

## **In Conservative Chile, a Push for Change**

Gays and Others Grow Bolder in Their Challenge to Nation's Cultural Arbiters

The Washington Post

November 30, 2006

SANTIAGO, Chile -- Emma de Ramón recently bought a condo here. But even before she moved in, she said, everyone in the building knew one fact about her: She's gay.

De Ramón and her partner, Karen Atala, a judge, have become unintentional celebrities since waging a battle against Chile's Supreme Court, which forced Atala to surrender custody of her three daughters because of her relationship with de Ramón.

Now the couple has become emblematic of a segment of the population growing noticeably bolder recently: those eager to shed Chile's questionable label as the most culturally conservative country in Latin America.

Some of those seeking change have challenged powerful institutions, which they say don't represent the public will. Atala and de Ramón have taken their fight outside the country to an international human rights commission in Washington, which they hope can convince the Chilean government that its highest court was wrong.

"Oh, we're famous now," said de Ramón, a historian who met Atala after the criminal court judge separated from her husband in 2001. "As for myself, when I'm out in public I usually don't feel like I'm the target of discrimination, and I don't hear disparaging comments. That's only from the Supreme Court."

Groups that have historically determined Chile's cultural norms -- including the Supreme Court, the Catholic Church and a traditional class of political elites -- are now being tested on multiple fronts.

A new national policy, for example, offers free morning-after pills to anyone 14 or older. Congress is debating proposals to explicitly protect the legal rights of gays and other minorities. Another proposal that would allow "merciful deaths" to terminally ill patients has ignited a debate about euthanasia. And a government-funded AIDS prevention campaign launched this month shows school-age girls and a gay couple, among others, promoting condom use. The campaign has riled Catholic Church leaders.

For a country that legalized divorce just two years ago, the pace of the changes is remarkable. The church remains influential and is viewed favorably by most Chileans, but its leaders say they are concerned about a general movement away from its teachings. This month, the country's Catholic bishops issued what they termed a moral wake-up call to the nation, citing "strange currents" running through society that are distancing people from their religious foundations.

"We will not stop saying what we have to say and doing what we have to do," the bishops said in their statement. "There are moments in history when they listen to us, blessed be God, and there are moments when they do not listen."

As president, Michelle Bachelet -- an agnostic, separated mother of three -- stands at the center of many of the cultural disputes. She was inaugurated in March after running a campaign that emphasized social tolerance. Though she is part of the same governing coalition that has held the presidency since Gen. Augusto Pinochet's military dictatorship was ousted 16 years ago, her style of governance at times has been markedly different from those of her predecessors.

For example, Bachelet, a former health minister and pediatrician, pushed for the distribution of free morning-after pills without extensive consultation with more conservative members of the ruling coalition -- lawmakers who for years have successfully put the brakes on culturally divisive proposals. Bachelet's political alliances with those members make radical changes very difficult, but analysts say she is willfully trying to break up the influence of the traditionally powerful classes.

"She didn't consult with them because if she had, it wouldn't have passed," said Marta Lagos, a political analyst and pollster in Santiago. "So there is a tension now that has a lot to do with the way the traditional ruling elite -- which is very conservative -- views the way she exercises her leadership. It's very startling for them, but the general population couldn't care less."

Though it was a bitter fight in political circles, the morning-after pill issue didn't affect Bachelet's approval rating, which increased slightly after the controversy. One poll conducted about three weeks ago placed her approval rating at 59 percent, higher than the 53 percent of the total vote she was elected by in January.

"There's a difference in attitudes between those in the higher levels of society and the rest of the population, I think," said Daniela Ullrich, 23, a university student in Santiago. "Like with the morning-after pill -- powerful people from high society were against it, but they always could get the pills at any time, if they wanted them. But the rest of the people couldn't, and they were the ones who supported the proposal."

Macarena Saez, the attorney handling the Atala custody case before the Inter-American Commission on Human Rights in Washington, said a growing recognition of the distances separating Chile's general population and its institutions make her hopeful that the government will reach an amicable agreement in the case.

"We're facing a society that is way more open than its institutions, and that's a good sign for us," Saez said.

Saez is part of a group of lawyers who first challenged Chile's justice system by disputing its strict censorship laws. In 2003, their efforts prompted a constitutional change of censorship laws after the Inter-American Commission on Human Rights ruled that the Supreme Court was wrong in upholding the ban on films such as Martin Scorsese's "The Last Temptation of Christ."

Now Saez and her colleagues are hoping the commission, part of the Organization of American States, will issue a similar ruling about the Atala case, resulting in new anti-discrimination legislation that would specifically ban child custody decisions based on the sexual orientation of the parent. For Juan Ignacio Correa, who is working on the Atala case in Santiago, such a change would represent a victory for democracy.

"The group of society that wants to preserve the status quo is very powerful, but I believe that there exists a much more massive group beneath them in society that wants change," Correa said.

Felipe Rivas, who four years ago founded a student group for gay men and lesbians at the University of Chile, said the Atala case and the possibility of anti-discrimination legislation are viewed as important steps for gays, but said they also hold broader meaning here.

"In Chile, human rights has always meant torture and the crimes of the dictatorship," said Rivas, 23. "But now the definition is changing, and people are seeing that human rights abuses can extend to a lot of other areas, too."