

BEYOND THE BIOPOLITICS OF REPRODUCTION

**An Analysis of the Abortion Rights Movement and the
Feminist Struggle for Sexual and Reproductive Rights in
Argentina**



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INTRODUCTION

The abortion rights movement in Argentina, commonly known as the 'green tide', has become an important feminist movement that has permeated the national and international public debate with its discourse, installing the legalisation of abortion on the public agenda. In Argentina, the voluntary interruption of pregnancy is considered a crime in the National Criminal Code. In addition to the legal restrictions on abortion, culturally, women's sexuality has been limited to reproduction and maternity. This criminalisation and stigmatisation of abortion are based on conservative religious and patriarchal norms that prevent women from freely deciding on their bodies and sexuality. Therefore, many women have sought alternative means to end their pregnancies in unsafe clandestine environments, leading to fatal consequences. This has sparked the development of the abortion rights movement, led by the *National Campaign for the Right to Legal, Safe and Free Abortion*. In addition to the legal interruption of pregnancy, this feminist struggle further reflects a broader demand for social and cultural change regarding the traditional hegemonic conceptions of gender and sexuality. The movement has infiltrated the public sphere to expand the understanding of sexual and reproductive rights, stressing the importance of bodily autonomy and the right to decide. Despite the opposition of conservative and religious sectors, the movement has challenged the biopolitical control of the patriarchal State over women's bodies.

Therefore, in order to assess the impact of the movement in Argentina, this research will attempt to formulate an answer to the following research question: How has the abortion rights movement positioned the issue of sexual and reproductive rights in Argentinian society? In order to do so, this research is structured around three sub questions: To what extent has the abortion rights movement incorporated a biopolitical perspective of sexual and reproductive rights in its campaign for the legalisation of abortion?; What are the strategies that the abortion rights movement has developed to influence the public opinion in relation to sexual and reproductive rights?; What is the role of young women in the abortion rights campaign for the legalisation of abortion in Argentina? These questions will support the main objective of this research: to determine the role of the abortion rights movement in positioning the issue of sexual and reproductive rights in Argentina.

In relation to the aforementioned research questions, the following hypotheses have been identified: the abortion rights movement uses arguments related to bodily autonomy and bases its campaign for the legalisation of the voluntary interruption of pregnancy on the right to decide; the abortion rights movement uses three fields of action to influence public opinion in relation to sexual and reproductive rights: militancy in the streets, judicial activism to extend the scope of non-punishable abortion, and organizations that

take direct action and advise on medical abortion; young women are the main actors in gender activism in Argentina, as they are the protagonists in the *pañuelazos* (the demonstrations for the legalisation of abortion) and the public massification of the objective of bodily autonomy. These hypotheses result in the main hypothesis of this research: through the dissemination of its campaign for the legalisation of abortion and its influence on public opinion, the abortion rights movement has sensitised the issue of sexual and reproductive rights and bodily autonomy, and has achieved to establish a public debate that contributes to the development of a legal norm that decriminalises abortion in Argentina.

The methodology that has been used to answer the main research question consists of an in-depth analysis of the academic literature in order to establish the theoretical framework and create a deeper understanding of the specific context of the Argentinian case, and several semi-structured interviews carried out in the period of mid-September 2020 until the end of October 2020. Due to the global COVID-19 pandemic, it was not possible to conduct in-person field research in Argentina. Therefore, the interviews were carried out online using the Zoom Video Communications platform. The interviewees were divided into two groups: female scholars from different disciplines, who have researched topics related to gender, and female members of women's and/or feminist organizations that constitute part of the abortion rights movement. The data collected from these interviews will provide both an academic perspective on the social and cultural impact of the movement on society, and a civil society perspective which will contribute to a deeper understanding of the strategies and objectives of the movement. The results of the interviews, in combination with the analysis of the academic literature presented throughout the research, will formulate an answer to the main research question.

This research will first engage in a critical debate of the existing academic literature in the first chapter, exploring the concepts of biopolitics, biopower and sexual and reproductive rights to grasp the regulation of women's reproductive capacities. Furthermore, it will examine the feminist activism for bodily autonomy that counteracts this biopolitical control over women's bodies. The second chapter will present the cultural, social and political context of the topic by discussing the implications of the criminalisation of abortion, the role of the State, the influence of religious actors, and the current Argentinian feminist movement. The third chapter consists of a comprehensive analysis of the data collected during the field research. This chapter is divided into four subsections. It will first consider the development of the abortion rights movement, examining the demands and objectives of the movement. Then, it will analyse the strategies that have been used by the movement to influence the public opinion. This will be followed by examining the diverse nature of the movement, focusing on the prominent participation of young women. The final section will discuss the achievement and obstacles faced by the movement. Finally, the results presented throughout the three

chapters will be discussed in the conclusion, formulating an answer to the main research question.

This research would not have been possible without the participation of the interviewees. Therefore, I would like to express my gratitude to all the interviewees for taking the time to share their knowledge and experiences with me. This has resulted in very interesting and highly informative conversations. Additionally, I would especially like to thank María Andrea Cuéllar Camarena, Cynthia Brítez and Ruth Zurbriggen, who besides participating in the interviews introduced me to their colleagues. All contributions have been very valuable to my research. Moreover, I would like to thank Dr. P.A. Isla Monsalve for the outstanding supervision and support throughout the research process.

CHAPTER 1

THE POLITICS OF REPRODUCTION: A THEORETICAL APPROACH

Access to safe and legal abortion is a complicated topic that is intertwined with the broader issue of sexual and reproductive rights. These rights have a great impact on women's bodies and determine in a sense their level of autonomy. While reproduction and sexuality seem rather private matters, they are highly influenced by the public sphere. The concepts of biopower and biopolitics explain how sex transitioned from the bedroom to the courtroom, as it illustrates the relation between a woman's reproductive capacity and the interests of the State. Hence, this chapter will first explore the meaning and development of both biopower and biopolitics in section 1.1. Then, it will relate these broader definitions to the implications for reproduction in section 1.1.1. Section 1.2 will discuss the development of sexual and reproductive rights, including the differences between sexuality and reproduction, and touch upon the criminalisation of abortion in section 1.2.1. It will further examine the reaction of feminism by considering feminist activism and their struggle for sexual and reproductive rights in section 1.3. Finally, section 1.4 will address the main findings and conclusions of this chapter.

1.1 From Biopower to Biopolitics: Control over Life

In his book *The History of Sexuality. Vol I: The Will to Knowledge* and his lecture series from the same period, Foucault (1978) theorised the concept of 'biopower' as he described how mechanisms of neoliberal governance influence individual subjectivity and social life through the notion of governmentality. This concept explains the change in social relations in the 18th and 19th century due to the emergence of biomedical and administrative practices. Biopower is constituted by the discourses and institutions that regulate both the individual body and the public through population control (Fotopoulou, 2016). According to Hardt and Negri (2000), biopower can be understood as a form of power that regulates social life from its interior, referring to a situation in which the power lies in the production and reproduction of life itself. The concept of biopower alludes to regimes (governments) and their intrinsic function of social discipline that are devoted to the promotion, optimisation and protection of life, even though these modalities paradoxically sacrifice that life in order to achieve this vitality. Biopower is a mechanism that attempts to influence, categorise, control and direct the human physical/biological existence, which at the same time produces death as a secondary or tertiary effect (Haskaj, 2018).

The development of biopower illustrates the transition from what Foucault calls 'sovereign' power to two modern forms of power – discipline, and later 'biopolitics'. This resulted in a shift from a right to death (let live or take life) to power over life (to make life or let die). Sovereign power is essentially the right to take away life, wealth, services, labour and products (Taylor, 2017). Opposed to control or regulation, sovereign power is a mere right of subtraction. When breaking the law, one is punished on the mere basis of the crime after which the criminal can be exiled, executed, fined or flogged. Disciplinary power, on the other hand, occupies and transforms the mind, reducing the need for physical violence of sovereign power as it colonises and constitutes subjects. The punishment that comes with disciplinary power revolves around the control over the individual's chance of relapsing. Hence, punishment involves controlling and subjecting the individual's mind instead of merely ending life. Disciplinary institutions include schools, prisons, psychiatric hospitals etc. (Ibid.). Foucault argues that since the 18th century Western societies have increasingly incorporated biopolitics into their regulatory systems. Under biopolitics, power is not focused on the individual but rather on the population. It is interested in crime rates, certain demographic groups, and how these can be optimally administered and controlled. Rather than having the right to kill, biopower governs and fosters life. However, biopower can be regulated on both the individual and the group level. The former entails the control of disciplinary institutions over individual lives that deviate from certain norms, while the latter involves the administration and regulation of the population as a whole by the State, managing issues such as public health, housing, birth rate, and migration (Foucault, 1978; Taylor, 2017). Hence, this form of power takes advantage of the biological processes of individuals to perpetuate their interests for survival (Achoy Sánchez, 2018).

Then, 'biopolitics' can be defined as the consolidation of multiple forms of State-centred regulatory measures aimed to control populations, groups, and individuals focused on the productive and reproductive capacities of life (Haskaj, 2018). Fotopoulou (2016) states that even though Foucault describes societies in which the distinction between biopower and biopolitics is quite clear, as biopower is concerned with the interventions on the biological body, whereas biopolitics involves knowledge and technology, these concepts overlap. She argues that in our modern technologically advanced societies, the interventions in knowledge production, populations, and bodies are intertwined. Unlike Foucault's historical examination of the regulatory apparatus of State institutions, Hardt and Negri (2000) decentralise and 'deterritorialise' the idea of biopower, as it is present from the moment of conception, to birth, to the schools and institutions that provide medical and social services that train and lead the population to adulthood. This process is aimed at the subjectification of the population, creating means and technologies to exercise control over the minds and bodies of the population (Haskaj, 2018).

1.1.1 Biopolitics and the Reproduction of the Nation

As described by the English political philosopher Thomas Hobbes (1651) in his book *Leviathan*, sovereign power in the 16th and 17th century was limited to the power to seize life, to end, to impoverish or to enslave it according to the established rules or laws laid down by the sovereign. When life is not seized, it is left alone. In this book, Hobbes further states that any other aspect of life that is not limited by these laws is free as he argues that there could never be enough rules and laws to regulate all citizens and their actions. Hence, some actions are always free and all subjects are free to a certain extent. This includes 'corporal liberty' as Hobbes continues that it would be unnecessary for a sovereign to control such mundane aspects of a subject's life such as one's body and private matters (Hobbes, 1651; Taylor, 2017). As the mode of power transformed from sovereign power to disciplinary power and biopower in the 18th century, so did the areas of control and regulation, including control over the human body. Reproduction became a biopolitical space and transitioned into a site of systematic intervention in the 18th and 19th century during the Victorian Era as a result of the progress made in the field of medicine (Fotopoulou, 2016). This was the result of the Age of Enlightenment, during which ideas of scientific reason and liberalism were highly valued. In Latin America, during this period of modernisation, the ruling classes and academics adapted the European ideas of the Enlightenment. Especially the ideas of Auguste Comte regarding 'positivism' were very influential. These ideas based on scientific rationality and the importance of education modified and challenged the old Indo-Iberian values that originated from the colonial order, the Catholic Church, and political authoritarianism. This discourse was supposed to bring about 'order and progress' to the new republics following the examples of Europe and the United States. This led to the emergence of 'scientific politics' that added a technocratic layer to Latin American liberalism (Larraín, 2000).

This strong belief in positivism and scientific research led to the medicalisation of sexuality and reproduction in the 19th century as it inspired the development of disciplining and regulatory public health policies. During this period of industrialisation and the 'social question', *hygienism* (the social hygiene movement) introduced its discourse throughout Latin America, intervening in public health, education and urbanisation. The hygienist movement originated from the medical sciences in Europe in the 17th century. This movement interconnects diseases, urbanisation, and work and life conditions while it seeks answers to the high mortality rates among the emerging proletariat. Hence, this discourse intervenes in the public health programmes in order to improve the urban sanitary conditions by controlling and regulating the ("ignorant" working class) population through various factors, such as living environments, urban infrastructure and workers' housing, food and breastfeeding, literacy and education, vaccination and personal hygiene. It also interfered with individual moral behaviours as it attempted to control alcoholism, idleness, and prostitution (Alcaide, 1999; Montero,

2013). This further entailed the control of sexuality through various social and public/private health reforms in order to increase population growth and eliminate health issues. These ideas, in combination with the ideal of femininity and the discourse of eugenics, reinforced the traditional gender roles of women in society and legitimised the female participation in social reforms. From this perspective, women were useful for the reproduction and care of the population. Eugenics, which tried to improve the race by intervening in the natural selection process through rational selection, linked sex education with the care for the nation and children's health so that women were comparable to men in relation to reproduction. The social hygienist movement sought to educate middle class women as nurses and social workers to help the poor and ill, and to educate other (working class) women on how to become good mothers, which perpetuated the traditional social discourse regarding women's societal role (Lavrin, 2005; Montero, 2013). Hence, in terms of maternity, hygienism centred its discourse on working class mothers, establishing a relation between the mother, the child and workplace conditions, which later resulted in the criticising of female labour outside of the home. This discourse was later condemned by feminists who considered this a mere expression of social inequality, as these women carried the double burden of being poor, and thus having to work, and having to take care of the children (Montero, 2013).

Furthermore, this new liberal and positivist discourse further promoted the secularisation of the State attempting to debilitate the role of the Catholic Church (Larraín, 2000). The Catholic Church used to be the main care giver and disciplinary power. However, the decline of the Church sparked a dispute between the State and the Church regarding the care of the poor and social intervention. Pope Leo XIII published the *Rerum Novarum* in 1891 as a response to the declining influence of the Church. This encyclical affirmed the position of the Catholic Church in the social question (1890-1930) regarding the miserable living conditions of the new industrial proletariat and proposed norms that governments should follow to improve the situation. It urged all Catholics to promote the creation of labour associations and charities according to two objectives: to improve the living conditions of the workers and to prevent the dissemination of socialist ideas among the working class. In the meantime they also tried to educate and improve the working class, convert its members in healthy and useful citizens, and reinforce the importance of the family and the man as the head of the household. Women had a pivotal role in the maintenance of this Catholic family model (Hidalgo Dattwyler, Errázuriz Infante & Booth Pinochet, 2005).

As a result of this historical process, Foucault (1978) stated that in the 19th century sex was located at the centre of economic and political issues, meaning that the State needed to be aware of their citizens' sex life. The State used sex as a standard for the disciplining of society and as the basis for regulations. For example, women engaging in non-procreative sex acts were medically treated for perversion or sexual dysfunction when they were not interested in reproduction (Taylor, 2015). Therefore, shifting from the individual's private sphere, sex became a public matter. Considering biopolitics, [non-

]reproductive sex acts, and the rejection of such, are considered issues that require management by the State through measures such as financial incentives to encourage procreation or the promotion of contraceptives. The State might decide to intervene and promote reproduction in certain segments of society, while it may try to prevent procreation in others, such as among teenagers, the poor, criminals, the physically or mentally disabled etc. Hence, sex is an important element on both levels of biopower as it concerns both the individual body as well as the growth of the population (Taylor, 2017).

