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Reproductive Governance in Transition?

A rhetorical analysis of the National Campaign for
the Right to Legal, Safe, and Free Abortion in
Argentina.

Karolina Lecalon nec

Human Rights Studies
Department of History
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Abstract

This bachelor thesis investigates the rhetoric used by the National Campaign for the right to legal, safe, and free abortion in Argentina. The purpose of the study is to research if the reproductive governance of Argentina is in transition. The empirical material selected consists of a document written by the National Campaign for the right to legal, safe, and free abortion in Argentina. The theoretical framework is based on the concept of reproductive governance. Through a rhetorical criticism, the existing rhetoric in the movement for the legalization of abortion has been identified in order to understand its implications in the nation's reproductive governance. The study reveals that the rhetoric of abortion as a question of public health and social justice could be a way to defend the right to abortion within the core of human rights. This combination could consequently contribute to a transition in the reproductive governance of Argentina.

Keywords: abortion, legalization, Argentina, reproductive governance, rhetoric, National Campaign, reproduction, public health, social rights, human rights.

Abstrakt

Swedish title: En övergång i den reproduktiva styrningen? En kritisk retorikanalys av den Nationella Kampanjen för rätten till laglig, säker och gratis abort i Argentina.

I denna kandidatuppsats undersöks den använda retoriken av den Nationella Kampanjen för rätten till laglig, säker och gratis abort i Argentina. Syftet med studien är att undersöka om den reproduktiva styrningen håller på att förändras. Det valda empiriska materialet består av ett dokument som skrivits av den Nationella Kampanjen för rätten till laglig, säker och gratis abort i Argentina. Uppsatsens teoretiska ramverk bygger på konceptet av reproduktiv styrning och genom en kritisk retorikanalys har den existerande retoriken i rörelsen för legalisering av abort identifierats, för att förstå dess roll i nationens reproduktiva styrning. Studien påvisar att retoriken om abort som en fråga rörande folkhälsa och social rättvisa kan vara ett sätt att försvara rätten till abort inom kärnan för mänskliga rättigheter. Denna kombination kan följaktligen bidra till en förändring i Argentinas reproduktiva styrning.

Nyckelord: Argentina, abort, reproduktion, reproduktiv styrning, retorik, Nationell Kampanj, folkhälsa, sociala rättigheter, mänskliga rättigheter.

*Poder, poder, poder popular,
Y ahora que estamos juntas,
Ahora que si nos ven,
Abajo el patriarcado,
Se va a caer, se va a caer,
Arriba el feminismo
Que va a vencer, que va a vencer.*

- Canticos feministas para marchas

*Power, power, progressive power,
And now that we are together,
Now that they see us at last,
Knock down patriarchy,
It will fall, it will fall,
Rise up feminism,
It will vanquish, it will vanquish.*

- Feminist chants for marches

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1 Introduction

“Every time the green handkerchief is seen in the street, on the subway, on the bus, on the train, in the neighbourhood, at work, anywhere, it’s like a stroke of lightning. Its appearance generates an atmosphere of trust. It symbolizes a clear message: we are not alone.”¹ This quote refers to the powerful social movement for the legalization of abortion in Argentina, which is symbolized by the green handkerchiefs, attached to people’s backpacks or purses if they support the movement. During my stay in Argentina last autumn, I witnessed the extensive involvement of the Argentinian civil society regarding the ongoing debate about abortion. I also got to experience the effect of the green handkerchief in everyday life, which developed an interest in this subject.

In Latin America and the Caribbean, abortion remains illegal, except in Cuba, Guyana, Uruguay, and Mexico City.² As a response to the restrictive reproduction laws on the continent, the 28 of September is celebrated as a day of action for the decriminalization of abortion in Latin America.³ In Argentina, abortion has been illegal since 1921, with the exception of the non-punishable abortion cases when women’s lives or health are in danger, and when the pregnancy is a result of sexual abuse.⁴ However, there is a systematic pattern of violation of the rights of young girls in Argentina. They are often denied abortion after rape, caused by delays and obstruction by doctors who try to force pregnancies to full term.⁵ In 2005, the movement for the legalization of

¹ Alcaraz, María Florencia, *¡Que sea ley! La lucha de los feminismos por el aborto legal*, 1a ed. Ciudad Autónoma de Buenos Aires: Marea, 2018, p.15. “Cada vez que el pañuelo verde se cruza en el paneo que hace una mirada en la calle, en el subte, en el colectivo, en el tren, en el barrio, en el trabajo, en cualquier lugar, es como un golpe de rayo. Su aparición genera una atmosfera de confianza. Se trata de una contraseña con un mensaje claro: no estamos solas.”

² Goñi, Uki, *The Guardian*, “Thousands of young girls denied abortion after rape in Argentina”, 05/03-19, retrieved on 02/06-19.

³ Alcaraz, 2018, p.35.

⁴ Monte, María Eugenia., “Abortion Liberalization Demand in Argentina: Legal Discourses as Site of Power Struggle: A Case Study on the Structural Case Portal de Belén vs. Córdoba (2012-2013).” *Oñati Socio-Legal Series, Vol 5, Iss 5, Pp 1261-1290 (2015)*, no. 5 (2015): p.1264.

⁵ Goñi, Uki, *The Guardian*, “Thousands of young girls denied abortion after rape in Argentina”, 05/03-19, retrieved on 02/06-19.

abortion was founded by *La Campaña Nacional por el Derecho al Aborto Legal, Seguro y Gratuito* (The National Campaign for the Right to Legal, Safe and Free Abortion).⁶ For the past years, they have presented different abortion bills to the National Congress. In June 2018 after seventh attempts, a bill allowing women to terminate pregnancy in the first 14 weeks narrowly passed the lower Chamber of Deputies. The bill thereafter reached Argentina's Senate in August 2018, where it was rejected by 38 lawmakers against, and 31 votes in favour, while two abstained.⁷

A couple of weeks earlier, the abortion bill appeared to have a good chance of success, until Catholic Church leaders spoke out forcefully against abortion and senators from the most conservative provinces were pressured to vote against it.⁸ The 'pro-life' movement in Argentina and counter-campaign *Salvemos las dos vidas* (Let's save the two lives) is thus largely supported by the Catholic Church.⁹ Nevertheless, the country's close church-state connection has started to be challenged by different kinds of social movements. Argentina became the first country in 2010 to legalize same-sex marriage in Latin America.¹⁰ Many were hoping that the legalization of abortion would come next, but new local dynamics regarding the subject of reproductive rights have gained public influence, and they appear to be there to stay, striving to change the abortion legislation.

1.1 Research problem

In this thesis, the movement for the legalization of abortion in Argentina has been studied. The interest is solely based on the 'pro-choice' side, and I would like to further analyse the impact of the linguistics in such a powerful social movement. Having in mind that the opponents of the 'pro-choice' movement to a great extent use rhetoric based on

⁶ Campaña Nacional por el Derecho al Aborto Legal Seguro y Gratuito, retrieved on 02/06-19.

⁷ Politi, Daniel, Ernesto Lonoño, *The New York Times*, "Argentina's Senate Narrowly Rejects Legalizing Abortion", 09/08-18, retrieved on 02/06-19.

⁸ Politi, Daniel, Ernesto Lonoño, *The New York Times*, "Argentina's Senate Narrowly Rejects Legalizing Abortion", 09/08-18, retrieved on 02/06-19.

⁹ Rubio, Julia María, *The Washington Post*, "This is why Argentina did not legalize abortion this week", 11/08-18, retrieved on 02/06-19.

¹⁰ Politi, Daniel, Ernesto Lonoño, *The New York Times*, "Argentina's Senate Narrowly Rejects Legalizing Abortion", 09/08-18, retrieved on 02/06-19.

pathos arguments that aim to convince with feelings, it would be interesting to study how they in turn, present their argumentation for the legalization of abortion in terms of rights. The development of abortion legislation in the world is today a subject of high topicality, but the importance of the use of linguistics is sometimes forgotten as a decisive role in the framing of abortion as a right in politics.

