

The struggle for abortion rights in Argentina

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In the country of Pope Francis, under the neoliberal government of conservative Mauricio Macri, the feminist movement won a historic approval by the Chamber of Deputies (the lower house of Argentina's congress) for the Interrupción Voluntaria del Embarazo (IVE), or Voluntary Termination of Pregnancy Bill last June, though the Senate voted it down in August. The bill would have permitted women to obtain an abortion in the first fourteen weeks of pregnancy, and after that in cases of rape, risk to the life or health of the woman, or the risk of stillbirth. In this article we analyze the origins and development of the new global feminist wave and its manifestation in Argentina, the debates on abortion rights, the political forces in dispute, the intervention of revolutionary socialist feminists, and the perspectives the struggle now faces, including a local version of #MeToo with actresses in the lead.

In just a few months, the use of the green handkerchief—which is the symbol of the National Campaign for the Right to Legal, Safe, and Free Abortion—spread like a wildfire throughout the country. Since

February 2018, thousands and thousands of women, especially the young, have started wearing it on their purses or backpacks, as do many men and even older people. It has been called the Green Tide.

Never before in the country's history has a similar emblem become so popular in so little time. Since such movements are not born overnight, it is evident that very deep feminist convictions had been building up within Argentine society. In fact, the massive upsurge of gender rights demands began in 2015, in response to an event no less tragic for being so common: the murder of a woman for the sole crime of being a woman.

2015: The Ni Una Menos movement

On May 10, 2015, in the town of Ruffino, Province of Santa Fe, the lifeless body of fourteen-year-old Chiara Páez was found. She was pregnant and had been beaten to death by her boyfriend, and then buried in his grandparent's backyard. In response to this new and brutal femicide, a group of feminist journalists—who a month earlier had reacted to a similar case by organizing a literature reading—called for a mobilization to the national congress in Buenos Aires. The call was supported by a broad array of women's political, labor, and cultural organizations

Taken from a poem about the frequent killings of women in Ciudad Juarez, Mexico, the slogan "Ni Una Menos" (Not one woman less) identified the movement in Argentina from then on. Though a law to "prevent, penalize, and eradicate" gender violence has been in effect since 2009, it is barely funded and effectively not enforced. Consequently, according to unofficial statistics, a femicide occurs every twenty-six to twenty-eight hours in Argentina.

On June 3, 2015, over 300,000 women flooded the streets of Buenos Aires, and as many more did so in over eighty other cities, demanding governments to put an end to femicide and gender violence. The mobilizations spread to other Latin American countries, and the June 3 march was repeated in

Argentina in the following years. In 2016, the main slogan was “We Want Ourselves Alive”; in 2017 it was “No More Gender Violence and State Complicity”; and in 2018 it was “Without Legal Abortion There Is No *Ni Una Menos*; No to the Macri-IMF Pact.” June 3 has found a permanent home on the calendar of national women’s mobilizations. At the same time, we can consider it one of the initial milestones of the new global feminist wave.

Argentines also took an active part in the international women’s strikes of March 8, 2017 and 2018, which added demands for legal abortion, gender wage equality, and the recognition of unpaid domestic work to the established demands against gender violence. We believe the radical method of the women’s strikes, which combines gender and class issues, will expand even more in 2019’s March 8th.

Precursors of the Green Tide

The current feminist rebellion traces its origins to at least two simultaneous sociopolitical processes in recent Argentine history. The first one is the powerful human rights movement initiated in the 1970s by the Mothers and Grandmothers of Plaza de Mayo under the military dictatorship. [1] After the War of Malvinas in 1982, a democratic revolution overthrew the dictatorship, and then went on to defeat the attempts of each succeeding bourgeois-democratic government to guarantee impunity to those responsible for the genocide.

This deeply rooted commitment to the defense of democratic freedoms was shown once again in the Argentinazo of 2001, when mass mobilizations threw out the neoliberal government of Fernando De la Rúa, whose final act in office consisted of a failed attempt at imposing martial law. Similar massive demonstrations have since surged in response to other authoritarian measures, such as the Supreme Court’s attempt to grant genocide convicts the benefit of house arrest, or the killing of activist Santiago Maldonado by the Gendarmería, both in 2017.

