

Challenging Religious Fundamentalisms in Bolivia: The Inclusion of Sexual and Reproductive Rights in the Constitution

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Católicas por el Derecho a Decidir-Bolivia
(Catholics for the Right to Decide-Bolivia)

Teresa Lanza Monje

The historic process of recreating the Bolivian government, which began in 2006 with the assumption of power of the first indigenous president of the country (and of Latin America), Evo Morales, was a unique opportunity to review the role of the Catholic church in the country and its influence on government. In this case study, [Católicas por el Derecho a Decidir-Bolivia](#) (CDD-Bolivia) explains the history of the state-Catholic church relationship in Bolivia and then describes the process that brought about the inclusion of sexual and reproductive rights (SRR) in the new [Constitution](#), as well as provisions that guarantee the separation of church and state. One of the most interesting aspects of this process was how feminists inserted themselves in this process of re-crafting Bolivian institutions and used this historic moment to place limits on the negative influence of the Catholic church on public policies affecting health and SRR. Another important component was the wide and dynamic framework of alliances with other social movements—especially the youth, sexual diversity and indigenous women's movements—knitted together by feminists. These alliances were one of the main factors contributing to the success of this strategy.

Introduction

In Latin America, the Catholic church was an instrument of colonization used to conquer the indigenous population and install a new political, ideological and economic system in the region.

The Catholic church almost exterminated all forms of native indigenous religion, and also enriched itself by exploiting indigenous peoples and the natural resources in the Americas. In addition, it strengthened its ideological power by imposing Catholic rites (ceremonies for baptism,

first communion, marriage and other sacraments) and monopolizing the education of the population, for which it received “tithes,” or in other words, payment in money and in kind. Its economic power grew, and as a result it sought to influence the economic and social upper classes and each government in turn, using manipulation and coercion to impose its morals and way of understanding the world. In spite of everything, it is interesting to note the cultural diversity that remains and the religious syncretism entrenched in the region; various customs and god/goddesses, both of indigenous people and Africans, who were brought to the region as slaves, mixed and fused with the newly imposed religion.

In the 19th century, during the wars for independence in the region, the Catholic church began to lose ground economically, although not symbolically, ideologically or politically. However, when Latin American countries drafted and adopted their constitutions, the Catholic church positioned itself differently, with the result that the majority of new states became denominational while a smaller group became secular. According to the Mexican researcher Edgar González Ruiz:

All Latin American constitutions recognize freedom of religion; however... various constitutions establish a privileged status for the Catholic Church. Within this group, constitutions preserving precepts emphasizing secularity and the separation of church and state are found in Mexico, Nicaragua, Cuba and Uruguay. All the others express a variety of relationships with the clergy, from invoking God in the preamble (Guatemala, El Salvador, Peru, Panama, Paraguay, Costa Rica, Colombia, Ecuador, Honduras, Brazil, Argentina and Venezuela), to preferential treatment in recognition of its legal status (Guatemala and El Salvador), mentioning its historical and cultural importance to the formation of the nation (Paraguay and Peru), and support for military chaplaincies (Ecuador and the Dominican Republic).¹

Although we can clearly see that historically Catholic fundamentalism has predominated in the region, its cultural diversity and the existence of interpretations broader than fundamentalist concepts make it necessary to also discuss economic fundamentalism, which refers to the predominance and predatory functioning of the capitalist economic system and its market principles; military fundamentalism, due to the army's violent access to political power, which imposes via arms an anti-democratic form of government; or legal fundamentalism, which means that many of the laws that predate us, as well as those created currently, are social and cultural products built on a basis of foreign and exclusionary patriarchal ideology that governs maternity, sexual roles, the economy and work, legalizing the domination of the masculine sex over the feminine and using as the reference point for humanity the

learned, bourgeois, white, heterosexual “man” (a phallogocentric vision, according to Jacques Derrida).

In this regard, religious fundamentalisms are not the only ones to have consolidated their base in the history of the region; so have military fundamentalisms; economic fundamentalisms imposed by international organisms such as the Inter-American Development Bank (IDB), the World Bank, the International Monetary Fund (IMF) and others; and fundamentalisms of the market and of advertising. All have tried to limit the exercise of women's rights and freedoms, as well as their development. It is important to note that indigenous forms of fundamentalism are growing; these seek to claim the rights of some indigenous peoples at the cost of infringing on the rights of other sectors. Individualism as a concept is unknown in some indigenous world visions, leading to the privileging of collective and communal interests over any individual interest, which, together with cultural, economic or external political factors, creates a conflict of rights that is very difficult to address. This is an unresolved debate in the sphere of human rights; even more so if one considers the principle of integrity of human rights.