1.2 Purpose and research questions

The purpose of this study is to research if the reproductive governance of Argentina is in transition. In order to do so, a document written by the National Campaign for the right to legal, safe, and free abortion in Argentina will be analysed. A rhetorical criticism will be used to identify the existing rhetoric in the movement for the legalization of abortion, in order to understand its implications in the nation's reproductive governance.

- What rhetoric of rights can be identified in the National Campaign for the right to legal, safe, and free abortion?
- How can it be understood as a local dynamic in the reproductive governance of Argentina?

1.3 Material and source criticism

The aim in the following section is to discuss and motivate the thesis' delimitations and also introduce the material that will be investigated, reflect on the choices and share some thoughts with the reader.

1.3.1 Delimitations

The delimitations for this study are firstly based on the fact that no opponents or counter pole to the National Campaign for the right to legal, safe, and free abortion will be further investigated. The interest of this paper is only on the rhetoric of the National Cam-

campaign, and therefore, it does not aim to make a comparison of any kind. The actual research field already offers a wide range of information regarding the right rhetoric and strategies of the Catholic Church, along with the most conservative groups in different countries. The main interest was neither to study the actual law proposition nor the medial representation, which is why that type of investigation was eliminated. The objective is solely to combine linguistics with the theoretical framework. In this paper, the National Campaign for the right to legal, safe, and free abortion is going to be perceived as an entity of social movements and NGOs.

1.3.2 Primary material

The primary material consists of the document “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate”¹¹ (Towards a Legalization of Voluntary Interruption of Pregnancy in Argentina. Arguments for the debate), written by *La Campaña Nacional por el Derecho al Aborto Legal, Seguro y Gratuito* (the National Campaign for the Right to Legal, Safe, and Free Abortion). (Hereafter, mostly referred to as the National Campaign). The document was written in April 2018 and was elaborated to contribute to the on-going debates about the potential legalization of abortion in Argentina. The primary material is thus proclaimed to be a document filled with scientifically, sanitarian, juridical and bioethical arguments, which asserts that 2018 was meant to be the year of approval of the bill regarding voluntary interruption of pregnancy, presented for the seventh time to the National Congress.

“Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate” is a twelve pages long document that summarizes the National Campaign for the Right to Legal, Safe, and Free Abortions’ standpoints and arguments in the debate towards the legalization of abortion. The document is divided into multiple sections, which present and answers fourteen different questions about the actual situation and what the National Campaign is demanding. Those are for example how the access to voluntary interruption of pregnancy should be guaranteed, why a legalization and not only a decriminalization is necessary, why the National Campaign

¹¹ Campaña Nacional por el Derecho al Aborto Legal, Seguro y Gratuito, “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate”, 2018, retrieved on 03/04-19.

uses the slogan “Sexual education to decide, contraceptives not to abort and legal abortion not to die” and why there is a claim of safe abortions.

The primary material is relevant in question of time since the document is less than a year old and their discourse most probably did not change significantly during this short period. Moreover, it is useful regarding tendency, since I am only aiming at studying the rhetoric of the National Campaign’s rights discourse and can, therefore, state that I am fully aware of its standpoint in the debate. Furthermore, I argue that this document is useful both in terms of dependence and authenticity because it is actually proclaimed to be written by the National Campaign and is also published on their website and signed with their name. I believe that this material is a concrete and clear summary of the National Campaign’s opinions, which are well developed and explained in a multifaceted debate.

I argue that this primary material is relevant in this case of study and that its references to other sources strengthen the quality of the document. The aim of the document is to present facts about the actual situation where abortion is criminalized, discuss its impact on the Argentinian society and illustrate what rights are being violated by continuing with the current abortion law, which dates from 1921. The purpose of this document being used as primary material is precisely to study how the campaign uses a right discourse by applying a methodology, studying rhetoric. Finally, in order to avoid repetition and facilitate the reading for the non-Spanish speakers, I would like to state that the translations of the Spanish document, which do not have a translated version in English, are my own.

1.3.3 Secondary material

The secondary material consists of the book *Que sea ley, la lucha de los feminismos por el aborto legal* (Let it be law, the struggle of feminisms for legal abortion), written in 2018 by an Argentinian journalist María Florencia Alcaraz.¹² In the book, the author reconstructs the history of the feminist fight to obtain the right to abortion, and the chapters recall the first manifestations and encounters since the return of democracy 1983 to the National Women’s Meetings that have taken place across the country for

¹² Alcaraz, 2018.

more than three decades. *Que sea ley* illustrates the campaign that was supposed to last four months but exceeded the thirteen years, the *Ni Una Menos** movement, the criminalization of voluntary interruption of pregnancy and the implementation-failures of the legal protocols regarding the cases of non-punishable abortion. Moreover, the book recalls the four decisive months of the campaign until the vote of the senators in the National Congress in August 2018, the never-ending lobbying for the legalization of abortion, the opponents to a legalization, the communication strategies, the victory and the loss. Furthermore, she illustrates the processes that changed the Argentinian civil society and expresses a feeling of it being forever transformed until it becomes a law.

This source is considered to be very useful and relevant for this paper since it was written shortly after the actual vote, and was finished printing in October 2018. Besides, it is also written by an Argentinian journalist who was present during these campaign months and experienced the real context of the movement. It includes multiple interviews with activists, lawyers, health experts and members of different commissions, associations, agencies, organizations and foundations. It also contains newspaper coverages, scientific studies and national statistics published by the government of Argentina. I have chosen to use this book as a secondary source since I believe it will allow me to mediate a greater understanding of the Argentinian context and for the National Campaign for the right to legal, safe, and free abortion in itself.

* Argentine fourth-wave grassroots feminist movements which have spread across several Latin American countries, that campaigns against gender-based violence and killings.

2 Background

Throughout this paper, the term voluntary interruption of pregnancy and abortion have been equated, although the most used terminology will be abortion. Furthermore, abortion will be perceived as a matter of human rights, in accordance with several international human rights bodies.¹⁴

2.1 Abortion in Latin America

During the Cold War, the use of reproductive policies was mostly aimed at controlling population growth and achieving political stability. Fertility control was promoted by international donors and state institutions as a way to achieve national economic security, modernization, public health and full industrialisation, even though Latin America was not pronounced to have a ‘population issue’. At the end of the Cold War across Latin America, fertility began to decline as women started to use modern contraception and surgical sterilisation. The total fertility rate in Latin America fell below the world fertility rate in the late 1980s.¹⁵

The rhetoric of reproduction changed shortly after that from population control to reproductive and sexual health and rights, after recommendations from public health experts. Programmes of actions with grounds in a rights-based approach to reproductive health were developed at The Cairo International Conference on Population and Development in 1994 as well as during the Fourth World Conference on Women in Beijing in 1995. Since Cairo, international discourses of reproduction changed and started to be framed in terms of individual rights. Hence, this discursive formulation opened for a new competition between ‘the reproductive rights’ of women and the

¹⁴ United Nations Human Rights Office of the High Commissioner, “Information series on sexual and reproductive health and rights”, retrieved on 02/06-19.

¹⁵ Morgan, Lynn M., Elizabeth F.S. Roberts. “Reproductive Governance in Latin America”. *Anthropology & Medicine* 19, no. 2 (August 2012), p.243, 245.

‘right-to-life’ of the unborn. Especially Latin American conservatives who objected to the universal human right language at the conferences in Cairo and Beijing, are today appropriating the rhetoric of right by arguing for natural (divine) rights, family (parental) rights and the ‘right to life’ of the unborn.¹⁶ After The Cairo International Conference on Population and Development, various Latin American legislatures changed the point at which juridical rights begin. Countries such as El Salvador, Peru, Ecuador and Argentina made revisions in their constitutions and civil codes, pushing juridical rights from birth back to conception. These legislative changes were most likely mainly promoted by the Catholic and evangelical churches along with international pro-family and right-to-life movements. Together with the support of leftist political parties, since it is worth noting that they owe their existing to the Catholic Church which supported them during the military dictatorship, they enshrined the concept of foetal rights. In their turn, El Salvador and Nicaragua enacted a total ban on abortion in all instances. Moreover, March 25 was adopted as the Day of the Unborn Child by various institutions that promoted symbols and celebrations of the international pro-life movement in Latin American countries such as the Dominican Republic, Guatemala, El Salvador, Nicaragua, Costa Rica, Ecuador, Peru, Chile and Argentina.¹⁷

Some might state that it is evident that Latin American countries would oppose the legalisation of abortion because of the power of the Catholic Church there. However, the hegemonic control of the Catholic Church over the regulation of sexual morality has long been in decline. Prostitution, divorce, contraception and in-vitro fertilization are in fact widely practiced and legal in most Latin American countries.¹⁸ Furthermore, as the secular language of right started to dominate international law and jurisprudence in the mid-1990s, conservative Catholics shifted their strategy and instead of rejecting the language of rights, started to appropriate it to combat public sex education, emergency contraception, therapeutic abortion, surgical sterilisation and in-vitro fertilization. The argumentation is no longer from a theological perspective but today, the Church instead frames its political agenda with human rights terms. Even though Catholicism strongly influences Latin America, there are reasons to doubt the conformi-

¹⁶ Morgan, Roberts, 2012, p.243, 245.

