de Mayo, an organization member of FEDEFAM, argued that asking governments to cooperate was not enough, unless they took "Appropriate steps ... to achieve the immediate release of all persons who are being held in secret detention." (UN Commission on Human Rights, 1981b: Annex VI, p. 2). In 1982, FEDEFAM also stated that the incremental approach of resolutions of the WGEID condemning enforced disappearances "will likely change nothing, as this has been taking place without any positive outcome" (FUNDALATIN, 1982: 7–8). In 1985, FEDEFAM even decided not to submit more cases to the WGEID as a protest strategy, due to a lack of accountability for individual cases (UN Commission on Human Rights, 1985b: Annex II, p. 1).

The WGEID's humanitarian nature also prevented it from challenging the root causes of disappearances, such as the United States' support of dictatorships in Latin America. In contrast to the WGEID's approach to enforced disappearances, according to FEDEFAM, enforced

disappearances resulted from an imperialist maneuver to eradicate dissent (Museo de la Memoria y los Derechos Humanos, 2021; FEDEFAM, 1981: 7). FEDEFAM discourse condemned the United States' intervention in Latin American democracies as the root cause of forced disappearances (FEDEFAM, 1982: 8). However, the WGEID's humanitarian perspective did not reflect on the relationship between modern empires and the suffering in their colonies (Barreto, 2013: 31), proving that international law often coexists with abuses of power in an alleged separation between law and power, to retain humanitarian "neutrality" or "purity" of purpose (Orford, 2003: 43).

Contrary to the humanitarian approach of alleviating pain, FEDEFAM portrayed itself as an organization that went beyond the traditional role of taking relief measures by fighting for structural conditions that ensure these acts will never occur again (FUNDALATIN, 1982: 3). In this way, FEDEFAM argued for a more radical or transformative use of human rights. However, humanitarian narratives obscure power relations—in this case, colonial power—limiting the opportunity for a radical use of human rights (Orford, 2003: 158).

### **Experts and technical discussions**

Even though FEDEFAM was considered a specialist in disappearances by the countries in which it operated (Küppers, 1994: 117), the WGEID reports suggest that experts in international law had more expertise and, therefore, more authority than FEDEFAM. Although FEDEFAM had pushed for an international convention for enforced disappearances since 1981, it was not until the Commission on Human Rights appointed an independent expert in international law—lawyer Manfred Nowak, who concluded that there was a gap that required an international convention against disappearances—that the Intersessional Open-ended Working Group Commission advanced in the creation of the 2007 Convention (Scovazzi and Citroni, 2007: 259–263; Vibhute, 2010: 292–293).

Acknowledging that Nowak's report in 2002 was only one of the many efforts to push for an international convention, it was one of the most crucial actions. In 2004, the WGEID ordered the intersessional open-ended working group (ISWG) "to elaborate a draft legally binding instrument on enforced disappearances. As was clearly established in the report of Manfred Nowak" (UN Commission of Human Rights, 2004: para. 40). Nowak's report was crucial to justify the need for a universal convention, a request "from an impartial and respected expert ... shedding light on the gaps of the existing legal framework" was necessary (Kovras, 2017: 119). It took five years to have a convention against disappearances in 2007 after Nowak's report. In contrast, FEDEFAM's demands, since 1980, regarding the importance of an international convention, were not heard by the WGEID until many years later.

The lack of recognition of FEDEFAM's members' knowledge as experts in disappearances by the WGEID undermines their groundbreaking expertise acquired due to the unrelenting search for their loved ones. For instance, in San Salvador (El Salvador) and Veracruz (Mexico), the "feminization of the searches" led women to develop their successful searching methods and become experts in finding clandestine graves (Bueno-Hansen, 2015: 23; Schirmer 1989: 38). In Argentina and El Salvador, mothers of the disappeared implemented groundbreaking DNA testing methods to identify children and missing relatives (Rosenblatt, 2020: 116). Years later, the Mothers' committees from Argentina, Uruguay, Colombia, Mexico, El Salvador, Chile, and Brazil became "the first regional forensic experts specializing in methodical practices of investigation, documentation, and denunciation of massive human rights abuses" (Maier 2010: 33).

The WGEID lack of acknowledgment of the expertise gained by mothers and relatives of the disappeared, privileging the view of independent experts in international law, reinforces the patriarchal stereotypes of viewing women as "subjective" by nature in contrast to "rational" and therefore, authoritative and "objective" men in the human rights field (MacKinnon 1993: 75). The

erasure of the expertise of family members of the disappeared can constitute a form of epistemic violence, which is characterized by a lack of credibility due to stereotypes that reinforce sociocultural representations of women as persons with “less authority” (Dotson, 2011: 250). It also resembles the juxtaposition in which some groups are considered to have “theory” and others “belief” in which, due to imbalances of power, women’s experiences of pain are not considered as knowledge (Theidon, 2009: 9).

Drawing attention exclusively to international lawyers as “experts” also has the harmful effect of consolidating global elites at the expense of local knowledge (Nash, 2015: 745). Instead, focusing on FEDEFAM members as experts in disappearances challenges unequal power relations based on colonial and patriarchal power in which European lawyers are experts, and “third-world women” are not (Mohanty, 1988: 80).

