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## Holy Politics: Exploring Catholicism, Dictatorship and Women's Rights in Chile

## Introduction

Chile, a country that prides itself on their democracy and vibrant economy has tried to move past the dark history that brings to mind stories of torture and violence. For almost two decade Chile suffered a period of military rule that has continued to leave the women of Chile with fewer rights than their male counterparts and subjected to human rights violations that do not allow women access to quality healthcare. Despite recent medical discoveries and growing information about the human body, officials in Chile choose not to acknowledge this information and continue to offer lower quality healthcare to women that can include misinformation about procedures that pertain to their condition, contraceptives for pregnancy, legal access to abortions and sterilizations of voluntary participants who wish to control their family size.

These issues seem personal and should be kept between a patient and their doctor but these problems arose from multiple structural sources found within the Catholic Church, neoliberalist ideology within the government and the patriarchal inner workings of private life. There was a time during Salvador Allende's presidency that policies dictating women's reproductive rights seemed like they were going to be reformed. However a change in the country's leadership, via military coup, dashed all hope of this. The leader of the coup, Augusto Pinochet, instead reinforced previous archaic notions about women and reproduction. This leaves women to deal with the repercussions of misogynistic ideology held by men to be vessels of the next generation.

The consequences of this are a growing HIV population in the country and women who have no way to protect themselves from infection. The stigma associated with women and contraception has left women vulnerable to the whims of patriarchy.

The government and the Catholic Church have ensured that women continue to be treated as unequal and to restrict their reproductive choices. An outright conscious objection to the well being of women has been established by citing religious reasons that are then made into policy. They have created policies to prevent abortions, restrict birth control and encourage reproduction as a way of continuing to create bodies for the military. Even after the end of the military dictatorship these sexist ideologies and discriminatory policies are still in place. Chile is a country in which women are treated with violence and their right to safe medical services and education are continually obstructed. The unfair policies and laws have an even greater effect on low-income women because in Chile money can prevent a woman from feeling the effects of restrictive laws.

## **Historical Context**

The Great Depression affected economies on a worldwide basis. The Chilean military could not find solutions to the economy and voters began to elect many presidents from the working class. For twenty years these administrations built up the middle and working class providing government jobs, access to education, social services and stabilized the economy by regulating market prices for consumers. Unfortunately tax revenue could not be generated to match the expense of the state and Chile resorted to finding outside sources in which to raise the money as well as printing money. This did not make things better and voters blamed the

government for the shortcomings of the nation and not taking responsibility for their social projects.<sup>i</sup>

Chile suffered from an unstable economy and government for many years. Many wealthy landowners began to invest not in Chile but in international ventures thus creating a decline in tax revenue. The middle class and working force, faced with the real life hardships of high inflation. Various social movements created a volatile atmosphere as students and workers alike questioned the state of affairs. This made democratic reform challenging but since no party had a majority, Salvador Allende used his connections and was elected in 1970. He united adversaries to fight a common foe through violence. He brought together the socialist party and the communist party long enough to win. Allende's government paved the way for women to participate in government and leave behind their archaic gender identity.

Women have been legally disadvantaged by the Chilean government even though they attained unrestricted suffrage in 1949; according to the Chilean Civil Code male heads of household have unrestricted authority to administer the lives of their spouse and children. When feminist were given the chance to advocate for themselves and gain the right to vote, they were only permitted to do so by presenting the argument that they should be a voice for families and home welfare.

During Allende's presidency reforms for reproduction were put in place. Healthcare for women included family planning, birth control, delivery, post-natal care, and even fertility problems. Contraception was readily available and reached 40 per cent of the female population from adolescence to 45 years of age. While things seemed to be looking up for women, not everyone was happy with the new regime and these actions actually polarized the nation. Many were not comfortable with women having such a prominent role in society. Additionally it was felt that

national security was threatened from external forces and internal forces. The internal threat was the belief that liberal women would not produce children for the State. Many felt the need for the re-formation of the nuclear family in Chile. Neoliberal ideology suggests that this decline in healthy bodies would threaten the strength of the military and thus created a threat to external forces overtaking Chile. Women had to be controlled or else Chile would be overrun with immigrants instead of Chilean children. Viiii