¹⁷ Morgan, Roberts, 2012, p. 247, 249.

¹⁸ Morgan, Lynn M. "Claiming Rosa Parks: Conservative Catholic Bids for 'Rights' in Contemporary Latin America". *Culture, Health & Sexuality* 16, no. 10 (November 2014): A, p.1246-1247.

ty of behaviour and doctrine, since the region has some of the highest contraceptive frequency and abortion rates in the world.¹⁹ To conclude, right-based language have also been an asset for example to challenge and later change the Colombian constitution of the abortion prohibition, when the Colombian lawyer Mónica Roa argued in favour of women's constitutional 'right to life, health and physical integrity'. The Colombian case showed a shift in strategy for progressives using the concept of health.²⁰

2.2 The Argentinian context

In Argentina, abortion has been regulated in the criminal code since 1921. Abortion is thus illegal, but there are exceptions to the penalty which are called non-punishable abortion cases or legal abortion cases. The non-punishable abortion cases established in article 86 of the criminal code are; when women's lives or health are in danger, and when the pregnancy is a result of sexual abuse.²¹ The latter regarding rape has caused a lot of interpretation issues until 2012, when the Supreme Court of the country issued a ruling F.A.L, ratifying the legal nature of the right to abortion for any woman victim of violation with the sole sworn statement, without mediating the need for a police report or the prosecution of the case.²² However, regardless of the state legislation or regulation, women have aborted, are aborting and will continue to abort. According to the Ministry of Health of Argentina, approximately 54 abortions are performed per hour, which is 1300 abortions per day and results in between 370 000 and 520 000 abortions per year.²³

During the 1960s and 1970s in Argentina, abortion liberalization demands emerged along with others related to the politicization of sexuality due to a strong state birth control in the socio-political context. During that time, grassroots organizations started to challenge conservative notions of mandatory motherhood, traditional family, sexuality and reproduction, but were confined to disappear and silence during the dicta-

¹⁹ Morgan, 2014, A), p.1249, 1253.

²⁰ Morgan, Roberts, 2012, p.248.

²¹ Monte, 2015, p.1264.

²² Alcaraz, 2018, p. 22-23.

²³ Alcaraz, 2018, p.63.

torship between 1976-1983.²⁴ María Florencia Alcaraz, author of *¡Que sea ley! – La lucha de los feminismos por el aborto legal*, claims that the dictatorship fractured the possibility that the second wave feminism in Argentina would with great force claim for the right to choose.²⁵ Beside the late arrival of feminism to Argentina because of the dictatorship, Argentina's strong culture of *maternalism* was also an essential factor.²⁶ The powerful symbol of motherhood in the country has been one of the most significant ideological challenges for abortion rights activists both culturally and politically. The Virgin Mary is one of the many religious icons that glorifies maternity in Argentina. Motherhood has in fact traditionally provided an important path for women's political activism, often famously illustrated by the *Madres de Plaza de Mayo* (Mothers of the Plaza de Mayo) which is a movement of mothers demanding the safe return of their 'disappeared' children during the last military dictatorship in Argentina (1976-1983).²⁷ Up to this day, over 40 years later, the *Madres* are still marching on the Plaza de Mayo every Thursday demanding to know what happened to the 30 000 missing.²⁸ Lynn Morgan further argues that the movement to legalize abortion paradoxically have been complicated by the symbolism of the *Madres*, since their roles as mothers willing to defend their children to death has legitimized them as human rights advocates.

This history complicates the demand for legal abortion in ways that are uniquely Argentine. For some, it discursively excludes abortion from the realm of human rights because abortion—at least in the eyes of its opponents—gives women permission to perform that most heinous and unnatural of crimes: that is, to kill her children (who are also “our” children)²⁹.

It is although worth mentioning that the *Madres* have primarily supported the legalization of abortion and that there is a significant difference in their own political agenda and the conservative *maternalism* they symbolize.³⁰ In brief, bloody histories of military

²⁴ Monte, 2015, p.1263.

²⁵ Alcaraz, 2018, p.30.

²⁶ Morgan, Lynn M., “Reproductive Rights or Reproductive Justice? Lessons from Argentina.”, *Health & Human Rights: An International Journal* 17, no. 1 (June 2015): B), p.140.

²⁷ Sutton, Barbara, Elizabeth Borland. ”Framing Abortion Rights in Argentina’s Encuentros Nacionales de Mujeres”. *Feminist Studies* 39, no. 1 (Spring 2013): p.201-202.

²⁸ García Medina, Enrique, *El País*, ”Las madres que transformaron el dolor en lucha colectiva”, 01/05-17, retrieved on 02/06-19.

²⁹ Morgan, 2015, B), p.140.

³⁰ Morgan, 2015, B), p.140.

dictatorship might explain why the ‘right to life’ in Latin America often is understood as ‘the right to be free from extrajudicial execution and disappearance’, rather than the right to ‘be protected and respected from the moment of fertilization’.³¹

In the democratic transition context, feminist, women and sexual liberation groups reappeared but without the public demand of abortion although it was part of debates. During the following decades, human rights-based discourses and citizenship expansion were the new liberal frames articulated by feminist demands. Women and feminist movements started to articulate claims referring to reproductive rights, reproductive health and responsible procreation. The shift in the abortion liberalization repertoires of action was able to be located in a broader socio-political phenomenon of juridification of social and political conflict. This was a result of changes in the civil society as well as a contribution of knowledge from national and international human rights NGOs on citizens’ rights abuses committed in democracy.³²

Since the return of democracy in 1983 until 2016, at least 3040 women died of abortion performed under unsafe conditions in Argentina, according to the nation’s Ministry of Health. Nevertheless, since abortion is criminalized except for the two non-punishable abortion cases, there is a high underreported rate of death that has been classified as haemorrhages or sepsis, without acknowledging that an abortion has caused them. María Florencia Alcaraz asserts that these deaths express the lack of safe abortion laws that are translated into *violencia machista* but also in institutionalised violence. Moreover, according to statistics from DEIS*, complications from abortion are the leading individual cause of maternal mortality since 1980, accounting for over 20% of maternal deaths³³. It has also been estimated that for every abortion that reaches public hospitals, there are 6,8 other performed abortions. In addition to gender, economic and symbolic inequalities, there also exists a geographical inequality since a woman who lives in the province of Formosa or Jujuy has 14 and 16 times higher risk of dying in the long term of their reproductive life for reasons related to pregnancy respectively.³⁴ Every three hours in Argentina, a pregnant young girl between 10 – 14 enters a

³¹ Morgan, 2014, A), p.1252.

³² Monte, 2015, p.1269-1270.

* The Department of Health Statistics and Informations (DEIS)

³³ Alcaraz, 2018, p.61 & Sutton, 2013, p.199.