The second, more direct, precursor of the current Green Tide is the vast tradition of the Argentine feminist movement. Its trajectory is best observed through the National Women’s Conference (ENM), an event with no equal in the world that has been held in a different city each year since 1986. Over three days, tens of thousands of women from varying sectors of society and popular organizations participate in open debates in hundreds of workshops on over sixty themes, cultural activities, and a closing march to showcase the movement’s demands. In recent years, the participation of trans women has been fully accepted, and there are preceding regional encounters in many regions.

Although they do not resolve plans for the actual struggles, given their essentially deliberative character, the conferences constitute a network of exchange of experiences and construction of identity that, no doubt, gives consistency to the Argentine feminist movement.

In the past thirty-five years of bourgeois democracy, the feminist movement has won various concrete advances in women’s rights, embodied in the laws of: Shared Parental Responsibility (1985), Absolute Divorce (1987), Electoral Women’s Quota (1991), Constitutional Status of the CEDAW [2] (1994), HIV Test for Pregnant Women (2001), Labor Union Women’s Quota (2002), Sexual Health and Reproductive Responsibility (2003), Humanitarian Birth (2004), Fallopian Tubal Ligation and Vasectomy (2006), Comprehensive Sexual Education (2006), Human Trafficking (2008), Gender Violence (2009), Domestic Work (2013), In Vitro Fertilization (2013), and Electoral Gender Parity (2017). We should add to this list the 2012 Supreme Court decision that considered abortions in rape cases to be non-punishable.

At the same time, the LGBTI community also achieved social recognition and rights that are

advanced for Latin America and even for the rest of the world. The Marriage Equality Law (2010) includes adoption and inheritance rights, and the Gender Identity Law (2012) allows for name and gender change with no requirements beyond a person's self-perception.

In this context, a new process against binary heteronormativity was created, which the recently published *The Rebellion of Sexual Dissidence* [3] describes:

Gender and sexual dissidence is a phenomenon that today crosses the youth as a whole, hand in hand with the fourth global feminist wave that grows against a patriarchal capitalism that has nothing left to offer us . . . Born out of a series of rights achieved through multiple forms of struggle that the LGBTI community developed over the years, the sexual dissidence movement is the embodiment of the radicalization of an anti-systemic struggle. We no longer tolerate the imposition of genders and their roles, mandatory heterosexuality, nor being boxed into a particular gender or sexual orientation.

The National Campaign for Abortion Rights

The reality of abortion in Argentina

- About 500,000 abortions are carried out each year, while there are 700,000 births.
- There are almost 60,000 hospitalizations each year due to medical complications after unsafe abortions.
- Infections caused by abortions are still the first cause of maternal death in the country.
- According to official numbers, there were forty-six deaths due to abortions in 2017. There were actually over one hundred.

It was at the 2003 ENM, held in the city of Rosario, that the workshop "Strategies for Abortion Rights" discussed the idea of launching a national campaign for the right to choose. In May 2004, various feminist groups took the initiative and organized a conference in the University of Buenos Aires to implement the proposals from the Rosario conference. In November 2004, they began to gather signatures in support of legal abortion, and on May 28, 2005, National Day of Action for Women's Health, they formed the National Campaign for the Right to Legal, Safe, and Free Abortion, with over seventy organizations, among them, our Socialist Workers Movement (MST). The organization Catholics for the Right to Choose, along with other reformist political and labor organizations, were integrated into the national leadership of the Campaign, called the "Articulation." From that moment, the green handkerchief was adopted as the Campaign's symbol. The handkerchief is in homage of the Mothers and Grandmothers of Plaza de Mayo, who wear white handkerchiefs, and the color green was chosen because it was "vacant" at the time.

The Campaign takes a comprehensive approach to reproductive rights, based on three concepts expressed in its main slogan "sexual education to decide, birth control to avoid abortion, legal abortion to avoid death." The Campaign has a national reach, organized into regions, and today contains 305 organizations. One of its first actions was the presentation of 100,000 signatures to the Chamber of Deputies on November 25, 2005, International Day for the Elimination of Violence Against Women. A march of 15,000 turned out.

