



A Social Medicine Perspective on Gender-based Health Inequities:

Defending the right to sexual and reproductive choice in Chile

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The third Social Medicine Seminar “Towards Gender Equity in Health”, held in Valparaíso, Chile (April 25 – 26, 2008) examined unjust gender-based health inequalities which are both tolerated and perpetuated by society. This topic remains a key concern of social medicine.

In Valparaíso, the seminar provided an opportunity to examine health practices and their impact on gender inequalities, one of the key social inequalities in our culture. The seminar was the work of academics from the University of Valparaíso in cooperation with civil society organizations: Health & Gender Equity Watch, the Women's Health Network of Latin America and the Caribbean, and the Latin American

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Association of Social Medicine (ALAMES). It focused on sharing experiences in health work from a social, gender and communal perspective. Participants also analyzed and debated the strategic issues raised by health inequalities affecting women due to unfair gender relations. During two days case stories from different regions of the country were presented. These covered a wide thematic range: cross-cultural work, health care quality, sexual and reproductive rights, occupational health, and psychosocial health, among other topics.

Due to the critical nature of the seminar, the participants and organizers, mindful of the current political context, gave priority to a public debate concerning the April 18 Constitutional Court ruling. Based on a plea presented by 36 Congressmen against the *Regulation concerning the Control of Fertility*, the Constitutional Court specifically prohibited the distribution to mi-

nors of contraceptives containing levonorgestrel; IUDs; emergency contraception; counseling; and contraceptive advice without the explicit consent of the parents. Although the only practical impact of this ruling is to prohibit the distribution of emergency contraception through the public health system, the denial of the fundamental right to prevent unwanted pregnancies and avoid clandestine abortions will have a chilling impact on Chilean society.

This ruling turns the clock back 50 years to a time when Chilean women could not count on a social protection system that would allow them to exercise the most basic rights over their bodies. This was a time when Chilean families did not have access to effective contraception in order to limit their families' size. Chileans were limited in their ability to exercise a responsible paternity and be sexually active without risking an unwanted pregnancy.

We take this ruling seriously. It is devastating. It is incomprehensible in the context of the 21st century. How can one explain that the society as a whole—and especially the country's poorest women—will be forced to take unnecessary risks simply because a minority with access to formal institutional power forces the rest of us to live our family and sexual lives according to moral principles that are not necessarily our own? How can one explain that we are willing to see a rise in maternal mortality because of illegal abortions, an increased in unwanted pregnancies, and more adolescent pregnancies? How can we accept that years of serious and difficult progress in public health will now be in jeopardy?

The organizers of this event expressed their public disapproval through a declaration which expresses faithfully those principles that animate us as defenders of social medicine:

*LETTER FROM ALMENDRAL
VALPARAISO, CHILE
APRIL 26TH, 2008*

In "El Almendral" Valparaiso, we have gathered for the Third Social Medicine Seminar "Towards Gender Equity in Health." This is an important gathering of men and women from social institutions and organizations committed to social health.

Today, having concluded our analysis and debates, we declare that:

We continue to witness the permanent violation of our sexual and reproductive rights, a situation that has been aggravated by

the recent ruling of the Constitutional Court. This decision calls into question the national *Regulation concerning the Control of Fertility* and attempts to prohibit the distribution of emergency contraceptives within the public health system.

We note that the *Law Establishing Sexual Rights*, presented to Parliament in 2000, has not yet been discussed by the Congress and, given this recent court decision, a discussion of the new Law seems all the more remote. This negligence leaves individuals and couples without any guarantee that they can make free and informed decisions regarding their reproductive life; moreover it leaves people vulnerable to discrimination, coercion or violation for decisions they make regarding their sexual life. Finally, it leads us further away from gender equity, which can only be accomplished when the distribution of benefits and responsibilities amongst men and women is done with justice and impartiality.

We want to bring light to the existence of institutional forms of violence against women, expressed in direct and indirect ways. Examples are the persistence of social programs insensitive to gender issues, the medicalization of health in general and particularly in relationship to reproduction.

We denounce:

The invisibility of the unequal conditions to which women are subjected, their discrimination and violence in all aspects of life; domestic, professional, civic.

The lack of effective participation in healthcare decision making in political and institutional spaces and the opportunistic use of social organizations.

That the ruling is discriminatory and violates human rights. It leaves the majority of Chilean women and families -those with less economic resources and who rely on the public health system-without options for avoiding an unwanted pregnancy.

That the Chilean state does not yet assume the responsibility of sexual education as public policy. That it prohibits abortions under any circumstance and does not act up in face of adolescent pregnancies which harm the life prospects of thousands of girls and young women.

We demand:

A constitutional assembly so that the people, the majorities of our country, have their rights guaranteed constitutionally; this includes all human rights and especially sexual and reproductive rights.

We commit:

To continue striving and pressuring the authorities so that our rights do not continue to be violated, so that the necessary complaints are presented in the competent International Courts so that the organized civil society mobilizes and gains the necessary space to make itself heard and taken into account.

*Leticia Artiles
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