The Context of Religious Fundamentalisms in Bolivia

At the end of 2005, Evo Morales was elected president, resulting in drastic changes to the social and political framework of the country. The presence of an indigenous president as head of government shattered—from any angle one views it—the oligarchic power that had existed for centuries in the halls of power and made change possible, although it will take many years to for the full scope of the impacts to be understood. This new political and social landscape has led to the comment that Bolivia is experiencing a “different social time,” which does not mean that exclusionary practices aimed at women or fundamentalisms have disappeared in their entirety; just the opposite, they have in fact been exacerbated. For example, the Catholic church continues to strongly exercise political power in Bolivia, in addition to its role as a religion recognized by the state, which allows it to influence educational and health policies in urban and rural areas.

Political fundamentalisms respond to the dominant class in the country, whose main characteristic is conservatism. This is the privileged, oligarchic, conservative, economically powerful class, owner of extensive tracts of land, of most private companies and of the media, educated by those who, up until two years ago, were the only owners of the state. This sector, which sees its interests at risk, joined with the Roman Catholic church and its hierarchy against the new government.²

For its part, the government of President Evo Morales signalled that the state should be independent of religion when he identified the Catholic church as one of the strongest and most negative institutions of colonialism, and asked the church to stay on the sidelines when his government made decisions. He did not cede to the pressures of the Catholic church in spite of attacks on him by right-wing, conservative sectors. From pulpits, during mass and at other gatherings, it launched a campaign to discredit the president and his policies, which led to confrontations between different sectors of society who felt affected by this manipulation of religion.

Evo Morales's first task was to convene a Constituent Assembly to create a new Bolivian Political Constitution of the State that would reflect a new society. The relationship between the State, civil power or public authority, and religion (specifically and especially the Catholic church) was always a delicate issue when it came to drafting or reforming constitutions, because of the longstanding and interconnected history between both powers.³ As a result, it is difficult to separate the authority of one from the other.

Different political parties, citizen groups and representatives of all sectors of society comprised the Constituent Assembly. Decisions were made by the Assembly members; Evo Morales did not have the power to intervene in the decisions of the Assembly.

CDD-Bolivia, together with other social organizations, proposed the inclusion of SRR in the new Bolivian constitution. By way of background, it is worth mentioning that in 2004, Congress approved the [Ley Marco sobre Derechos Sexuales y Reproductivos](#) (Model Law on Sexual and Reproductive Rights). Nevertheless, then-President Carlos Mesa could not gather sufficient political will to promulgate it as a law and succumbed to the pressures of the Catholic church who, via a letter, threatened to withdraw their support for the government if the bill was not vetoed.

Women's human rights, SRR, the right to life "from conception" and the criminalization of abortion are all issues of concern in the Catholic church's political agenda, to the detriment of women's right to choose. The Catholic church and opposition parties exhausted all their resources to prevent the inclusion of SRR in the new constitution. The leaders of the Catholic church have carried out, with extreme virulence, a series of verbal attacks and made defamatory remarks against those of us advocating for a secular state and the constitutionalization of SRR and the right to life without restrictions. The Catholic church, along with certain Evangelical churches and their political allies succeeded in getting the constitutionalization of "life from conception" included in the report of the Commission on Rights, Duties and Guarantees; after

much lobbying by feminist and human rights movements, this was modified to the "right to life" without qualification.⁴ In similar situations in the Constituent Assembly we also prevailed. The initial tensions decreased, and syncretism between Christian religions and native and indigenous religions was reasserted, this time within the framework of respect for differences.

The new Constitution enshrines broad recognition for the right to freedom of religion, worship and conscience, which has undoubtedly broken the official status of the Catholic church in Bolivia. In Article 4, Title I, Chapter One, the Constitution establishes that "the state respects and guarantees freedom of religion and of spiritual beliefs in accordance with their world visions. The state is independent of religion."