One of the main obstacles to create a binding instrument to end disappearances was the ongoing discussion among international legal experts regarding its definition in international law (Pérez, 2006: 9). However, members of FEDEFAM stated that discussions regarding the legal definition became technical and ineffective, derailing conversations rather than focusing on the most effective measures to stop disappearances (Albani, 1987: 223–224; FEDEFAM, 1982).

It seems that, for FEDEFAM, it was unnecessary to achieve a consensus between international lawyers regarding the definition of enforced disappearances to understand the horror of the crime. The technical discussions about the definition of enforced disappearances show that the attachment to the legal formalization of rights makes these formalities an end in itself, hindering a more radical and transformative use of human rights (Kennedy, 2002: 110). Despite the difficulties in reaching a legal consensus, there is a moral understanding about enforced disappearances as one of the most horrendous human rights violations because it affects multiple human rights, including the right to liberty, to life, and to personal integrity (Marks and Clapham, 2005; Scovazzi and Citroni, 2007). In a letter to the WGEID on March 25, 1982, Pamela Ferreira (Chile) and Angela Galán de Ramirez (El Salvador) from FEDEFAM argued:

This Federation can’t stop expressing, as voice of the family members, that one has two different yardsticks to measure time. The families each day, each month, each year that passes without finishing with their drama, without finding their “disappeared” feel greater doubts and lesser hope. You [the WGEID] measure it with the mechanics of a regulation in which a recommendation or conclusion can give, or not give, an outcome in the long term. ... FEDEFAM doesn’t want this struggle to remain in the paper. (FEDEFAM, 1982)

These letters are charged with emotion, despair, and a clear sense of demand. FEDEFAM argued for an international binding convention because it did not want “the struggle to remain in the paper.” For this reason, it criticized the role of the WGEID for getting trapped in legal forms instead of finding ways to stop enforced disappearances as a matter of urgency. During the first years of the WGEID, there were testimonies of the organizations of the disappeared in their reports. Later, since 1982, the WGEID stated, “the time has arrived to give the statistics of this endeavor ... rather than to set out at length the texts of speeches and other communications” (UN Commission on Human Rights 1983a: para. 1). This marked a turning point from text and context to a statistical, quantifiable, and data-oriented approach. In the following section, I analyze what this meant in terms of the affective elements that were then left out of the WGEID reports.

### **Data/affect**

The first WGEID annual reports emphasized the speeches of family members of the disappeared (UN Commission on Human Rights, 1981a, 1981b, 1983a). However, as time passed, the reports shifted their focus toward “facts” over “feelings,” a change that family members criticized for excluding the voices of those most closely affected. The WGEID responded to the critiques by family members by arguing that “the human factor” had been “extensively explained in previous



reports” (UN Commission on Human Rights, 1983b: para. 5). However, members of FEDEFAM critiqued that the report lacked a human dimension, believing that “the use of statistics also tended to dehumanize the approach to disappearances” (UN Commission on Human Rights, 1983a: para. 16).

The shift to measurement to describe human rights violations responses was intended to generate measurable information to monitor the realization of human rights, replacing political debates with technical expertise (Merry, 2011: 83). For some authors, “violations can be objective when based on observable facts and subjective if based on human perceptions” (De Beco, 2008: 35). However, indicators have been criticized for reflecting biases in their design, for instance, when measuring violence against women (Merry, 2016: 76–77). Relying only on quantitative data has also been criticized because it reinforces gender stereotypes, “numerical indicators are attractive precisely because they [mirror] masculine (read: superior) characteristics of reason, scientism while eschewing context, emotion” (Liebowitz and Zwingel, 2014: 364).

The WGEID narrative follows a positivist legal perspective in which justice is rooted in abstract and rational principles, and therefore, emotions might compromise law’s impartiality (Held, 2006: 62). However, feminist philosophy has criticized positivists’ exclusion of values and emotions to produce more objective knowledge. They have shown that the scientific method incorporates values and emotion, which can even be epistemologically advantageous in approaching the world (Jaggar, 1989: 168). The WGEID excluded the affective element of mothers’ demands, but it incorporated gender biases that compromised its alleged neutrality in this exclusion.

In contrast to the fixation with data and objectivity, the claims of the family members of the disappeared were charged with an affective meaning:

Silence or evasiveness was the response in our country. So, we gradually came to place our hopes in help from the rest of the world. We were met with understanding and compassion, but the children are still missing and are still growing up far away from us. Our anguish and helplessness are growing too. (UN Commission on Human Rights, 1981b: Annex IV, p. 2)

During the drafting process of the 2007 Convention, the emotional demands of the mothers of the disappeared were crucial to understanding the gravity of enforced disappearances. Kramer and Weissbrodt (1981: 18) stated that the grief of the mothers and family members of the disappeared “had haunted the halls and corridors of the Palais des Nations ... every delegate felt their desire to do something about their loved ones.” Far from being in a calm setting in which they could detach themselves from the project of the CED, family members found themselves “immersed in the drama that touched [their] hearts very closely ... feel[ing] this project very closely to [their] personal affection” (Albani, 1987: 219–220). FEDEFAM’s experience shows that, instead of reinforcing the divide between emotion/knowledge, rethinking the relation between knowledge and emotion as mutually constitutive instead of understanding reason and emotion as opposites can be more fruitful to describe human life (Jaggar, 1989: 163).