In Latin America, these aforementioned discourses of positivism and hygienism influenced the consolidation process of the nation-States in the 20th century, which involved the growth of the State apparatus according to a discourse that contributes to the national identification of the population. This entailed State's control and planification of all aspects related to social life, from the development of cities to the citizen's personal lives. In this period, hygienism, in combination with eugenics, was the hegemonic discourse that introduced biopolitics in Latin America. The exercise of biopower involved the State control over the bodies that belonged to the nation, including their health, sexuality, and interest, through this new type of institutionality (Montero, 2013). Morgan and Roberts (2012) further link this control over human reproduction with the field of biopolitics through the concept of 'reproductive governance'. Reproductive governance can be understood as the mechanisms through which distinct historical configurations of actors, such as State institutions, non-governmental organizations, and churches "use legislative controls, economic incentives, moral mandates, direct coercion, and ethical incitements to produce, monitor and control reproductive behaviours and practices" (Morgan & Roberts, 2012: 243). Therefore, sex is also considered by Foucault as one of the areas where modern nation-States intervened through the use of biopower. Biological sex has connected the disciplining of individual bodies with biopolitics, thus, the production and management of populations. Sex is considered an instrument for access to both the life of the individual as well as of the species. Hence, sex has been an area of discipline and regulation (Foucault, 1978; Morgan & Roberts, 2012).

Deutscher (2012) contributes that, according to Foucault's theory, women become a reproductive instrument that is supposed to ensure the health and future of nations, populations and peoples. The condition for this role of women and maternal reproduction is associated with a changing field of possible elements, outcomes, and obligations: the general good, general happiness, the future of the nation, the health of the nation, the nation's competitiveness, the transmission of the bloodline, etc. This idea can be linked to the aforementioned positivism and hygienist movement that aimed to secure order and progress in the nation through scientific reasoning and control over public health. This discourse regulated the behaviours and customs of the population, especially those of women, as she was responsible for securing the reproduction of the human species and child education (Quintanas, 2011). Accordingly, reproduction, which appears to be a domestic, intimate, and apolitical matter, was completely transformed and entangled in the production of entities such as nation-States and economies. Later neoliberal economic

policies and the subsequent struggles for reproductive rights introduced new categories and actors in the region that arise as independent entities, such as ‘indigenous women’, ‘victims of gender violence’, ‘responsible mothers’, and the ‘innocent unborn’, who require social (State) intervention (Morgan & Roberts, 2012).

Furthermore, Stormer (2010) relates biopower to the notion of the ‘prenatal space’. The prenatal space is not merely the pregnant body, but as Stormer mentions is a ‘sphere of becoming-alive’ that is governed through ‘regimes of living’, the interplay between political, technical, and normative features that allow the organization, reasoning, and creation of an ‘ethical’ life (Collier & Lakoff, 2005), and has become part of the cultural landscape. ‘Prenatality’ encompasses time and space within life as it creates an environment for mediation in which biopolitical arrangements can take place (Stormer, 2010). It entails the various ways through which reproduction is spatially administered throughout national borders, populations, institutions, cultural traditions, industries, and sexual practices. The burden of securing the future of a certain way of living is partially placed on securing reproduction, invading the space of life “before life” through the use of biopower. These regimes of living have divided the prenatal space between those in favour of expansion and those in favour of containment. Hence, medical technology used for the examination of pregnant women has positioned women's bodies within pregnancy management regimes, such as the criminalisation of abortion. The prenatal space is politicised through biopolitics, meaning that the change of these reproductive customs, for example, the decriminalisation of abortion, might affect the nation as it constitutes a sign of civilisation, or rather its decline (Ibid.).

1.2 The Development of Sexual and Reproductive Rights

Sexuality and sexual reproduction have often been placed under the same category and are considered inherently connected. This idea associates women’s bodies with certain gender roles, practices, and values that are based on “natural” sexual differences between men and women. Therefore, due to their reproductive capacity, women have been ascribed to the role of mother, which includes domestic chores, raising children, and a sexuality that is merely meant for the purpose of reproduction. Due to this condition, women’s sexuality, unlike men’s sexuality, has been hidden and even repressed, which has led to the identification of female sexuality with motherhood (Zicav, Astorno & Saporos, 2017). The Catholic Church has defended the unitive and procreative purpose of sexuality according to its moral standpoint that sexual pleasure is not approved when isolated from reproduction. The Church has protected the Catholic family model and women’s indispensable role in society (Vaggione, 2020).

The State has also tried to regulate and fuse sexuality and reproduction through public health policies and legal frameworks. Since the 19th and 20th women’s bodies have been sexualised and medicalised as it became of biopolitical importance that the State controls

the reproduction of the population through women's bodies. This process meant the reduction of women to their wombs and their reproductive role in life. Foucault exemplified this through the medicalised phenomenon of 'hysteria'. He considered hysteria as an unintended by-product of women's resistance to the hypersexualisation and medicalisation of their bodies. Through symptoms of hysteria they could undermine the medical power over their body as this made them unfit to perform as wives and mothers, thus having to spend time in asylums or bedridden (Taylor, 2017). According to Litardo (2019), the medicalisation of sexuality is a biopolitical strategy to regulate the experiences associated with sexual orientation or non-normative gender identity that can be adopted by a regime. This normalising mechanism diagnoses certain gender identities, sexual identities, or bodily expressions as disorders and behaviours that must be eradicated, cured or rehabilitated. Therefore, Litardo argues that medicalisation within legal systems leads to the mere extraction of subjectivity and individual autonomy to decide on their body (Litardo, 2019).

Due to various laws and regulations, State intervention in the sexuality of women has become a common affair by either allowing the separation of one's reproductive capacities and one's sexual desires or by perpetuating this mechanism. Hence, women's bodies and their sexuality and reproductive capacities have become public issues due to the lack of separation of the two, even though this should be recognised as an important element in a type of citizenship that acknowledges women's rights to decide on their bodies (Zicav et al., 2017). Furthermore, Bonaccorsi and Reybet (2008) explain that when it comes to issues related to reproduction, the socially/culturally constructed gender categories and roles are used to define implicit and explicit power relations that are inflicted in all sexual relationships. These cultural orders establish that women's natural role is to reproduce. Modern institutions, such as the family, school, factory, media, church, and the State, have become oppressors of women through the manipulation of their reproductive function without any consultation or participation of women in the debate regarding their own sexuality. These spaces of socialisation have situated sexuality in a symbolic realm and reduce women to their reproductive capacities in order to secure the future of the nation and religion (Ibid.).

Then, the notion of sexual and reproductive rights is important to consider when examining the implications of biopolitics regarding women's autonomy when it comes to reproduction. From the 1980s, feminist movements included sexual and reproductive rights in their agenda as a strategy to both demand legal changes and to facilitate an alternative paradigm to the traditional ways of understanding sexuality and reproduction that have been imposed on women's bodies by the Church and State (Morán Faúndes, 2013). These rights related to sexuality and maternity/paternity belong to the category of human rights. Meaning that people should have control over their own bodies. Therefore, it was necessary to incorporate a gender perspective in the human rights discourse as men and women often do not have equal access to public services such as health and education (Bonaccorsi & Reybet, 2008). Sexual and reproductive rights are the

rights to regulate one's sexuality and reproductive capacity.¹ This implies that others cannot have power over one's body and that they cannot ask to make impositions on their bodies. The sexual and reproductive rights paradigm includes pleasure and autonomy as one of the main principles for the regulation of the sexual order. It provides a counter-narrative of the (hyper) moralisation of sexuality as it illustrates the moralistic nature of law that denounces certain sexual and reproductive identities and practices. Hence, the struggle for sexual and reproductive rights is both a struggle for individual rights and the transformation of the restrictive perception of sexuality, based on reproduction (Vaggione, 2020). Therefore, 'reproductive rights' refer to the decisions and freedoms that a person must possess in order to be able to decide on their reproductive capacities. This includes, among others, decisions to have or not to have children, the number and spacing of children, access to adequate services in case of infertility, access to appropriate contraceptives and the right to safe, legal and accessible abortion. 'Sexual rights' refer to the freedom to exercise their sexuality without abuse, violence, coercion or discrimination. Historically speaking, the field of reproductive rights is more extensive and elaborated than that of sexual rights and has even obscured the development of sexual rights. Sexual rights have been placed on the political agenda by women's movements as they demand access to contraception, the right to decide on their own bodies, and autonomy regarding sexual and reproductive matters. Due to technological advancement, it has become possible to separate sexuality from reproduction (Bonaccorsi & Reybet, 2008).

Moreover, Shephard (2000) explains that sexual rights also include the right to sexual health, meaning the improvement of life and personal relations, including those not related to STDs or reproduction. Furthermore, she states that, although there is some sense of consensus regarding sexual violence as a violation of human rights, various conservative groups have expressed their disagreement with the term sexual rights, which they consider provocative for the recognition of freedom of sexual orientation as a right. In the context of Latin America, where most citizens identify as Roman Catholic and the Church is the main opponent against the recognition of sexual and reproductive rights, sexual and reproductive issues are dealt with under the 'double discourse' system. Even though the political influence of the Catholic Church is often not visible to the public, it encourages the implementation of public policies that deny sexual and reproductive rights, leading to a polarised political climate. Therefore, this divide of the public opinion in combination with the individual's and couple's need to freely exercise their sexuality generates a private/public division as the private sector operates as an escape valve in situations of repressive policies. It expands the sexual and reproductive choices of the citizens beyond the official policies. Hence, this 'double discourse' system consists of the gap between public discourse, the defence of traditional religious perceptions that limit individual choices, and unofficial private discourses that rationalise or seek forgiveness

¹ Reproductive and sexual health and rights were discussed for the first time during the International Conference on Population and Development, coordinated by the United Nations, in 1994.

for transgressions. The private does not defend sexual and reproductive rights but rather justifies individual actions by explaining them as weaknesses or sins. This results in semi-official, clandestine or private mechanisms, such as clandestine abortion, which subverts the limitations on the exercise of sexual and reproductive rights imposed by repressive policies and the social polarisation of opinion (Ibid.).

1.2.1 The Abortion Paradox

Then, if many countries have contributed to the development of an international agenda that recognises the reproductive rights of women, why does access to legal and safe abortion remain an everlasting struggle? Boyle (1997) describes the relationship between abortion, gender, and power relations. She states that, while only female bodies can have abortions, the access to abortion is mostly controlled by men. This can be explained by the link between abortion, female sexuality, and motherhood. Historically, reproduction was often controlled by the use of force or highly visible ways, such as chastity belts, chaperoning, forcing women to stay home, taboos concerning contraception, and of course, the penalisation of abortion. Nowadays, especially in Western cultures, these ways to control women's bodies have become less visible. Boyle argues that Foucault's concepts of biopower and disciplinary power, in combination with feminist theories, offer an adequate framework to examine the mechanisms used to exercise control over reproduction. Nonetheless, she does argue that Foucault fails to consider the differences between female and male bodies when it comes to the implications of power structures, as both material and discursive power are often exercised by men (Ibid.).

Sutton (2017) argues that the criminalisation of abortion generates a paradoxical situation in which the State has an interest in controlling the individual bodies of women in a punitive manner, on the one hand, while also having a biopolitical interest in creating a healthy population, on the other. She exemplifies this by explaining deaths related to illegal abortions. In this case, the State does not attempt to reduce the mortality rate by simply legalising and guaranteeing safe abortions, but rather offers post-abortion services and care. By criminalising abortion, the State turns pregnant women into mere reproducers and subjects without desires and control over their own bodies. In the event that she acts outside the law, if she refuses this role of reproducer and decides to enter the zone of illegality, the sovereign State power could penalise her, or she could come to die due to unsafe circumstances (Ibid.).

Moreover, Achoy Sánchez (2018) argues that the penalisation of abortion is linked to the fictionalisation of a collective imaginary enemy based on sociobiological features, such as race, sexuality, social class, religion, etc. This allows the sovereign power (the State) to establish a division between individuals that comply and those who do not comply with the rules of the central power. In this case, the voluntary interruption of pregnancy constitutes a mechanism to defeat the internal enemy who hinders the satisfaction of the interests of the system. He explains that, even though the costs for legal, safe and free

abortion might be lower than the costs for clandestine post-abortion care, States install penalties for those members of society who threaten the system and their political agenda. Moreover, fatalities of illegal abortion practices are linked to the country's level of development. Women who live in conditions of poverty and socioeconomic vulnerability are the most common victims of deaths related to clandestine abortions. These women belong to the part of society that is most in need of subsidies and state programmes as they are at greater risk of falling ill, or do not have the economic resources to find medical care independently. When these women eventually might have more children, the number of people in need of social assistance will increase. Hence, Achoy Sánchez claims that there is a connection between illegality, abortion related deaths, and the underdevelopment of the State, which allows the State to eliminate the internal enemy by intervening in the reproductive rights of the citizens (Ibid.). This can be related to the notion of biopolitics as described before.

1.3 Feminist Activism for Bodily Autonomy

Latin America is experiencing a period of politicisation of sexuality sparked by feminist movements. The formation of these movements started in the 1960s when the second wave of feminism demanded cultural and legal changes regarding the acceptance of same-sex relationships and gender identities. By doing so they introduced a new sexual order (Vaggione, 2020). Lacombe (2012) explains that while feminist movements in Europe, the United States, and Canada achieved the legalisation of abortion many decades ago, even before the legalisation of same-sex marriage, in Latin America the struggle continues. This region has been predominantly controlled by morals that are based on colonial and Catholic ideas, including conservative ideas related to heteronormativity. Heteronormativity claims the woman's body and normalises certain moralities that are limited to heterosexuality, monogamy, and reproduction. Hence, while feminists were winning the fight in the West, the conservative military governments that ruled during the previous century made it almost impossible to open the debate for sexual liberty in Latin America (Ibid.). From the 1980s and 1990s onwards, feminist movements have demanded the expansion of a 'sexual citizenship', which is a form of citizenship that considers the effective exercise of sexual and reproductive rights (Maffía, 2001; Morán Faúndes, 2013). Feminists are demanding the expansion of legal margins for the recognition of different sexual identities and practices under the heading of sexual and reproductive rights. These demands include topics such as universal access to contraception, sex education, abortion, gender identity etc. (Vaggione, 2018). Feminism has denounced the compulsory form of motherhood and heteronormativity that is enforced by the State and Church as they propose the reconstruction of these social mandates by separating sexuality from reproduction and the objectification of motherhood as a planned life project (Bonaccorsi & Reybet, 2008). An important aspect of feminist activism is the use of the law to change the discourse that allows discrimination, inequality, and exclusion. Sexual and reproductive rights enable another

perspective regarding the relationship between the State and sexuality. Feminist activists and international conventions have criticised hegemonic definitions of sexual identities and condemned arguments based on scientific knowledge, nature or ethical-religious justifications. Instead they offer new discourses on bodily autonomy and sexual democracy that endorse political secularisation (Vaggione, 2018). Therefore, abortion questions at its core this heteronormativity. Women who express their desires in a hetero-affective way claim their right to separate lust from reproduction. Lacombe argues that the right to abortion is not one of inclusion, as is the case for LGBTQI+ rights, but rather one of exclusion. Accepting abortion would disrupt the central axis of the patriarchal system. Allowing women to freely enjoy their bodies in the same way a man does would mean the end of sex for reproduction purposes, an intrinsic and naturalised element in the constitution of Western morality as inherently Christian and paternalistic (Lacombe, 2012).