³⁴ Alcaraz, 2018, p.60-61, 64-65.

delivery room. Even though *niñas-madres*, teenagers and women should have access to voluntary interruption of pregnancy in cases of sexual abuse or danger of their life or health, it has been shown that after 6 years of the historic F.A.L ruling*, more than half of the jurisdictions of the country did not have regulations that ensured their rights.³⁵ Furthermore, Amnesty International Argentina has stated that “The criminalization of abortion forces women to decide between death or jail.”³⁶

2.2.1 Women’s rights movements

Every year since 1986, thousands of women come together in Argentina to hold a major activist event called *Encuentro Nacional de Mujeres* (National Women’s Meeting), hereafter ‘Encuentros’. The meetings started as an initiative by women who were concerned with gender injustice and the size of the event has steadily grown up to thirty thousand participants. Women of different social classes, ages and ethno-racial backgrounds meet to organize, network and discuss critical daily issues. Each year, the annual meeting is held in a different province of Argentina to promote the inclusion of women from all over the country.³⁷

Ever since the Encuentro of 1997 in San Juan, the discussions regarding contraception have been complicated because of the religious groups of women and abortion opponents that did not let the workshops develop. The breakthrough came during the Encuentro in Rosario in 2003, where the activists faced the ‘infiltrated sent by the Church to slow down the discussions’. That year, a workshop called “Strategies for the access of legal and safe abortion” also appeared, and after the assembly of the first day of the Encuentro, women took the discussions to the street.³⁸ Traditionally, handkerchiefs have been used to make visible different social causes in spaces where human rights organizations participate as a counterweight to the states. For the Encuentro in Rosario 2003, feminist activists were looking for a colour that would symbolize the fight for abortion in Argentina. The colour red was discarded for its representation of

* The legal nature of the right to abortion for any woman victim of violation with the sole sworn statement, without mediating the need for a police report or the prosecution of the case.

³⁵ Alcaraz, 2018, p.97, 101.

³⁶ Alcaraz, 2018, p.78.

³⁷ Sutton, 2013, p.195.

³⁸ Alcaraz, 2018, p.43-44.

the left, the yellow for the religious and the blue and white for nationalism. The handkerchief would finally be green, for health, ecology and hope. The green colour was not in any way associated with a political party.³⁹

Since then, the green handkerchief has been associated with massive symbolism since the National Campaign for the right to legal, safe, and free abortion was launched on the 14 of May 2005. The three sentences that the campaign is based on are; *Educación sexual para decidir, anticonceptivos para no abortar, aborto legal para no morir*. (Sexual education to decide, contraception to not abort, abortion to not die.)⁴⁰ The National Campaign was launched with the support of more than seventy feminist organizations, NGOs and leftist parties. The 28 of May 2007 is the first time the law proposal of the National Campaign is presented in front of the Congress.⁴¹ Despite every rejection, the mobilization did not stop. In February 2018, the modified law proposal was presented for the seventh time with a historical walk of more than 10 000 bearers of green handkerchiefs in front of the National Congress. This is what led to the historic vote in the senate in August 2018. Even if the bill was rejected, it is impossible to explain the power of this movement and the determination of the activists.⁴²

The fight for legal abortion is a subversive fight. And it is a fight for sovereignty, for power. (...) To say no to biological reproduction as slavery. To say no to the sacrifice and torture that forced maternity poses. (...) To say that it should not stop being a privilege of half of the population of this country.⁴³

³⁹ Alcaraz, 2018, p.41-42.

⁴⁰ Alcaraz, 2018, p.45, 47.

⁴¹ Valdivieso, Magdalena (et.al.); Coordinado por Alba Carosio, "Feminismo y cambio social en América Latina y el Caribe", 1a ed. Ciudad Autónoma de Buenos Aires: CLASCO, 2012, p.243, 245.

⁴² Alcaraz, 2018, p.12, 211-213.

⁴³ Alcaraz, 2018, p.21. "La lucha por el aborto legal es una lucha subversiva. Y es una lucha por la soberanía, por el poder. (...) Decir que no a la reproducción biológica como esclavitud. Decir que no al sacrificio y la tortura que plantea la maternidad forzada. (...) Decir que no debe dejar de ser un privilegio de la mitad de la población de este país."

3 Literature review and previous research

The literature review has shown a mix of both nuanced and limited research fields, which is why it has been a challenge to identify relevant material that best relates to my purpose and study. Apart from general research about abortion, I have selected the previous research material into three main themes; global politics, double nature of right discourse and left-wing governments. Since my subject of study only dates from 2018, very little exists on the matter of Argentina's latest abortion vote conducted by the senate. Therefore, this section will serve as a research overview on the field and I will also conclude by highlighting an identified need for further research within the research question.

3.1 Global politics

Even before The Cairo International Conference on Population and Development in 1994 and the Fourth World Conference on Women in Beijing in 1995, research was conducted on women's reproductive health and rights within the concept of human rights. Rebecca J. Cook discusses in her article "International Human Rights and Women's Reproductive Health" from 1993, the systematic discrimination against women. Cook is an Associate Professor (Research) and Director in the International Human Rights Programme within the Faculty of Law at the University of Toronto.⁴⁴ In the article, the author states that women's reproductive health has not been a priority for governments, which is reflected by their laws. "Paternalistic control of women's sexual and reproductive behaviour manifests itself in laws and policies."⁴⁵ She discusses the international protection of women's reproductive rights through different human rights treat-

⁴⁴ Cook, Rebecca J. "International Human Rights and Women's Reproductive Health", *Studies in Family Planning* 24, no. 2 (1993).

⁴⁵ Cook, 1993, p.74.

ties and conventions and what restrictive abortion laws might result in. Moreover, Cook argues for women's reproductive rights through international human rights laws as the right to life and survival, the right to liberty and security and finally the right to reproductive health and health care. The prohibition of all forms of discrimination should in addition, be included within the respect for the human right of reproductive self-determination. Finally, she states that there exists a great potential to enforce state responsibility by employing the resources of international law for the observance of women's reproductive rights.

In the article "Travelling ideas and domestic policy change: The transnational politics of reproductive rights/health in Argentina", Debora Lopreite analyses the influence of international policy ideas on civil society in Argentina. This aspect could indeed be interesting if the aspect of international policy ideas were to be discussed in my study. Lopreite is Adjunct Research Professor at Carleton University in Ottawa, Canada, holds a Ph.D. in Public Policy at Carleton and studied her Master in Public Administration at Universidad de Buenos Aires, Argentina. She researches about the transformations of Latin American gender and welfare regimes and studies public policies within sexual and reproductive rights, childcare and social assistance for women and families.⁴⁶ The author addresses theoretical concepts such as *pro-natalism* and *maternalism* in relation to Argentina's dictatorship history and illustrates how Argentina as a nation, often wants to be perceived as a 'hero' of human rights. Lopreite states that:

While crisis can generate conditions for breaking with tradition and provides opportunities for the opening up of conservative gender regimes – the extent of such reforms must be understood cautiously, as substantial aspects of old gender regimes will persist, representing a degree of continuity within change.⁴⁷

She highlights how transnational women's groups and domestic actors have worked together by framing international discourses on women's rights to advance gender poli-

⁴⁶ Sage Journals, "Travelling ideas and domestic policy change: The transnational politics of reproductive rights/health in Argentina", retrieved on 02/06-19.

⁴⁷ Lopreite, Debora. "Travelling Ideas and Domestic Policy Change: The Transnational Politics of Reproductive Rights/Health in Argentina.", *Global Social Policy* 12, no. 2 (August 2012): p.110.

cies change.⁴⁸ Lopreite finally concludes that international ideas might be able to trigger change, but they need to be framed to resonate in accordance with the national historical legacies that shape the domestic actors' worldview.⁴⁹

Since this study automatically will need to take into account Argentina's strong connection to the Catholic Church and the Pope, Silvia Levín research “¿Salud sexual y salud reproductiva sin libertad?: El conflicto por el aborto en Argentina” (Sexual and reproductive health without liberty?: The conflict of abortion in Argentina) could be of high importance. Silvia Levín holds her Ph.D. in Social Sciences and a law degree at the Universidad Nacional de Rosario, Argentina and is also a professor and investigator of the UNR.⁵⁰ In her scientific article, she addresses the democratic conflict in the abortion issue and explains how political control over body sovereignty was constructed and implemented in a patriarchal system. The author illustrates essential concepts such as freedom, equality and secularism, in connection to Argentina's strong connection to the Catholic Church and the Pope, as well as feminism and its global spread and influence. Levín argues that the 2002 “Programa Nacional de Salud Sexual y Procreación Responsable” (National Program of Sexual Health and Responsible Procreation) represented the struggle for sexual and reproductive rights initiated in the late 1980s, but on the contrary was not recognized as spheres in the field of women's freedom of their body but within the public health, thus not a fully guaranty freedom.⁵¹

3.2 Double nature of right discourse

A “double discourse system” is when societies hold conflicting views on reproduction and sexuality but defend negligent or repressive public policies while in private tolerating unofficial mechanisms expanding private sexual and reproductive choices, according to Bonnie Shepard.⁵² In her article “The ‘Double Discourse’ on Sexual and Reproductive Rights in Latin America: The Chasm between Public Policy and Private Ac-

⁴⁸ Lopreite, 2012, p.110

⁴⁹ Lopreite, 2012, p.122.