The WGEID’s disregard for family members’ feelings and emotions was partly due to the difficulties of representing feelings. Simplification or reductionism is part of the appeal of indicators and statistics as they represent numerically complex phenomena (Davis et al., 2012: 76). The WGEID might have displaced subjective data because the international legal community endorsed the reliability of statistics, giving more credibility to claims based on data than on affect (Davis et al., 2012: 86). Even so, it remains critically important to question the significance and consequences of the exclusion of affective dimensions of grassroots movements from the discourse of international law.

Privileging data and statistics at the expense of affect can have antidemocratic consequences as well. For example, in researching this article, I used statements of FEDEFAM that were available in a few of the early WGEID annual reports (UN Commission on Human Rights, 1981a, 1981b). But as the WGEID decided to move away from speeches, letters, and texts, the narratives of

family members were no longer available. The democratic concerns regarding accountability behind statistics and indicators relate to critics' skepticism regarding indicators in human rights, as "the use of indicators can make it relatively difficult to contest the use of those theories in global governance" (Davis, Kingsbury, and Merry, 2012: 878).

As I show in the next section, just as affects can reproduce practices of hierarchy and control, they can also generate resistance and collectivity (Liljeström, 2015: 33). For instance, in the case of the Mothers of Plaza de Mayo, some have argued that, despite geographical distances, the emotional ties among its members have been crucial in sustaining them as human rights activists for more than 30 years (Bosco, 2006). I will expose how the desire of members of FEDEFAM to find their loved ones alive played a crucial role in their political activism, breaking down the victim/agent divide present in their WGEID representation.

### **Victims/agents**

FEDEFAM's leading role in the creation of the 2007 Convention contradicts the WGEID's representation of women only as victims (UN Commission on Human Rights, 1981a: paras. 22, 48, 59, 85–86, 109, 170–171; 1981b: paras. 39, 41, 48, 51, 69, 78, 80, 170; 1983a: paras. 25, 32, 58). Making visible the specific harms that women endure as victims of disappearances is paramount. However, failing to acknowledge their role as human rights activists reinforces the colonial dynamic of portraying women solely as victims who need to be "saved" (Spivak, 1988). The colonial-savior dynamic in international law might mean that the role of law is only to "compensate women" for their weakness. In this narrative, women are understood only as victims of conflict, handmaidens, and victims of war (Orford, 2003: 62). However, the experience of FEDEFAM contradicts this representation.

Nevertheless, in some instances, the WGEID's General Comments even portray women as "uneducated" victims instead of crucial agents in the struggle against disappearances. For instance, the WGEID argued a pressing need to "educate women about their political options and rights" (UN Human Rights Council, 2013b: para. 34). The WGEID also argued that it was necessary to train women "to become accustomed to using public institutions" instead of using protests as mobilization repertoires (UN Human Rights Council 2013b: para. 35). The previous quotes are framed in a context with the WGEID asking states to ensure active participation of women in all official proceedings regarding enforced disappearances (UN Human Rights Council 2013b: para. 33). However, FEDEFAM has been mobilizing against disappearances since as early as 1980 (Ayala, 2011; FEDEFAM, 2006). Excluding FEDEFAM members as political agents supports the colonial move of portraying "third-world women" as illiterate or even "legal minors," reinforcing the idea that "that people in the third world just have not evolved to the extent that the west has" (Mohanty, 1988: 79–70).

The mobilization of family members of the disappeared contests the idea that the mothers of the disappeared needed to be "educated about their political options." FEDEFAM's mobilization was highly strategic, as its constituent groups used the elements that the regime promoted, motherhood and conservative values, to contest the regime (Lebon, 2010: 6–7). In Brazil, the authoritarian regime viewed mothers as "apolitical," and therefore, women's associations were allowed greater political leeway than other social groups (Álvarez 1990: 79). In Chile, mothers used "motherhood" to deconstruct the "Fatherland," a founding tenet of Pinochet's regime (Kovras, 2017: 83). As the dictatorship's claim to moral legitimacy was based on its defense of Christian family values, in contrast to a "godless communism," it posed a dilemma for the regime that women appealing to the same Christian values were opposing the government (Fisher, 1993: 109). Thus, the notion of motherhood was used by women against the regime as a façade to hide their political motivations as a deliberate mobilization strategy (Kovras, 2017: 65).

Many of the mothers carried on their children's struggles against dictatorship and discovered themselves as activists. Some even argued their children gave birth to them, not the other way around (Rosenblatt, 2020: 66). Rosario Ibarra, an initial member of FEDEFAM also argued, "I've certainly got a more radical attitude towards a system that takes away our sons and daughters. ... ." And as Küppers notes, "Through the search for their children, the mothers began to question their way of looking at things and to understand their children's protest, even their daughters" (Küppers, 1994: 118).

Members from FEDEFAM also carried on their family members' activism, denouncing neoliberalist economic plans implanted throughout Latin America. Most of the disappeared directly opposed the military and economic intervention of the United States in Latin America and identified as left-wing groups (López 2017: 97–99). FEDEFAM also began to denounce neoliberalism as "an injustice" (FEDEFAM, 2006: 2–3). For Judith Galarza, FEDEFAM wanted to revindicate the struggle of their relatives for better living conditions, such as more and better access to education, food, land, and working conditions (Ayala, 2011: 5).