Furthermore, the feminist struggle for the right to abortion intends to consolidate a transformation in the essence of democracy. Latin American feminist movements are aiming for both the decriminalisation of abortion, meaning that having an abortion would no longer constitute a crime, and the legalisation of abortion, meaning the recognition of the voluntary interruption of women's pregnancy as the right to decide on their own bodies. Both imply the acknowledgement of the access to abortion as a human right, which requires the State to guarantee the right to public health services. The objective of this transformation is to consolidate new rights that challenge inequalities, as well as reinforce gender equality and democracy (Levín, 2018). This feminist dispute fights for both political and social justice. It promotes political justice in the sense that it fights for personal rights that are related to sexuality and reproduction, which corresponds to one's individual right to make decisions. The criminalisation of abortion impedes women's freedom to decide on their own bodies. Hence, the legalisation of abortion proposes a form of citizenship that endorses bodily autonomy for women and allows equal freedoms for all citizens. It further promotes social justice as legal abortion would provide equal opportunities and circumstances for women since social, economic and cultural inequalities can limit women's capacity development and their right to exercise sexual and reproductive rights. Thus, feminism encourages bodily autonomy and freedom, which in turn allows women to develop their political capacities and identities (Ibid.).

Moreover, Fotopoulou (2016) describes how feminists attempt to increase the visibility of sexual and reproductive rights in the digital world. She introduces the concept of 'networked feminism'. This entails "the collective identity and communicative practices of activists that are shaped by the social imaginary of the internet (understood as *the network*) and digital engagement" (Fotopoulou, 2016: 4). The concept of 'biodigital vulnerability' then can be used to describe the dynamics of content production and control using online networks that create the contradictory notions of empowerment and vulnerability in feminist politics. Feminism has struggled with vulnerability due to its connotations with victimisation and passivity. However, by consciously making this

vulnerability public through social media, they can diminish the harmfulness and create an empowering environment of mutual awareness and cooperation. Additionally, feminist activism has contributed to the progress of feminism as a social movement due to its capacity to create an intersectional debate. Social media facilitates the rapid dissemination of information, which has helped feminist organizations to shape transnational networks. She states that feminist networks dedicated to the protection of sexual and reproductive rights organize themselves on the web to enable political involvement and the creation/sharing of knowledge as they establish online databases and create hybrid academic/grassroots spaces and practices that enable mutual learning. Therefore, it contributes to the democratisation of knowledge. Besides knowledge-sharing, digital feminist networks function as a platform for politics where dominant ideas and the academic/grassroots dichotomy can be challenged. Fotopoulou argues that these networks develop public and political engagement since they develop vertical connections with local and decentralised interventions, as well as global alliances. They also operate horizontally through mobilisation concerning particular policy developments. This process maintains the multiplicity of the voices and positions as they differentiate between the actors. Therefore, the struggle is not reduced to merely one expression of feminism (Ibid.).

1.3.1 Dealing with Opposing Forces: Religion and Neo-conservatism

Important to Latin American feminist activism is its resistance in relation to various religious actors that are involved in the debate regarding the regulation of sexuality and reproduction. The Catholic Church has incorporated various strategies in their activism to oppose the incorporation of sexual and reproductive rights. They have intensified the use of secular scientific arguments based on 'nature' and bioethics in order to mobilise a greater part of society (Vaggione, 2018). They also attack the self-invented 'gender ideology', which they consider anti-life, anti-family, and destructive of nations. They protect Catholic family values against the impact of sexual and reproductive rights. They condemn a gender perspective that allows people to choose their own gender, one that eliminates the biological differences between men and women, and thus the 'anthropological basis of the family'. This movement believes that the 'gender ideology' is imposed worldwide through the human rights discourse that includes sexual and reproductive rights (Vaggione, 2020). This discourse has become the basis of a new conservative movement that has also been labelled as moral neo-conservatism. This movement aims to re-moralise the law, especially legislation related to sexuality. Central to neo-conservatism is the creation of an antagonistic relationship with feminist and LGBTQI+ movements, through which they develop a common identity (us vs. them) that arises in the defence of the endangered sexual order. This heterogeneous movement includes both religious institutions (both Catholic and Evangelical) as well as various secular sectors of society, such as pro-life/pro-family NGOs, and anti-gender politicians. Pro-life/pro-family activism therefore aims to protect children from the indoctrination of this ideology and to defend the rights of parents to educate their children. By portraying

the sexual and reproductive rights agenda as endangering the family and social order, they disseminate panic and fear (Ibid.). Moreover, in Latin America it has been common for politicians with close ties to the Catholic and Evangelical Church to defend family or life values by resisting the implementation of sexual and reproductive rights or any gender reference at all (Campos Machado, 2018; Vaggione, 2020). Nowadays, the term 'gender ideology' is not only associated with the Church but has become an important element for those politicians who oppose feminist and LGBTQI+ movements. This leads to the dissemination of that term in public campaigns and in sectors of society that elect these politicians (Vaggione, 2020).

Part of the feminist struggle is the dismantling of these traditional social and moral norms imposed by the Catholic hierarchy. Despite secularisation attempts, there are still linkages between secular law and religion that regulate parenthood, the family, and reproduction. This is the result of the historical process of modernity, a process that does not denude religious influence, but rather adapts religious influence in different contexts. This process, also known as imbrication, leads to the overlapping construction of both secular and religious regulations. However, it can also lead to the concealment of religious influence when religious norms are portrayed as national social norms. For example, the Catholic family becomes the national family (Vaggione, 2018). Due to the impact of feminist movements, these linkages between the Church and the State become visible. By politicising sexuality they offer a new perspective that de-essentialises historic constructions and ideological discourses, facilitating new criticisms of religious power in the law and on the State. The politicisation of sexuality obstructs the naturalisation of certain regulations that are the result of religious influence. The feminist movement further reconstructs the genealogy of the main religious institutions and actors that regulate the sexual order. They reveal the artificiality of essentialist definitions of the secular and the religious by reconfiguring new boundaries between both institutions. The feminist movements both defend the secularisation of the law and promote the politicisation of religious pluralism as strategies of their activism. The latter supports diversity within religion and promotes sexual and reproductive rights among religious sectors of society (Ibid.).

1.4 Addressing the Gap

The previous sections discussed various authors who have contributed to the academic debate regarding the relation between biopower/biopolitics and sexual and reproductive rights. From this analysis, it can be concluded that through the use of biopower States can control reproduction, and therefore women's bodies, in order to secure the health and future of the nation. By regulating factors such as the access to contraception, abortion, and health care, the State can either encourage or discourage procreation, depending on its political agenda. This type of State intervention is executed on both the individual level as well as the level of the population as a whole. This has led to the disappearance of the

distinction between sexuality and reproduction. In biopolitics, sex merely functions as a weapon that can be used to control and manage the population. Through this understanding, women are reduced to their reproductive capacities and are denied their individual sexuality. Their pivotal role in the progress of the nation has placed them under strict regulation by the State.

Then, as previously discussed, the notion of sexual and reproductive rights are meant to protect women from such issues. It allows them to freely decide on their reproductive capacities and exercise their sexuality. Nevertheless, these rights remain quite limited in Latin America as State ideologies are based on conservative, patriarchal, and religious ideas, especially in the case of the access to abortion. The Catholic Church remains an influential actor that opposes feminist activism by cooperating with secular sectors of society in order to protect certain family and life values. However, by politicising sexuality, feminist movements reconstruct the sexual order and display the hidden ties between the State and the Church. In the following chapters, this feminist activism will be further explored in the case of Argentina. It will examine how both the State and the Church exercise biopower to control women's bodies, and how Argentinian feminist organizations influence the hegemonic discourse concerning sexual and reproductive rights.

CHAPTER 2

ACCESS DENIED: ABORTION IN THE ARGENTINIAN CONTEXT

This chapter will provide the contextualisation of the feminist struggle for legal abortion in Argentina. It will consider the socioeconomic roots of the issue and discuss how cultural norms and social inequality affect sexual and reproductive rights in section 2.1. This will be followed by section 2.2, which will examine the State intervention in the reproductive capacities of women. Section 2.3 will discuss the influence of the Catholic Church in the debate regarding sexual and reproductive rights and will touch upon the impacts of other religious actors in section 2.3.1. Finally, this chapter will provide a brief historical overview of the current wave of feminist activism in Argentina and their fight for the right to decide on their body in section 2.4. It will further discuss certain general strategies of the feminist movement in section 2.4.1.

2.1 The Context of Abortion: A History of Secrecy and Social Inequality

In Argentina, as well as in other countries in Latin America, motherhood is an idealised and naturalised role assigned to women. Motherhood is not only affiliated with pregnancy but is oriented towards the needs of others. The maternal body is supposed to be nurturing, selfless, generous, and dedicated to providing her corporeal resources to her children during and after pregnancy (Ramos, 2000; Sutton, 2010). This image of the female body is connected to the cultural understanding of motherhood. Although maternal characteristics are often associated with women's biological traits and reproductive capacities, various scholars have argued that social organization in combination with discourse shape specific kinds of female and male bodies that are reflected in social practices (Connell, 1999; Hubbard, 1990; Sutton, 2010). These social practices include the gendered division of housework and care work. They reinforce and reproduce the sacrificial and nurturing image of women as they are expected to dedicate their time, energy, and resources to their families. This can lead to them sacrificing their own health or needs (Sutton, 2010; Di Liscia & Di Liscia, 1997). Hence, in Argentina, women's bodies are controlled through cultural and institutional constraints. Women who decide to have an abortion and refuse this assumed motherhood, try to reject this hegemonic idea of women's role in society. However, they can experience great obstacles created by conservative groups (Sutton, 2010).

Furthermore, Ariza Navarrete and Saldivia Menajovsky (2015) state that abortion is intertwined with notions of classism and racism. The social imaginary of those who need

the State to provide access to abortion is thought of as a dark-skinned lower-class woman. Whereas an upper-class woman does not need the support of the State as she can access private care. The clandestine abortion system and other class privileges ensure the secrecy of their actions to avoid the stigmatisation that is suffered by only the poorest women (Ibid.). Freeman (2017) further touches upon the effects of social inequality by arguing that the current technological and legislative advancements regarding reproduction, such as adoption, fertility treatment, surrogacy, and abortion, have become increasingly globalised and favour the West. Recently, cross-border reproductive care has increased globally as people seek reproduction treatments in other countries with less restrictive regulations. However, this new type of reproductive mobility is limited to the rich, whereas the poor are condemned to the constraints of their national legislation. This unevenness in the provision of abortion due to the variation in legislation has led to the transformation of certain countries or cities into 'safe havens' for women who seek access to abortion. Freeman points out that this phenomenon has been labelled as 'abortion tourism' (Sterling, 1997). Nevertheless, this term eliminates the pain, struggle, shame and fear that these women experience. Moreover, she argues that although this journey can be considered emancipatory, it is not available to all women and can be accompanied by an increased risk of violence (Freeman, 2017). Hence, the penalisation of abortion perpetuates both gender and social inequality as women's autonomy is denied by the State in terms of deciding on their bodies, which reinforces heteronormative gender roles, and safe clandestine abortions are only available to those who have the resources. This deepens the structural inequality within the country.

2.2 State Intervention in the Wombs of Argentinian Women

Besides cultural practices, State policies can enforce motherhood through the criminalisation of abortion or by limiting access to contraception. Due to its relatively small population, Argentina has tried to promote procreation since the beginning of the nation. In the second half of the twentieth century, the 1974 constitutional Peronist government and the subsequent military dictatorship (1976-1983) both promoted pro-natalist public policies to enhance Argentina's population size as they banned birth control assistance in public institutions. Nonetheless, these regulations did not prevent people from regulating their fertility, maintaining the low birth rate. The first national law addressing sexual and reproductive rights was passed in 2001 and promulgated in 2002. This law, Law 25.673, led to the development of the National Program for Sexual Health and Responsible Procreation, which guaranteed universal access to sex education and the exercise of sexual and reproductive rights in the area of public health, although with limitations to the bodily freedom of women as it did not include women's freedom to decide on their sexuality and reproductive capacities. Nonetheless, this institutional recognition marked an important victory for Argentinian feminism and democracy (Levín, 2018). It further allocated funds for the distribution of free temporary, reversible, and non-abortive contraceptives. These contraceptives were then supposed to be covered

by medical insurance and distributed in public health facilities. More legislative changes in relation to sexual and reproductive rights followed, including the civil union of same-sex couples in Buenos Aires. However, the issue concerning the access to abortion remains the most contested and controversial topic in Argentina (Sutton, 2010).

In the same period, various public policies concerning sexual and reproductive rights and gender equality had been implemented, such as Law 26.150 (2006) on Comprehensive Sex Education, Law 26.485 (2009) on the Protection of Women, Law 26.618 (2010) on Same-sex Marriage, Law 26.743 (2012) on Gender Identity, and Law 26.862 (2013) on Medically Assisted Reproduction (Levín, 2018). Nevertheless, despite this progress, the complete freedom over women's bodies has not yet been recognised nor guaranteed due to the various limitations based on dogmas of the conservative patriarchal culture. For example, the right to family planning had a strategic nature as it grants women the freedom to decide on certain reproductive matters, such as the number and frequency of births, but does not grant complete freedom as in the case of the voluntary interruption of the pregnancy. Maternity thus continues to be an obligation for women and is guaranteed by public health policies, whereas non-maternity does not have any guarantees. This discrimination based on reproductive conditions forms a barrier to the exercise of freedom to decide and to the access to public health facilities. In this system, mothers are included while women who do not wish to become mothers are excluded (Ibid.).

The Argentine law considers abortion a crime that is placed under the National Criminal Code (at the federal level). A woman who causes her own abortion or consents to have an abortion caused by someone else can be sentenced to one to four years in prison. The person who carries out an abortion without the consent of the woman can be sentenced to three to ten years in prison. With the consent of the woman, that person can be condemned to one to four years in prison. This can be raised to six years if the abortion resulted in the death of the woman (Código Penal Argentino, art. 85 & 88). Nevertheless, the National Criminal Code (1921) also states two exceptions to this rule:

“Abortion practiced by a registered doctor with the consent of the pregnant woman is not punishable:

1. If it has been done in order to avoid danger to the life or health of the mother and if this danger cannot be avoided by other means.
2. If the pregnancy is the result of rape or sexual assault of an idiot or demented woman. In this case, the consent of their legal representative must be required for the abortion” (Código Penal Argentino, art. 86).²

² Translated by the author from Spanish: “El aborto practicado por un médico diplomado con el consentimiento de la mujer encinta, no es punible:

1. Si se ha hecho con el fin de evitar un peligro para la vida o la salud de la madre y si este peligro no puede ser evitado por otros medios.