⁵⁰ Universidad Nacional de Cuyo, “Silvia Levín”, retrieved on 02/06-19.

⁵¹ Levín, Silvia. “¿Salud Sexual y Salud Reproductiva Sin Libertad?: El Conflicto Por El Aborto En Argentina.”, *Salud Colectiva* 14, no. 3 (July 2018): p. 381.

⁵² Shepard, Bonnie. “The ‘Double Discourse’ on Sexual and Reproductive Rights in Latin America: The Chasm between Public Policy and Private Actions”. *Health and Human Rights* 4, no. 2 (2000), p.110.

tions”, the author illustrates how the breach between public discourse and private actions function in practice and who is harmed by it with the help of a specific example of abortion advocacy in Colombia and Chile. The double discourse system mandates that even if abortion is widespread, it cannot officially be made legal. She claims that the clandestine mechanisms to expand reproductive choice is discriminating against poor women, since middle- and upper-income women generally can pay for safe clandestine abortion services. Furthermore, Shepard also highlights how middle and upper-class women usually manage to escape with impunity from being denounced by a small minority of health providers. For this reason, Shepard’s research could be of use in this study to gain a deeper understanding of why the non-punishable abortion cases are not implemented.

Unlike the American discourse on ‘reproductive justice’, Lynn M. Morgan discusses in her article “Reproductive Rights or Reproductive Justice? Lessons from Argentina”, how the movement for legalization of abortion in Argentina relies on a discourse on human rights. The author is a medical anthropologist and feminist science studies scholar whose specialization revolves around the anthropology of gender and sexualities as well as reproductive governance in Latin and Central America. She has edited and authored three books and over 30 articles and is currently writing about the backlash of reproductive rights movements in Mexico, Costa Rica and Argentina.⁵³ Morgan emphasizes the importance of Argentina’s post-dictatorship and the crucial aspects that motivate the strong human rights climate, and explains how Argentina demonstrated how to summon truth commissions, gathered forensic experts for proving human rights violation and support the mothers and grandmothers who protested the disappearance and murder of their children and grandchildren (*Las Madres de Plaza de Mayo*).⁵⁴ The author describes how the campaign to legalize abortion paradoxically has been complicated by the symbolism of the Madres because of Argentina’s strong culture of *maternalism*.⁵⁵ She also demonstrates how a right focus allows a continued pressure on political leaders since activists do not want reproductive rights to become bureaucratized, de-politicized or medicalized since legislators might try to shift the re-

⁵³ Trustees of Mount Holyoke College, ”Lynn M. Morgan”, 2019, retrieved on 02/06-19.

⁵⁴ Morgan, 2015, B), p. 138.

⁵⁵ Morgan, 2015, B), p.140.

sponsibility from legislative to medical.⁵⁶ This research could be beneficial for my own study regarding the importance of human rights in the Argentinian context since it illustrates several national symbolism.

Aside from the context, María Eugenia Monte's research "Abortion Liberalization Demand in Argentina: Legal Discourses as Site of Power Struggle: A Case Study on the Structural Case Portal de Belén vs. Córdoba (2012-2013)" could give me more profound knowledge in the historical course of events regarding abortion in Argentina. María Eugenia Monte is a lawyer at the Universidad Nacional de Córdoba, Ph.D. student and has a Master of Art in Sociology of Law.⁵⁷ In her research, she examines how the feminist movements have demanded abortion over the years and emphasizes a transition in discourse use that has gone from politicization of sexuality to a discourse on reproductive rights mixed up with human rights. The article also deals with which rights abortion is constructed on and which rights that trump in the Argentinian social context. Monte states that abortion demand is constructed as a matter of equality and health, and through reproductive autonomy, chosen motherhood, forced pregnancy, maternal mortality and family planning.⁵⁸ Finally, she claims that "legal discourses and the legal case are considered as sites of power struggle and in their constitutive, productive character."⁵⁹

3.3 Left-wing governments

Contrary to what could be expected, the left-wing government abortion reform has ranged from complete legalization to absolute prohibition during Latin America's 'pink tide', or leftward political turn. This research has been conducted by Merike Blofield and Christina Ewig, in their article "The Left Turn and Abortion Politics in Latin America".⁶⁰ They argue that the left-wing government is a necessary condition to push for an abortion policy liberalization, but the type of the left party is on the other hand crucial.

⁵⁶ Morgan, 2015, B), p.143.

⁵⁷ Universidad Autonoma de Barcelona, "María Eugenia Monte", 2016, retrieved on 02/06-19.

⁵⁸ Monte, 2015, p.1284.

⁵⁹ Monte, 2015, p.1282.

⁶⁰ Blofield, Merike, Christina Ewig. "The Left Turn and Abortion Politics in Latin America", no. 4, (2018).

Blofield and Ewig state that the actual reform varied dramatically across the region during the leftward political turn. The factors that are decisive in an abortion reform are public opinion, the ideology of government, secularization and the strength of feminist versus conservative mobilization. The authors reflect on the cases of the liberalization in Chile and the legalization in Uruguay, where feminists had a voice in the left government and wherein the latter, feminists used a public health frame. Furthermore, the case of Argentina is mentioned in the research, which could be of help in this study to reflect over the country's political position.

Opposition to abortion liberalization in Argentina under the left-populist machine party of President Cristina Fernandez de Kirchner stemmed from the president's own party members, hesitant to oppose her antiabortion stance, in contrast to non-populist left party members serving in Congress at the same time.⁶¹

Furthermore, research that could be applicable in the discussion section of this study is Diana Mulinari's chapter "Putting (left) politics back into (western) feminist theory, Conversations with feminist activists and scholars in Argentina" in *Dreaming global change, doing local feminisms: visions of feminism: global North/global South encounters, conversations and disagreements*. It opens up new discussions about unlearning privilege regarding the power of defining what a theory is and who is a theorist by looking at those situated at the margins of hegemonic feminist scholarship.

Diana Mulinari is a professor in Gender Studies at the University of Lund, Sweden. Her fields of studies are within the area of racism in the tradition of Black/Chicano and decolonial feminists.⁶² In her research, she expresses the radical difference of being a feminist in the Global North and the Global South by also emphasizes her position as "a woman of colour in Sweden (despite my privileged position as professor), a human rights activist in Argentina (despite my experience of state terrorism, a white middle-class privileged settler)"⁶³. The author highlights common prejudices of the Global North regarding their fascination with the Global South and its mo-

⁶¹ Blofield, Ewig, 2018, p.502.

⁶² Mulinari, Diana, *Dreaming global change, doing local feminisms: visions of feminism: global North/global South encounters, conversations and disagreements*, Routledge, London, 2018.

⁶³ Mulinari, 2018, p.140.

bilisation and resistance by taking feminism to the streets but explains that this vision consequently leads to an undermining of all the underlying work.⁶⁴ She explains the central role of women fighting the dictatorship, the concept of the *pueblo* feminist ('the feminist people'), the *piqueteras* (the working-class women protesting neoliberalism in the streets), and the parallels of the feminist mobilisation and creation of the National Campaign for the Right to Legal, Safe, and Free abortion between both the human rights movements and the feminist movement.⁶⁵ Mulinari illustrates the continuity of the slogans of human rights organisations and feminist movements through the genealogy that links the military dictatorship with patriarchy in Argentina.⁶⁶ She finally states that a transnational feminist vision needs to acknowledge the core of the Latin American left to understand the development of feminism in its context.⁶⁷

One of the most dangerous forms of epistemological racism is the representation of the Argentinian (and Latin American) feminist movement and knowledge production outside the frame of everyday anti-imperialist and left politics in a broad sense.⁶⁸

In conclusion, a multitude of research has been conducted on abortion as a matter of women's reproductive rights in relation to human rights and regional and national political contexts. However, I still experience a lack of research on the linguistic part of the right claims of abortion and I hereby hope to be able to contribute even the slightest to that gap with my study.