These tensions were coupled with financial trouble as well. Throughout the country there was increased access to education, and employment was growing, but when a national strike went into effect in 1972, the economy never rebounded and the government found itself with enormous deficits that could not be recovered. Inflation reached a high of 381 percent by 1973. These downfalls all led to a military coup. Opposition to Allende has mixed reactions to his deposition. Christian democratic leaders thought that the military would hand over the presidency to the next civilian administration and conservative leaders preferred that the military stay in place to keep stability through force but it was already clear that the military was not suited to enact economic relief.\* Prior to the coup, hardline conservative supporters within the military had started organizing the coup by claiming that the government was planning to assassinate military officials. The head of the military junta was Augusto Pinochet who blamed politicians for the decay of Chilean society and believed that the order found in the military could lead Chile to better times and many people looked for stability and thought it was positive step, especially those in the Christian Democracy. Xi

Allende was killed although the manner in which he died is questioned and rivals of the administration distanced themselves in exile, feigning ignorance of the military's actions and

military officials arrested government leaders. Allende's supporters were no match for the Chilean Army and ceased to fight. Allende had created the western hemisphere's first Marxist government but it lasted only three years and was officially overthrown September 11<sup>th</sup>, 1973.

After Allende's death Augusto Pinochet became the leader of the military government. The breakdown of traditional gender roles was one of the reasons conservatives felt the country was out of control. Men were allowing their women to act as equals in the street and this was the cause for societal breakdowns and not the economic policies put in place by neoliberal politics. "After the military coup, the authorities imposed traditional gender stereotypes on men and women. It became dangerous for men to grow long hair and beards, and for women to wear loose clothes and trousers."

At the same time the first successful feminist movement in Chile resulted from a collaboration of women all over Latin America and the Caribbean known as the *Encuentros Feministas*Latinoamericano y del Caribe, these meetings were used to identify state-sponsored violence against women and sanctioned-domestic violence. Xiv Chilean women participated in the United Nations International Women's Conferences, which allowed them to experience international solidarity that encouraged many to reconsider their own roles in their homeland. Chilean feminists connected these experiences to domestic feminist activism and set a path for empowerment that fitted their national historical trajectory. Women have tried to gain legal control of their own lives many times only to be shut down by those higher in politics and by the social order. This order has forced women to hide behind tradition and has kept them from talking about their abuses; the church has set a standard on what a woman should be and how

they should behave and publicly defying those standards result in public humiliation, physical and sexual assault.

The military imposed authority over women in the street, cutting the pants off their bodies and making gender roles clear for the public to see. Torture took place in concentration camps and detention facilities that included sexual abuse both of women and men. Women who were repeatedly subjected to torture and rape by multiple participants were traumatized. Women began to revert back to their domestic sphere. This was a how the military enforced the identity of femininity upon them and ensured a submissive role that was not to be challenged Subsequently, actions of violence upon women throughout Chile was deemed an acceptable way to control women and help them recognized their place in Chilean society, as mothers willing to sustain the State through pain. The state through pain.

Female leaders of the past were very supportive of Allende but the Pinochet regime overlooked the role of women and favored a male dominated sphere outside the home. Working class women only supported Pinochet because of the poor economic effects of the Allende administration and the fear of retribution and continued suffering imposed by the disappearance of a husband, child or friend because of their political affiliations. xvii

"The 're-foundation' mission of the military was promoted in response to what it perceived as social disorder and excessive permissiveness, and included the dismantling of family planning programs" It argued that it was not responsible for the government to fund such programs because it simply could not afford them. It also argued that there had been a decline in reproduction and the military needed women to produce children that could grow up and protect the country. Pinochet completely reversed the policies that Allende had put in place. He

refocused family planning into a policy of stimulating reproduction. Any progress that had been on the horizon was no longer an option under Pinochet's conservative government.

This terror of military dominance eventually faced opposition as rallies in the street called for Pinochet's resignation but he would not succumb easily and ordered his troops to fire upon civilians in a protest in Santiago (Rector, 208). The political climate started to shift; the American president reversed his position on Chile, and the Catholic Church with the help of Pope John Paul II, pushed for democracy. Pinochet felt the end of his reign but waited to leave when the elections in 1990, which declared Patricio Aylwin the new president, were concluded.xix

March 11<sup>th</sup>, 1990 marked the end of an era of terror with a newly elected president and a growing economy. However, change did not happen overnight. There were still issues of human rights violations and constitutional problems that had been implemented by the previous government. The country remained divided on many issues and was unable to agree on reforms. As a result stagnation developed politically. This was made even more difficult as Pinochet was not stripped of all power. He became a leader in the military sector and continued to assert his aggression on anyone who challenged him by creating fictional charges. Pinochet took advantage of every opportunity to stay in power. Eventually Pinochet's luck ran out. In 1998 he went to England for medical care. His previous arrangements with Great Britain were not recognized under the new leadership within the government and Pinochet was detained to be extradited to Spain. This angered many conservative leaders in Chile but some on politics took the opportunity to cooperate with civilian authority. XXI