In 2006, the Campaign collectively authored the IVE bill, which has been presented in Congress every two years since then because legislators systematically refused to include it on the legislative agenda. The governments of Néstor Kirchner and Cristina Fernández de Kirchner also opposed the bill. Given their ties to the Catholic Church and Pope Francis, it is no surprise that they blocked Congress from debating the bill, having held power for twelve years, counting on majorities in both houses.

This March, with the signatures of seventy-one lawmakers from different parties, the IVE bill was presented for the seventh time, and this time, its debate was finally allowed.

The new international feminist wave

In our organization's 2017 book *Women in Revolution*, [4] we argue that we are in the midst of a new global feminist wave, the third or fourth, depending on different periodizations. Its main traits are: (1) the mass character and radicalization of street actions, with youth in the front line; (2) its internationalism, that mutually feeds back from country to country; (3) its ties to other social movements; (4) its dynamic that goes against ruling institutions and the capitalist and patriarchal system, and (5) a prominent rise of consciousness among a broad activist vanguard and swaths of mass society.

Obviously, this wave presents varying depths and rhythms from country to country, but it is a global phenomenon. Moreover, since it emerges in the midst of a global crisis of the capitalist system, and because it is a reaction to a capitalist offensive against social rights, this feminist wave turns faster and more directly against the established order. A local example of this radicalization is the unitary statement read before tens of thousands at the closing rally of 2018's Ni Una Menos march: "Our movement will continue to defend its anticlerical, anticapitalist, and antipatriarchal character, and its independence from the state and government."

In addition to Ni Una Menos in Argentina (2015), other milestones of the rise of the new feminist wave are the "Black Monday" strike in Poland, in defense of abortion rights (2016); the colossal women's march in Washington, DC against Trump (2017, and again in 2018); the heroic armed struggle of Kurdish women; this year's university occupations in Chile against sexual abuse; and the massive outcry against a court's decision in Spain to consider the gang rape perpetrated by "La Manada" a mere abuse.

Perhaps the highest point of the movement was on March 8, 2017, with the first International Women's Strike, a historic, unprecedented event that included strikes, marches, and other actions in over sixty countries. Women adopted the methods of struggle of the working class. On March 8, 2018, the international strike was repeated, with actions in about eighty countries, and the certainty that this fighting method has established itself as a hallmark of the movement. The March 8 slogan "If our work has no value, produce without us" questions the social mandate assigned to women.

The anti-systemic dynamic of this new wave means that a feminist vanguard fairly quickly reaches the comprehension of the insoluble link that exists between patriarchy and capitalism, the role of bourgeois institutions, and the need for political organization. There are thousands of young women, and also men, who are politically motivated and whose ideas are erupting. This activism is a key source for building revolutionary groups and parties.

Besides the struggle for abortion rights, the feminist wave in Argentina is developing new expressions in every social and institutional sphere. A fundamental one is the working class. It is possible that feminists will invigorate the labor movement, with early expressions in teachers, health, and public sector unions. In 2018, there was a *pañuelazo* [5] at the General Confederation of Workers (CGT), the main bureaucratic trade union federation. Patriarchal unionism is being questioned and there is talk of "unions with gender perspectives". Along with equal pay, access to better paying positions and extension of union licenses, we now demand gender quotas in union leadership bodies, according to proportionality in membership.

The feminist wave also has also washed over the student movement, including calls for "feminist student unions." In the movement of the unemployed, the contradiction between mostly male leaders

and a mostly female base is coming up. Something similar is happening among artists, families, universities, courts, and other institutions, where the need to introduce gender perspectives is surfacing. This process will also be reflected in candidacies and political platforms for the 2019 elections. The impact of these changes even reaches our everyday language, which had already incorporated the word “femicide,” and now the use of inclusive, gender-neutral terms. In short, there will be no sphere of social or political life in which this powerful feminist and dissident wave will not be expressed.

The forces in dispute

Since March of 2018, when Macri enabled the congressional debate of the IVE Bill, heated discussions have developed, not only between those defending and those opposing the right to choose, [6] but within each space as well. The divergences were exacerbated in the second phase of the battle, after the Chamber of Deputies passed the bill on June 14 and passed it to the Senate.

Let’s first point out that the Macri government allowed the Congress to take up the abortion bill on March 1, only after the massive green *pañuelazo* of February 21. It was to no credit of Macri; it was the powerful feminist struggle that imposed that debate. As a headline in the country’s leading newspaper stated, abortion was “the issue that the streets imposed on politics.” Furthermore, when he made the official announcement, Macri made it clear that his stance on the issue was “in favor of life,” that is, against the right to choose.

