

ITP Research Form

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Faculty Advisor: **Professor Chris Martin**

Research Group Members: Ryan Miller, Eileen Kelly, Laura Kelly, and Julie Bellville

Paper Title: **ONE HISTORY, TWO FUTURES: A COMPARISON OF LGBT RIGHTS IN ARGENTINA AND CHILE**

Abstract:

Introduction: Despite shared borders and similar cultural and political histories, the countries of Argentina and Chile have taken vastly different approaches to addressing the civil rights of the gay community in the past several decades. While both countries, given shared histories of violent military dictatorships, have a deep respect for and sensitivity to human rights, significant structural differences exist between the Argentine and Chilean governments, resulting in a vastly different relationship between and among the Catholic church, nongovernmental organizations (NGOs), and the established government.

This paper will address how these structural differences have affected the movement in each country toward equal rights for the gay community. In particular, it will assess the different extent to which the influence of the dictatorial regimes of the 1970s and 1980s continued beyond their formal ends in each country, and how the consistency of each country's progress toward democracy affects the ability of NGOs to effect meaningful change. It will also assess how the relationship between each country's government and the Catholic Church affects the establishment of progressive rights.

Part II will offer a brief overview of Argentina's political history and the establishment of the military regime, with a focus on the transition to democracy and modern economic policies beginning in

the early 1980s. It will also follow the gay rights movement in Argentina, its ebbs and flows throughout different periods of history, and its rise to prominence during the economic crisis of the early 2000s. Part III will focus on a detailed account of Argentina's marriage equality law, from its first introduction to its enactment in 2010, with a particular emphasis on the favorable existing conditions and the affirmative efforts that made its passage possible. In Part IV, the paper will move to a discussion of the LGBT rights in Chile, beginning with a brief political history of that country. It will focus in particular on the elements of the Pinochet regime that retained their influence after the country's transition to democracy in 1990 and how these political structures, as well as the significant influence of the social and political elite, have acted as bulwarks against rapid social change. Finally, Part V will address the recent political strategy and significant progress that has been made toward passing a Chilean civil union bill and will assess efforts to achieve marriage equality. It will also draw comparisons between Argentina's and Chile's experiences in order to evaluate the steps that the Chilean government and social organizations may still need to take before full rights can be recognized. Part VI will offer a brief conclusion addressing the past, present, and future of LGBT rights, particularly marriage equality, in the two countries.

Conclusion:

Despite many shared elements of history and culture, Argentina and Chile have diverged significantly on their treatments of civil rights for the gay community. While Argentina has permitted same-sex couples to marry since 2010, Chile is still struggling to pass a bill legalizing civil unions, and popular support for gay marriage in Chile remains low. However, several well-positioned groups of LGBT activists have taken up the mantle of fighting for marriage equality in Chile and the success of their efforts thus far, namely the passage of the Anti-Discrimination Law in 2012 and the progress of the AVP through one house of the legislature, are promising indicators of potential future success. While Chile's more stable economy and peaceful transition from dictatorship to democracy may seem like a promising environment for the advancement of civil rights, our research found that in fact the opposite was true, and that it was the political and economic instability that plagued Argentina in the 1990s and 2000s that made so many of its gay rights reforms possible.

Despite this difference in structure, Chilean rights groups have learned much from their Argentine counterparts, and the practice of framing the debate in peaceful, inclusive terms that was so successful in Argentina has profoundly influenced the Chilean debate. Although Argentine gay rights groups have turned their attention to other issues for sexual minorities in their country, they remain committed to promoting gay rights throughout Latin America, and are particularly focused on leveraging their expertise to support and promote the mission of their Chilean counterparts. While their futures may currently seem to be on different tracks, much hope remains for uniting Argentina and Chile once again in a shared future of full civil rights for all members of the community.