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U.S. Department of State Annual Report on International Religious Freedom for 1999: Chile

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CHILE

Section I. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. Church and state are officially separate. However, the Catholic Church enjoys a privileged position among religions and receives preferential official treatment.

Religious faiths and related organizations must register with the Ministry of Justice as a foundation, corporation, or religiously affiliated sports club to receive tax exempt status and the right to collect funds. Groups without juridical status still can worship, but do not enjoy the tax status, fund collection rights, and other benefits that come with legal recognition. Withdrawal of legal status is an administrative decision by the Ministry of Justice, but can be appealed to the courts. Some 800 religious faiths and related organizations are registered with the Ministry of Justice. The Catholic Church and Antioch Orthodox Church have special status.

Government refusal to register a religious group, or withdrawal of its legal status, is rare, and generally has stemmed from misuse of funds by the group or widespread criminal allegations. Most recently, the Government lifted the foundation status of Colonia Dignidad, a secretive German-speaking settlement located 240 miles south of Santiago. The Colonia is being investigated for allegations of child abuse, financial fraud, and involvement in human rights abuses during the military era. The Colonia has appealed this decision. In the recent past, the Unification Church was also under administrative review due to allegations of fund misuse, although no action was taken.

The Catholic Church is not governed by the same regulations as other religions; it does not have to register with the Ministry of Justice and enjoys "public right" ("derecho publico") status. The only other church body with this legal status is the Antioch Orthodox Church. "Derecho publico" status provides that a church cannot lose its juridical standing administratively; in the case of the Catholic Church, it further means that the body cannot have its status challenged at all. All other religions, and groups affiliated with other religions, enjoy "private rights" ("derecho privado"), which allows for the lifting of status administratively.

The Catholic Church's special legal position stems from its historical status. The Church predates the Chilean national state, and Roman Catholicism was the official state religion

until the promulgation of the 1925 Constitution. At the time, the Chilean Government and the Vatican agreed on a non-written tacit concordat to govern Church treatment, that put the Church outside government regulation. The Antioch Orthodox Church received its "derecho publico" status in the early 1970's due to a law passed during the administration of former President Salvador Allende. However, its status theoretically could be challenged in court, which is not the case with the Catholic Church.

Some religious groups, most notably Protestant bodies, object to this differential legal status, without necessarily seeking to undercut the legal status enjoyed by the Catholic Church. A "religious law" ("ley de culto") that would grant all churches "derecho publico" status, without diminishing the privileges of the Catholic Church, has been pending before Congress since 1993. The draft legislation also would remove the ability of the State to dissolve confessional entities by decree. Instead, this could only occur after a judicial review begun by a complaint filed by the semi-autonomous Council for the Defense of the State (CDE), the official entity charged with defense of the State's legal interests. In September 1997, the Chamber of Deputies approved the legislation; it was before the Senate as of the end of June 1999.

The bill is backed by Protestants and opposed by the Catholic Church, which does not wish to be included in the legislation, noting its historical status, concordat, and concerns that canonical law would be affected. In response to concerns of the Catholic Church, the draft legislation declares that the legal regime for confessional groups in force at the time of the law's approval is to remain unaltered. The Catholic Church and some constitutionalists object that the language used to maintain the Catholic Church's current position is ambiguous and imprecise. The Catholic Church continues to maintain that it should not be included in the legislation.

A wide variety of faiths and churches are active. In addition to the dominant Catholic Church, the Pentecostal Methodist Church, the Wesleyan Church, Lutheran Church, Reformed Evangelical Church, Seventh-Day Adventist Church, Anglican Church, Methodist Church, and the Patriarch of Antioch Orthodox Church are among those present. The Church of Jesus Christ of Latter-Day Saints (Mormons) is active, and there is a Unification Church. Other faiths include Judaism, Islam, and Baha'ism. Members of all major faiths are concentrated in the capital, with the Catholic and evangelical Pentecostal churches also active in other regions of the country. Jewish congregations also exist in Valparaiso, Vina Del Mar, Valdivia, Temuco, Concepcion, and Iquique (although there is no synagogue in the latter city).

The 1992 census (the latest official figures available) found that approximately 77 percent of the population over age 14 are Catholic. Twelve percent of the population over age 14 are evangelicals. (The term evangelical is used to refer to all non-Catholic Christian churches with the exception of the Orthodox Church--Greek, Persian, Serbian, and Armenian--and Mormons.) Most evangelicals (approximately 90 percent) are Pentecostal. (The 1992 census used both "Protestant" and "evangelical" to ask about religion, though the terms are considered interchangeable.) Those identifying themselves with the term Protestant accounted for less than 1 percent of the population. In the census, atheists and those who described themselves as "indifferent" totaled approximately 6 percent of the population over age 14. All other religions totaled slightly over 4 percent.