This is how the struggle for a right that was taboo until very recently began, and which has since permeated all spaces of daily and institutional life. In spite of the opposition of the head of state and the main political leaders of the ruling coalition Cambiemos, some pro-government sectors supported the IVE Bill, including the current minister of health. During the representatives’ speeches in the Chamber of Deputies, the minister supported the bill, presenting statistical data and refuting backward sectors who argued against abortion on the basis of the “economic cost” involved.

The Green Tide flooded the streets of Buenos Aires and the rest of the country, while more than 700 speakers on both sides of the issue appeared before the congressional committees. Each week, while the committees met, demonstrations called Green Tuesdays took place in front of Congress. Called by the National Campaign, they involved open-mic rallies, chants, performances, and the turnout of radicalized hundreds, and even thousands of people. Day after day, groups of female artists, professionals, students, workers, and women from other fields expressed their support publicly.

However, in the heat of the feminist rise, two strategies calling for divergent courses of action began to appear within the Campaign. One focused on the so-called *cabildeo*, or institutional lobbying to gain votes, and the other, which we vehemently supported, emphasized broadening the popular mobilization in the streets as the sole guarantee of victory. At the same time, it was necessary to warn against premature triumphalism, since the hardest battle was yet to come, in the Senate.

The right to choose increasingly gained social consensus, as expressed by the massive use of the green handkerchief and the pervasive talk about the issue everywhere: homes, neighborhoods, schools, and workplaces. This dynamic kept growing and reached its climax on the vigil of June 13 to June 14, when it is estimated that around one million people, with a majority of young women, surrounded Plaza Congreso (the Congress Square) and gathered for hours and overnight at all the main squares throughout Argentina, to demand that the bill be passed. [7]

The representatives’ speeches for and against the bill went head-to-head throughout the debate. Outside, the green demonstration vastly outnumbered the blue (anti-abortion) one. Finally, after a tense wait, at mid-morning on June 14, the Chamber of Deputies approved the bill. The vote was 129

to 125. An explosion of hugs, tears, jumping, and crying for joy overcame tens of thousands of people outside when the vote was announced. This crowned the first categorical victory of the struggle for the right to choose. There are no precedents in our country of a bill generating such a high level of popular involvement.

Religion sticks its nose in

The power of the Catholic Church

- Due to laws enacted under the military regime, the state pays the salaries and retirements of bishops and priests. Public subsidies to Catholic churches surpass \$1 billion each year.
- The Church possesses the legal status of a public legal person, equivalent to that of the state.
- The approval of the bill in the Chamber of Deputies not only took the government by surprise, but the Catholic Church and its evangelical counterpart, as well. As later surfaced in the media, President Macri, the Curia, and the Pope himself, had counted on the opposite outcome: that, albeit by a slim margin, the abortion bill would be rejected.

After an initial shock, they immediately collected themselves to overcome this major defeat and launched a counterattack, headed by the Vatican. As we state in *Women in Revolution*, “from the time the cross stood by the sword all throughout the conquest and colonial domination of our America, the Catholic Church’s meddling at the state level has been predominant and persists, in various forms, to this day.”

If during the months the debate lasted in the Chamber of Deputies, the bishops had only used some of their homilies to preach against the bill, after the vote they redoubled the pressure. The Pope made several public statements, and even compared those of us who defend the right to choose to “white glove Nazis.” The Episcopal Conference of Argentina reacted in the same way, and bishops in each province went so far as to publicly condemn those senators who favored the bill.

Furthermore, they organized numerous masses and blue demonstrations, a form of political activism that, until then, only a discrete few had attempted. There were direct phone calls from bishops to senators. Students who wore the green handkerchief were disciplined, and some teachers who wore the green handkerchief were even fired. Evangelical congregations, which have occupied the space vacated by the Catholic Church among the most vulnerable of the country’s population, quickly set their differences aside, and joined the medieval crusade with an important march to the Obelisco monument in Buenos Aires. This strong reactionary counteroffensive found partners, to varying degrees, in the ruling coalition and in the rest of the bourgeois political parties.

