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The Churches and gender equality in Chile

*Religious impact on sex education policies and
on the introduction of emergency contraception*

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Introduction

The purpose of this paper is to analyse the role of churches in Chile's public and political life. It focuses, specifically, on their influence in the process of restoring democracy during the 1990s, and examines their effect on the formulation and implementation of two policies important to women's autonomy and to their ability to exercise their sexual and reproductive rights on a basis of equality. One of these policies is the National Sexual Education Policy, which gave rise to the programme known as Conversation Workshops on Emotion and Sexuality (Jornadas de Conversación sobre Afectividad y Sexualidad, or JOCAS)—a program directed at young teenage students. The second relates to providing free “morning after” pills at public health facilities. JOCAS was implemented at the beginning of the 1990s, as the transition to democracy began, while the policy on the “morning after” pill is part of the Fertility Regulation Standards proposed in the first decade of the new millennium.

These two policies were considered particularly significant because of their importance in overcoming the subordination of women and strengthening their personal and collective autonomy. Since at least the nineteenth century, education has been a focus of women's demands, as part of their campaign for personal development and access to public life. As a dimension of personal development, sexuality has also been at the forefront in combating subordination to male power. For the churches, issues of education, family and sexuality serve as important moral mileposts in the effort to defend the gender status quo and the family and to ensure that women's sexuality remains subordinate to reproduction. From the 1990s to the present day, the debate on these issues has been highly controversial, and although, as will be discussed further on, there are differences within and between churches, they continue to interpret these issues within the context of their doctrinal frameworks. Sexual and reproductive rights constitute the most prominent area of political confrontation between the Catholic Church and progressive movements. The various churches have different histories and characteristics. The Catholic Church, due to its close ties to power, has been a major actor in policy formulation and implementation. At the same time, the minority status and heterogeneity of the evangelical churches, along with the discrimination they experience, accounts for their more pluralistic positions.

The analysis presented here attempts to reconstruct the political camps, rhetoric and practices of those committed to these two policies. This includes governmental actors, religious authorities, political officials, social leaders and the women's movement. The focus, here, will be on the State, the churches and the women's movement.

The present work is divided into four sections. The opening section briefly reconstructs the historical background, in order to highlight the role of Christian churches in Chile's political and social life from the time of the country's independence in the nineteenth century to the present. The second section analyses the National Sexual Education Policy to Improve Education, which provoked a major political debate in the 1990s. The third section analyzes emergency contraception, which was one of the measures that was set forth in the Fertility Regulation Standards and that has been central to the Church's strong opposition to the Standards since 2000. The fourth and final section presents conclusions.

The political role of the Christian churches in the Chilean State, political system and society – The hegemony of the Catholic Church

The nineteenth century: Definitions of the nascent republic

The nineteenth century was marked by confrontation between conservative and liberal political forces as to what constitutional forms the republic would take. At the time, the Catholic Church was a fundamental element in Chilean society's political and institutional fabric. It supported conservative forces, actively resisting measures proposed by liberal groups aimed at reducing the Church's leading role in the civil service arena and separating Church and State. Reflecting the power of the Church and of conservative forces, the 1818 Constitution recognised Catholicism as the State religion, and under the 1823 Constitution, religiosity was a prerequisite to citizenship, thus equating the Christian community with civil and political society.

In the nineteenth century, liberal governments approved the secularisation of cemeteries, government regulation of birth and civil marriage records, freedom of worship, and reform of the penal code to limit the legal scope of ecclesiastical jurisdiction.

In the twentieth century, changes in Europe, the rise of the middle classes and the appearance of new political parties (Socialist, Communist and Radical) changed the political landscape in Chile. A new, modernising, and democratic political camp took form, committed to the separation of Church and State (a principle enshrined in the 1925 Constitution), national development, greater opportunity in the areas of health, education and employment, and the reduction of inequality and poverty. Women's struggle for equality and autonomy, of which the Movement for the Emancipation of Women was a chief proponent, was one component of these democratic struggles, which brought to light the social inequalities between men and women.

