

Bella St. Amant

INST 421

Dr. Sullivan-González

30 September 2019

Introduction

In the evening on August 8th, 2018, a sea of people gathered outside the *Plaza del Congreso* in Buenos Aires awaiting the outcome of *Proyecto de la ley: Interrupción voluntaria del embarazo*, or voluntary interruption of the pregnancy. After being presented for its eighth time in the Argentinian legislative chambers, the bill failed to pass by the smallest margin yet; in the chamber of 72 senators, 31 voted in favor of the bill while 38 voted against. This bill serves as an emblem of the continuing conversation on abortion in Latin America. Arguments for and against legal access to abortion prove particularly contentious in the region, where rich and proud histories of the Catholic tradition have long influenced the political leanings of legislators and voters alike. Feminism, in its second wave characterized by its new ideals on sexual and reproductive freedoms, first reached Argentina in the wake of the dictatorship in the early 80s. Most prominently, this movement expanded access to birth control and other contraception, as well as new support for a woman's right to solicit an abortion. In a study conducted by Ipsos Argentina in June of 2018, 40% of respondents across the country favor the legalization of abortion (Ipsos 2018:3).

Since the re-democratization of Argentina in the 1980s, Argentinian feminists have been gathering to discuss new ideas and concepts and organize workshops and conferences that promote the expansion of sexual expression (Tarducci 2018:426-427). During the dictatorship, the *Madres de la Plaza de Mayo* set the precedent for women-led protests. Utilizing their conservative maternal image, this group of mothers and grandmothers publicly confronted the

human rights abuses of their “disappeared” sons and daughters in the Plaza de Mayo of Buenos Aires, outside of the Presidential palace (Morgan 2015:140). The history of the dictatorship, feminism, and abuse of human rights in Argentina present a unique difficulty abortion activists who seek to situate their advocacy within the talk of human rights.

In this thesis project I am seeking to understand the shift in support for the legalization and depenalization of abortion over time in Argentina, as well as what motivates activists to participate in public protests for *Proyecto de la ley: Interrupción voluntaria del embarazo*, against the backdrop of the more conservative and maternal image of the *Madres* who set the tone for women-led protests in Argentina. To accomplish this, I will explore what has historically driven Argentinian women to come to support the legalization and depenalization of abortion, and to do so in a manner that results in participation in political protest. Two variables—one’s attitude towards feminism and one’s sense of religiosity—comprise the question at the heart of my research: Is it one’s sense of religiosity or one’s attitudes towards feminism that drives an individual’s support for legalizing and decriminalizing abortion in Argentina and compels them to engage in political activism?

I hypothesize that a woman’s identity as a feminist determines her support for legalizing abortion, rather than her purported religiosity. Organizations like *Católicas por el derecho a decidir* (CCD) and *La campaña nacional por el derecho al aborto legal seguro y gratuito* operate in ways that prioritize the safety and sexual autonomy of women. Specifically in the case of CCD, their mission, vision, and objectives as an organization are all intimately linked to their Catholic identity and their desire to create a space to discuss the religious and ethical questions surrounding access to abortion.

Background

Globally, human rights advocacy for abortion has expanded significantly since its becoming a signature issue at the International Conference on Population and Development in 1994 and the Fourth World UN Conference on Women 1995. In the wake of these events, concern for clandestine abortions grew as legislators and advocates learned that unsafe abortions make up 13% of all maternal deaths worldwide (Zampas, Gher 2008:249). These conferences played an instrumental role in disseminating the idea that “the protection of reproductive and sexual health is a matter of social justice” and that protection could be realized in the “improved application of human rights contained in existing national constitutions” (Zampas, Gher 2008: 252).

One can begin to understand the nuances of the fight for legal access to abortion in Argentina by first looking at the centuries of Catholic influence in the region. Regarding abortion, the Catholic Church maintains the unwavering stance that, “Human life must be respected and protected absolutely from the moment of conception. From the first moment of his existence, a human being must be recognized as having the rights of a person” (Church 2012:No. 2270). The historically strong presence of the Catholic Church in Latin America, along with its help in the form of sympathizing conservative politicians, utilizes rhetoric that reinforces the criminality of abortions and resituates the question of “rights” as belonging to fetuses (Morgan 2015: 141).

The aftermath of the authoritarian regime in Argentina from 1976-1983 has enhanced talk of human rights and brought efforts to convict the perpetrators of regime-led crimes to the forefront of the political agenda during the Kirchner/Fernández era (Morgan 2015:139). In the wake of the human rights abuses addressed and condemned in the decades after the dictatorship, Morgan notes that abortion is “discursively excluded from the realm of human rights” because

legal abortion effectively grants permission to a woman to kill her own child, an action that contradicts deep-seeded ideas towards motherhood and the sanctity of life. This contradiction is touted by pro-life activists as steep departure from the conservative, maternal image of female activists like the Madres (Morgan 2015:140). This history prompts Argentinian abortion activists' struggle to take ownership of human rights language and their sense of urgency in conveying that lack of access to abortion infringes upon the rights of women (Morgan 2015:144).