In the Senate—by nature, the more undemocratic chamber of the Congress [8]—there are three main political blocs and other minor ones. The Cambiemos bloc, with most of its senators opposing the bill, doesn’t have a majority on its own. This alliance includes, besides the Macrist Republican Proposal Party (PRO), the Radical Civil Union (UCR), which, in spite of its historically secular stance, cast more negative than supportive votes on the bill.

At the same time, the opposing votes contributed by the two Peronist blocs were key: those of the old, pro-Catholic Justice Party (PJ), as well as those of the Kirchnerist Citizen Unity, which poses as progressive. One Citizen Unity senator changed her mind at the last moment and voted against the bill. Although former President Cristina Fernández de Kirchner voted in favor of the bill, during her speech, she asked people to “not get angry with the Church.”

On August 8, all of the capitalist and patriarchal political senators rejected the abortion bill 38 votes against to 31 votes for. They favored keeping an archaic piece of legislation from 1921, [9] according

to which abortions will continue to be clandestine and will precipitate the deaths of more than a hundred young women each year, due to septic procedures.

There is another issue that deserves to be addressed: pedophilia and the clerical cover-up. A report released by the Supreme Court of Pennsylvania on sexual abuses perpetrated over several decades by more than 300 Catholic priests mentions over a thousand identified victims, with the real number believed to be several thousands. Faced with the scandal, Pope Francis asked for “forgiveness” and said he felt “shame and regret.” However, neither he nor his church have condemned the abuses. Rather, they’ve covered them up across the world for two basic reasons: (1) The Church is, by nature, a corporatist and verticalist (top-down) institution. It protects itself, not children; (2) They are aware that pedophilia and sexual abuse are systemic habits within their institution. The Church is a dogmatic, misogynistic, and homophobic institution, based on guilt and confession, run only by men, who, to make matters worse, are forbidden from having a sexual life. Obviously, such levels of repression favor abuses of power and sexual abuses against the most vulnerable.

Debates in the Campaign

If the National Campaign for the Right to Legal, Safe, and Free Abortion already had the wrong, lobby-centered strategy during the first phase of the struggle for the abortion bill, unfortunately, during the second phase, it directly catered to the growing counteroffensive of the Catholic Church and its allies in the Senate.

During the plenary sessions of the Campaign, held at the national and regional levels, the leadership rejected all proposals for mobilization: blocking bridges instead of “decorating” them with green; staging *pañuelazos* at Quinta de Olivos (the official residence of the president), at cathedrals in Buenos Aires and the rest of the country, at the UCR headquarters, even at the Senate, and also at the Autonomous CTA (Argentine Workers Central Union). This union federation—which organizes a number of key public sector workplaces in the Greater Buenos Aires area—refused to postpone its election on August 8, thus weakening the green mobilization on such a key day, when the Senate debated the abortion bill. In fact, they unfortunately placed political confidence in Congress and in the commitments made with the different blocs.

Along those same lines, on August 8, they decided to set up the central stage of the Campaign ten blocks from the Senate, instead of placing it right in front of it, as we had suggested, where the pressure of all those in favor of the right to choose would be most effective. That was the sorry grand finale of the soft stance of “good behavior” brought to the Campaign by member organizations that maintain strong ties to the PJ, the Church and the Pope. Such is the case of the Evita Movement and other Kirchnerist organizations, Mumalá-Barrios de Pie, the PCR-CCC (Maoists), the CTEP movement of unemployed, and both CTAs, all of whom marched beside the San Cayetano Church the very day before the Senate vote, a situation which the Curia obviously took advantage of.

The Trotskyist left—which has a considerable political influence in Argentina—offered an unequal response to the struggle and its debates. Unlike our proposed strategy to increasingly radicalize actions in the streets, the organizations of the Left Workers’ Front (FIT) [10] did not mobilize in all their capacity. The Partido de Trabajadores por el Socialismo (PTS), for example, was completely absent in several actions. Nor did they propose an alternative course of action to that of the Campaign leadership.

