

Negotiating Gender: Family and Legislation in Chile

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Abstract: This paper analyses the parliamentary debates over two key pieces of legislation on family law approved in Chile between 1994 and 2004. The aim is to identify the discursive representations on gender and family predominant in these debates. These representations and the way in which they were negotiated in Congress, it will be argued, were a key factor in determining the approval and final text of each of the bills examined. When women's demands for greater autonomy were in tension with prevalent ideas on the traditional, hetero-normative family, such tension was resolved in favour of the latter as the discursive category that allowed negotiations to progress. As a result, although the new legislation brought about positive change, it did retain the ideal of the traditional, sanctioned-by-marriage family at its basis, and as the one the State should protect.

Methodologically, this paper is based on the qualitative analysis of 4000 pages of parliamentary debate and in-depth interviews with legislators and government officials directly involved in the debate on each of the laws examined here. © 2015, © 2015 Taylor & Francis.