These ‘non-punishable abortions’ have been subject to many interpretations by local conservative and religious actors to restrict women’s legal protection. Therefore, in the 20th century and the beginning of the 21st century, these exceptions were often considered worthless as most doctors refused to perform the abortion without a judicial order, which was nearly made impossible to acquire in time before the pregnancy would progress further (McReynolds-Pérez, 2017). Nonetheless, in 2012 (after the F.A.L. case) the non-punishable nature of abortions in case of violations was ratified by the Supreme Court of Justice as they issued a resolution containing an interpretative framework that includes clear and uniform standards according to Argentinian Law, acknowledging women’s rights (Rabbia & Sgró Ruata, 2014; Campana, 2017). The Court ruled that all abortions that fit these legal exceptions should be handled without a judicial order, forcing all public hospitals to develop procedures for determining when an abortion is considered legal (McReynolds-Pérez, 2017). However, conservative forces complicate the implementation of such frameworks. Moreover, as mentioned before, women seek other ways to have an abortion if they wish to do so. However, due to the illegality of abortion, no registry quantifies the number of abortions that take place and that distinguishes the voluntary abortions from the spontaneous ones. Therefore, merely one study conducted in 2005 by Mario and Pantelides (2009) offers insights into the number of clandestine abortions per year. According to these authors, it is estimated that approximately 486,000 to 522,000 abortions take place annually in Argentina (Ibid.). Furthermore, according to reports on maternal mortality published by the Ministry of Health (2016; 2018), 24.4% of maternal deaths in 2007 were caused by complications due to abortions. This number decreased to 17.6% in 2016 and 13% in 2018. In exact numbers, this equals 74 deaths in 2007, 43 in 2016 and 33 in 2018. However, this number hides the fact that in the year 2016, 39,025 women and girls were hospitalised due to abortion (Ministry of Health, 2016). Furthermore, these official numbers do not distinguish between legal and illegal abortions, but the Ministry does recognise that in general these abortions are carried out in unsafe conditions (Human Rights Watch, 2020).

These abortion laws and regulations affect women’s reproductive choices as the decision to have or not to have children will affect the rest of their lives. Reproductive choices are important for women’s empowerment. Patriarchal institutions that refuse women the access to legal and safe abortion disempower women by merely offering them the option to continue the pregnancy. This institutional response restricts women’s agency regarding their reproductive capacity and limits their possibilities to have a different future. Moreover, the criminalisation of abortion disproportionately affects poor women who do not have the resources to have a safe clandestine abortion, leaving them with the option to use unsafe methods or to proceed with the unplanned or undesired pregnancy. Additionally, it is more likely that forced maternity will negatively affect poor women,

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2. Si el embarazo proviene de una violación o de un atentado al pudor cometido sobre una mujer idiota o demente. En este caso, el consentimiento de su representante legal deberá ser requerido para el aborto” (Código Penal Argentino, art. 86).

excluding them from certain educational and job opportunities for example (McReynolds-Pérez, 2017).

2.3 A Secular State? The Influence of the Catholic Church on the Right to Decide

In Argentina, conservative religious beliefs have perpetuated this naturalised image of women as mothers. The Catholic Church has promoted the cult of the Virgin Mary, who embodies the contradictory combination of motherhood and virginity. Even though this is impossible to achieve, this is endorsed as the ideal for women (Sutton, 2010). Conservative Catholicism considers women's freedom to decide on their own bodies a matter of social-religious interest, rather than personal interest, to guarantee the continuation of the human species through childbirth. The Catholic Church is the main opponent of sexual and reproductive freedoms. They consider these freedoms as a threat to the natural organization and regulation of life and society, which both maintain their doctrine and teaching. This unequal and patriarchal societal order that is endorsed by the Church, preserves, naturalises, and legitimises the association between sexuality and reproduction, in which the sexualities and identities of women's bodies are depersonalised to be objectified and restricted to 'the reproductive': maternity. In this order, the family is considered a 'community subject' that is characterised by its unity and permanent nature. The family is naturally determined to continue to exist, not as a result of individual will, but rather due to a 'divine plan'. Within this doctrine, women are considered the 'sanctuary of life', the servant, carrying the basis of all human rights: the right to life. According to religious beliefs, women are assigned the altruistic, self-excluding role of mothers. Women are meant to fully dedicate themselves to the needs of the family and promote within this institution the values of life and faith. They are the defenders of life. Hence, their sexuality is considered a natural condition and their sexual identity is a mere result of the objectivity of sex. Moreover, according to Catholic beliefs, individual freedom does not inherently belong to that person, but rather to God. This origin determines the possibilities and limits of this freedom. It is believed that men are not naturally free, but rather as a creation of God, which makes freedom a 'divine gift'. Women, on the other hand, are immune to such freedoms. God has not granted this freedom to women but retains this freedom due to social-religious interests. According to this belief, maternity is an obligation and a condition for the transcendence and the reproduction of the human species. Women are the only ones blessed by nature to continue life and faith. By protecting procreating women, and hence suppressing their bodies, the Catholic Church automatically protects its own existence (Levín, 2018).

As a result of these religious beliefs, the Church has become the main actor in the 'pro-life' campaign against the legalisation of abortion. The moment that sexual and reproductive rights transformed into an undeniable dimension of national public policies, creating new paradigms for understanding democracy and citizenship, anti-abortion collectives

became more and more present in the public sphere. These pro-life groups started to form in the 1980s as a response to the increasing presence of feminist activists aiming to open the political debate regarding the right to voluntary abortion. Despite the pressure of the Catholic Church, feminist groups started to gain more visibility in the 1990s. The Catholic Church responded by advocating the incorporation of a clause that recognises foetuses/embryos as legal persons in the new National Constitution (Gudiño Bessone, 2017). Religion is used to conserve the Christian principles and values. This discourse against abortion consists of three main components: a) they attack the “enemy” (the ones in favour of abortion); b) they portray themselves as defenders of life itself, which is highly valued in religious societies; and c) they invent a societal problem to legitimise their actions as they fight in the name of security and the greater good (Achoy Sánchez, 2018). The pro-life campaign counteracts the actions and presence of feminist organization through the collective mobilisation in the public sphere. However, through this type of activism, the Church does not merely reject abortion but also reinforces their power and place as a pressure group in the political articulation that is established together with the secular anti-abortion and pro-life organizations.

In Argentina, pro-life activism exists of a network consisting of interreligious actors (most of them are affiliated with the Catholic Church), civil society organizations, university research institutes specialised in Catholic bioethics, but also non-institutionalised activists as well as groups and actors who do not necessarily identify as confessional. These latter groups disseminate a discourse based on the defence of the legal and personal rights of the unborn using religious and scientific-bioethical arguments (Gudiño Bessone, 2017). According to feminist thought, access to abortion and contraception are rights that should be guaranteed in a democratic State (Sutton, 2010; Durand & Gutiérrez, 1999). Hence, if the Catholic Church and other conservative groups impede these rights, they deny women the recognition as citizens who are entitled to decide on their lives and bodies (Sutton, 2010). If the Church interferes in public matters, such as the recognition of human rights, they automatically violate the secular rule of law and preserve the existing gender inequalities by imposing on women’s bodies due to private religious interests (Levín, 2018).

2.3.1 Other Religious Actors Joining the Debate

While the Catholic Church remains the dominant actor, the influence of the evangelical churches in the pro-life campaign has significantly expanded over the last decades, in particular that of Pentecostalism (Vaggione, 2020). Evangelical churches in Argentina have been divided over two main poles: the historic liberationist and the biblical conservative (Wynarczyk, 2009). The former has been characterised by their openness to the scientific rationality of modernity, the defence of human rights and their ecumenical commitment. The latter pole rather identifies with fundamentalist conservative moral positions and are politically anti-communist. The Pentecostal churches belong to the conservative pole, which constitutes the majority of the evangelical field (Jones &

Carbonelli, 2012). In the 1980s and 1990s, Pentecostal Evangelical churches mobilised to challenge the monopoly and privileges of the Catholic Church and their influence in the poorer sections of society. Despite the differences between the Catholics and Pentecostals and the heterogeneity of Pentecostal evangelicals regarding sexual morality, the shared opposition towards sexual and reproductive rights as well as LGBTQI+ agendas has led to the formation of alliances between the Catholic Church and Pentecostal churches. They have adopted the 'gender ideology' as part of their campaign (Vaggione, 2020). This fragmentation within the Evangelical church became particularly apparent from 2003 onwards during the political debates regarding same-sex marriage and sex education. Especially the legal recognition of homosexual couples has deepened the cleavage between the two poles as the biblical conservative pole rejected the legalisation while they received support from the historic liberationists. Despite the actions of the conservative evangelicals, the law for same-sex marriage was passed in 2012. Nevertheless, these political actions and articulations between religious actors were crystallised and formed a network that resumed its actions in the debate on the legalisation of abortion (Jones & Carbonelli, 2012).

Since the 1990s, when feminist activists started to politicise topics that included sexual morals and ethics regarding human reproduction, evangelic actors began to express themselves publicly about the legalisation of abortion, both in favour and against. Those against the legalisation of abortion present their campaign as a defence for life and family values. They aim to protect both the "unborn child", which is considered the life of the most defenceless beings, and the heterosexual reproductive body. To support their stance they use a variety of religious, moral, legal, and biomedical arguments. Their political campaigns are directed to a broader public that transcends the evangelical sector of society in order to assemble all "defenders of life". Therefore, they have included other non-religious actors such as doctors, politicians, artists, NGOs, etc. The use of secular arguments is a strategy of religious actors, both evangelic and catholic, to substantiate the position taken by religious conservative activists (Jones, Azparren & Cunial, 2013). This reaction of religious institutions to sexual and reproductive rights is what Vaggione (2005) called "strategic secularism". This allows religious sectors to impact the 'secular' parts of society without becoming less dogmatic (Morán Faúndes & Peñas Defago, 2016). Nevertheless, certain liberationist evangelic institutions and leaders have also expressed their opinion in favour of the decriminalisation (not legalisation) of abortion. They justify their 'moderate tolerant' stance by arguing in favour of the defence of women's life that is determined by both gender and socioeconomic inequality. They stress the importance of fighting the structural inequalities that women cope with, yet without mentioning the right to decide autonomously about their bodies. Although these evangelic actors constitute a minority within the religious sector, they promote the decriminalisation of abortion through the victimisation of women (Jones, Azparren & Cunial, 2013).

Furthermore, Morán Faúndes and Peñas Defago (2016) introduce the concept of 'NGOization'. The creation of conservative NGOs with a blurred religious identity is what

these authors consider an essential part of this aforementioned strategic secularism in Argentina. The formation of NGOs within the pro-life campaign has shaped a form of activism that consists of NGOs with strong political actions that align with the sexual politics of conservative religious institutions (both catholic and evangelic) but present themselves publicly as defenders of interests that transcend those of the religious sectors. The first self-identified pro-life NGOs in Argentina emerged in the 1980s as a response to the international political agendas that included sexuality and reproduction. They defended their position by influencing opinions and beliefs through cultural and symbolic impacts and offering assistance to specific strategic sectors of society. The first pro-life NGOs presented themselves as catholic, as there was no evangelical activism in this period. From the 1990s onwards, these NGOs expanded their scope of intervention into legislative, judicial and international environments. This second phase was also marked by the changes in the religious identification when certain NGOs started to publicly identify themselves as evangelical. However, the evangelical groups still constitute a minority within pro-life activism, which is dominated by the Catholic Church. During the last two decades, there has also been a rise of NGOs that do not present an explicit religious identity, but are rather characterised by 'internalised religiosity' or 'religious de-identification'. The former entails the membership to a particular religion without presenting itself as religious, and thus adopting a secular position. The latter refers to NGOs that minimise the religious element as part of their identity or whose members do not subscribe to a particular religion (Ibid.). Both can be considered as part of strategic secularism to reach a greater audience and disseminate their discourse.

2.4 The Feminist Fight and Strategies for Sexual and Reproductive Rights

Since the democratisation of the country in the 1980s, Argentina has experienced the development of a strong feminist movement that fights for the legalisation of abortion. This dispute has two main factions: those that defend the right to bodily autonomy of women and fight for the decriminalisation of abortion, and those who rather maintain the status quo by opposing the right to abortion and the freedom of women to decide on their bodies. Current feminist activism in Argentina was sparked by the events during the 1990s and 2000s when feminists promoted a policy that guarantees the exercise of sexual and reproductive rights in front of the National Congress. The main challenge of this feminist struggle included challenging the existing conservative patriarchal order to establish a new order that aims at achieving gender equality through politically obtaining full citizenship for women. Therefore, feminist activists introduced sex into the public sphere and advocated for its disassociation from reproduction, allowing women to make this decision for themselves as part of their sexual and reproductive rights. In contrast to this new liberal order, the conservative patriarchal order is concerned with conquering and monitoring sex by creating a realm of illegality and forcing an unbreakable connection between sex and procreation (Levín, 2018). Furthermore, an important development in

the 1990s was the introduction of misoprostol in pharmacies in Latin America as a medicine for gastric ulcers, since this product can also be used to induce abortions. In the early 2000s, both feminist activists and doctors began to offer women information about inducing a safe abortion at home using misoprostol (McReynolds-Pérez, 2017).

Overall, Argentine feminism has known a long trajectory of organization and struggle. According to Rubin and Zanotti (2019), the current wave of feminist activism in Argentina is characterised by three important moments. The first one is the annual National Meeting of Women (*Encuentro Nacional de Mujeres*), which was founded in 1986. This feminist meeting, where all feminist and women's organizations gather, has been a very influential event in the country. The meeting started with 1,000 participants in 1986 and reached 65,000 in 2015. This event consists of various workshops that function as horizontal spaces for debates concerning a particular topic related to women. These workshops have sparked the most important feminist demands. Due to recent debates within the feminist movement, the name has been changed to the Plurinational Meeting of Women, Lesbians, Transvestites, Trans, Bisexuals and Non-Binaries to reflect the diverse, intersectional, decolonial, and inclusive nature of Argentine feminism. The second crucial moment has been the development of the National Campaign for the Right to Legal, Safe and Free Abortion (*Campaña Nacional por el Derecho al Aborto Legal, Seguro y Gratuito*) in 2005. This campaign has presented its Bill for the Legal Voluntary Interruption of Pregnancy (*Proyecto de Interrupción Legal del Embarazo*) in front of the National Congress in the years 2007, 2009, 2010, 2012, 2014, 2016, 2018, and 2020. This specific feminist struggle will be thoroughly discussed in the next chapter. The final crucial moment for the Argentine feminist movement was the first march of #NiUnaMenos (Not One Less) on June 3rd, 2015. Feminist organizations fought to end the persisting violence against women, especially the most severe and visible form, femicides, and for proper media coverage of such gender violence. The movement went viral on all social media networks by using this hashtag. From that moment onwards, this march has become an annual event that has profoundly changed Argentine feminism. It sparked the massification of the National Meetings for Women and the feminist movement gained social acceptance and legitimacy in many sectors of society (Ibid.).