⁶⁴ Mulinari, 2018, p.142.

⁶⁵ Mulinari, 2018, p.139, 146, 148.

⁶⁶ Mulinari, 2018, p.148.

⁶⁷ Mulinari, 2018, p.154.

⁶⁸ Mulinari, 2018, p.149.

4 Theory and method

In the following section, I will present and discuss the theoretical framework and methodological approach used to answer my research question in this thesis. The theoretical framework was extracted from previous scholars' paper regarding that specific concept, while the methodological approach follows the tradition of classical rhetoric used as a form of qualitative text analysis.

4.1 Theory

The theoretical approach that will be used in this thesis is based on Lynn M. Morgan's and Elizabeth F.S Roberts' concept of reproductive governance, which they present and further discuss in "Reproductive governance in Latin America". In their paper, the concept of reproductive governance is developed by the authors as an analytic tool for tracing the shifting political rationalities of population and reproduction in accordance with their statement that Latin America is undergoing a dramatic transformation.⁶⁹

4.1.1 Reproductive governance

Morgan and Roberts describe reproductive governance as follows:

The concept of reproductive governance refers to the mechanisms through which different historical configurations of actors – such as state, religious, and international financial institutions, NGOs, and social movements – use legislative controls, economic inducements, moral injunctions, direct coercion, and ethical incitements to produce, monitor, and control reproductive

⁶⁹ Morgan, Roberts, 2012, p.241.

behaviours and population practices.⁷⁰

The concept of reproductive governance, along with moral regimes, is shaped by Foucault who distinguished between governance through sovereign power and governance through biopower. Moreover, it allows an examination of the involvement of political-economic processes within the subject making powers of moral regimes, directed towards reproductive behaviours and practices. Reproduction is thus fully entangled with the production of entities like economics or nation-states, even though it has been made to appear as something intimate, domestic and apolitical.

Reproductive governance emphasizes the intersections of national and international policies. The concept provides an understanding of the regulation of reproductive options, identities and behaviours available to men and women, whose responsibility as citizens is often constituted as reproducing rational social and national bodies.⁷¹ “The concept of reproductive governance allows for the consideration of the links between embodied and biological moral regimes, national political strategies, and global economic logic, therefore linking ‘intimate governance to world governance’ “. ⁷² Today, international political legitimacy ascribed to universal human rights facilitates shifts in reproductive governance. Coteries of new constituents have started to frame their own social struggles in terms of rights ever since the human rights strategy has gained favour in international law and diplomacy. Contemporary struggles over reproductive governance also demonstrate existing tensions between individuals and collectivities as right bearers, since it increasingly allows their claims to be pitted against each other.⁷³ “These arguments about rights constitute new kinds of actors and pit them against older subjects positions, for example embryos versus women, subjecting both actors to new forms of reproductive governance.”⁷⁴

Morgan and Roberts also acknowledge an important element by arguing that changes in reproductive governance always must be viewed within the context of neoliberalism and its discontents. “Besides producing rights bearers that stand in oppo-

⁷⁰ Morgan, Roberts, 2012, p.241.

⁷¹ Morgan, Roberts, 2012, p.243-244.

⁷² Morgan, Roberts, 2012, p.244.

⁷³ Morgan, Roberts, 2012, p.243-244.

⁷⁴ Morgan, Roberts, 2012, p.243.

sition to each other, rights-based reproductive governance supports neoliberal agendas in other ways as well, by producing citizens who have the ‘right to choose’ (that is, to consume) privatised medical service”⁷⁵. Since women with financial resources have access to safe clinical abortion, safe abortion has been a difficult case to convince the upper- and middle-class to mobilise around.⁷⁶ “A focus on the governance of reproduction belongs at the center of social theorising about contemporary Latin American politics and economies.”⁷⁷ Therefore, analytics of reproductive governance can explain how the rhetoric of rights produced by national and transnational configurations creates new reproductive actors and fits larger social movements.⁷⁸

In this study, the theory of reproductive governance will be applied to a specific setting as a theoretical framework, in order to understand shifting political rationalities in the domain of reproduction in Argentina and to specifically analyse how the rhetoric of the National Campaign relates to the present reproductive governance of Argentina. This will hopefully contribute to a better understanding of the political situation and the involvement of the Argentinian civil society for the legalization of abortion.

4.2 Method

The methodological approach of the thesis that has been chosen is a form of qualitative text analysis, namely a rhetorical criticism, based on Birgitte Mral, Marie Gelang and Emelie Bröms’ literature *Kritisk retorikanalys, Text, bild och Actio*. This method rests upon the principles of classical rhetoric of how an efficient rhetoric text is created, where an already existing message is constructed. The aim of this methodological approach is therefore, to understand how texts that are intended to convince are created, but also how they function in society.⁷⁹ I believe that a rhetorical criticism is both relevant and useful for my study since it not only focuses on the linguistic but also ques-

⁷⁵ Morgan, Roberts, 2012, p.249.

⁷⁶ Morgan, Roberts, 2012, p.245, 249.

⁷⁷ Morgan, Roberts, 2012, p.250.

⁷⁸ Morgan, Roberts, 2012, p.251.

⁷⁹ Mral, Birgitte, Marie Gelang, Emelie Bröms. *Kritisk retorikanalys, Text, bild och Actio*, Retorikförlaget, 2016.

tions how the object relates to a larger social perspective, which is where I intend to connect it to human rights.

4.2.1 Rhetorical criticism

Rhetoric is always a combination of theory and praxis and has on an academic level its special character as critical science. Rhetorical analysis is hence in its nature, critical questioning. It asks why a message looks like it does, what its deeper meaning is and if there exist any ethical or ideological implications therein. Rhetoric has a knowledge interest to understand the persuasive in a message, namely signs and symbols that are intended to convince individuals or groups and is therefore not only descriptive but also to some extent evaluative.

Rhetorical criticism is a qualitative methodology in which the analyst is engaged in interpretation when giving their own view of the context. The art of interpretation is in scientific terms referred to as hermeneutics. Interpretation is a combination of one's own interest in wanting to understand the cultural, social and historical frames the interpreter is in. An interpretation can thus never be purely objective which is why scientific analysis should always be intersubjective, which means that it should be possible to understand and be accepted by others so that they can relate to it in a critical process.⁸⁰

4.2.2 Central rhetorical concepts

The first central concept is *ethos*, which signifies the speaker or the author's ability to convince through their personality and credibility. It does not matter how true or important a message is if the person that mediates is unreliable. Some sources like news channels, will automatically be classified as more reliable since they have established a strong *ethos*. Aristoteles asserted that *ethos* consists of three aspects; the speaker or author's good character *arete*, their common sense or wisdom *fronesis* and their benevolent attitude towards the audience *eunoia*.

⁸⁰ Mral, 2016, p. 13-16.

The second concept is *logos*, which is about convincing with facts and reason. When the speaker or author is using *logos*, they will most likely teach, enlighten or inform their audience. Through *logos*, they will address the audience's reason and critical judgment. The level of difficulty of the use of *logos* can also be studied to see how well the speaker or author has adapted to the audience's previous knowledge or interest, as well as if the *logos* is enough.

The third and last concept is *pathos*, which means convincing through feelings. It aims at touching or affecting the audience's feelings through the language, the evoking of memories or refer to sentimental moments. An absence of feelings can also be a strategy in the argumentation.⁸¹ In this study, the concept of *ethos*, *logos* and *pathos* will be used in the methodology for the purpose of understanding the rhetoric of the National Campaign and gain knowledge in its strategies for an implementation of the legalization of abortion.

4.2.3 Rhetorical criticism of texts

The methodology for the analysis that will be used in this study is based on Mral, Gelang and Bröms' book *Kritisk retorikanalys, Text, bild och Actio*. The authors present five different aspects that can be used in a rhetorical criticism of texts and speeches. Since my primary material is a text, I have chosen to delimit myself to the three first aspect, since the fourth and fifth aspects rather serve within a context of speech and the interpretation of the audience's reaction, which is not within the subject area.