Human rights violations that occurred during the seventeen years the military and Pinochet were in power were difficult to pursue due to Pinochet having the foresight to absolve the human rights violations by declaring amnesty to the perpetrators of violence. The Supreme Court, as constitutional, upheld this decree even though it is estimated that over 3,000 Chilean people who were in opposition to the Pinochet regime were disappeared. Investigations into these allegations by a National Truth and Reconciliation Commission were conducted that asked civilians to come forward to make a report but many took retribution into their own hands and murdered those who had participated in the human rights abuses. Evidence to convict those involved was only accomplished by granting immunity to prosecution to those who shared information. As details about horrendous crimes were brought forth, the public would not stand for the immunity deal an implored the government to deliver justice but despite the incarceration of a few leaders,

While political figures in Chile hold a great deal of power and sway, the Catholic Church is another institution that dominates politics in the country. They continually push their conservative agenda on politicians. The result of this is that many policies that are approved are those that fall within the guidelines the church feels are ethical.

Chile's government is a representative democratic republic, whereby the President of Chile is both head of state and head of government, and of a formal multi-party system that in practice behaves like a two-party one, due to binomials. The government exercises executive power.

Legislative power is vested in both the government and the two chambers of the National Congress. The Judiciary is independent of the executive and the legislature of Chile. The Constitution of Chile was approved in a national plebiscite in September 1980, under the military

government of Dictator Augusto Pinochet. It entered into force in March 1981. After Pinochet left power in the 1988, saying this country was ready to keep going along with a plebiscite, the Constitution was amended to ease provisions for future amendments to the Constitution. In September 2005, President Ricardo Lagos signed into law several constitutional amendments passed by Congress. These include eliminating the positions of appointed senators and senators for life, granting the President authority to remove the commanders-in-chief of the armed forces, and reducing the presidential term from six to four years while also disabling immediate reelection. \*\*xxiii\*

In 1925, Chile created a new constitution that called for the separation between church and state, this change from the catholic dominated society came in with the intention to separate government from religion however the actual execution of this plan failed to meet any of its expectations. xxiv In a country that is home to 15 archdioceses and where 66% of the population identifies as catholic, the Vatican has a major hand in the everyday life of Chileans. The laws that have been in place have separated the possibility for non-religious development. During the 17 years of military dictatorship from 1973 to 1990, the Catholic Church played a progressive role in Chile as the main proponent of respect for human rights and social justice... For these reasons, the Church now enjoys a great deal of political influence in Chile, more than in most Latin American countries." The church has a large influence on laws, there no divorce law in Chile some couples get around this by separating and living with another partner while remaining married to the other, some people choose not to marry as a precaution, some find ways to get an annulment, only through expensive costs and generous challenges. There is little support to pass any legislation that would implement a divorce law. Since 1995 bills to legalize divorce have been shut down in Chilean congress, after 20 years of congressional limits divorce

was finally legalized in 2005. Currently there are four legal relationship statuses in Chile: married, separated, divorced and widowed.

"Advocacy by the Catholic Church against emergency contraception, falsely describing it as abortifacient, has also influenced politicians and judges. The dominance of this stance is evident in jurisprudence on emergency contraception in Chile in 2008 and Argentina in 2002. Courts in both instances, rather than basing their rulings on scientific evidence and women's right to determine the spacing of children, focused on Catholic doctrine on when the right to life begins."

While the channels through which the Roman Catholic hierarchy exercises its political influence are often hidden from public view, the visible result is policies that deny reproductive and sexual rights to citizens."