The following marches carried different slogans, such as #VivasNosQueremos (We Want to Live) (2016), *Basta de femicidios: el Gobierno es responsable* (No More Femicides: the Government is Responsible) (2017) and *Sin #AbortoLegal no hay #NiUnaMenos. No al pacto de Macri con el FMI* (Without #LegalAbortion There is No #NotOneLess. No to Macri's Pact with the IMF) (2018). This change in slogans illustrates the constantly adapting nature of the feminist movement as it moves away from its focus on femicides and adopts a broader agenda (Méndez, 2020). "This new wave of feminists sees abortion, femicides, and austerity measures as different but interrelated forms of violence toward women and bodies marked as feminine" (Méndez, 2020: 283). They consider the criminalisation of abortion and violence against women as two interconnected issues. Both deaths by femicides and abortion are deemed as violent acts perpetrated by the

State that is responsible for reinforcing all forms of gender violence through the implementation of austerity measures that disproportionately affect female bodies or through its negligence (Méndez, 2020). On the 8th of March 2018, on International Women's Day, the feminist movement organised a massive national strike and march under the slogan '*Si nuestra vida no vale, produzcan sin nosotras*' (If Our Lives Don't Matter, Produce without Us). This march has been replicated all over the world (Rubin & Zanotti, 2019).

2.4.1 Strategies for the Legalisation of Abortion

Generally, two main lines of activism can be identified that are used by feminist groups to present their demands concerning sexual and reproductive rights in front of institutionalised politics, and to transform sex-generic regulations. The first strategy entails the establishment of 'issue networks' that consist of associations of professionals, State actors, journalists, lawyers, and activists who wish to install regulatory changes (Htun, 2003; Tabbush et al., 2016). These groups have different lines of action: militancy for the legalisation of abortion; judicial activism that aims to expand the laws regarding non-punishable abortion; and organizations that engage in direct action and advise on medical abortion (Tabbush et al., 2016). The latter is important in countries with restrictive laws on abortion as women who face restrictions will seek abortion in clandestine environments, increasing the risks for their health and their lives. Women with few resources find their solution in the hands of untrained providers or take matters into their own hands using unsafe methods. This entails a high risk of incomplete abortions, infections or other injuries that can lead to infertility and even death (Drovetta, 2015). Hence, laws that are meant to restrict access to abortion do not actually reduce abortion rates but rather affect the safety and risks of abortions. These increased barriers have led to the organization of women's rights advocates who not only fight for the decriminalisation of abortion but also provide various services. They have worked towards the de-stigmatisation of abortion, guaranteeing respect for women's bodies and their bodily autonomy, as they provide access to safe abortions through harm-reduction programmes in clinics, established telephone hotlines, and share information about abortion procedures. The Network of Feminist Providers of Aid and Abortion Support (*Socorristas en Red (feministas que abortamos)*) is one of the most well-known networks that consists of 39 collectives and over 170 activists across Argentina. This network accompanies women who seek an abortion and provides them with support services (Zuribriggen, Keef-Oates & Gerdts, 2017).

The second line of activism is judicial activism, which aims for legal progress. This is especially important in countries that have an independent Supreme Court (Reuterswärd et al., 2011; Tabbush et al., 2016). The access to abortion and other reproductive treatments is intertwined with national and local legislation. The field of law is mostly dominated by men as it has been materialised according to patriarchal and masculine norms. Therefore, the law became a common area of struggle for women's movements

that fight for the implementation of equality in the legal field. According to feminist thought, the law is ideologically oppressive for women due to this masculine and patriarchal nature. Even though it is not possible to separate law from politics and ideology, it should be inclusive for all citizens. Hence, in order to allow women to benefit from the advantages of the law, it should be depoliticised and de-ideologised. Generally speaking, the corporations or groups that are opposed to reproductive and sexual rights are the ones that are against the development of women, as they might pose a threat against the 'normal family and sexual life' (Bonaccorsi & Reybet, 2008).

Furthermore, the role of the media has been of great importance to the feminist movement. The media offer a space that creates visibility and awareness. Extensive media coverage causes an increase in the visibility of the movement and shapes the public opinion. Entering the media agenda has been another important strategy of the feminist movement in Argentina. At first, the counterhegemonic productions of alternative journalism, carried out by the militants themselves, became more relevant. Activists proposed journalistic advocacy strategies to increase the visibility of gender violence, femicides, abortion and human trafficking. This was followed by a professionalisation that resulted in feminist communicators and journalists sensitised to 'women's issues'. Feminist journalists have created networks of feminist journalism within the country to install and promote the feminist agenda in the hegemonic media (Fernández Hasan, 2016). Moreover, the use of social media has been a very useful communication strategy as it offers a space for counterhegemonic communication. Since social media consists of a variety of platforms such as Instagram, Twitter and Facebook, they can adapt their message to their specific audience, thus reaching more people (Fernández Hasan & Gil, 2019). This form of cyberfeminism has been very important for the Argentine feminist and women's movement.

An important development in relation to communication has been the sanctioning of Law 26.522 (2009) on Audio-visual Communication services. This law established a framework and regulations to incorporate a gender perspective in the media. This Law, in combination with Law 26.485 (2009) on the Prevention, Sanctioning and Eradication of Violence against Women, has contributed to the massive increase in the media coverage on topics that include sexual and reproductive rights, abortion, and gender violence (Ibid.). In 2018, the issue of violence against women obtained a strong presence in the media and was placed on the public agenda. Social media was overflowing with crosses and reports of sexual harassment in shows, plays, and films, and actresses started to collaborate with journalists in the hegemonic media. The talk show 'Intruders in the Spectacle' (*Intrusos en el Espectáculo*) directly addressed these reports and dedicated several hours of its daily broadcast to talk about feminism with feminist guests that explained topics such as how to carry out a safe abortion. This media coverage, provoked by feminist activism on social media and initiated by feminist journalists, contributed to the massification of the feminist movement (Rubin & Zanotti, 2019). Additionally, due to the impact of feminist journalism and the #NiUnaMenos movement, the media coverage

of feminicides has experienced many changes in the use of terms, accurate information, forms of titling, contribution to consultation, etc. (Fernández Hasan, 2016). The next chapter will examine which other strategies are specifically used by the abortion rights movement and how this movement has influenced the public opinion regarding sexual and reproductive rights.

CHAPTER 3

RECONQUERING SUBJECTED BODIES: THE CRUSADE OF THE ABORTION RIGHTS MOVEMENT IN ARGENTINA

This chapter provides an analysis of the Argentine feminist movement for the legalisation of abortion, commonly known as the 'green tide'. It will evaluate the impact of this movement in regards to the main research question: How has the abortion rights movement positioned the issue of sexual and reproductive rights in Argentinian society? It will first discuss the methodology used during this research. Then, it will consider the development of this movement in section 3.1, considering its overall objectives and demands. Then, it will examine the various strategies that are carried out to influence the public opinion in relation to the sexual and reproductive rights of women in 3.2. This will be followed by section 3.3, which will analyse the diverse nature of the movement, examining the role and impact of the involvement of young women and other social groups. Finally, section 3.4 will explore the overall achievements and obstacles of this movement.

The method of research that has been used to collect data is a qualitative research consisting of various semi-structured interviews. These interviews were conducted online through Zoom Video Communications in the period of mid-September 2020 until the end of October 2020.³ The interviewees were divided into two groups. The first group consists of female scholars from different academic backgrounds, such as Law, Political Science, or Psychology, who have incorporated topics related to gender into their research. The second group of interviewees consists of several female members of women's and/or feminist organizations that are part of the movement for the legalisation of abortion. Most of the interviewees are located in Buenos Aires, while others are located in other provinces of Argentina. The interview questions were adjusted to match the specific group of interviewees. The interviews were conducted in Spanish. The lists of interviewees can be found in Annex 1 and 2. Additionally, the lists of guideline questions that were used during the interviews can be found in Annex 3 and 4. The results from the interviews in combination with the theoretical framework proposed in Chapter 1 and the context presented in Chapter 2, will provide an answer to the main research question. This answer will be formulated in the conclusion.

³ Due to the global COVID-19 pandemic, it was not possible to conduct in-person field research in Argentina.

3.1 The Development of the Abortion Rights Movement

This section will discuss the development of the Abortion Rights Movement, led by the National Campaign for the Right to Legal, Safe and Free Abortion. It will consider the overall objectives and demands while examining the growth and progress of the movement.

3.1.1 The Leadership of the National Campaign for the Right to Legal, Safe and Free Abortion

As discussed in the previous chapter, the demand for the legalisation of abortion has been on the feminist agenda since the 80s and 90s and was extensively discussed during the *National Meetings of Women*. Nevertheless, this feminist struggle was institutionalised for the first time in 2005 with the establishment of the *National Campaign for the Right to Legal, Safe and Free Abortion*. The *National Campaign* was formed by feminist and women's groups during the *National Meetings of Women* in 2003 and 2004. They describe themselves as a diverse federal alliance, which pursues the right to legal, safe and free abortion, while articulating and restoring parts of the history of the struggles experienced in Argentina.⁴ This includes the legacy of the dictatorship, which kindled a strong civil society that fought for human rights. For example, the Mothers and Grandmothers of Plaza de Mayo, who lost their children during the dictatorship (Sutton, 2020). The famous symbol of this human rights and women's movement, the white kerchief, has been adopted and appropriated by the *National Campaign*. Nowadays, the green kerchief is the main symbol of the abortion rights movement.

3.1.2 Beyond the Legalisation of Abortion

Despite their name, the overall objectives of the *National Campaign* go beyond the legalisation of abortion. Their demands are reflected in their slogan: *Educación sexual para decidir, anticonceptivos para no abortar, aborto legal para no morir* (Sex Education to Be Able to Decide, Contraceptives to Avoid Having an Abortion, Legal Abortion to Avoid Dying).

“This implies that we want to provoke structural changes in the education, health and justice system. Justice is the hardest, most conservative bastion. We seek profound cultural changes in relation to the legalisation and decriminalisation so that women who decide to interrupt a pregnancy, can have safe and free care. The defence of the right to abortion is a just cause as it has a direct relationship with democratic content, with social justice. We intend to modify the image and the position that women have and especially the body of women in a patriarchal society (...). What we want to achieve is the enjoyment of women's rights as basic human rights. Sexual, reproductive and non-reproductive

⁴ <http://www.abortolegal.com.ar/about/>

rights as basic human rights. And this has a direct relationship with social justice (...). So, women in the most vulnerable sectors, who have scarce economic resources, who cannot access abortions in safe conditions, are the ones who risk their lives and health” (D. Fenoy, interview with the author, 2020).

The *National Campaign* has incorporated a human rights perspective into their discourse. Therefore, they fight for the recognition of sexual and reproductive rights as part of basic human rights, which requires universal access to public health services and sex education. These demands, addressed to the Argentinian State, have been included in the *Bill for the Voluntary Interruption of Pregnancy*, compelling the State to guarantee these rights. In order to achieve these demands they deem it necessary to tackle the issue of socioeconomic inequality, as this discriminates against women from the poorest sectors of society; strengthen the democracy that protects and guarantees women’s health and lives, and enables women to make decisions regarding unwanted pregnancies; and establish a secular State that does not contain the influence of religion, especially that of the Catholic Church, on issues regarding sexuality and reproduction. Hence, they propose a transformation of the State and the amplification of a democratic citizenship that embodies the recognition of sexual and reproductive rights.

Moreover, whereas the *Bill of the National Campaign* focuses on the State level, the movement further addresses its demands in other areas such as civil society, the media and the public opinion, broadening the scope of their demands from the political to the cultural. These demands include the right to decide on one’s body, thus being able to decide about maternity. As mentioned in the previous chapters, in Argentina, motherhood is a culturally naturalised and normalised experience in women’s lives. This idea is based on patriarchal and religious norms that are imposed on female bodies. The combination of the *machismo* discourse and the strong presence of the Catholic and Evangelical Church, in particular in the working-class segment of society, construct the hegemonic beliefs concerning sexuality and reproduction. Even though the State has proposed a more flexible discourse, introducing laws and policies such as the Law on Sexual and Reproductive Health and the Law on Medically Assisted Reproduction to reduce the normalisation of motherhood, religious and conservative actors maintain the traditional rhetoric. Hence, the movement continues to defend the separation of sex and reproduction and incorporates the idea of bodily autonomy, pleasure and desire in their discourse by demanding the universal access to contraception, sex education, and abortion. Thus, allowing women to have protected sexual intercourse and the ability to choose maternity. It is important to mention that the movement does not merely associate motherhood and pregnancy to hetero-cis women, but also includes all other people with the ability to get pregnant.

“What is being discussed is motherhood as a project (...). It is not only the right to abortion but that people with the ability to carry a child have the right to choose maternity or not, that maternity ceases to be that harmonic desire, which comes to us as a mandate that seems like an inherent desire for all people with the ability to get pregnant. Part of what

was discussed with the 'green tide' is the meaning of motherhood. Motherhood was politicised as an institution" (R. Zurbriggen, interview with the author, 2020).

"The struggle of the *Campaign* opened the possibility of being able to think about other sexual and reproductive rights (...). This fight already existed, but it was expanded because the fight for the right to abortion also talks about people's autonomy. Not thinking of it as a public health issue, although it is, putting the focus on people, on their personal and intimate decisions, which implies deciding on interrupting a pregnancy. This allowed the broadening of the agenda linked to the fight for sexual, reproductive and non-reproductive rights" (S. Hoyos, interview with the author, 2020).

3.1.3 From NiUnaMenos to the 'Marea Verde': Amplifying the Demands

The abortion rights movement has experienced significant growth during the past decade. Nevertheless, it was not until the first NiUnaMenos march in 2015 when the movement gained more momentum and visibility. The abortion movement took advantage of the social impact and public space that was created by NiUnaMenos. This allowed the movement to identify the issue of abortion as a national public issue that encompasses various elements, such as public health, socioeconomic inequality and gender inequality (Perrota & González Ríos, 2019). However, while NiUnaMenos reached a broader audience due to the universal social denunciation of feminicides, the struggle for the legalisation of abortion was first considered to be a more specific topic within feminism that not everybody agreed upon. Therefore, the abortion rights movement aspired to merge these claims, allowing more people, feminists and non-feminists, to join the fight.

"The first march of NiUnaMenos was a reaction against that pain, that injustice, that violence. And what it generated was a lot of networks between colleagues, between people who were activating feminist practice (...). Today maybe, after these experiences, after the 'green tide', it is understood that feminism is and can be a project to a better life, and above all, takes care of the lives of a lot of women and people in general. So, NiUnaMenos is the beginning of this tide, of this phase. It is the beginning of a cycle of mobilisations. And 2015 began this cycle of mobilisations to which the marches for abortion and the international strikes of women are gradually added and motorised" (T. J. Rodríguez, interview with the author, 2020).

Hence, the abortion rights movement incorporated the discourse of NiUnaMenos into their campaign, stating the intersecting factors of gender violence. The activists of the abortion rights movement exposed the structural violence against women in Argentina that is not limited to domestic violence, but rather includes all spheres of life, both private and public.

"What is significant about the movement is that it allowed us to continue to deepen a certain idea of what it is to live a life without violence (...). What the movement has achieved is to deepen what the NiUnaMenos had already made massive, they can kill us at home and on the street. What the 'green tide' did was to expand this field of

responsibilities and strongly involve the State for its negligence or for letting women die. But it also allowed us to say that a life without violence is also the right to abortion. To begin to say Without Legal Abortion there is no Not One Less (...) The 'green tide' allowed the process of deepening what we mean by living a life free of violence" (A.C. Gaitán, interview with the author, 2020).