Social inequality and poverty were key elements in the debate within the Catholic Church, and led some conservative youth, influenced by the Social Doctrine, to form new political groupings within and outside the Conservative Party, aimed at addressing social issues and establishing the Kingdom of God on earth. These currents gave birth to the Falange Nacional (1935-1957), and later the Christian Democratic Party, which has played a prominent role in the country's politics.

Along with the social changes taking place worldwide, the Roman Catholic Church itself underwent major changes, as reflected in the Second Vatican Council (1962-1965). Vatican II proposed interpreting "the signs of the times" in the light of the Catholic faith. It marked the opening of the Roman Catholic Church to the ecumenical movement, and initiated a change of attitude towards the Protestant churches.

One important group of Latin American bishops would later embrace doctrines opposing oppression and exploitation, while making a commitment to the poor.¹ Liberation theology flourished in Latin America, and the late 1960s saw the emergence of groups of priests and nuns such as the Grupo de los 80 and, later, Christians for Socialism.

Although the Catholic Church supported social struggles, in the case of hormonal contraception it stood in opposition to greater personal autonomy. In Chile, govern-

¹ The question of poverty, oppression and despair was analysed at the General Conferences of the Latin American Episcopate in Medellín (1968) and Puebla (1979), where commitments to a preferential option for the poor were made.

ment policies on reproduction and sexuality provoked major conflicts between the State and the Church hierarchy. The National Population Policy of the Christian Democratic government (1964-1970), which included birth control programmes, aroused debate within the Catholic Church. The Grupo Belarmino drew a distinction between contraception and abortion,² and in 1967 Cardinal Silva Henríquez stated that the use of contraceptives was not immoral, unlike “abortion, which remained a crime under any circumstances”.³

The encyclical *Humanae Vitae*, issued by the Vatican in 1968,⁴ reaffirmed conservative positions on life and reproduction, and rejected the use of contraceptives.

A break in the continuity of democracy

The military coup of Augusto Pinochet (September 11, 1973) represented a profound rupture of the political, economic and cultural system, radically altering Chileans’ customs and daily life. For 17 years, debate and citizen participation in a democratic public order were foreclosed, and human rights were violated. The economic, social and cultural order put in place by the dictatorship favoured the dominant classes. At the same time, reduced social spending, a rejection of the State’s role in universalist policies, and the privatisation of public services worsened the quality of life and aggravated social inequalities.

From the inception of the military dictatorship, with its indiscriminate violation of human rights, Chile’s Catholic Church and other Christian churches committed themselves to the protection of human rights. A number of these, along with the Jewish community, formed the ecumenical Comité Pro Paz, the first human rights organisation created during the military regime.⁵ This was followed by the Vicaría de la Solidaridad, which was organised by the Catholic Church. Nineteen seventy-five marked the founding of the Academy of Christian Humanism,⁶ a pluralistic organisation for the collection and dissemination of information concerning the realities of life in Chile.

Beginning in the 1960s, the evangelical churches increased in number and grew in membership.⁷ Some evangelical groups allied themselves with the dictatorship to

² “To pretend that periodic or total chastity can be an alternative solution appears to us simply naive... This method requires a level of culture, human maturity and psychology that we cannot demand of an undernourished, ignorant population that is influenced by alcohol and guided by the pseudo-values typical of the values of primitives.” Quoted in Hurtado et al. (2004), p.86.

³ Idem.

⁴ This put an end to the Responsible Parenthood Council, the majority of whose members had recommended permitting Catholics to use contraceptives.

⁵ The Comité Pro Paz, created in October 1973, was chaired by the Catholic bishop Fernando Ariztía and the Lutheran bishop Helmut Frenz. It was closed down under pressure from the military government, and spawned the Vicaría de la Solidaridad (1976). Protestant sectors created the Fundación de Ayuda Social de las Iglesias Cristianas (FASIC).

⁶ Created at the initiative of Cardinal Raúl Silva Henríquez, this institution provided for research on the political, economic, social and cultural reality.