The first aspect is the disposition since the structures in a text have different purposes in the convincing process. *Narratio* is an element that can be identified in the disposition of a text which refers to background or story. *Narratio* can also be seen as an introduction to the argumentation that follows since an aim is to create a common starting point for the audience. When the background is presented, it is time for the thesis of the text *proposito*, along with the arguments *argumentatio*. The final part in the text is called *conclusio*, which is a conclusion that includes a repetition of the main arguments throughout the text *recapitulatio*.⁸²

⁸¹ Mral, 2016, p.36-40.

⁸² Mral, 2016, p.45-46.

The second aspect is the argumentation, where texts that intend to convince are always supported by one or more theses. A thesis is a statement that is supported by arguments, reasons or proof that they are relevant, real and reasonable. In rhetoric, the argumentation for a thesis is usually called *probatio*. Some arguments can function as supporting arguments for others. In certain text one or many counter-arguments can be identified along with a reply to the counter-argument called *refutatio*. Thus, the argumentation can be structured and created in different ways. The arguments can also be categorised according to the classical division of *ethos*, *logos* and *pathos* (as explained above). Finally, it is likewise possible to identify a pattern in the argumentative structure and what importance it has for the effect of the text. An inductive reasoning is descriptive, usually contains many examples and derives conclusions from concrete cases. It is mostly a text that invites to dialogue and wants to give the audience evidence so they can form their own opinion. On the contrary, a deductive text is instead built on general truths or principles are declared and should not be questioned. A deductive text does not invite to dialogue but instead requires the recipients' submission.⁸³

Lastly, the third aspect is the style, namely the linguistic design of the text *elocutio*. This has a great impact on how a rhetorical message will be perceived and which effect it will get. According to the founders of rhetoric, the language should be correct, clear, expressive and beautifully adorned as well as appropriate for the situation. Hence, style is about the relation between the content, form and effect in a text.⁸⁴

In this study, a rhetorical criticism will be used as a methodology to obtain a greater understanding of the rhetoric use of the National Campaign of the right to legal, safe, and free abortion. By acknowledging what arguments are put forward, how and in what purpose they are presented, it will thereafter be possible to tie the rhetoric to the theoretical framework of reproductive governance to analyse its development and actual position.

⁸³ Mral, 2016, p.47, 49, 53, 57.

⁸⁴ Mral, 2016, p.57-58.

5 Investigation

In this section, I will present the methodological result from the rhetorical criticism made in this study. The outset will be the 14 questions presented in the primary materials which will later introduce the reader to the analysis, with the help of the theoretical framework of reproductive governance. The methodology result can also be found with all its content in the appendix.

5.1 Disposition

Below are the fourteen questions presented and answered in the studied document of the National Campaign. These are the questions that will form the basis of this study and from which a rhetorical criticism has been made.

1. In what cases is the right to voluntary interruption of pregnancy permitted today?
2. How should access to voluntary interruption of pregnancy be guaranteed?
3. Is the access guaranteed in the health institutions?
4. Does the criminalization of abortion discourage people to abort?
5. Since abortion is a clandestine practice, from where do the statistics originate?
6. Why do we talk about legalization and not only decriminalization?
7. Why the limit of 14 weeks, with the exception of specific reasons?
8. Why is our slogan “Sexual education to decide, contraceptives not to abort and legal abortion not to die”, all-encompassing and not step-wise neither excluding in its terms?
9. Why do we sustain that it should be free?
10. Why do we claim safe abortions?
11. Why do we talk about voluntary interruption of pregnancy?
12. Why do we talk about legal abortion as an issue of public health?
13. Why do we talk about legal abortion as an issue of social justice?
14. Why do we talk about legal abortion as an issue of human rights?

To begin with, questions 1 – 5 have been classified as the element *narratio*, namely the part in the text that refers to background or story. The first five questions

contain information to the reader about the Argentinian context of the cases where the right to voluntary interruption of pregnancy is permitted, how this access should be guaranteed, and if it actually is guaranteed. Furthermore, they also discuss how a criminalization affects the numbers of abortions conducted and where these numbers come from, considering it is a clandestine practice.

The thesis is already presented in the first paragraph since the document explicitly claims to contribute to the current debates regarding abortion in Argentina. Thus, the *proposito* of the text is “2018 must be the year of approval of the bill of voluntary interruption of pregnancy presented for the seventh time in front of the National Congress.” Furthermore, the document was published in April 2018, thus aiming at influencing the vote of the senate in August that same year.

Finally, question 6 – 14 have been identified as the arguments of the thesis, *argumentatio*. These will be presented further in the next chapter of the argumentation. The *conclusio* and *recapitulatio* are both briefly presented in the last paragraph, without further discussion or importance since the primary importance of the document is the thesis and its argumentation.

5.2 Argumentation

The thesis of the text *probatio*: “2018 must be the year of approval of the bill of voluntary interruption of pregnancy presented for the seventh time in front of the National Congress”, is supported by different types of arguments throughout the text. The main arguments, further support argument, counter-arguments and *refutatio* can be found in chart 1 in the appendix. The classical categorisation of *ethos*, *logos* and *pathos* within the arguments differs significantly. “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina” is strictly based on arguments that appeal to *ethos* and *logos*. Throughout the studied document, it was possible to identify *ethos* and *logos* arguments, while *pathos* arguments were utterly inexistent.

For example, one of the multiple support argument for question number 8 refers to the law 26.150 of sexual education, stating that the right to abortion is perceived as a sexual and reproductive right. The argument is thus a fact that implies *logos* and by the use of this argument also strengthen the *ethos* of the National Campaign.

Questions	Main argument	Support-arguments
8. Why is our slogan “Sexual education to decide, contraceptives not to abort and legal abortion not to die”, all-encompassing and not step-wise neither excluding in its terms? (p.6)	Those are necessary conditions for the protection of the life and health of women and pregnant people. (p.7)	The right to abortion is a content of the law 26.150 of Educación Sexual Integral and is perceived as a sexual and reproductive right. (p.7)

The same applies to question number 12, which support-arguments refers to statistics regarding public health.

Questions	Main argument	Support-arguments
12. Why do we talk about legal abortion as an issue of public health? (p.9)	The legalization and decriminalization of abortion and the correct access to information could prevent not only deaths from complications of clandestine abortions, but also some of those caused by diseases aggravated by pregnancy. (p.9)	Abortion complications are the first individual cause of pregnancy mortality since 1980. (p.9) Free access to abortion, safe and free of charge would prevent 18% of deaths due to complications of abortion and also affect 26% of deaths due to indirect obstetric causes. (p.9) Evidence shows that the legalization of abortion reduces maternal mortality. In Uruguay, since the legalization, the percentage of deaths fell from 37% to 8%. (p.9)

The *ethos* of the National Campaign is enhanced through the sources that are used in their document. Such sources are for instance The Ministry of Health of the Nation, the Supreme Court of Justice of the Nation, the United Nations Human Rights Committee, the Committee Against Torture, Amnesty International, the World Health Organization, the Department of Health Statistics and Information DEIS, the Observatory of Sexual and Reproductive Rights of Argentina and different United Nations Conferences on human rights and women.⁸⁵ Consequently, this fact strengthens the author’s

⁸⁵ “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate”, 2018, retrieved on 03/04-19.

credibility and the reader’s perception of their reliability. Their common sense or wisdom *fronesis*, is also ensured through the secondary sources in the document, which is closely connected to the *logos* in the text.

Since fact and reason in the *logos* arguments also are based on these reliable secondary sources, the critical judgment of the audience is addressed in a convincing way. The level of difficulty of the use of *logos* is estimated to be well adapted to its audience since the document contains mixed information and affirmation about abortion, guarding in mind that it is both directed towards the senators and the regular Argentinian public to form an opinion on the debate.

Moreover, the entire document “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina” is identified to be deductive. The text contains arguments about general truths and principles of the right to abortion, which are illustrated not to be questioned. Since the purpose of the document is to convince and persuade the reader for the legalization of abortion, it remains somewhat logical that the text does not invite to a dialog but requires the recipients’ submission. Question number 7 illustrates for example the deduction of the text, stating general truths without opening up for a debate regarding the limit of 14 weeks.