After the first march of NiUnaMenos, the Campaign started to broaden their demands and began to expand upon the idea that deaths caused by clandestine abortions should also be considered feminicides committed by the patriarchal State.

"In the *Campaign*, we also understand that the issue of abortion includes gender violence, which relates deeply to us. Both movements are not only interrelated because of the people from the *Campaign* who also are part of NiUnaMenos, but because both support, make visible, and fight to end gender violence in all aspects. And the issue of abortion is related to that violence, not only symbolic (...). The whole issue of the objectification of women's bodies, and the appropriation by men, that feeling that they are our owners" (D. Fenoy, interview with the author, 2020).

The presence of the abortion rights movement increased in the year 2018. This moment marked an important year for the abortion rights movement in Argentina when the *National Campaign* presented the *Bill for the Voluntary Interruption of Pregnancy* in front of Congress. During several consecutive weeks, the *National Campaign* organised large mobilisations outside of the Congress building that took place every Tuesday. During these 'Green Tuesdays' ('*martes verdes*'), approximately 1,000,000 feminists gathered to collectively discuss strategies in preparation for the debate regarding the *Bill* (Méndez, 2020). During these massive gatherings, protests and marches, all participants wore their emblematic green kerchief. The streets of Buenos Aires, and all other participating cities, were coloured green, according to the colour of the National Campaign. Therefore, the abortion rights movement became popularly known as the 'green tide' ('*marea verde*') among the media.

"The green tide is the spontaneous organization of women in the street, of women and gender diversity, who go out on the street to protest. That is one of the most profound implications of the green tide. It is putting the body of people with the capacity to get pregnant on the political scene, in public. That in itself is the appropriation of sovereignty and decisions about one's body (...). This marks a historical moment regarding the subjectivity of women (...). The most important fact is the spontaneity and organization of women who leave the private, their intimacy, and go to the public and they put their body on stage and say: we want to decide. That in itself is already the most important transformation, with or without law. There is already a change in the conception that society has about their bodies" (C. Brítez, interview with the author, 2020).

3.1.4 Biopolitics and the Right to Decide

As previously mentioned, the abortion rights movement incorporates besides the legalisation of abortion other demands related to women's rights. The concept of bodily autonomy constitutes a fundamental element within their discourse. The violation or denial of the right to legal, safe and free abortion, thus the autonomy to decide on one's body, is considered a form of gender violence committed by the State. Therefore, the deaths caused by unsafe clandestine abortions are deemed feminicides perpetrated by the patriarchal State due to its negligence and absence. The women who are most affected by the criminalisation of abortion are women from the poorest sectors of society. The State decides who lives and who dies. Therefore, within the discourse of the *Campaign*, the State has a crucial role in guaranteeing access to the legal interruptions of pregnancy as part of the public health system.

“The movement incorporates the role of the State in their discourse because the *Campaign* seeks the legalisation and decriminalisation of abortion (...). Therefore, we are demanding that abortion becomes a right and we are asking the State to guarantee it. The role of the State would be very strong in that sense. It is in charge of abortions and that women can access the public health system for free, that it is not only legal but also that women who do not have the resources, those who have a greater chance of dying or having unsafe abortions, can access safe abortions in the health system” (L. Szwarc, interview with the author, 2020).

Nevertheless, granting the State the power to guarantee access to legal abortion within the public health system, still limits the ability of women to decide on their body and the decision where to have an abortion. By including this clause in the *Bill for the Voluntary Interruption of Pregnancy*, women will be dependent on the State and the medical system. Since Argentina is a federal State, provinces with a strong presence of conservative and religious sectors might complicate or restrict the access to abortion within the health care system after the passing of the law.

“In the *Campaign's Bill*, the State is given the power to guarantee these interruptions of pregnancy in the sense that these interruptions are limited to hospital care (...). There is a song from the campaign that sings ‘legal abortion in the hospital’, while others sing ‘legal abortion anywhere’ (...). It is fine that the State guarantees it, but it should include the right of women to have an abortion anywhere. The current *Bill* establishes that interruptions must happen within the framework of the health system. In this sense, the State has a predominance in the project and by extension in the green tide. I do not know if it is problematic, but it gives power to the State and the medical system. It does not reflect that many women do not receive care in the current health system. The reality is that the law is not going to guarantee that you will be treated well in the health system” (A.C. Gaitán, interview with the author, 2020).

3.2 Militancy from the Streets to the Senate: The Path to the Legalisation of Abortion and Societal Change

This section will examine the various strategies that are used by the abortion rights movement in Argentina, led by the *National Campaign*, in order to generate both political, legal, cultural, and social change. After discussing their approach for the dissemination of their discourse, it will look into the effects on the public opinion regarding sexual and reproductive rights.

3.2.1 Strategies and Methods for the Promotion of Sexual and Reproductive Rights

In order to achieve the demands mentioned in the previous section, the *National Campaign* has adopted various strategies and methods to reach the audience and mobilise the masses. These strategies are carried out in different networks, platforms, and public spaces. This allows the movement to publicly address issues related to abortion and sexual and reproductive rights, and disseminate information to those who seek abortion assistance and care. However, due to the federal system in Argentina, strategies may differ throughout the country according to the different conditions in each province. In general, the strategies range from communication strategies and education initiatives, legal activism, and militancy for the legalisation of abortion. The former category includes placing the topic of abortion, and the other demands discussed in the previous sections, on the public agenda through the distribution of information and the interaction with the media. Feminists appeared in television programmes, on the radio, and in newspapers to discuss the demands and objectives of the movement, while also informing about the assistance hotlines and abortion care services. Moreover, part of this strategy is the creation of groups and networks of professionals for the right to decide. This includes networks of lawyers, doctors, teachers, labour unions, etc. The organization Socorristas en Red has been an important actor in the provision of abortion care and accompaniment. This diversity has opened the public debate and allowed the movement to reach a wider audience with their discourse. Social media played a crucial part in this strategy.

“The idea of expanding the public sphere, that is, putting it on the public agenda, in this case specifically on the media agenda, (...), put into discussion those topics that seemed private or that were limited to women, lesbians, and people with the ability to get pregnant. Then, another question is that it also generated the democratisation of the public debate (...). This strategy is based on the use of social media, that is, the possibility of generating campaigns for causes, in this case for the cause of sexual and reproductive rights, and that made it possible for the issue to reach each of the provinces, to places where perhaps there was no specific organization, so that boys and girls from different parts of the country could join with a hashtag or with a post. Social media networks have that horizontality and that easiness to join a cause. And that was a strategy that was widely used in feminism to drive the abortion debate” (T.J. Rodríguez, interview with the author, 2020).

For the *National Campaign*, the most important strategies include presenting the *Bill for the Voluntary Interruption of Pregnancy* and the distribution of information. These strategies aim to persuade the Congress and the Senate while simultaneously informing society about their sexual and reproductive rights. The *National Campaign* has organised various education initiatives regarding public health and comprehensive sex education.

“What the strategy of presenting the *Bill* allows, is that they call us to organise training for teachers at universities. And information is one of the most important strategies to reach society because abortion is a human right and it is part of public health and social justice. Because the people that have access to abortion nowadays have two types of resources: the economic resources and the symbolic resources (...). What we can do in these current conditions is to reduce the gap of the symbolic resource of information (P. Bustamante Quintero, interview with the author, 2020).

Nevertheless, the most important public space for their militancy is the streets. One of the most visible strategies is the marches, protests and demonstrations organised by the *National Campaign*. These so-called *pañuelazos*, named after the green kerchief (*pañuelo*), are a crucial element in the campaign for the legalisation of abortion. The green kerchief creates a sense of unity amongst the activists and has contributed to the massification of the movement. The movement has positioned the cause as a matter that is not limited to a specific social group, but rather revealed that the criminalisation of abortion affects all people with a uterus. Therefore, these mobilisations have united people from different religious beliefs, political ideologies, social classes, gender identities, sexualities, and age. This has created a sense of solidarity among these activists. This diversity will be further discussed in section 3.3. These massive waves of abortion activism have led to the name the ‘green tide’, recognising the competence and impact of the movement on society.

“The idea of the ‘green tide’ is that it was flooding and permeating spaces, schools, workplaces, and created discussions with colleagues with whom you travel in transport and you see them with the green kerchief. That had a very strong resonance, because not only in this case of the abortion agenda but because it was also a very massive protest movement with propositions that had not been seen before. I do not mean that there were no others, but it is remarkable to see a mobilisation of half a million people where the majority are women, lesbians, transvestites and trans” (T.J. Rodríguez, interview with the author, 2020).

3.2.2 Changing the Public Opinion: The Social Decriminalisation of Abortion

These aforementioned strategies have contributed to the fact that abortion, a topic that has been taboo for a very long time, can be openly discussed in both the private and public sphere. Besides placing the topic on the political agenda, it has caused the social decriminalisation of abortion. Due to these communication and education strategies, the movement has raised awareness regarding the negative implications of clandestine abortions and has introduced women as active actors that have the right to decide on their

own body without the intervention of other institutions such as the State or the Catholic Church.

“What the movement achieved was social decriminalisation. Although the law was not approved in the Senate, despite that it was approved in the Congress, it generated decriminalisation. It achieved that abortion could be talked about at home, in the streets, in schools, in universities, at work. Both in the public and private sphere, the issue came out of the ‘closet’. And there is no turning back from that, from being able to talk about it” (M.A. Cuéllar Camarena, interview with the author, 2020).

In addition to socially decriminalising abortion, the movement has opened the public debate and enhanced the understanding of sexual, reproductive, and non-reproductive rights by illustrating the inadequacy of the current legislation. Especially regarding the limited access of certain social groups to sexual and reproductive health care. They stress the importance of acknowledging the existing gender and social inequality within the country.

“What the ‘green tide’ facilitates is to extend the idea of what sexual and reproductive, and non-reproductive, rights are. It shows the absence of public policies in certain communities. For example, everything that has to do with people with disabilities or other gender identities (...). The whole issue of access to sexual and reproductive rights, and non-reproductive rights for trans, non-binary, and transvestite people. These sectors are included in the ‘green tide’ and push for these issues to be considered” (R. Zurbriggen, interview with the author, 2020).

Moreover, the information that the movement has provided regarding the voluntary interruption of pregnancy challenges the myths that have been constructed around this topic. Due to their activism, abortion is currently understood as a public health issue that has to be guaranteed by the State and that concerns all people with the ability to carry a child. Therefore, it has transformed the prejudice against those women who decide to have an abortion. As mentioned in the previous chapter, this idea has been strongly intertwined with notions of racism and classism as the criminalisation of abortion mostly affects women from poorer and stigmatised sectors. The abortion rights campaign has deconstructed this idea and refers to the voluntary interruption of pregnancy as a common practice that can happen to anyone, which therefore has to be legalised to guarantee the access to safe abortions.

“Knowing that abortion is not necessarily traumatic for a woman, that she does not have to abort in illegal clinics, that there is misoprostol, and that it is only risky if she does not have access to the pills you need for your interruption. Women have abortions and we will continue to do so. And these discussions began to take place in spaces where people were not talking about it and it became accessible to everyone” (A.C. Gaitán, interview with the author, 2020).

3.3 Embracing Heterogeneity: The Power of Diversity

This section will discuss the diverse nature of the movement and will examine the impact of this heterogeneity on the achievements of the movement. It will first consider the effect of the different social sectors that are involved, after which it will focus on the participation of the younger generations.

3.3.1 Including the Dominant and the Marginalised Sectors

The abortion rights movement consists of a conglomeration of different groups and organizations from various fields such as academia, journalism, medicine, actors, social work, labour unions, social movements, etc. This heterogeneous nature of the movement has allowed the cooperation between people from different, or even opposing, beliefs, ideologies, social classes, ethnicities, gender identities, sexualities, age, etc. It constitutes a great strength as it facilitates the horizontal construction of a common objective throughout society: the legalisation of abortion. This intersectional character of this deconstructed feminist discourse has fortified the movement as it consolidates the inclusion of different minority and marginalised groups, together with dominant sectors of society.

“There was incorporation of strongly racialised groups. Nowadays, it has a stronger impact within feminism as it used to be a white feminism. They have tried to be more sensitive or at least have made visible those issues that have to do with racialised groups. That has further influenced a lot of things within feminism and the movement. They have incorporated working-class sectors, which made the movement more and more massive. It has also become less racist because they have incorporated a more intersectional or decolonial vision of certain issues that were not seen before (...). So, there was an opening for certain issues, but several differences within the movement remained. But what has made the movement more massive and what enriched the movement is the incorporation of working-class sectors and groups that represent indigenous peoples or this ‘plurinationality’, recognising other identities” (V. Cano Colazo, interview with the author, 2020).

Additionally, as previously mentioned, the diverse character of the movement also involves the inclusion of the LGBTQI+ community. This has been an important element in the *Campaign* as it amplifies the feminist discourse, incorporating different gender identities and sexualities. This is related to the demand regarding bodily autonomy and the right to decide on one’s body. This is an important aspect as it breaks with traditional hegemonic feminist discourses that consider the inclusion of other gender identities a minimising factor of the struggle specific to women.

“Our *Bill* includes abortion as a right for trans people. No other bill in the world has incorporated this. It also has to do with the struggles that LGBTQI+ organizations face on

their own. All organizations include their own demands and, in more or less, alliance with feminism” (M.A. Gutiérrez, interview with the author, 2020).

“The topic of the body was a very interesting debate, because due to the ‘green tide’ they began to notice this feminist movement and that there are many ways of being a woman, besides cis, heterosexual, white (...). Taking into account sexual identity and gender identity. And the feminist movement was much more open to the movement of lesbians, transvestites and transgender men. This was sparked by the debate on abortion, on the autonomy of our bodies” (F. Castello, interview with the author, 2020).

The incorporation of other social groups has illustrated that there is not merely one feminism and that the inequalities faced by women, and other people, depend on their social context. This diversity has enriched and strengthened the movement as it recognises the need to discuss these differences in a horizontal and democratic manner.

3.3.2 An Intergenerational Struggle: The Role of Teenagers and Young Women

Moreover, within this heterogeneity, the group of young women has become more and more visible during the last couple of years. Since the protests of NiUnaMenos, followed by the massification of the abortion rights movement, this specific group of teenagers and young women has shown much prominence during the marches and online activism. This active participation can be explained as a result of the long history of student protests in Argentina and the implementation of the *Law on Comprehensive Sex Education*, endorsed by the *National Campaign*. Growing up in a democracy with certain freedoms has made these new generations aware of their right to choose their sexuality, and has also made them conscious of the current restrictions on their bodily autonomy.

“The demands of these women in relation to abortion are connected to the demands regarding their decision on their bodies and other student struggles. ‘We have the right to decide what happens with our education, we have the right to decide what happens in our schools, and we have the right to decide what happens with the *Comprehensive Sex Education Law*’. So, there is a generational demand of young women, who are included in the civil code and the Law for the protection of the rights of girls, boys and adolescents, with the idea of progressive autonomy (...). The right to abortion is the demand, but it is engraved in a larger demand that young women, and men, have the right to actively participate in political life, that they are people who also can have an abortion and are sexed subjects” (A.C. Gaitán, interview with the author, 2020).