It seems that through the organization as human rights activists, some women and mothers gained a political stand against dictatorships as well as a consciousness about gender oppression. Using the feminist method of women consciousness-raising groups (MacKinnon, 1982: 543), it seems that women's participation with other women in search for their loved ones made some of them aware of gender oppression. As Álvarez (1990: 59) stated, in Brazil, women's participation in "mothers-clubs" in active opposition to military authoritarianism "was crucial to the development of independent women's movement in the 1970."

Rosario Ibarra, former president of FEDEFAM, also stated that many mothers and wives of the disappeared were "calling for the defense of the rights of everyone, including women's rights" (Küppers, 1994: 118). In Colombia, some mothers argued, "We realized that, little by little, we have learned and we could contribute from the experiences of the Mothers of the Plaza de Mayo, how to go out of the kitchen or from a labor setting and learn how to do a law project, a legal action, etc." (Asociación de Familiares de Detenidos Desaparecidos [ASFADDES], 2003: 281).

In this regard, Hebe de Bonafini stated:

We were taught to iron, wash and cook and look after the children and that politics was for the men. ... It was difficult communicating with each other. The telephones were tapped ... we'd meet in a café ... we took paper and pretended we were copying dress patterns and someone would say than on a certain date at a certain time we'd had a fashion show. (Fisher, 1993: 107–108)

As Maier noted, gaining political consciousness through "mother-clubs," in which women might be perceived as replicating traditional motherhood roles, teaches a lesson to international feminism from the Latin American experience: "the diversity of contexts and agencies not based on gender that ultimately allows women to recognize the profound injustices of their gender condition" (2010: 34).

One element that I criticized in this section is the simplification of mothers and members of the disappeared only as victims instead of acknowledging them as activists. Recognizing victims as political agents, instead of reducing them only to their victimhood, allows us to think about victims as "political beings capable of analyzing and responding to their suffering" (Baines, 2016: 130). Approaches to complex victimhood had also stated that this is a limit of rights discourse, which reduces subjects to monolithic beings—for instance, only as victims who need to be rescued—instead of acknowledging them as "complex, compound, and internally diverse subjects" (Brown, 2000: 237).

One question to consider is whether the human rights framework can represent women as complex and having changing identities to further break down the victim/victim divide. Is this truly a limit of human rights discourse? As I will show in the following section, FEDEFAM's mobilization used affective elements, such as the love for their loved ones and the despair of not knowing their fate, to critique the unjust practice of enforced disappearances.

## Affective elements as critical tools

“We were political, but our politics are moral, ethical and with love,” stated one of FEDEFAM’s members (Fisher, 1993: 134–135). This statement highlights the extent to which FEDEFAM’s struggle had a fundamental affective dimension that was inextricable from its demands. Here, we can employ the concept of affective dissonance, developed by Hemmings (2012: 157), as a “judgment arising from the distinction between experience and the world.” For Hemmings, this dissonance emerges from a comparison between the unjust world and a desire to rectify it: “To know differently we have to feel differently” (2012: 150). The Mothers of the Plaza de Mayo, members of FEDEFAM, exemplify this “affective dissonance,” arguing that “we must have been crazy to challenge such a regime. But our craziness came from our feelings of pain and grief” (Schirmer 1989: 22).

The love of the family members of the disappeared fuels them to keep their memory alive. Speaking their names and sharing their children’s photographs, they resist the imposed erasure by the dictatorships (Álvarez, 2015: 152). Their grief is a crucial element of their political strategy, which asks for the sometimes-impossible demand to bring their children alive as a crucial demand that keeps them resisting the dictatorship until they find their relatives (Rosenblatt, 2020: 95).

The WGEID used the binaries subjective/objective, political/nonpolitical, experts/nonexperts, among others, to delegitimize FEDEFAM’s demands. I showed that the WGEID discourse represented FEDEFAM through humanitarian/political, objective/subjective, and data/affect binaries. However, FEDEFAM’s struggle was not located exclusively on one side of the binary. FEDEFAM had valid political demands for which they used the image of “motherhood” as a nonpolitical representation to shield themselves from authoritative regimes. Their mobilization superseded the binary framework that the WGEID wanted to impose on them.

As developed by the philosopher Ngai (2007), the concept of feeling tone serves as a critical tool in identifying the importance of the affective dimension in FEDEFAM’s struggle. Further, the idea of feeling tone helps break down the apparent binaries—objectivity/subjectivity, mother/activist, and so on—that the WGEID’s narrative sustained. Ngai’s (2007) concept of feeling tone proposes an interplay between objective/subjective and makes explicit the cracks between both sides of the binary. The tone is neither mere “representation” as something objective or material nor reducible to a reader’s emotional response as something entirely subjective (Ngai, 2007: 27). Instead, as Ngai (2007: 28) stated:

The “tone” of an artwork cannot be reduced to the representation of feelings within the artwork. ... By “tone” I mean a literary or cultural artifact’s feeling tone: its global or organizing affect, its general disposition or orientation toward its audience and the world.

Feeling tone then is a dialectic of objective and subjective feeling. In FEDEFAM’s struggle, the feeling tone of their mobilization relates to mourning and the feeling of love—feelings that are rooted in verifiable experiences of oppression and impunity. To understand the gravity of this crime, one must understand both the affective element of not finding a son and the hopeful element of searching for him. The concept of feeling tone is difficult to define, as it stands apart from the objective/subjective binary and supersedes identity-based claims. However, as Ngai (2007: 30) stated, “the concept’s power resides precisely in its amorphousness.”

