

## The Christian Science Monitor

July 14, 2003

### Wary of past abuses, Argentine capital approves gay rights

**Starting Friday, gay couples in Buenos Aires can form civil unions.**

**By Brian Byrnes  
Special to The Christian Science Monitor**

**BUENOS AIRES** — Emilia Korenberg and Maria Laura Olivier sit together on an oversized sofa, holding hands and smiling as they recall the day seven months ago when they say they finally felt accepted by their own society.

"I never thought that day would arrive," says Ms. Korenberg.

That day happened last December, when after a grueling 18-hour debate, city lawmakers in Argentina's capital voted 29-10 to allow civil unions for same-sex couples, becoming the first city in Latin America to officially recognize such partnerships. The law goes into effect Friday, and Korenberg and Ms. Olivier plan on completing a civil union sometime soon.

That Buenos Aires, in the heart of this Catholic country, would adopt such a policy may be surprising, especially because of the culture of *machismo* that still reigns here. But this cosmopolitan capital has long prided itself on its European-style sophistication and status as a cultural beacon of the region. Some experts say this open-mindedness is a natural development for a country trying to redeem itself following years of authoritarian rule and severe civil rights abuses.

After seven years of a brutal military regime, democracy was restored in 1983, and the following year, gay Argentines began to speak out publicly and demand equal treatment for the first time. During that same era, more and more citizens began to reflect on the horror of what had passed during the "Dirty War" - when an estimated 30,000 people "disappeared" - and began to rethink their attitudes.

"After the dictatorship ended in 1983 ... people became aware of the importance of being respectful about human rights and being tolerant toward different ideas, ideologies, sexual orientation, and ethnic and racial differences," Beatriz Gurevich, a sociologist in Buenos Aires.

## **Resistance from church**

Still, not everyone here is in favor of Civil Unions Law No. 1004. A poll conducted on an Argentine website shows 44 percent oppose the new legislation, and some institutions, most notably the Catholic Church, have denounced it as well.

"We are opposed to this kind of law," says the Rev. Alberto Bochaty, a professor of Bioethics at Catholic University in Buenos Aires. "It doesn't mean that we are opposed to ... homosexual people at all as persons, as human beings, but we don't agree with this kind of legislation."

Father Bochaty says Argentina's Catholic Church offers solutions and assistance to gay couples who have demanded more say in their partners' medical and financial decisions, but that having an established law guaranteeing these rights is causing many gay Catholics to equate civil unions with the holy sacrament of matrimony.

"For us a marriage is a male and female forever," he says.

Even though some 80 percent of Argentina is still Catholic, the church's power has dwindled significantly, causing it to make some quiet concessions, says Ms. Gurevich. She says this shift is in large part do to the church's much-criticized alliance with the military during the bloody 1976-1983 regime.

"[The church's] relationship with the government was quite visible, and since then ... there's been a reconsideration of its positions," she says. "Not publicly expressed, but there is a difference."

## **Requirements of couples**

The civil-unions law applies to "couples formed by two people regardless of their sex or sexual choice."

"The city of Buenos Aires has established this law for many people, and this signifies an effort to change existing prejudices and ... recognize for everyone their most indispensable rights," says Roque Bellomo, a city legislator and a coauthor of the bill.

Although the law's wording opens the door for heterosexual couples, they are not expected to seek the official partnership as often as homosexuals.

All couples must meet certain requirements that include living together for at least two years within the city limits. The law extends health and insurance benefits as well as hospital visitation rights to the couples, but does not allow them to adopt children or establish rights of inheritance.

"Maybe in two or three years we can have legislation that gives us all of our rights: adoption, inheritance, pension," says Marcelo Suntheim, secretary of the Argentina Homosexual Community, a local nonprofit organization that lobbied to get the civil-unions law passed here.

Mr. Suntheim also hopes to pass a civil-unions law nationwide, however observers say that outside the city there is more resistance to such laws.

## **Prospects for Latin America**

Though Buenos Aires is the first city in Latin America to offer these rights, other neighboring countries have addressed the issue. In Brazil, some cities extend certain benefits to gay couples but stop short of providing an official document that establishes a partnership. In Chile, a similar civil-unions law has been introduced in the capital, Santiago, but is unlikely to be endorsed as divorce is still illegal there.

Korenberg and Olivier say they are proud to live in a city where gay rights are finally being recognized.

They are thrilled to have a chance to live together as a family, but they say that they will continue to fight so that others in Argentina and Latin America will have the same rights.

"This is an era of change," says Korenberg. "Ten years ago this could never have happened here."