Furthermore, these new generations emphasise other elements pertaining to the feminist discourse as they focus their activism not only on abortion but on freely exercising their sexuality, pleasure, gender diversity, inclusive language, and autonomy. Their participation and interaction with other generations have been a valuable contribution to the movement. They have incorporated new ideas and creative forms of activism. These young women have appropriated the green kerchief, which has contributed to the massification of the movement. They provide the movement with a perspective of the

future and the idea that the struggle does not end after the approval of the Law. Therefore, this intergenerational character illustrates the possibility of cultural change.

“What it allows, is to give voices to young people, to students. It allows them to recognise their own corporality, their capacity for decision, and the right to freely choose their sexuality, to be heard and listened to, to be respected. For this reason, there is a direct association with the demand for the right to abortion (...). Young women associate it more with the right to pleasure, autonomy, freedom because they can visualise it (...). The power of young women impacts our struggles and brings us up to date. They demand us that their voices must also be present (...). They speak from a legal perspective. This is very important because it gives us even more legitimacy, the fact that young people are speaking out and demanding what they want” (S. Hoyos, interview with the author, 2020).

3.4 What is next? Obstacles and Victories

This section will discuss the future of sexual and reproductive rights in Argentina, considering the obstacles and achievements of the abortion rights movement. It will also examine the internationalisation of the movement and the role of the media in order to assess whether this has contributed to their accomplishments.

3.4.1 Overcoming Barriers

The main obstacle that is faced by the movement is the presence of conservative and religious sectors. These groups have created a counter ‘anti-rights’ movement that has a strong influence on national and local politics, and therefore affects public health policies. These conservative actors complicate the approval of the *Bill for the Voluntary Interruption of Pregnancy* and reinforce the patriarchal model as they deny women, and people with the ability to get pregnant, the freedom to decide on their own bodies. Their bodily autonomy, sexuality, and pleasure is restricted and limited to their reproductive capacity. This androcentric anti-rights discourse, proposed by the Catholic and Pentecostal Church, has infiltrated the vulnerable sectors of society, presenting their ideas as ‘scientific evidence’ or ‘morality’, even though their main objective is preserving the status quo, thus preventing other social groups from challenging their privileged social and political status. Moreover, in addition to the State and society, it is important to consider the prominence of these conservative groups in market relations. Their private interests in maintaining the clandestine abortion business are disguised by their moral disapproval. Therefore, this strong influence of the religious conservative actors has penetrated all levels of both the private and public sphere.

“There are sectors that want to defend their privileges, of which the majority are men, and they do not want to modify the social order that has prevailed for a long time. It is an order that allows them to retain their privileges. In contrast to an order in which a woman can decide on her life project and be free. Freedom is a problem for these people. Freedom as

we understand it is a responsible exercise of a certain part of our individuality which is part of the most intimate part sphere of our rights: our body” (M.A. Cuéllar Camarena, interview with the author, 2020).

“The alliance between the Catholic Church and Pentecostal and neo-Pentecostal groups are exerting great power and force in the State apparatus, in the management of social policies, and at the same time with a strong influence in the most vulnerable sectors. Furthermore, the question of abortion constitutes a particular relationship between the State, the market and society. If you legalise abortion, you will affect a huge clandestine business. And there are also other interests that seem moral objections, but that are in favour of private businesses, the market, rather than the State or society” (M.A. Gutiérrez, interview with the author, 2020).

However, due to Argentina’s federal system, the effect of the movement on the public opinion differs per province. In some provinces, the conservative parties and sectors form the dominant group. Meaning that national laws and regulations related to public health, which are open to interpretation in its execution, are often modified to suit the hegemonic anti-rights discourse in the province. Hence, restricting women’s autonomy regarding their sexuality and reproductive capacities. This implies that the ratification of the Law does not guarantee universal access to abortion in all provinces. Furthermore, the legalisation of abortion depends on the new government of President Alberto Fernández, who publicly expressed that he supports the cause. Nevertheless, the current global COVID-19 pandemic has complicated the situation, therefore delaying the approval of the Law.

3.4.2 Achievements of the Abortion Rights Movement

Despite these obstacles, the abortion rights movement has achieved various objectives during all these years of activism. As previously mentioned, their main accomplishment is the social decriminalisation of abortion. Although the Law has not yet been approved, the social and cultural stigma has been resolved. This topic has been placed on the public agenda and is now openly discussed both in the public and private sphere. The dissemination of this discourse has been consolidated by the intersectional and intergenerational character of the movement, permeating all sectors of society that had been previously excluded from feminist thought.

“One of the strengths is the transversal character of the movement. That is to say, we managed to establish ourselves in a large part of civil society, in unions, schools, in social and political movements. We managed to install a public debate that was discussed in the media and from there it was discussed in homes, and civil society in general (...). And we managed to socially decriminalise the practice, by not only discussing abortion but by questioning the negative moral stigma towards abortion. Being able to talk about abortion without so much drama, without being attached to death. To be able to speak of abortion as something that can occur at some point in the sexual and reproductive life of women” (L. Szwarc, interview with the author, 2020).

Moreover, the movement has installed new concepts and terms to refer to sexual and reproductive rights. The hegemonic feminist discourse and theory were often merely associated with academia. However, due to the militancy and massification of the movement, many people have incorporated this terminology in their daily lives, the media has adopted a more inclusive language to refer to feminicides and abortion, and many schools have incorporated comprehensive sex education programmes. Despite the strong presence of the opposition, the movement has been able to contribute to the beginning of a paradigm shift, especially among teenagers and young women. However, the use of inclusive language is considered a process and has not yet been achieved on the macro level. Nevertheless, this terminology has contributed to a more comprehensive understanding of sexual and reproductive rights within Argentinian society.

“Young people already have another language. They use inclusive language and they speak with all the terminology of feminism and feminist theory. They have all those words more incorporated. But at the social level of the masses, we have established, for example, the right to decide, sometimes they talk about patriarchy, but they talk more about gender violence and *machismo*. At the macro level, the right to decide, gender violence, and inequality, are concepts that are used daily (...). Young people do talk about autonomy, patriarchy, pleasure, desire, all the substantial words in feminist theory” (P. Bustamante Quintero, interview with the author, 2020).

3.4.3 Setting an Example: The Internationalisation of the Movement

The abortion rights movement in Argentina sparked the attention of other countries in the region. Its size and strength have inspired feminist movements in Latin America, and other parts of the world, to mobilise, show their support for the movement in Argentina, and fight for the legalisation of abortion within their own country. The communication strategies of the movement have allowed for the regional and global dissemination of information and have facilitated the collaboration between different international feminist movements. On the regional level, the asymmetry in legislation regarding gender identity and sexual and reproductive rights has placed the demand for the legalisation of abortion on the regional agenda. Therefore, the impact of the Argentinian movement is considered a point of reference for other abortion rights movements, as other countries such as Mexico and Chile have also adopted the green kerchief, including the *Campaign's* slogans, as the symbol of their struggle, which has allowed the spread of the ‘green tide’ to other parts of the region. Although the Argentinian case has had a stronger effect on other countries than vice versa, the international attention has also affected the Argentinian struggle. It has legitimised the presence of the movement in the public sphere. The visibility of the movement in other countries has created a sense of solidarity and sisterhood between the different Latin American feminisms due to the formation of a strong network that has allowed for the creation of a common cause as part of the broader gender agenda in the region. The many years of organization and activism, in combination

with the annual *National Meetings of Women* and the international media attention, have increased the regional visibility and presence of the Argentinian movement, encouraging other feminist movement to engage in the struggle. The international occupation of the streets by women and other supporters of the cause has placed the subordinated bodies in the public sphere, counteracting the hegemonic patriarchal forces.

“This internationalisation, or transnationalisation, of our struggle is linked to the path that is being taken at the legal level in relation to other laws, such as the Law on Same-sex Marriage, the Law on Gender Identity. We have crossed borders. And our experiences as organized feminisms have been a reference in Latin America (...). There was great solidarity within this struggle that we started to fight and that installed a debate that was discussed at the congress level. This caught the attention of other countries, the press and political circles. It was accompanied by another process at the international level, which includes demands related to gender (...). The visibility has to do with many years of organization, the *Campaign* and the *National Meetings*, and that generates solidarity. Argentina is a country in Latin America whose legislation is followed by other countries” (S. Hoyos, interview with the author, 2020).

“It seems to me that it also broke a barrier that existed between the public and the private space, that is, the streets belong to men, for good and for bad. Us women are taking care of ourselves, we have to be more careful, more secure, as it has other effects on our bodies. To be able to appropriate the street in a good way, to say I am going to the public space, I am going to the ‘Green Tuesdays’, I am going to a festival, I am going to dance with my comrades. You can also protest with joy and party. And that seems to me that this was a learning experience now that the marches are more colourful, more festive, within a scenario that is related to life and death. But we do not lose sight of the fact that the Law is something fundamental. It also seems that the internationalisation has facilitated this” (T.J. Rodríguez, interview with the author, 2020).

3.4.4 The Media: Foe or Ally?

The media play an important part in the struggle for the legalisation of abortion as they shape the public opinion and have the ability to influence the public agenda. In general, the hegemonic media in Argentina have reproduced patriarchal, conservative and sexist patterns that do not necessarily support the legalisation of abortion. The media reproduction of this discourse has been influenced by the aforementioned conservative groups for agenda-setting purposes. Nevertheless, even the hegemonic media could not deny the enormous impact of the movement in the public sphere and have extensively covered the green waves of activism. The movement has made use of the persuasive impact of the media to disseminate its demands and inform the public about abortion care services. Furthermore, the presence of alternative media has spread a counterhegemonic discourse that disseminates the demands and messages of the abortion rights movement. The *National Campaign* has often collaborated with allied feminist journalists in order to raise more awareness. In particular the increased presence of the movement in the digital

space, especially social media, is an important factor in placing the topic on the public agenda. These online platforms subvert the traditional hegemony of the media as it offers them a space to freely express their demands. This has contributed to the massification of the movement.

“The *Campaign* has been a central actor in the hegemonic media. This was a very important space. There were media that accompanied the struggle and media that were very against it. It was both. On the other hand, all the networks were extremely important, the work that the networks did, the way they collaborated. The communication commission did excellent work in a collaborative way, for example with a group of photographers, with artists. But in turn, all these groups that were associated and linked to us, reproduce through their own social media” (M.A. Gutiérrez, interview with the author, 2020).

“There were many campaigns during NiUnaMenos. This enabled more debates about violence. As a mirror of what was happening, they had to report what was happening in the streets. There was also more space to talk about the different types of gender violence (...). Concerning sexual and reproductive rights, some feminist journalists talked about the struggle. In 2018, when we started with that massification of the kerchief, they began to talk about what was happening in Argentina with abortion (...). And there is a group of feminist journalists for the right to decide. This is an alliance with our colleagues in the media. It is very important because information is a type of resource” (P. Bustamante Quintero, interview with the author, 2020).

To conclude, the abortion rights movement in Argentina has known a long history of feminist struggle led by the *National Campaign*. Despite the various attempts to legalise the voluntary interruption of pregnancy, the movement has been able to install the topic of abortion on the public agenda; socially decriminalise and destigmatise abortion; and amplify and diversify the feminist discourse from a more intersectional perspective in order to represent the diverse realities of women from different social classes, sexualities, gender identities, and ethnicities. The movement stresses the importance of bodily autonomy which allows women to place themselves as active subjects, rather than objects, in the public sphere. This constitutes an essential factor in their activism as it offers a counterhegemonic discourse that challenges the patriarchal oppression of women by the State and Catholic and Evangelical Church. Thus, breaking with the biopolitical tradition of controlling women’s bodies for reproductive purposes. By demanding the legalisation of abortion, they introduce a new paradigm that challenges all dispositions on women’s bodies and provides them with the freedom to decide on their bodies in terms of reproduction and sexuality. Although the *Bill for the Voluntary Interruption of Pregnancy* has not yet been approved, and there are still many more obstacles to overcome, the movement has generated a significant cultural and social impact on the understanding of sexual and reproductive rights in Argentina, and internationally.

CONCLUSION

The research aimed to provide an answer to the following research question: How has the abortion rights movement positioned the issue of sexual and reproductive rights in Argentinian society? In order to answer this question, the research focused on different elements: the incorporation of a biopolitical perspective in the movement's discourse, the strategies used by the movement to influence the public opinion, and the diversity within the movement, in particular the participation of young women. The analysis of the literature has illustrated the long history of State and Church intervention in women's sexuality and reproductive capacities to secure the progress of the nation, reinforcing patriarchal gender roles. This research has expanded upon the understanding of how this affects the notion of sexual and reproductive rights and how Latin American feminist activism has responded to the impediments on women's bodily autonomy. Therefore, this research has examined the cultural and political effects of the abortion rights movement in Argentina.

From this analysis, it can be concluded that the abortion rights movement offers a counterhegemonic discourse that aims to transform the normalised cultural prejudices against women by politicising sexuality and motherhood. As demonstrated in Chapter 2, the criminalisation of abortion is highly intertwined with other forms of structural and institutional violence such as racism and classism. These restrictions to the access to abortion care mostly affect women from poorer segments of society as they are forced to resort to illegal and unsafe methods of abortion. Therefore, the movement, led by the *National Campaign*, has emphasised this outcome of both gender and social inequality as a consequence of the negligence by the State. By incorporating a human rights perspective they stress the fundamental role of the State to guarantee access to sexual and reproductive health care and position this issue in the realm of basic human rights and democratic citizenship. Additionally, the movement has integrated pleasure, desire and bodily autonomy into their discourse, thus resisting the institutional control over women's bodies. They defend the separation of sex and reproduction by presenting motherhood as a project, hence, a choice. These notions go beyond the legalisation of abortion.

Furthermore, due to the alliance with NiUnaMenos, the abortion rights movement gained visibility in politics, the media, and civil society. They have identified the criminalisation of abortion as both a public health issue and a matter of institutionalised gender violence, declaring the deaths caused by clandestine abortions as feminicides perpetrated by the State. Paradoxically, the movement holds the State accountable for these deaths while simultaneously granting them the power to guarantee the access to legal interruptions of pregnancy within the public health system. Thus, relying on the interpretation of doctors and State officials. Hence, in compliance with the corresponding hypothesis, it can be

concluded that the movement has incorporated a biopolitical perspective of sexual and reproductive rights as it alludes to the structural control and regulation of women's bodies by the State. Nevertheless, the execution of the right to decide might be hindered due to the dependence on the patriarchal State.