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## **Analysis**

The government and the Catholic Church have ensured that women maintain unequal status throughout Chile. The result of this is a country where women are treated not only as unequal but also with violence. Their reproductive rights are violated both in political and the private spheres. Women often do not have access to important services or the education about sex to make informed decisions. In Chile the Roman Catholic Church is the main force against full recognition of sexual and reproductive rights." Their huge influence on state policies blurs the lines between what is immoral and what is criminal. \*xxix\*

The inequality of women can be observed in the prevalent rates of domestic violence that they experience. "In Chile, a woman dies every week at the hands of her partner, and one study found that roughly 50% of Chilean women have been victims of domestic violence." This destructive

treatment of women is a result of a cultural view of inequality, which is widespread throughout the country. This makes women vulnerable in many areas not just the home. Often women must face discrimination and violence at work, in the community, in educational settings, and healthcare settings. XXXII This divide between genders makes it difficult for women to access the resources they need to make decisions about sex and reproduction. They cannot get the help they need and they do not have a voice in government that might lead to reforms to prevent discrimination. This inequality leaves women with few options. They tend to find themselves economically dependent on men because they are not treated as equals in the workplace. This can lead to unbalanced sexual relationships. "A woman's economic dependence on her partner may also give her little power in negotiating safe and consensual sex."xxxiii If a woman is in a position in which she does not hold any decision making power regarding her relationship she will be forced to acquiesce to her partner's desires. "Women in general often lack control over their sexual and reproductive lives due to gender-based inequalities, exacerbated by high levels of gender-based violence." Women in Chile often experience relationships in which their reproductive needs and desires are discounted because of their gender and it is not uncommon for women to be treated with violence to hinder the realization of these needs.

It is not just an accepted norm in Chile that men be treated as superior and women face abuses. "Women also experience structural and cultural violence in the form of laws, policies, practices, and aspects of culture which undermine their rights and expose them to repression, marginalization, exploitation and further violence." Even the political climate in Chile is misogynistic. Laws often contribute to the anti-feminist view that is widespread throughout the country. While there is some discussion regarding the modification of some laws that affect women, such as abortion laws, politicians often argue that the cost of such reformation would be

too great. However, "Another view is that political costs are not the real root of the problem, but rather a patriarchal society that constantly differentiates between the public, official world of men and the hidden, private spheres of women..." The laws regarding a woman's sexuality do not appear to be making any headway in Chile.

Another way in which restrictive laws affect Chilean women is through their extensive reach. Services that are meant to help people become frightening places. Health care providers in Chile are required by law to turn in women who come to the hospital with complications from an illegal abortion. This removes any confidentiality a woman might have a right to with her provider. It isn't only the government that affects the healthcare industry. Catholicism often influences the ideals of health care workers. The Catholic Church doesn't simply influence government policies with their conservative views. It also influences the opinions of the people in the country. Health care workers who disapprove of abortion have been known to punish patients. There are accounts of health providers performing D&Cs without anesthesia on women who have had incomplete abortions as well as accounts of women being forced to take medications that halt spontaneous abortions.

The Church's restrictive and discriminatory ideas have not always been dominant in Chile. "During the 17 years of military dictatorship from 1973 to 1990, the Catholic Church played a progressive role in Chile as the main proponent of respect for human rights and social justice... For these reasons, the Church now enjoys a great deal of political influence in Chile, more than in most Latin American countries." The church used to be defenders of human rights; this was the cause of so many people being supportive of their role in the government. Unfortunately

now that they have obtained power and a voice to regulate legislation they have used this power to enact their own conservative agenda that violates women's reproductive rights.

Many of Chile's laws have differing impacts depending on the economic level of the person affected. For example, the laws regarding abortion in Chile are very strict however abortion is widespread and many women seek illegal abortions. This leads to unsafe conditions primarily for women who are low income. Middle and upper class women can afford safer abortion services. Even though they are still illegal, they are less of a risk than the options lower income women have to choose from. XXXIX It is not only abortion laws that divide the classes in Chile. There are many restrictive policies that create consequences only for those who are a part of the low income sector as well as groups that are minorities or who are often discriminated against such as women, ethnic minorities, single mothers, those that reside in rural areas, and homosexual men.xl The discrepancies can be seen when looking at certain statistics such as the rate of teenage pregnancy. "Even in countries with lower than average adolescent pregnancy rates, great disparities often exist within the country. In Chile, for example, 15% of nationally registered births are to adolescent mothers, but in Santiago, the capital, adolescent pregnancies represent only 4% of the total, compared to 10-20% in more disadvantaged areas."xli It is clear that women in these underprivileged areas are being more adversely affected by Chile's restrictive policies. The reason for this is often that women lack access to things like education, health services and employment opportunities. This lack of access to services is especially predominant in rural areas. xlii If women from rural areas were able to procure the same help as their more privileged counterparts it could help them to take control of their reproductive rights. It can also be argued that those who are most affected by restrictive laws are those that are politically disenfranchised.