⁷ The Pentecostal churches began emerging from the historical churches in 1910, and a diversity of churches developed—a growth trend that persists. The Pentecostal churches represented 1.5% of the population according to the 1930 census, but more than 15% by the time of the 2002 census. In the legal area, Law 19.638, the 1999 Law of Worship, changed the legal status of Protestant churches and religious entities.

gain political power. The Council of Pastors,⁸ which encompassed a number of evangelical churches, took advantage of the conflicts between the Catholic Church hierarchy and other evangelical churches to gain representation within—and recognition by—the regime. Meanwhile, other evangelical forces were active in the Comité Pro Paz, and organised the Christian Brotherhood of Churches (Confraternidad Cristiana de Iglesias, or CCI)⁹ in opposition to the military regime.

In the 1980s, the military government attempted to give the regime a façade of legality by putting in place a new Constitution. Widespread protests by poor and middle-class pro-democracy sectors, starting in 1983, along with social movements opposing the dictatorship and international condemnation of the regime opened up a narrow window of opportunity for political participation.

These new social movements began to rebuild the social ties that had been severed by the repression. The innovative frameworks they put forward for interpreting the current realities lent greater visibility to ethnic and gender inequalities. Non-governmental organisations implemented social programmes to assist those in vulnerable circumstances and those facing extreme injustice, employing a new approach that combined personal freedom and autonomy, with social justice. *Thus, a major and innovative cultural force emerged, serving as a channel for the new ideas that were circulating throughout the region and internationally. By using political action, these operatives deployed—and enriched—their initial concepts, and honed their expertise in development activities, to be transferred to government once democracy was restored.*

Notable among these movements was the feminist movement, as well as the broader women's movement, comprised of feminists and women from leftist political parties and human rights groups.

The feminist movement constructed and disseminated new meaning for the lives of women and their relations with men in all social spheres. It highlighted the existence of an unjust system with regard to gender—a social order that enshrined the subordination of women. It gave name to the afflictions associated with that system, and promoted independent organising on the part of women.

The fact that the Catholic Church had close links with anti-dictatorial movements did not guarantee a conflict-free relationship with the women's movement. Women organising under the auspices of the churches—through food kitchens, solidarity workshops and human rights organizations—became increasingly aware of the oppression they experienced as women, and many came to criticise the role that Catholic Church norms and prescriptions played in the subordination of women, particularly within the family and in the areas of sexuality and reproduction. The development of a feminist movement and a feminist rhetoric that fused the struggle for democracy with the struggle for women's equality, autonomy and freedom found a home in the Women's Circle, at the Academy of Christian Humanism. Some of the Circle's writings on sexuality, however, were a source of friction and led, ultimately, to its expulsion from the Academy.

⁸ They sought to assume the role of an official religion, which until then had been played by the Catholic Church, as reflected in the instituting of an evangelical Te Deum at the Evangelical Cathedral in 19XX. Today, the evangelical support for Pinochet can be viewed more critically. Some say that it primarily reflected an attempt to take advantage of a political situation that afforded visibility and recognition to a player that, until then, had been relegated to the sidelines.

⁹ Created in 1982, it was composed of nine churches and ecclesiastical corporations, and worked for human rights and the restoration of democracy.

The growth of pro-democratic forces, nationally and internationally, compelled the dictatorship to seek a political solution. This was reflected in the creation of the 1980 Constitution and the so-called plebiscite on Augusto Pinochet's tenure. Having lost the plebiscite, in the final period of his presidency Pinochet promulgated a number of laws limiting the potential for democratic change. Therapeutic abortion, legitimate under the Health Code since 1931, was eliminated in 1989, and Law 18.962, the Constitutional Organic Law on Education, was promulgated on 10 March 1990.

The transition to democracy

In the election that followed the plebiscite of 14 December 1989, Chileans democratically elected a new president, the Christian Democrat Patricio Aylwin.¹⁰ The programme of the first democratic government (1990-1994) was the result of a negotiation, and a uniting of the forces of various political parties under the umbrella of the Coalition of Parties for Democracy.