Considering the variety in profiles of the activists and organizations, the movement has known a wide range of demands and strategies that can be identified. The *National Campaign* functions as the institutionalised underpinning of the movement, merging the different interests into a common objective: the legalisation of abortion. The data presented in Chapter 3 confirms the hypothesis that the main strategies can be divided into three categories: the dissemination of information regarding abortion care through (social) media and education initiatives; legal activism, which includes the presenting of the *Bill for the Voluntary Interruption of Pregnancy*; and militancy in the streets. However, the overarching strategy that can be identified, is placing the topic on the public agenda. This further entailed the creation of networks and groups of people that collaborate to reclaim the right to decide. This has resulted in the vast diversity within the movement, which has allowed the circulation of the discourse throughout society, reaching marginalised and discriminated social groups. Despite the original fragmentation within feminism, the movement achieves the unification of different feminist movements, creating a space for the intersectional coalition between distinct groups that suffer from different oppressions in addition to the patriarchal oppression. Even though Latin American and Argentinian feminisms are still polarised, they aspire to be an inclusive force that deconstructs and decolonises the hegemonic discourse.

Additionally, from this analysis, it can be concluded that the media has constituted a fundamental factor in the advancement of the movement. After the initial media coverage of NiUnaMenos, the abortion rights movement collaborated with various hegemonic and alternative media to disseminate its demands and spread information. Despite the original reluctance of the hegemonic media towards the legalisation of abortion, the media has extensively covered the many waves of abortion activism, especially since 2018, thus placing the topic of sexual and reproductive rights and the public agenda. The collaboration with feminist journalists and its prominent presence in the digital space has allowed for the massification of the movement, creating an accessible and creative environment for its activism. This has encouraged many people to join the struggle with the simple use of social media. This has contributed to the change in public opinion in relation to sexual and reproductive rights.

Moreover, the results demonstrated in the third chapter have illustrated that the abortion rights movement has contributed to the construction of an inclusive discourse that recognises the sexual and reproductive rights of the LGBTQI+ community. Stating that the issue of abortion encompasses a larger social group that exceeds heterosexual, cis women has allowed the movement to expand beyond these notions and cooperate with the LGBTQI+ movement. Thus, increasing the range of activism beyond the sex/gender

dichotomy. This inclusion has been a critical point on the Argentinian feminist agenda as it has not been supported by the entire movement and has received various critiques. Nevertheless, by amplifying the hegemonic feminist discourse, the movement has achieved to generate a broader understanding of bodily autonomy and the right to decide. Taking into account the different sexual and gender identities has contributed to the massification of the movement and has altered the social understanding of sexual and reproductive rights.

Furthermore, from the analysis presented in Chapter 3, it can be concluded that this heterogeneity has been consolidated by the intergenerational character of the movement. The prominence of young women has caused the expansion of the notion of sexual and reproductive rights throughout different age groups. The active participation of these women and girls during the *pañuelazos* and in the online activism has a persuasive effect on both their peers and their relatives. Thus, actively contributing to the legitimacy and massification of the movement, verifying this hypothesis. The abortion rights movement offers them an inclusive space where they can be heard. In return, their activism has expanded the scope of the movement as they supplement the focus on abortion with the interconnected concepts of freely exercising one's sexuality, bodily autonomy, and gender identity. The appropriation of the green kerchief symbolises the strong commitment to the movement and the generational zeitgeist. The implementation of the *Law of Comprehensive Sex Education*, however incomplete, has made these generations aware of their (restricted) freedoms and rights. Many of these women and girls have interiorised a more inclusive language and liberal ideas regarding sexuality and gender identity. They have incorporated concepts from feminist theory into their vocabulary. This illustrates a paradigm shift between the older and newer generations. This amplification of the understanding of sexual and reproductive rights represents a gradual transformation in society towards a more inclusive environment, resisting the control of the State and Church over their bodies.

As explained in Chapter 1 and 2, the Catholic and Evangelical Church still constitute an influential force within Argentinian society and politics. This discourse of neo-conservatism has created a hostile relationship between the abortion rights movement and the opposing conservative social sectors. This anti-rights/pro-life movement aims to preserve the traditional gender roles, impeding the implementation of comprehensive sex education, the legalisation of abortion, and the overall exercise of sexual and reproductive rights. The ties between the State and the Church form the main obstacle for the approval of the *Bill* as these conservative religious groups continue to have a strong influence in politics and the poorer sectors of society. By creating an anti-rights discourse based on moral and religious beliefs, these groups aim to preserve their social, political, and economic privileges that form the foundation of the patriarchal State that has confined the free exercise of sexual and reproductive rights. Nonetheless, the abortion rights movement has challenged the hegemony of the conservative groups by politicising sexuality as this deconstructs the naturalised and essentialist sexual order. The

movement has demanded the secularisation of the State. Although this still constitutes the main obstacle for the attainment of their demands.

The research presented in Chapter 3 further suggests that these strategies, in combination with the diverse nature of the movement and the media attention, have contributed to the social decriminalisation of the voluntary interruption of pregnancy. Although the presence of the opposing anti-rights/pro-life movement obstructs the full attainment of a social and cultural shift, its impact on Argentinian society is indisputable. It has raised awareness regarding the restrictions on bodily autonomy and the right to decide, imposed by the State and the Catholic Church. The movement has revealed the negative consequences of the clandestine abortion business as this has caused the death of many women, in particular those from vulnerable sectors of society. By publicly addressing these demands and positioning the issue of abortion as a public health issue, the movement has opened the public debate and has evoked the infiltration of the topic in both the public and private sphere. This can be acknowledged as a significant achievement considering the private and intimate nature of the subject of sexuality and reproduction. The movement has been able to challenge the control of the State over the reproductive capacities of women by reclaiming the public space and taking advantage of the fact that sex and reproduction have been transformed into public matters rather than private. They have used the politicisation of sexuality to transform the social and cultural taboos regarding sex and sexuality.

The impact of the movement is further reflected in the gradual shift towards a more inclusive language and the internationalisation of the cause. In relation to the former, the movement has been able to transfer the feminist discourse and theory from the academic sphere to the masses. This has led to the incorporation of certain concepts in civil society and the media, such as gender violence, abortion, *machismo*, and autonomy. In particular, the younger generations have internalised and appropriated this inclusive language. Language constitutes a very influential element in the construction of identities and discourse. Therefore, this change in language use illustrates the beginning of a cultural transformation that encompasses an increased awareness of sexual and reproductive rights, as well as bodily autonomy. Concerning the internationalisation of the movement, the collaboration with other (Latin American) feminist movements has legitimised the Argentinian movement and functions as an example for other feminisms to position sexual and reproductive rights on the public agenda. This demonstrates the power and impact of the 'green tide'.

To conclude, the abortion rights movement has had a great impact on Argentinian society. The movement has achieved the social decriminalisation of abortion. It has expanded the social understanding of sexual and reproductive rights by moving beyond the legalisation of abortion. By introducing concepts such as bodily autonomy, the right to decide, and the notions of gender identity and sexuality, the movement has opened the public debate in both the public and private sphere. The deconstruction of the patriarchal

heteronormative sexual order has contributed to the increased social awareness, which has caused the commencement of a gradual paradigm shift towards a new discourse regarding sexual and reproductive rights. On the 11th of December 2020, the Argentinian Congress approved the *Law for the Voluntary Interruption of Pregnancy*. Hence, if the Senate approves this *Law*, Argentina will kindle a legislative revolution throughout the region.

ANNEXES

Annex 1: List of Interviewees, Group 1 (scholars)

Name	Profile	Date and place
Tania Julieta Rodríguez	Professor in Political Science. Researcher at the Faculty of Social Sciences of the University of Buenos Aires in the fields of gender, syndicalism, and political representation of labour unions.	15 September 2020, Zoom
María Andrea Cuéllar Camarena	Professor and researcher at the Faculty of Law of the University of Buenos Aires. Lawyer specialised in gender and human rights	16 September 2020, Zoom
María Alicia Gutiérrez	Professor and researcher at the Faculty of Social Sciences of the University of Buenos Aires in the field of gender, sexuality, sexual and reproductive rights, and abortion. Member of the National Campaign for the Right to Legal, Safe, and Free Abortion.	18 September 2020, Zoom
Cynthia Brítez	Coordinator of the Postgraduate Course on Sexual and Reproductive Rights and the Voluntary Interruption of Pregnancy at the Faculty of Law of the University of Buenos Aires. Lawyer.	8 October 2020, Zoom
María Belén Sotelo	Researcher and professor at the Faculty of Social Sciences of the University of Buenos Aires. Secretary of Finance of Feduba, labour union of the teachers of the University of Buenos Aires.	9 October 2020, Zoom
Victoria Cano Colazo	Doctoral candidate in Gender Studies at the University of Buenos Aires. Member of the Centro Cultural Tierra Violeta, Red Argentina de Género, Ciencia y Tecnología, and Red Iberoamericana de Ciencia, Tecnología y Género.	12 October 2020, Zoom
Ana Cecilia Gaitán	Researcher and professor in anthropology at the University of Buenos Aires, specialized in young women, participation and autonomy.	16 October 2020, Zoom
Lucila Szwarc	Doctoral candidate at the Centro de Estudios de Estado y Sociedad (CEDES) of the University of Buenos Aires. Member of the National Campaign for the Right to Legal, Safe, and Free Abortion.	22 October 2020, Zoom

Annex 2: List of Interviewees, Group 2 (members of women's/feminist organizations)

Name	Profile	Date and place
Ruth Zurbriggen	Activist and researcher of the feminist collective La Revuelta (Neuquén-Patagonia Argentina), Socorristas en Red and the National Campaign for the Right to Legal, Safe and Free Abortion.	21 September 2020, Zoom
Patricia Bustamante Quintero	Lawyer and member of the National Campaign for the Right to Legal, Safe and Free Abortion	29 September 2020, Zoom
Florencia Castello	Member of Mujeres Audiovisuales (Buenos Aires).	30 September 2020, Zoom
Rosario Palma	Member and one of the founders of Mujeres Audiovisuales (Bariloche).	16 October 2020, Zoom
Dolores Fenoy	Part of the Administration of the Public Health System, creator and organiser of the 0800 sexual health line of the Ministry of Health of the Nation. Member of the National Campaign for the Right to Legal, Safe and Free Abortion.	26 October 2020, Zoom
Sandra Hoyos	Member of the National Campaign for the Right to Legal, Safe and Free Abortion.	27 October 2020, Zoom

Annex 3: Interview Guidelines, Group 1

1. Aparte de la legalización sobre la interrupción voluntaria del embarazo, ¿cuáles considera usted que podrían ser las implicaciones más profundas de la 'marea verde' para la sociedad argentina en relación con los derechos de las mujeres?
2. En su opinión, ¿cómo ha influido la 'marea verde' en la opinión pública en relación con los derechos sexuales y reproductivos de las mujeres? ¿Qué estrategias han sido efectivas en este sentido?
3. Definiendo el concepto de la 'biopolítica' como el control del Estado sobre las vidas y cuerpos de los 'sujetos', en su opinión, ¿considera que habría una paradoja en el sentido de que el concepto hace referencia a 'proteger la vida que está por nacer', pero a su vez propicia la muerte de mujeres por abortos clandestinos?
4. Considerando este concepto de la biopolítica, ¿en qué medida la 'marea verde' ha incorporado una visión biopolítica de los derechos sexuales y reproductivos en su campaña para la legalización del aborto en Argentina?
5. La 'marea verde' se ha convertido en un movimiento internacional en América Latina, ¿cómo ha contribuido esta atención internacional al movimiento de la 'marea verde' en Argentina?
6. El movimiento de la 'marea verde' está conformado por una diversidad de grupos sociales, como organizaciones de católicas, docentes, profesionales, entre otros, ¿de qué manera esta diversidad ha influido en el movimiento?

7. En el desarrollo de la 'marea verde' se ha visto la participación de las jóvenes y estudiantes, especialmente en los 'pañuelazos'. ¿Qué ha causado el interés de las nuevas generaciones en temas como los derechos sexuales y reproductivos de las mujeres en Argentina?
8. ¿Qué significa este perfil intergeneracional de las activistas para el éxito de la 'marea verde' en Argentina?
9. Los movimientos feministas de Me Too (2017) y Ni Una Menos (2015) han generado mayor visibilidad de la conciencia social en relación con la violencia de género. ¿Qué ha significado la presencia de estos movimientos para la 'marea verde' y la sensibilización de los derechos sexuales y reproductivos en Argentina?
10. Desde su perspectiva, ¿cómo visualiza el desarrollo de los derechos sexuales y reproductivos en el futuro en Argentina?
11. Analizando los últimos 5 años en Argentina, ¿cuáles han sido y son aún los principales obstáculos para conseguir los objetivos de la 'marea verde'?
12. ¿Cuáles han sido, en estos últimos 5 años, los principales logros y fortalezas de la 'marea verde'?
13. ¿Podríamos decir que hoy el activismo liderado por la 'marea verde' ha logrado posicionar en la opinión pública argentina una nueva terminología para referirse a las demandas de los derechos de las mujeres?
14. En su opinión, ¿qué papel han tenido los medios de comunicación en relación con las demandas de la marea verde en Argentina?

Annex 4: Interview Guidelines, Group 2

1. Aparte de su lucha por el derecho al aborto legal, seguro y gratuito, en su opinión, ¿cuáles son los objetivos y demandas más amplias de la 'marea verde' en relación con los derechos de las mujeres?
2. En su opinión, ¿cuáles son las estrategias que la 'marea verde' ha utilizado para influir positivamente en la opinión pública en relación con los derechos sexuales y reproductivos de las mujeres?
3. ¿Qué ha logrado la 'marea verde' en términos de la sensibilización del tema de los derechos sexuales y reproductivos de las mujeres en la sociedad argentina en los últimos años?
4. Desde su perspectiva, ¿cuál es el impacto en la vida y los cuerpos de las mujeres de la legislación actual referente a los derechos sexuales y reproductivos en Argentina?
5. Parte de la campaña de la 'marea verde' es el derecho de las mujeres a decidir sobre sus propios cuerpos. ¿Puede decirse que la autonomía corporal es esencial en el discurso feminista de este movimiento?
6. La 'marea verde' se ha convertido en un movimiento internacional en América Latina, ¿qué relación encuentra usted entre la internacionalización del movimiento y los logros del movimiento a nivel interno en Argentina?
7. En el desarrollo de la 'marea verde' se ha visto una considerable participación de las jóvenes y estudiantes, entre ellos en los 'pañuelazos'. ¿Por qué las nuevas generaciones están tan involucradas en este movimiento? ¿Qué ha causado esta revitalización del movimiento?
8. ¿Qué efecto ha tenido la participación intergeneracional en el éxito del movimiento?
9. Los movimientos feministas de Me Too (2017) y Ni Una Menos (2015) han generado más conciencia social en relación con la violencia de género. ¿Qué significado ha tenido la presencia de estos movimientos para la 'marea verde' en particular?
10. En su perspectiva, ¿cómo visualiza usted el desarrollo de los derechos sexuales y reproductivos en el futuro en Argentina?

11. Analizando los últimos 5 años en Argentina, ¿cuáles han sido y son aún los principales obstáculos para conseguir los objetivos de la 'marea verde'?
12. ¿Cuáles han sido, en estos últimos 5 años, los principales logros y fortalezas de la 'marea verde'?
13. ¿Podríamos decir que hoy el activismo liderado por la marea verde ha logrado poner en el debate de la opinión pública argentina nuevos conceptos para referirse a las demandas de los derechos de las mujeres?
14. En su opinión, ¿qué papel han tenido los medios de comunicación en relación con las demandas de la marea verde en Argentina?

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