This leads to a lack of will for political reform because those that need the change have no power to enact laws that would benefit them. xliii

One of the biggest disadvantages women face in Chile is their lack of access to education or even understanding that would decrease or prevent sexually transmitted diseases and unwanted pregnancies. Chile is a predominantly catholic country; as a result, in many Chilean homes sexuality is considered a taboo subject so it is not discussed between family members. Healthcare providers have limited time to spend with patients and so they do not often broach the subject of STIs with every patient, and sexual education in schools is often erratic. \*\*Iiv\*\* Sexual education has not fully been implemented due to the denial that teenagers are sexually active. In addition to sex education in school there are mandatory bylaws that are supposed to be in place to prevent discrimination based on sexuality, pregnancy, and STIs but they are simply not enforced. \*\*Iv\*\* There are ongoing debates in Chile regarding sexual education in schools. The reformers that are pushing for more education are often seen as being permissive of adolescent sexual interactions. Those opposed to sex education in schools accuse them of promoting promiscuity. \*\*Iv\*\* Even in schools that do teach sexual education often what the students learn are not based on gender equality. Respectful relationships are not part of the curriculum. \*\*Iv\*\*ii\*\*

Violence against women and a lack of education about sex are still huge problems in Chile. This cultural dynamic has had detrimental effects on women over the years. A 2004 study brought to light widespread forced and coerced sterilization of women with HIV/AIDS with the permission of the Chilean government. There has been a rigorous investigation into these practices; one study found that 42% of women who had undergone surgical sterilization after learning of their HIV status were sterilized under pressure or by force. \*\*IVIIII\*

Many Factors put women at risk for contracting HIV. The access to information about sexual reproduction and contraception is limited. Men enjoy more sexual freedoms that include multiple partners and the discretion on whether or not he wants to wear a condom. This double standard is common and has detrimental effects on women's reproductive rights. Men also enjoy the benefit of being the head of the household, which gives women little freedom to dictate safe sex practices within the home. In Chile gender inequality is a pervasive force throughout the country. Women are not allowed the same freedoms that men enjoy. This inequality has a large impact on women's reproductive rights. Because they are not seen as equal in society they lack control over their reproductive decisions. xlix Economic dependence and the power dynamics in relationships are only two contributing factors. Women are two to four times more likely than men to contract HIV. Beyond the home there are other contributing factors. Violence against women and gender stereotypes work against a woman's ability to make informed choices. Chilean culture struggles to employ women's rights because of strong patriarchal belief that women should adhere to traditional roles of subordination. This ideology is a contributing factor as to why women are at greater risk for HIV. Gender stereotypes dictate that women should produce offspring. As a result women often encounter pressure to produce children, which may keep them from using contraceptives. The lack of their use can lead to unwanted pregnancies and women contracting sexually transmitted diseases. The other end of this inequality also creates expectations for men of masculinity and virility. Often these expectations contribute to dangerous sexual practices by men, which can spread disease or lead to undesired conception. Additionally, Violence toward women can also increase their chances of contracting HIV. "Rape and other forms of sexual violence greatly increase a woman's risk of infection, both because women are unable to negotiate condom use to protect themselves from HIV transmission and because the physical

trauma of forced intercourse can lead to an increase in lacerations or abrasions where the virus can enter the bloodstream." The ideology that is permissive regarding violence toward women contributes to women's higher rates of HIV infection.

A systemic problem of forced sterilization has proliferated Chilean women with HIV. Shoddy medical treatment and discriminatory practices has left women neglected and ostracized. These women are treated poorly and are denied respect and dignity. Misinformation is frequent and perpetuates the notions that homosexuality, promiscuity and infidelity are what lead to HIV. Condoms are believed to cause erectile dysfunction so men opt to wear no condom. Hill Although medical technology has resolved the medical issue of prohibiting the passing of HIV from the mother to the infant, health providers in Chile often pressure mothers pregnant with HIV to not have children and be sterilized while being subjected to verbal abuse, postponed doctor's appointments or refusals to be seen. Sterilizations are often done during other procedures while the patient is sedated.

When these human rights violations came to light the Chilean government declared that these women would be compensated and new rules about informed consent would be put in place. However this was never done. Ivi The Chilean government shows no signs of actually changing their outrageous policies and procedures that violate human rights. There are ongoing legal cases to defend these women who were sterilized against their will; however their own country is not representing them but instead by international human rights organizations that seek justice on their behalf. Ivii Chile continues to violate women's reproductive rights and sadly there is little hope that they will change their practices. There is however hope that international human rights organizations will continue to intervene and help women who have nowhere else to turn.

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