We must also recognize that within Bolivian society, cultural and indigenous fundamentalisms are alive and well, entrenched in religious-worldview practices and ideologies that are growing and that coexist with the religious fundamentalisms of the Catholic church. This situation permeates the decision-making of current politicians, who for the most part are indigenous, whether Aymara, Quechua or, to a lesser extent, Guaraní, and who transmit traditions and culture from generation to generation. With regards to sexuality and reproduction, to date, the issue has not been addressed in a manner that takes into consideration the usages and customs of the native peoples, or the cultural practices that remain entrenched even in the 21st century. Efforts to address them have been influenced by Christianity and Catholicism due to biased, prejudicial teachings that are far from scientifically rigorous, which have created confusion and contradictory beliefs. As a result, native and indigenous leaders' cultural understanding of these issues has not led them to support, from the outset, the work being done by women's, feminist and human rights organizations to raise awareness and provide information in conjunction with rural women's and indigenous women's organizations and assembly members. This process is described below. This work was very important as, paradoxically, indigenous women suffer not only the effects of all the fundamentalisms of the colonial society still existing in Bolivia, but also the imposition of a series of traditional practices, usages and customs that violate their rights, ignoring laws and regulations that protect them, and which they feel obligated to accept.

The following fundamentalist groups are active in Bolivia:

- A. The Catholic church: SRR are addressed from a conservative, patriarchal and *machista*/male chauvinist Christian viewpoint. Sexuality is taboo, contraceptive methods are forbidden and abortion is a mortal sin. These arguments are systematically disseminated from the pulpit and anywhere the church has

a presence; the church even blocks public policies that would benefit both Catholics and non-Catholics. Although a new Constitution was approved, it was not possible to reverse the prerogatives and privileges that the church enjoys, such as exemption from income, real estate and property taxes and even taxes on vast tracts of land throughout the country. This was due to the strong ties that remain between the state and the Vatican and its ideological power, which extend beyond what was established in Article 4 of the Constitution, due in part to the Convenio Marco de Cooperación Interinstitucional (Agreement on Inter-Institutional Cooperation). This agreement was signed by the Catholic church in Bolivia and the Plurinational State of Bolivia on August 20th, 2009, and contradictorily strengthens the current status of the church, which continues to act with a low profile in all aspects of social and political life in the country. Its ties to business sectors with large economic capacity also have been strengthened, especially in the eastern region, which is the centre of the opposition to the current social and political process.

B. Poder Democrático y Popular (PODEMOS, Social and Democratic Power): This is a right-wing citizen group (with political party status). It makes agreements with the Catholic church to obtain political support and as a result opposes laws on SRR. It openly discusses its ideas about the traditional family, Catholic morality, homophobia and discrimination. It is the second strongest political force in Bolivia, in the hands of right-wing, conservative, traditional politicians who have found that the Catholic church is their best ally to block the separation of church and state. It has great political and economic power since it consists primarily of people from the upper middle and upper classes.

C. Minority fundamentalist groups: These include all groups that are not necessarily a part of the groups mentioned above, but are part of the fundamentalist wave and cause harmful effects similar to those mentioned above due to their cultural practices shaped by religious rites or because they follow conservative traditions and undertake actions opposing the recognition of women's rights. Because Bolivia is a plurinational, multicultural and multilingual country, these types of cultural fundamentalisms exist throughout most of the country. In addition, there are smaller Christian churches that also promote a misogynistic vision that underestimates and subordinates women and therefore their rights.

SRR were included in a proposal supported by a myriad of social change institutions and organizations, including CDD-Bolivia. As a result, these rights were included in the new Constitution. Article 66 states “women and men are guaranteed the exercise of their sexual rights and reproductive rights.” This success should be seen as the result of successful, systematic, coordinated political work articulated and led by the feminist movement, which implemented an integrated and effective strategy.

Strategies

In August 2006, the Constituent Assembly was established in Bolivia as a gathering favourable to a new social contract that would allow the weakened Bolivian political system, which was in crisis, to be transformed. Many actors and leaders influenced this historic event, especially large excluded and marginalized sectors, such as women and indigenous people. It is worth noting that the last four years has seen increased coordination between many institutions and individual women and women's human rights activists—feminist and non-feminists—which made it possible to develop different strategies to confront religious, political and cultural fundamentalisms.

In this historic moment, women's and feminist networks, institutions and organizations—including CDD-Bolivia—after a period of hard work and meetings with rural, indigenous and native women throughout the country, were able to agree on a political agenda for the Constituent Assembly. This agenda proposed that the religious state be replaced by a secular one, and that the principle of non-discrimination on the basis of sexual orientation and gender identity, among many other proposals, be included as one of the human rights listed in the new constitution.