Looking more closely at affect could be a tool to go beyond identity-based rights discourse. However, it is important not to fall into essentialist claims such as using emotion as the foundation for politics. Subaltern subjects become invested in the wound, “such that the wound comes to stand for identity itself (Ahmed, 2004: 31–32). The problem with drawing a link with the subaltern and pain is understanding the subaltern *only* as pain. In contrast, as proposed by Ahmed (2004: 39), we should strive for the inclusion of an affect having to do with “learning to hear the

impossible,” and involving an intersubjective response as a call for politics “learning that we live with and beside each other, and yet we are not as one.”

Ngai (2007) understood the concept of feeling tone to describe an affective value that is not identity-based and that can also help to supersede the objective/subjective binary:

The formal aspect of a work that has made it possible for critics of all affiliations (Marxist, feminist, postcolonial, historicist) to describe a work or class of works as “euphoric” “melancholic” ... resembles the concept of collective mood frequently invoked by historians. (2007: 43)

As Ngai (2007: 40) stated, affect, in contrast to emotion, is not contained by identity. In contrast to a feeling, affect admits more messiness, as it does not ask for an organized response to a situation.

The value of the concept of feeling tone for FEDEFAM’s mobilization in this regard is that it is not a unitary description. Instead of labeling these mobilized women as victims, as activists, or as mothers, FEDEFAM’s mobilization supersedes the limitations of one specific category, such as mother or human rights activist. FEDEFAM’s mobilization used elements from international law alongside the most “everyday” types of knowledge—born of being a mother, sister, or wife in search of family members. Perhaps, the messiness of their demands, which could be understood as originating in the “private realm”—a mother looking for her children—but expanding outward into the “political” or as a public demand such as an International Convention troubled the WGEID. Accordingly, Ngai’s concept of feeling tone as amorphous and messy could be an interesting entry point to analyze FEDEFAM’s grassroots mobilizations in international law.

## Conclusion

In this article, I have inquired about who is deemed a legitimate actor by international law. I used FEDEFAM’s mobilization as an example of a feminist grassroots mobilization effort to show how its struggle failed to be recognized by the WGEID. I examined why this may have been the case, and proposed that WGEID’s practices responded to a logic that privileged objectivity, neutrality, statistics, and the notion of the “expert,” all of which delegitimized FEDEFAM as a political actor. I showed that in FEDEFAM’s struggle, politics, affect, and motherhood were closely related. In this regard, I suggested a further theorization of the interplay between affect and politics in grassroots mobilization is needed in international law literature. Finally, I suggested that looking closer at affective elements, Hemmings’ (2012) concept of affective dissonance, and Ngai’s (2007) concept of feeling tone could form a useful entry point for critical theory to supersede the binary that dominates thought and rights discourse based on identity-claims.

One issue repeated throughout this article is the question of why FEDEFAM’s demands were not heard. In response, I offered some possible answers, but nevertheless two bigger questions remain for further research. *Could* their demands be heard? Is it possible that international law, and law in general, encounters a limit when it must *represent* others? Is this an inescapable impossibility of rights discourse? Perhaps as Kennedy (2002) and Foucault (1980) argued, rights discourse has a limited potential for social change because it is immersed in the logic of sovereignty and identity-based claims.

However, FEDEFAM’s struggle asks us to think in a different direction, to the extent that its case offers an opportunity to think about the radical and transformative use of human rights. FEDEFAM used human rights to contest authoritarian regimes, and through human rights mobilization, the women of FEDEFAM acquired a sense of political action. In this regard, it bears consideration that there may be other understudied cases of radical or transformative uses of human rights.

## Notes

1. In Argentina: Abuelas de la Plaza de Mayo; Asociación de Familiares de Italianos Detenidos-Desaparecidos en Argentina; Comisión de Familiares de Detenidos-Desaparecidos por Razones Políticas de Córdoba, Madres de la Plaza de Mayo-Línea Fundadora. In Bolivia: Asociación de Familiares de Detenidos-Desaparecidos y Mártires por la Liberación Nacional. In Brazil: Tortura Nunca Mais- Rio de Janeiro, Tortura Nunca Mais- Sao Paulo. In Colombia: ASFADDES. In Costa Rica: Asociación Centroamericana de Familiares de Detenidos Desaparecidos ACAFADE. In Chile: Asociación Nacional de Familiares de Detenidos-Desaparecidos (AFDD). In Ecuador: Comité de Familiares de Presos Desaparecidos Perseguidos Políticos. In El Salvador: Comité de Madres y Familiares de Presos Desaparecidos y Asesinados Políticos de El Salvador, COMADRES, Comité de Familiares Pro-libertad de Presos Desaparecidos y Asesinados Políticos (CODEFAM); Comité de Madres y Familiares Cristianos de Presos (COMAFAC). In Honduras: COFADEH. In México: Comité Pro-Defensa de Presos Perseguidos (EUREKA); Comité Nacional Independiente Pro-Defensa de Presos Persos Perseguidos. In Paraguay: Comisión Permanente de Familiares de Desaparecidos y Asesinados Políticos de Paraguay (CPFDA); Comité de Familiares de Detenidos Desaparecidos Paraguayos en Argentina. In Perú: Asociación Nacional de Familiares de Secuestrados y Desaparecidos en la Zona declarada en estado de emergencia del Peru (ANFASEP); Comité de Familiares de Detenidos y Desaparecidos en la zona de emergencia refugiados en Lima(COFADER). In Uruguay: Madres y Familiares de Desaparecidos en Uruguay.
2. Unofficial translation provided by the author. The direct quotes provided in this article were translated by the author from Spanish to English in an unofficial capacity.

