

Feminist Activism and Constitutional Change in Chile

A Conversation with María José Oyarzún Solís

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María José Oyarzún Solís is a Professor of Philosophy at the University of Valparaíso in Chile and has been an elected representative of the Valparaíso Region since April 2021. Oyarzún Solís was born during the military dictatorship of Augusto Pinochet, in a time when the government tried to gain some political legitimacy and within this context, ratified the 1980 Constitution that, although having its validity questioned, marked a new institutional step for the authoritarian government. María José Oyarzún Solís's personal path crossed with the Chilean Constitution again as she participated in the Marca AC movement, a citizens' organization that proposed establishing, and called on citizens to demand, a Constituent Assembly to replace the 1980 Constitution. Driven by massive citizen demonstrations in 2019, a new constituent process was opened in Chile. Oyarzún Solís is part of the new Constituent Assembly and defines herself as a feminist activist.

In this interview, Nicole Schwabe talks to María José Oyarzún Solís about her activism, feminist mobilization, and the condition of women in Chile, taking into account the country's authoritarian past. Moreover, Oyarzún Solís also reflects on the present and the future of feminist mobilizations in Chile and the possible implications of this new Constitutional process for gender equality.

I would like to know more about the motivation behind your activism. How did you come to do what you are doing today? What has been your motivation on the path that brought you to the Constituent Assembly? What has driven your feminist activism?

1 The interview was conducted on 12 January 2022. Translation by Livia de Souza Lima.

I believe this is a process that has involved a whole generation. It is not just about me, but about a generation that went out to look for its own path. A path that was predetermined and riddled with mostly unjustified restrictions. I'm talking about the inequality between men and women. Because I could not do certain things. The definitions of gender roles in Chile were very marked back then. Until 1990, women could not even request a loan. We also had restrictions, from how to dress to what career to study. Although it had changed a little in the transition of the 1990s to the 2000s, these distinctions were very strong and prevented the necessary development, not to mention all the material inequalities that were maximized over the years. The crisis of 2019 was precisely related to this difference between rich and poor. The difference that exists between workers and wealthy people, who might also be workers, but who have a very substantial material difference compared to others.

I believe that all these things converged: the need to be able to develop without limits, without gender limits, without economic limits, without moral limits and, of course, the ability to seek material equality. I think these were the reasons that drove the revolt in Chile, the constitutional change, and the activism of many people.

The Chilean Historical Memory has been built from its social movements. In the struggle for truth and justice, the Mapuche movement and the student mobilizations, to name just a few emblematic examples. What did you learn from the historical feminist movements? What connects and divides the recent feminist movement in Chile from previous women's movements?

Look, the truth is that I have known the movement since the 1800s. From the search for truth to the struggles for citizenship, since we were not citizens for a long time. And, of course, the idea of equality connects us. To think of the equality of equals, as Carole Pateman said, to counter this idea of equality only between men who have a certain degree of property. This connects us today with the feminist movement, and I believe this has not changed much. We do have citizenship rights, and we can certainly not ignore this fact. But it has been a constant struggle to have equal rights between men and women, which is still part of a struggle that has continued over the centuries. I do not see the feminist movement as divided into different historical sections; I think it has been mutating, a constantly evolving continuum, because there are always new things that are unravelling. Currently, the most urgent demand is for our bodies. This claim for our bodies as truly ours [...].

And what divides us? I think that, in some way, there are certain generational differences, for example, regarding sexual freedom. We have gone from having less to having more rights. But I don't know if there is a concrete division. There are very different women, and the feminist movement has been mutating; it has grown, and more feminisms have been born. I don't see that many divisions. Maybe I am an optimist. Maybe there are different ways of standing up in the feminist struggle 40 years ago and 100 years ago than the ones we have today.

To return to the present challenges, I would like to know a little more about your feminist agenda. You are part of the Democratic Revolution Party. In April 2021, you were elected to be part of the Constituent Assembly as a candidate who showed up with a raised fist and a green handkerchief with the demand: “Never again without us”. Can you tell us a little more about the pillars of your feminist agenda for the Constitutional Process? How do you write a constitution in a feminist way?

Well, the first thing is to incorporate women into the Constitution, since the 1980 Constitution mentions women only once. The new one intends to mention women in a transversal way across all its sections and simultaneously determine equality between men and women through constitutional norms. On the other hand, we are thinking of a caring Constitution that understands and incorporates care issues within the body. And by this, I do not mean “women are the ones who take care”, but to highlight that women are the majority of caregivers in our country. And well, the recognition of domestic work has never existed and is a fundamental part of the economy, as 20% of the BIP is generated by domestic work. In our country, 90% of domestic work is done by women, which is still unrecognized and unpaid work. And this must be acknowledged.

And another point is the family. The family is an institution that has roles. And these roles are very clearly determined between men and women – the roles of the father and the mother. The description of the family in the current Constitution of Chile is incredible to read. And that is something that should change now. To talk about families in terms of the roles that have been changing and reflecting the diversity of our current population. Besides that, parity will also be incorporated into the new Constitution.

To conclude, I would like to discuss the political landscape beyond the constituent process and the possibilities and challenges of implementing gen-

der equality. How can gender equality become a principle for politics? Fundamental principles can be secured in the Constitution. But what does the perspective for achieving gender equality look like in the current political scenario?

The first thing is that gender parity – in my opinion – is here to stay. We are the first Constitutional Convention in the world that applies gender parity. And I believe that this will not only be installed in the Convention, but in Congress, at the governmental level and in the administrative regions. We must incorporate it in all the state entities and, hopefully, in all private entities. I believe that it is essential that we gradually achieve this balance between men and women.

Another pendulum that allows gender equality, and which we hope will be included in the new Constitution, is the recognition of domestic work. This will also generate a substantive change for women. They will be entitled to a salary because they are dedicated all day long to the home. And they are also in a situation of subordination to their partners, especially male partners. This is something that must change. As Simone de Beauvoir said, without a salary, it is tough to achieve the emancipation necessary to construct a subject. I think recognizing domestic work will generate an essential change in Chilean families and women because they will understand their work is needed. And that they will have monetary compensation that will allow them to get around more freely.

And another point is sexual and reproductive rights. The right to your sexual health. The right to acquire knowledge. To tell women that their sexuality is not something terrible. In Chile, for a long time, women had sex thinking that they were doing something wrong. Their body depended first on their parents, then on their husbands. They had to get pregnant. We recently had a presidential candidate who would not allow his partner to take birth control pills. I think these things are relevant and more importantly, they must be incorporated into our educational centers so that girls and boys can be educated on sexual and reproductive rights.

And on the other hand, there is the issue of recognizing care. Undoubtedly, we must stop thinking of women as the only ones who should take care of children, the elderly, and the sick. I believe this is a worrying situation. And I hope that the Constitutional Convention will consider these issues because it is tough to go backwards when we have achieved so much regarding rights.