Perspectives

Since February of 2018, after the first national *pañuelazo*, our feminist and LGBTI organizations—Juntas y a la Izquierda and Libre Diversidad—and the MST, were present at each one

of the mobilizations and Green Tuesdays, contributing the most numerous contingents in Buenos Aires and the provinces. We also carried out many of the more radicalized actions that had been rejected by the Campaign, particularly the *pañuelazos* in front of cathedrals, the UCR, and the Senate itself. We organized dozens of assemblies, meetings, and courses on anti-capitalist feminism. Our international organization, the Anticapitalist Network, also sought international solidarity and encouraged actions on August 8 in front of Argentine embassies in several countries of Latin America and Europe, in many cases alongside other organizations. On that same day, in line with the proposals we had defended, our contingent, led by Vilma Ripoll and Alejandro Bodart, camped on the corner right across Congress and were soon surrounded by hundreds and hundreds of young radicalized women, who sang and chanted for hours in spite of the rain and winter cold.

Despite the pyrrhic victory of the anti-abortion rights camp against the abortion bill, the feminist and dissident Green Tide is not over. The Roman Catholic Church and the Senate have been revealed to broad layers of the population as intrinsically backward enemies of the rights of women and as servants of the capitalist and patriarchal system.

One of the consequences of this struggle is the growing sympathy towards the campaign of the orange and black handkerchiefs for the separation of church and state, which includes unprecedented protest against the Church across the country. This struggle for a secular state involves the annulment of subsidies the Church receives from the state, which amounted to more than 36 billion pesos (almost \$1.2 billion) in 2018. This includes the nationwide payment of salaries and pensions to bishops and priests, scholarships to seminarians, and also subsidies to Catholic schools at the provincial level.

As for the abortion bill, the political configuration of Congress will not change until 2020, so there are debates over how to continue the struggle for the right to choose. As opposed to the Campaign, which only plans on presenting the bill again, we propose to demand that the Chamber of Deputies call a binding referendum so the people can decide democratically, through their vote, on the bill that the chamber already passed. As the 2018 referendum that legalized abortion in Ireland showed, this mechanism is profoundly more democratic than the Senate. Moreover, according to legislation, if the bill passes in such a binding referendum, the president would not be able to veto it and will have to automatically enact the law within ten days of the vote.

We are antipatriarchal, anticlerical, anticapitalist and internationalist feminists and dissidents. We want legal abortion, a completely secular state, comprehensive sexual education with a gender and dissidence perspective, the dissolution of the Senate, and much, much more. We want everything and will go for everything. And, as our young activists sing during every mobilization, "We will overthrow patriarchy, and with it, capitalism!"

Cele Fierro
Pablo Vasco

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P.S.

International Socialist Review

Footnotes

[1] The Mothers of Plaza de Mayo is an organization of mothers of activists disappeared by the military dictatorship. Abuelas de Plaza de Mayo is dedicated to the search for children of disappeared activists who were born in captivity and adopted by military families. To date, 128 grandchildren have been “recovered” and reunited with their biological families.

[2] Convention on the Elimination of All Forms of Discrimination Against Women, a 1979 UN treaty.

[3] *The Rebellion of Sexual Dissidence*, (Buenos Aires: La Montaña, 2018).

[4] Comisión de Género y Diversidad del MST (MST Gender and Diversity Commission), *Women in Revolution* (Buenos Aires: La Montaña, 2017).

[5] A demonstration whose main feature is the collective raising of green handkerchiefs.

[6] People who oppose the right to abortion called themselves “pro-life” and wear light blue handkerchiefs to identify themselves.

[7] Equivalent to a demonstration of 7 million people in the United States.

[8] Each of the country’s twenty-four provinces has three senators, regardless of the size of its population, which, in some cases (the Province of Buenos Aires, for example) surpasses another by almost a hundredfold (Tierra del Fuego).

[9] Year of the Criminal Code’s second reform. It addressed non-punishable abortions (Art. 86): “Abortions performed by a licensed physician with the pregnant woman’s consent, are not punishable by law, if: (1) performed because the woman’s life or health is in danger and this danger cannot be avoided by other means; (2) the pregnancy is the result of rape, or sexual intercourse with a woman incapable of giving her consent due to her mental health.” As this legislation was not enforced due to backward pressures, in 2010, the ministry of health issued a *Technical Guidance for the Comprehensive Care in Cases of Non-Punishable Abortions*.

[10] Bread and Roses-PTS, Workers’ Plenary-PO, Isadora-IS.