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## References

- Agrupación de familiares de detenidos desaparecidos. (1982, April 11). *Archivo de Fondos y Colecciones. Museo de la Memoria y los Derechos Humanos*. <http://archivomuseodelamemoria.cl/index.php/202713;isad?page=4>
- Ahmed, S. (2004). *The cultural politics of emotion*. Routledge.
- Albani, T. (1987). Comentarios al proyecto de convención sobre desaparición forzada e involuntaria de personas de FEDEFAM. In *La desaparición: crimen contra la humanidad* (pp. 219–224). Universidad de Buenos Aires.
- Alston, P. (2013). Does the past matter? On the origins of human rights. *Harvard Law Review*, 126(7), 2043–2081.
- Álvarez, M. (2015). Traces of shared memories in Latin America during the twentieth century. *Signos Históricos*, 17(34), 140–170.
- Álvarez, S. (1990). *Engendering democracy in Brazil: Women's movements in transition politics*. Princeton University Press.
- Asociación de Familiares de Detenidos Desaparecidos. (2003). *Colombia veinte años de historia y lucha*. Gakoa.
- Ayala, M. (2012). *Regional humanitarian coordinations. Exiles, religious and human rights organizations in the formation of the Latin American Federation of Associations of Relatives of Disappeared Detainees (1979-1982)*. Revista Digital de la Escuela de Historia. Universidad Nacional de Rosario. <https://revistapaginas.unr.edu.ar/index.php/RevPaginas/article/download/403/html?inline=1>
- Ayala, M. (2011). FEDEFAM: 30 años de lucha contra la desaparición forzada, 1981-2011. *Aletheia*, 2(3), 1–7.
- Baines, E. (2016). *Buried in the heart: Women, complex victimhood and the war in Northern Uganda*. Cambridge University Press.
- Barreto, J.-M. (2013). *Human rights from a third world perspective: Critique, history and international law*. Cambridge Scholars Publishing.

- Bosco, F. (2006). The Madres de Plaza de Mayo and three decades of human rights' activism: Embeddedness, emotion and social movements. *Annals of the Association of American Geographers*, 96(2), 342–365. <https://doi.org/10.1111/j.1467-8306.2006.00481.x>
- Brown, W. (2000). Suffering rights as paradoxes. *Constellations*, 7(2), 208–229. <https://doi.org/10.1111/1467-8675.00183>
- Bueno-Hansen, P. (2015). *Feminist and human rights struggles in Peru decolonizing transitional justice*. University of Illinois Press.
- Chinkin, C. (2010). *Feminism, approach to international law*. Oxford Public International Law. <https://doi.org/10.1093/law/epil/9780199231690/law-9780199231690-e701>
- Cixous, H. (1981). Sorties. In E. Marks & I. de Courtivron (Eds.), *New French feminisms*. (pp. 90–98). University of Massachusetts Press.
- Cosgrove, S. (2010). *Leadership from the margins: Women and civil society organizations in Argentina, Chile, and El Salvador*. Rutgers University Press.
- Davis, K., Kingsbury, B., & Merry, S. (2012). Indicators as a technology for global governance. *Law & Society Review*, 46(1), 71–104. <https://doi.org/10.1111/j.1540-5893.2012.00473.x>
- De Beco, G. (2008). Human rights indicators for assessing state compliance with international human rights. *Nordic Journal of International Law*, 77(1–2), 23–49. <https://doi.org/10.1163/090273508X290681>
- De Lauretis, T. (1985). The violence of rhetoric: Considerations on representation and gender. *Semiotica*, 54(1–2), 11–32. <https://doi.org/10.1515/semi.1985.54.1-2.11>
- Di Marco, G. (2010). Women's movements in Argentina: Tensions and articulations. In E. Maier & N. Lebon (Eds.), *Women's activism in Latin America and the Caribbean: Engendering social justice, democratizing citizenship* (pp. 159–174). Rutgers University Press.
- Donoso, A., Valdéz, T. (2007). *Participación política de las mujeres en América Latina Informe Regional*. Asociación Latinoamericana de Organizaciones de Promoción al Desarrollo. [http://www.lasociedadcivil.org/wp-content/uploads/2014/11/alop\\_informe\\_regional\\_00\\_pp\\_mujeres\\_al\\_txt\\_completo11.pdf](http://www.lasociedadcivil.org/wp-content/uploads/2014/11/alop_informe_regional_00_pp_mujeres_al_txt_completo11.pdf)
- Dotson, K. (2011). Tracking epistemic violence, tracking practices of silencing. *Hypatia*, 26(2), 236–257. <https://doi.org/10.1111/j.1527-2001.2011.01177.x>
- Enloe, C. (1996). Margins, silences and bottom rungs: How to overcome the underestimation of power in the study of international relations. In S. Smith, K. Booth, & M. Zalewski (Eds.), *International theory: Positivism and beyond* (pp. 186–202). Cambridge University Press.
- FEDEFAM. (1981). *Acta Final. I Congreso Latinoamericano de Familiares de Desaparecidos*. San José, Costa Rica. <https://s3.amazonaws.com/DDHH/1981%20-%201%20Congreso%20Latinoamericano%20de%20Familiares%20de%20Desaparecidos.pdf>
- FEDEFAM. (1982). *Hasta Encontrarlos!* <http://www.ruinasdigitales.com/revistas/ddhh/1982%20-%20FEDAFAM%20-%20Hasta%20Encontrarlos%2001.pdf>
- FEDEFAM. (1997). *Texto de la carta enviada al Presidente de los Estados Unidos Mexicanos por la Federación Latinoamericana de Asociaciones de Familiares de Detenidos Desaparecidos FEDEFAM*. <http://www.derechos.org/nizkor/mexico/doc/fedefam.html>
- FEDEFAM. (2006). *1981-2006: 25 Años de FEDEFAM*. Princeton University Library. <https://lae.princeton.edu/catalog/b2818ce1-82fc-45a3-86be-f90da6e3efec?locale=es#c=0&m=0&s=0&cv=0&xywh=-1017%2C-196%2C4294%2C3882>
- Fisher, J. (1993). *Mothers of the disappeared*. South End Press.
- Foucault, M. (1980). Two lectures. In G. Colin (Ed.), *Power/knowledge: Selected interviews and other writings* (pp. 78–109). Pantheon Books.
- Foucault, M. (1991). Governmentality. In C. Gordon, G. Burchell, & P. Miller (Eds.), *The Foucault Effect* (pp. 87–105). The University of Chicago Press.
- FUNDALATIN. (1982). *Los Desaparecidos: Propuestas para un proyecto de convención internacional contra las desapariciones forzosas* [Online]. <http://www.ruinasdigitales.com/revistas/ddhh/1982%20-%20FEDAFAM%20-%20Los%20Desaparecidos.pdf>.
- Garza, J. (2017). Actores y redes del movimiento por los derechos humanos en América Latina. *Boletín de Antropología*, 32(53), 158–179.
- Gordon, C. (1991). Governmental rationality: An introduction. In C. Gordon, G. Burchell, & P. Miller (Eds.), *The Foucault Effect* (pp. 1–53). The University of Chicago Press.
- Held, V. (2006). *The ethics of care: Personal, political, and global*. Oxford University Press.
- Hemmings, C. (2012). Affective solidarity: Feminist reflexivity and political transformation. *Feminist Theory*, 13(2), 147–161. <https://doi.org/10.1177/1464700112442643>
- Jaggar, A. (1989). Love and knowledge: Emotion in feminist epistemology. *Inquiry*, 32(2), 151–176. <https://doi.org/10.1080/00201748908602185>
- Kennedy, D. (2002). The international human rights movement: Part of the problem? *Harvard Human Rights Journal*, 15(124), 100–125.