In 1997 spokespersons for Protestant organizations estimated the number of evangelicals in the country at between 1.8 and 2 million persons. Other estimates have gone as high as 3 million. The active Jewish population is estimated to be around 30,000. The number of Protestants has grown steadily with each census since 1930, when only 1.5 percent of the population claimed to be Protestant. The relative percentage of Catholics falls as one goes down the socioeconomic ladder. A 1991 survey found that 93.4 percent of high-income respondents indicated that they were Catholic; the proportions declined to 75.2 percent in the middle-income group and to 69 percent among those in the lower-income group. The survey found that 22 percent of persons at the lower income levels were Protestant. A June 1998 national survey conducted by the Center for Public Studies (CEP) suggested that 43 percent of evangelicals were converts from another religion; 98

percent of Catholics had been born into that religion.

The CEP study found that 8 out of 10 citizens believe in the existence of God, while 14 percent were doubtful and only 2 percent declared themselves to be atheists. Seventy-two percent of those persons surveyed identified themselves as Catholics, 16 percent as evangelicals, 7 percent said that they had no religion, 4 percent adhered to other religions, and 1 percent did not answer.

The CEP poll also found that 18 percent of persons claimed to attend a church or temple at least once a week. A CEP 1995 survey placed this figure at 27 percent. In the 1998 survey, 29 percent of people said that they never attended a church. Thirty-two percent said that they prayed at least once a day and 15 percent said that they never prayed.

While 51 percent of those surveyed expressed "full or great" confidence in their religious organization, two-thirds believed that churches should not try to influence voting decisions or government actions. Some non-Catholics regard membership in the Christian Democratic party as contrary to their philosophical beliefs. Several prominent politicians are not Catholic, including government officials, opposition members, congressmen, and presidential candidates. However, there are no evangelical members of Congress.

The country's Protestants assert that the Government discriminates against them, based upon differing legal status afforded to non-Catholics. They cite the absence of Protestant armed forces chaplains (all chaplains are Catholic), difficulties for pastors to visit military hospitals, and the predominantly Catholic religious education in public schools. Military recruits, whatever their religion, often have to attend Catholic events involving their unit, and being a Catholic is considered beneficial to one's military career.

Foreign missionaries operate freely, and many priests are of foreign origin. Schools are required to offer religious education, on an optional basis, twice a week through middle school. It is mandatory to teach the creeds requested by parents, though enforcement is sometimes lax.

In early February, 1999, Guillermo Pickering was named Vice Minister of the Interior. Pickering's appointment concerned Jewish groups due to an anti-Semitic remark he allegedly made in 1996 while serving as Vice Minister of Public Works. Pickering allegedly complained at that time about a "troika" of Jewish government officials (including the then-Secretary General of the Presidency). Pickering denied the allegations and said that his commentary involving the officials had been purely political. Following a meeting, Jewish representatives accepted Pickering's assurances that he was not an anti-Semite.

In 1998 the Government contributed over \$3 million to defray costs of the Catholic Church's October 6-11 "Continental Youth Encounter," attended by more than 500,000 youths from around the hemisphere.

In addition to Catholic events, government officials attend major Protestant and Jewish religious and other ceremonies.

There was no change in the status of respect for religious freedom during the period covered by this report.

There were no reports of religious detainees or prisoners.

There were no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

Citizens generally are tolerant of religious differences, though some discrimination occurs. Non-Catholic clergymen sometimes have difficulties gaining access to prisons and public hospitals. Access is at the discretion of administrators. Catholic priests usually do not face such difficulties.

A bill is pending in Congress to outlaw acts of discrimination based on race, religion, ethnicity, or national origin. The draft "ley de culto" also includes a clause against religious discrimination (see Section I).

There was one false bomb threat against a Santiago synagogue in late August 1998.

In September 1998, there was a gathering of fewer than 100 "skinheads" at Santiago's general cemetery. There is also a very small organized Nazi movement; it held an April 1999 meeting in Quintero and intends to try to convoke a worldwide Nazi gathering in Chile in 2000. The Government has said that it would look for legal mechanisms to block this meeting. Parties across the political spectrum and religious groups have criticized the proposed conclave. Resolutions in the Senate and Chamber of Deputies unanimously called for the April 2000 meeting not to occur. Local Nazis have announced their intention to form a political party called the "New Fatherland Society" ("Patria Nueva Sociedad"). This would be the first Nazi political party in the country since the National Socialist Workers Party lost its legal status in 1969. It is unclear whether such a party would be deemed constitutional.

Ecumenical groups exist, though they often are formed on an ad hoc basis, depending on the issue involved.

Section III. U.S. Government Policy

The U.S. Embassy discusses religious freedom issues with the Government in the overall context of the promotion of human rights.

U.S. embassy representatives have met with a wide variety of religious leaders, including Santiago's Archbishop, and key representatives of evangelical and Jewish organizations. Informal contact is maintained with representatives and leaders of several other faiths.

As appropriate, Embassy officials cooperated on programs such as anti-drug efforts, with church-affiliated groups and B'nai B'rith. Embassy consular officials met with church and government officials prior to the "Continental Youth Encounter" (see Section I.).

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