Theoretical Framework

To understand the role of religion and gender in dictating the future of the legalization and depenalization of abortion in Argentina, I will explore the role of religion in society, and more specifically the role of religion in the political process, as well as how religion and gender relate to public opinion on abortion. In *Meaning and Moral Order: Explorations in Cultural Analysis* by Robert Wuthnow will provide an introduction to the role of religion in society. *Political Secularism, Religion, and the State: A Time Series Analysis of Worldwide Data* by Jonathan Fox will serve to frame the first issue of the role of religion in politics. *Abortion Law in Transnational Perspective: Cases and Controversies*, edited by Cook, Erdman and Dickens, and other writings by abortion and reproductive rights legal theorist Paola Bergallo will help to situate the current legality of abortion in Argentina. Their perspective helps to give context to the successes already gained by abortion activists in Argentina and compares the status in Argentina with the rest of Latin America and the world. As for gender analysis, I will continue to study the history of second wave feminism and the expansion of sexual freedoms and access to contraception regionally in Latin America, while also seeking secondary sources that speak to their arrival in Argentina in the early 80s.

Case Selection and Methods

I will be performing a single country study that measures shifts in support for abortion's legalization until 2014. As a primary source, I will utilize data from the World Values Survey to conduct the multivariate analysis that reflects the multiple influence of one's religiosity and attitude towards feminism, I will create indices on religion and gender from questions asked in the World Values Survey. In conjunction with the questions that gauge respondents' religiosity and awareness of feminism, I will be examining how this affects whether one considers abortion justifiable. The World Values Survey measures this on a 1-10 scale, where 1 represents those respondents who believe that abortion is "never justified" while a 10 indicates those respondents who believe that abortion is "always justified." To better understand what drives the outpouring of support in the form of physical protest, I will also use questions from the World Values Survey that can measure respondents' willingness to participate in political activity. Together this World Values Survey data serve to create my independent variables, one's religiosity and one's attitude on feminism, and how they affect who supports abortion and who feels compelled to engage in political protest over abortion.

My qualitative narrative will be built on the analysis of publications from women's organizations and the Catholic Church, newspaper articles, and legislative debates. These primary sources will serve to elucidate the language used both by proponents and opponents of legalizing abortion. In their own words, each of these organizations promotes materials and statements that explain the "why" for their support or opposition to the legalization of abortion. I will examine the use of the term "human rights" and who lays claim to ownership of the term in seeking to forward their cause. Both the Catholic Church and the community of entities that

advocate for access to abortion have adopted human rights language to argue for their own perspectives.

Limitations

Though abortion as it relates to religion and gender is frequently studied in Argentinian academic circles, access to quantitative data that reflects public opinion on abortion is not always widely accessible. My quantitative data will come from surveys conducted through the World Values Survey. The most recent World Values Survey information in Argentina is from 2013.

Bibliography

The AmericasBarometer by the Latin American Public Opinion Project (LAPOP).

<https://www.vanderbilt.edu/lapop/interactive-data.php>

Bergallo, Paola & Michel, A.R.

2016 “Constitutional developments in Latin American abortion law.” *International Journal of Gynecology and Obstetrics*, 135:228-231.

Bergallo, Paola, Sierra, I.C.J. & Vaggione, J.M.

2018. *El aborto en América Latina: Estrategias jurídicas para luchar por su legalización y enfrentar las resistencias conservadoras*. Buenos Aires: Siglo XXI Editores

Catholic Church.

2012 *Catechism of the Catholic Church*. 2nd ed. Vatican: Libreria Editrice Vaticana,

Cook, Rebecca, Erden, J. & Dickens, B.

2014 *Abortion Law in Transnational Perspective: Cases and Controversies*. Philadelphia: University of Pennsylvania Press

Honorable Cámara de Diputados de la Nación

2018 “El texto completo del dictamen sobre el aborto que debatió diputados: Proyecto de ley: Interrupción voluntaria del embarazo.” Honorable Cámara de Diputados de la Nación website, June 12th, 2018. Accessed September 10 2019.
https://www.hcdn.gob.ar/prensa/noticias/2018/despenalizacion-aborto/noticias_0595.html

Ipsos Argentina.

- 2018 “Análisis sociopolítico de la coyuntura argentina” Ipsos Argentina website, June 2018. Accessed September 10 2019.
https://www.ipsos.com/sites/default/files/ct/news/documents/2018-07/ipsos_public_affairs_aspca_informe_sobre_aborto_julio_2018.pdf

Morgan, Lynn M.

- 2015 “Reproductive Rights or Reproductive Justice? Lessons from Argentina” *Health and Human Rights Journal*, 17 (1).

Pardo, Daniel.

- 2018 “Aborto en Argentina: 4 claves que explican por qué ganó el rechazo a la nueva ley (y que tendrán que hacer sus promotores para volverlo a plantear).” *BBC News*
<https://www.bbc.com/mundo/noticias-america-latina-45124523>

Pecheny, Mario, Jones, D., & Ariza, L.

2016. “Sexual Politics and Religious Actors in Argentina.” *Religion and Gender*, 6 (2):205-225. doi: <https://doi.org/10.18352/rg.10155>

Universidad Nacional Tres de Febrero.

2019. “Encuesta CINEA: 68% a favor del aborto legal.” *Mundo UNTREF*, April 2019. Accessed 13 September 2019.
<https://www.untref.edu.ar/mundountref/encuesta-cinea-aborto-legal>

World Values Survey.

2014. <http://www.worldvaluessurvey.org/wvs.jsp>

Zampas, Gher.

- 2008 “Abortion as a Human Right—International and Regional Standards” *Human Rights Law Review*, 8(2):249-294