The country over which Patricio Aylwin presided was politically polarised. When Aylwin was elected, Augusto Pinochet retained power as Commander in Chief of the Army, and became a lifetime Senator. The conservative forces, the military and the existing state bureaucracy remained a political presence, resisting the political, institutional and cultural changes promoted by the democratic governments. The process of political innovation and advancement towards democracy was driven by the forces of the Coalition, the country's social movements and the numerous politicians and professionals who returned from exile abroad.

The polarisation of political forces, the manifest power of Augusto Pinochet, the political opposition—in the form of the Independent Democratic Union Party¹¹ and the more liberal National Renovation Party¹²—and fear that the process of democratisation might be reversed led the Coalition governments to adopt a “politics of consensus” as a central governance strategy.

This limited the room for public debate and the scope of the policies that Coalition governments put forward. Fears about the fragility of the democracy also made it difficult for various organisations within Chilean society to participate in the policy debate, for fear of upsetting the unstable equilibrium of forces that had been negotiated without their participation.

In the early 1990s, more conservative forces within the Catholic Church were gaining influence. On the five hundredth anniversary of the conquest of Latin America, the Vatican and the Latin American Episcopal Council (known by its Spanish acronym CELAM) proclaimed the New Evangelisation; in Chile, bishops who were symbols of the resistance to Pinochet were replaced by bishops with a clearly conservative profile, who assumed leadership of the Episcopal Conference. These conservative forces would oppose a series of measures aimed at increasing personal freedom and autonomy: a divorce law, AIDS prevention initiatives, sexual education, and efforts to make the “morning after” pill available. A letter by the Archbishop of Santiago, Carlos Oviedo, entitled “Morality, Youth and Permissive Society” (1991), redefined the social climate

¹⁰ Results of the election: 55.2% for Aylwin, 29.4% for Büchi (the rightist candidate) and 15.4% for Francisco Javier Errázuriz (independent rightist candidate).

¹¹ The Unión Demócrata Independiente (UDI) was created in 1983, as a “Christian-inspired” “people’s” party and “promotor of a social market economy”.

¹² Renovación Nacional (created in 1987).

as one of “increasing immorality” and “unhealthy eroticism”, renewing the age-old association between sexuality and sin.

More progressive Catholic and evangelical groups moved to legitimise the human rights and social justice policies of the first Coalition government, while at the same time mediating between the government’s proposals and the more conservative segments within the Catholic Church and in the broader political arena.

The democratic process fostered coordination and organising among evangelical and Protestant churches. Partly as a result of President Aylwin’s invitation to the evangelical churches to participate in drafting a report of the Truth and Reconciliation Commission, they became a more organised and more visible political force.¹³

THE CONFLICT OVER SEXUAL EDUCATION

The Sexual Education Policy to Improve the Quality of Education

Against this background, educational reform, which included sexual education, was implemented. A series of national and international initiatives provided the government the support necessary for it to negotiate this reform and overcome the influence of opposing conservative forces.¹⁴

To carry out the reform, President Aylwin’s government took advantage of instruments and guidelines issued by international United Nations conferences. At the national level, the creation of the National Office of Women (SERNAM), the Youth Institute (INJUV) and the Women’s Programme of the Ministry of Education (MINEDUC) were decisive factors in the effort to address the issue of sexual education. The National AIDS Commission (CONASIDA) of 1990 found sexual-education information and programmes to be indispensable tools in prevention efforts.

In civil society, NGOs in the fields of health and education (PIEE, CIDE, EDUK),¹⁵ which had played a role in the anti-dictatorship democratic movement, brought the experience of their educational programmes to bear in public policy making, applying methodologies structured around the needs of the target groups.

In response to discrimination in schools against pregnant students, the Youth Pastoral Vicariate held workshops to allow pregnant teenagers to take free exams. This, in turn, led to an official mandate allowing pregnant teenagers to remain in the school-room. The situation also increased recognition of the need for a sexual education policy.

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