- Kovras, I. (2017). *Grassroots activism and the evolution of transitional justice: The families of the disappeared*. Cambridge University Press.
- Kramer, D., & Weissbrodt, D. (1981). The 1980 U.N. Commission on Human Rights and the Disappeared. *Human Rights Quarterly*, 3(1), 18–33. <https://doi.org/10.2307/762064>
- Küppers, G. (1994). *Compañeras: Voices from the Latin American women's movement*. Latin American Bureau.
- Lazar, M. (2007). Politicizing gender in discourse: Feminist critical discourse analysis as political perspective and praxis. In M. Lazar (Ed.), *Feminist critical discourse analysis: Gender, power and ideology in discourse* (pp. 1–28). Palgrave Macmillan.
- Lebon, N. (2010). Women building plural democracy in Latin America and the Caribbean. In E. Maier & N. Lebon (Eds.), *Women's activism in Latin America and the Caribbean: Engendering social justice, democratizing citizenship* (pp. 3–25). Rutgers University Press.
- Liebowitz, D., & Zwingel, S. (2014). Gender equality oversimplified: Using CEDAW to counter the measurement obsession. *International Studies Review*, 16(3), 362–389. <https://doi.org/10.1111/misr.12139>
- Liljeström, M. (2015). Affect. In L. Disch & M. Hawkesworth (Eds.), *The Oxford handbook of feminist theory* (pp. 17–38). Oxford University Press.
- López, C. (2017). *La desaparición forzada de personas en el derecho internacional de los derechos humanos: Estudio de su evolución, concepto y reparación a las víctimas*. Editorial Universidad del Rosario.
- Lugones, M. (2010). Toward a decolonial feminism. *Hypatia*, 25(4), 742–759. <https://doi.org/10.1111/j.1527-2001.2010.01137.x>
- Mackinnon, C. (1982). Feminism, Marxism, method, and the state: An agenda for theory. *Signs: Journal of Women in Culture and Society*, 7(3), 515–544. <https://doi.org/10.1086/493898>
- Mackinnon, C. (1993). Crimes of war, crimes of peace. In S. Shute and S. Hurley (eds) *On Human Rights: The Oxford Amnesty Lectures 1993* (pp. 41–83). Basic Books.
- Maier, E. (2010). Accommodating the private into the public domain: Experiences and legacies of the past four decades. In E. Maier & N. Lebon (Eds.), *Women's activism in Latin America and the Caribbean: engendering social justice, democratizing citizenship* (pp. 26–47). Rutgers University Press.
- Marks, S., & Clapham, A. (2005). *International human rights lexicon*. Oxford University Press.
- McCann, M. (2004). Law and social movements. In A. Sarat (Ed.), *Blackwell companions to law and society*. Blackwell Pub.
- Merry, S. (2011). Measuring the world: Indicators, human rights, and global governance. *Current Anthropology*, 52(S3), S83–S95. <https://doi.org/10.1086/657241>
- Merry, S. (2016). *The seductions of quantification: Measuring human rights, gender violence, and sex trafficking*. University of Chicago Press.
- Mohanty, C. (1988). Under Western eyes: Feminist scholarship and colonial discourses. *Feminist Review*, 30(1), 61–88. <https://doi.org/10.1057/fr.1988.42>
- Museo de la memoria y los derechos humanos. (2021, February 21). *Fundación de FEDEFAM – Enero 1981 Discurso de Pamela Pereira – Acto Semana Internacional por los Detenidos Desaparecidos* [Video]. YouTube. [https://www.youtube.com/watch?v=b1g8\\_cwndHg](https://www.youtube.com/watch?v=b1g8_cwndHg)
- Nash, K. (2015). Is it social movements that construct human rights? In D. della Porta & M. Diani (Eds.), *The Oxford handbook of social movements* (pp. 743–758). Oxford University Press.
- Ngai, S. (2007). *Ugly feelings*. Harvard University Press.
- Orford, A. (2003). *Reading humanitarian intervention: Human rights and the use of force in international law*. Cambridge University Press.
- Ortner, S. (1974). Is female to male as nature is to culture? In M. Rosaldo & L. Lamphere (Eds.), *Woman, culture, and society* (pp. 68–87). Stanford University Press.
- Pérez, M. (2006). *Enforced disappearances in international human rights*. McFarland & Company, Inc., Publishers.
- Ramcharan, B. (2015). The law-making process: From declaration to treaty to custom to prevention. In Dinah Shelton (Ed.), *The Oxford handbook of international human rights law* (pp. 500–526). Oxford University Press.
- Rosenblatt, A. (2020). *Digging for the disappeared: Forensic science after atrocity*. Stanford University Press.
- Rubin, G. (1975). The traffic in women: Notes on the “political economy” of sex. In R. R. Reiter (Ed.), *Toward an anthropology of women* (pp. 157–210). Monthly Review Press.
- Schirmer, J. (1989). ‘Those who die for life cannot be called dead.’ Women and human rights protest in Latin America. *Feminist Review*, 3(32), 3–29. <https://doi.org/10.2307/1395361>
- Scovazzi, T., & Citroni, G. (2007). *The struggle against enforced disappearance and the 2007 United Nations convention*. Martinus Nijhoff Publishers.
- Shepherd, L. (2017). *Gender, UN peacebuilding, and the politics of space: Locating legitimacy*. Oxford University Press.
- Spivak, G. (1988). Can the subaltern speak? In L. Chrisman & P. Williams (Eds.), *Colonial discourse and post-colonial theory: A reader* (pp. 66–111). Routledge.
- Stephen, L. (1997). *Women and social movements in Latin America: Power from below*. University of Texas Press.