Positioning this agenda required an integrated, inclusive and incisive strategy that incorporated the following elements:

- Internal training and education with all CDD-Bolivia personnel, especially on secularism and secular states, as we knew that the confrontation with the Catholic church and conservative political sectors would be difficult and challenging. Any errors of understanding could result in an unacceptable setback.
- Alliance-building across many different types of people and institutions: feminists; human rights advocates; organizations that fight for the right to food, work or housing; domestic workers' unions; indigenous organizations for women and men; youth; sexual minorities; the movement of people of African

descent; academics; and churches of other denominations, as well as many others.

- Training for our allies, for assembly members and other strategic groups, such as native Andean-Amazonian religious leaders and some Christian leaders.
- The crafting of arguments—from different viewpoints, knowledge bases and lived realities—to refute the attacks of fundamentalist groups.
- Monitoring the influence of fundamentalist religious groups in the economic and social spheres by following in the media their statements, publications, public participation and other activities.
- The development of advocacy and lobbying activities with decision makers convenient to their schedules and locations. In other words, going to their social venues, offices, union offices, places where they hold activities and even to their communities.
- Creating honest and open debates not only with activists but especially with civil society in general, which in the long term acts as the needle on the scale, pointing at one of two sides (in other words, towards a fundamentalist or progressive position). From these public debates we were able to extract examples from people's lived realities that helped to expand our defence against the fundamentalists. We have systematized these experiences, contextualizing them by considering root causes and inconsistencies which result in injustices within the context of our current social reality.
- Research into the status of the Catholic church in Bolivia, which enabled us to speak on the basis of evidence, equipped with all the facts regarding the church-state relationship, its privileges and prerogatives, and other aspects; this served as a card up our sleeve, ready to be played at the right time.
- Remove focus from individual or institutional leadership in order to operate as a single united front in response to the onslaught from political, social and religious fundamentalist groups.
- Appeals to the international feminist movement and experts from other countries. For example, experts and allies from Mexico, Peru and Brazil participated in the seminars on the secular state and SRR.

- Consolidation of alliances with religious groups from denominations other than the Catholic, such as the Methodist Evangelical church, which enjoys great prestige and credibility in Bolivia, and other smaller denominations whose arguments were of great help and were a reflection of the religious diversity in the country.

We lacked sufficient economic resources and human resources to implement our strategies. We “passed the hat” and raised funds from individuals and institutions in order to pursue strategic activities which could not be delayed even for a few hours. We also used our own funds from the CDD-Bolivia program and other small donations, which contributed to our success in obtaining our goals. All CDD-Bolivia personnel participated in the lobbying and advocacy, education, training, sensitization and activism activities. In general, our strategy was implemented by Bolivian feminists and colleagues from the human rights and SRR communities.

We believe that our best strategy was to bring together human rights advocates and diverse social change institutions and organizations because the development of arguments should be based on different realities, experiences and needs, which provide the particularity of what is “ours” and “national,” thereby aiding democratic debate. Working in alliance with groups representing different sectors of society enabled us to show that there are many diverse voices making demands and speaking about our issues. It wasn't “the same old” feminists saying the same old thing, but a pluralistic group of people with their own voices and ideas.

Many times we chose not to appear in public so that the public would not identify Católicas por el Derecho a Decidir and feminists as the ones pushing these issues. Human rights organizations, unions, Defensorías del Pueblo (Citizen's Ombuds Offices), social movements, youth, groups of people living with HIV and AIDS, domestic workers and other organizations brought our voice to their advocacy and media appearances.

Youth groups such as “Decide” and others worked with their peers in social sector organizations in towns, communities and cities, bringing an encouraging message to universities and other centres of higher education. This was another way to contribute to the needs of youth. Music, art, plays, street activities and urban interventions helped to publicize our goals for a better country that we have been pursuing for many decades.

We also needed to deconstruct the doctrines and theories—whether feminist, human rights or indigenous—to rethink and reformulate the

human rights advocacy of the many excluded groups, gathering together activists and academics for the large debates. This was possible because we were able to make the leap of setting aside the need for individual and institutional leadership, which is another type of fundamentalism.

Our ongoing advocacy made it possible to introduce and mainstream those rights that women's and feminist movements had defined as basic and essential for women to be full citizens: SRR. The process required us to be conscious of the diversity of positions and agendas brought together by the different groups with points of view from a range of identities or social or class standings, ethnicity, sexual orientation, etc. This diversity united in alliance to confront conservative and fundamentalist sectors.

In contrast, the discourse of the political and religious right was extremely aggressive and invited rejection and violence. At times, they described indigenous assembly members as completely without reasoning and SRR advocates as "abortionists" and as "lacking morals."

Given this situation, we decided that our discourse would be different, conciliatory, encouraging and be respectful of human rights and differences. During public debates, we did not respond to insults or threats, rather we spoke about unity to strengthen the desire for change and help indecisive people choose what we stood for instead of hate and lies.

Without a doubt, the political situation of a new democratic government with a high level of social sensitivity as well as the opportunity to recreate the Bolivian government and write a new constitution were the main factors that drove us to act with all our strength and resources. For the first time in the history of our republic, women and men of different backgrounds, sectors and classes, impoverished and wealthy, adults and youth, could lift their voices to propose a new model for the country. We decided that our demands would finally be heard and if we didn't do it at this time we were never again going to have the opportunity to speak face to face with the people in general and specifically with those who were obligated to hear us. We took on the responsibility of being the voice for those without a voice and we developed strategies based on our strengths, skills, identities and peculiarities, as well as on our weaknesses and differences.

The process of advocating for a secular state and for SRR includes a long history carried mainly by women, who, in the face of patriarchal and colonizing societies, demand the formal recognition of their sexuality and reproduction as human rights.

Looking Ahead

We believe that we were able to create a collective advocacy process that helped to recreate the Bolivian government. The national context of a new Constituent Assembly generated a broad debate about women's rights and the importance of a secular state, which advanced hand in hand with the national process to include those who historically had been discriminated against and marginalized from power. Undeniably, Bolivian society showed ample evidence of the need for political, economic, social and cultural change, requiring a break with the status quo that had for so long denied differences in defining its citizens. The process of change that Bolivia went through must be understood in the context of these ruptures. Through their struggles, civil society and indigenous and women's movements channelled, like the point of a lance, their proposals in the constitutional process, culminating in a new Constitution that seeks to alter the course of Bolivian society.

Similar to what is happening in other Latin American countries,⁵ we faced an alliance of right-wing political and economic groups, the Catholic church, conservative Christian churches and the most important media companies in each country, whose owners are private business people and powerful landowners. Religious fundamentalisms are interested in maintaining a social order whose survival requires control of women's autonomy, which is associated with the exercise of their sexuality.

In its work for a secular state, CDD-Bolivia contributed all possible institutional resources, from personnel trained on the issues, its relationship with the press, the creation and dissemination of promotional materials, to alliances with civil society movements, academia, legislators, politicians, etc.

We firmly believe that our initiative demonstrated that working collectively and in alliance against a powerful and implacable enemy is essential. We need to maintain an ongoing process of training and dissemination of information on the concepts and arguments we want to support, in this case those that helped to strengthen the secular state. Continued research is also necessary to create opinion surveys about our issues, manage existing and updated statistics, and create profiles of fundamentalist groups, which help us learn about their organizations, their relationships and their strategies.

Challenging fundamentalisms requires the creation of favourable public opinion, which in turn requires building a solid social base supporting a secular state, women's rights and SRR. To do so we must be receptive to diversity of thought and ways of seeing life and the world, for example,

the world visions of indigenous and native peoples or the precepts of other churches.

Our initiatives have been valuable because they have enabled us to build common languages and alliances between movements to challenge fundamentalisms. The information and arguments can be reused in other Latin American countries, such as Nicaragua or El Salvador, where fundamentalisms have made advances against women's rights.

Notes:

¹ Edgar González Ruiz, "La Iglesia y las leyes en América Latina (The church and law in Latin America)," *Red Voltaire*, 1 May 2004.

² The Catholic church and the most powerful economic elites are concentrated in the eastern regions of Bolivia and Chuquisaca, which are conservative regions.

³ The current Bolivian Constitution was promulgated in February 2009.

⁴ Editor's Note: In the Latin American context, the concept of the "right to life *from conception*" is being used to qualify the foetus or "unborn" as having the same human rights as those already born, in order to undermine access to sexual and reproductive health rights by qualifying abortion (and even, in more extreme cases, forms of birth control) as equivalent to murder.

⁵ See also the case study by *Católicas por el Derecho a Decidir-México*.

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Organizational Bio:

Católicas por el Derecho a Decidir-Bolivia is a civil society, non-profit, non-governmental organization (NGO) that was founded in 1996 in Bolivia in response to the needs of the women's movements and the need to harmonize those demands with guidelines from the international conferences on Population and Development (Cairo, 1994) and on Women (Beijing, 1995). It works in the areas of advocacy and lobbying activities, training, communications and ensuring sexual and reproductive rights. www.catolicasporelderechoadecidir.org