- Theidon, K. (2009). The milk of sorrow: A theory on the violence of memory. *Canadian Woman Studies*, 27(1), 8–16.
- Trouillot, M. (1995). *Silencing the past: Power and the production of history*. Beacon Press.
- UN Commission on Human Rights. (1981a). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1435.
- UN Commission on Human Rights. (1981b). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1492.
- UN Commission on Human Rights. (1983a). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1983/14.
- UN Commission on Human Rights. (1983b). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1984/21.
- UN Commission on Human Rights. (1985a). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1985/15.
- UN Commission on Human Rights. (1985b). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1985/15. Annex II.
- UN Commission on Human Rights. (1986). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/1987/15.
- UN Commission on Human Rights. (2004). *Report of the working group on enforced or involuntary disappearances*. UN Doc, E/CN.4/2005/65.
- UN Human Rights Council. (2013a). *Report of the working group on enforced or involuntary disappearances*. UN Doc, A/HRC/22/45.
- UN Human Rights Council. (2013b). *General comment on women affected by enforced disappearances adopted by the working group on enforced or involuntary disappearances at its ninety-eighth session*. UN Doc, A/HRC/WGEID/98/2.
- United Nations Centre for Human Rights. (1997). *Enforced or involuntary disappearances* (rev. 2nd ed., Human rights fact sheet, no. 6). Centre for Human Rights.
- United Nations Office of the High Commissioner for Human Rights. (2009). *Enforced or involuntary disappearances*. Fact sheet. no. 6/Rev. 3.
- United Nations Office of the High Commissioner for Human Rights. (2021). *About enforced disappearance*. <https://www.ohchr.org/EN/Issues/Disappearances/Pages/About.aspx>.
- United Nations. (2007). *International convention for the protection of all persons from enforced disappearance*. UN.
- Valdés, T. (2000). *De lo social a lo político: la acción de las mujeres latinoamericanas*. LOM Ediciones.
- Vibhute, K. (2010). The 2007 international convention against enforced disappearance: Some reflections. *Mizan Law Review*, 2(2), 287–310. <https://doi.org/10.4314/mlr.v2i2.55627>
- Viveros, M. (2015). Sex/gender. In L. Disch & M. Hawkesworth (Eds.), *The Oxford handbook of feminist theory* (pp. 853–873). Oxford University Press.