Questions	Main argument	Support-arguments
7. Why the limit of 14 weeks, with the exception of specific reasons? (p.6)	The first trimester is associated with a lower risk that these interruptions imply for the health and life of the pregnant woman. (p.6)	The majority of the regulatory models of countries that legalize abortion establish a limit between 12 and 14 weeks of pregnancy, unless there is a risk to life or health of the pregnant person or a serious foetal malformation. (p.6)

Finally, the right rhetoric that has been identified on abortion is based on different arguments that perceive the right to abortion as:

- A question of public health
- A question of social justice
- A question of human rights

The main arguments that were identified for these statements are:

Questions	Main argument
12. Why do we talk about legal abortion as an issue of public health? (p.9)	The legalization and decriminalization of abortion and the correct access to information could prevent not only deaths from complications of clandestine abortions, but also some of those caused by diseases aggravated by pregnancy. (p.9)
13. Why do we talk about legal abortion as an issue of social justice? (p.10)	There exist a situation of inequality depending on the area of residence and the economic and symbolic resources of women, where women with fewer resources face greater exposure to unsafe and therefore riskier practices. (p.10)
14. Why do we talk about legal abortion as an issue of human rights? (p.11)	The International Law of Human Rights has considered the right to abortion as part of the right to health of women. (p.11)

They are thence supported by supporting argument, thereof mostly *logos* arguments. (See chart 1 in the appendix, question 12 – 14.) The National Campaign’s slogan “Sexual education to decide, contraceptives not to abort and legal abortion not to die” manage to include all these three aspects of public health, social justice and human rights without literally appeal to the concept of human rights in itself which is quite interesting.

5.3 Style

The final element of the rhetorical criticism is the style of the text which is considered to be both proper and well adapted. As mentioned above regarding the adaptation of the *logos*, the document is both directed towards the senators and the regular Argentinian audience to form an opinion on the debate. Therefore, the linguistic design of the text *elocutio*, is written in a way that is both easy to understand but formal enough to be presented to the national congress. Furthermore, the linguistic design of the text is regarded to be very inclusive since it uses non-binary notions of pregnancy. Throughout the document, the National Campaign uses a recurrent definition of *personas con capacidad de gestar* (people with the ability to carry a foetus in the womb from conception to birth) and *personas gestantes*.⁸⁶ A rhetoric language of unity is also possible to identify with

⁸⁶ “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate”, 2018, retrieved on 03/04-19, p.1, 5-7, 9.

the appellation to nationalism and women empowerment with phrases such as *nuestro país* (our country) and *nuestros derechos* (our rights).⁸⁷

⁸⁷ “Hacia la Legalización de la Interrupción Voluntaria del Embarazo en la Argentina. Argumentos para el debate”, 2018, retrieved on 03/04-19, p. 1,5.

6 Analysis and discussion

6.1 Analysis

In this part, the analysis of the thesis will be constructed from the results of the rhetorical criticism with the help of the theoretical framework of reproductive governance. In accordance with the two research questions; “What rhetoric of rights can be identified in the National Campaign for the right to legal, safe, and free abortion?” and “How can it be understood as a local dynamic in the reproductive governance of Argentina?”, the analysis will be divided into the three categories that were identified as the rhetoric of rights in the National Campaign for the right to legal, safe, and free abortion.

6.1.1 Public Health

The first rhetoric of right that has been identified in the primary material perceives the right to abortion as a question of public health. The support arguments for this claim reads as follows:

- “Abortion complications are the first individual cause of pregnancy mortality since 1980.”
- “Free access to abortion, safe and free of charge would prevent 18% of deaths due to complications of abortion and also affect 26% of deaths due to indirect obstetric causes.”
- “Evidence shows that the legalization of abortion reduces maternal mortality. In Uruguay, since the legalization, the percentage of deaths fell from 37% to 8%.” (See question 12, chart 1 in appendix).

So how can this rhetoric of right in the realm of public health be understood as a local dynamic in the reproductive governance of Argentina? As stated earlier, international notions of reproduction since the Cairo Conference changed and started to be framed in

terms of individual rights. This rhetoric paved the way for a competition between the ‘reproductive rights’ of women and the ‘right-to-life’ of the unborn as individuals.⁸⁸ The rhetoric of the ‘right-to-life’ of unborn as individuals therefore, relates to the mechanisms through which state and religious institutions as historical configurations of actors, are using legislative controls, moral injunctions and direct coercion to control reproductive behaviours. This rhetoric can hence be understood as a powerful and efficient leading dynamic in the system of reproductive governance of Argentina. The legislative controls and direct coercion are expressed in form of the criminal code of 1921 and the moral injunctions by the Catholic Church. Since there have not been any legislative changes since the historic F.A.L ruling*, I assume that it is part of a local dynamic of great importance. Moreover, I claim that the real purpose of these mechanisms is strictly a question of control of reproductive behaviours and not monitoring. Otherwise, the underreported rate of death classified as haemorrhages or sepsis when they, in fact, are caused by abortions would not be that elevated.⁸⁹ Due to this, the responsibility of the state regarding the monitoring is worth questioning.

On the other hand, the rhetoric of the ‘reproductive rights’ of individual women relates to the mechanisms through which NGOs and social movements as historical configurations of actor protest and take a stand against the actual reproductive governance of Argentina. These actors claim that the health of women as individuals is not taken into consideration, in comparison with the actual legislation based on the ‘right-to-life’ of the unborn. As stated above, the reason why some feminist activists are careful to frame clandestine abortion as solely a problem within public health, is because they want to avoid that reproductive rights become de-politicized, bureaucratized or medicalized.⁹⁰ A right focus, even regarding public health, allows the pressure to be kept on political leaders so that legislator does not shift the legislative responsibility to medical realms.

The struggle over reproductive governance between individual and collective right bearers is consistent with neoliberal ideas that emphasise the freedom of

⁸⁸ Morgan, Roberts, 2012, p.247.

* The legal nature of the right to abortion for any woman victim of violation with the sole sworn statement, without mediating the need for a police report or the prosecution of the case.

⁸⁹ Alcaraz, 2018, p.60-61, 64-65.

⁹⁰ Morgan, 2015, B), p.143.

choice as the right of the consumer.⁹¹ In the case of the fight for the liberalization of abortion in Argentina, it has been challenging to mobilize middle- and upper-class women for this cause since they have access to safe clinical abortion due to their economic resources.⁹² What would be interesting to further analyse in relation to the National Campaign is if it as a movement itself might have created a sort of collective notion of women as bearers of rights. The National Campaign could possibly in fact be based on a rhetoric of individual rights regarding the reproductive rights of women and their right to health, but from that basis also create a collective sovereignty based on a collective identity of women. This collective could definitely perturb the reproductive governance of Argentina and even contribute to a shift, especially when the question of safe abortion is about life or death. As Monte and Levín stated, abortion is also anchored in the discourse of equality, which was earlier discussed in the section of previous research.⁹³ Equality implies the material access to healthcare services and for this reason, also practice differentiates to the collective of women. The right to health then, is also considered in its collective dimension, which introduces the theme of social justice.

6.1.2 Social Justice

The second rhetoric of right that has been identified in the primary material perceives the right to abortion as a question of social justice. The support arguments for this claim reads as follows:

- “The ratio of Maternal Mortality (MMR) due to abortion under risk conditions is three times higher in Latin America and the Caribbean than in the developed regions.”
- “Women of Formosa and Jujuy have 16 and 14 times more risk of dying throughout their reproductive life due to causes related to pregnancy, childbirth and puerperium than the women residing in the City of Buenos Aires.” (See question 13, chart 1 in appendix).

⁹¹ Morgan, Roberts, 2012, p.244.

⁹² Morgan, Roberts, 2012, p.249.

⁹³ Levín, 2018, p.383 & Monte, 2015, p.1284.

So how can this rhetoric of right in the realm of social justice be understood as a local dynamic in the reproductive governance of Argentina? As mentioned in the earlier section, the women that have access to safe clinical abortion are the ones with the economic resources. Therefore, the rhetoric of social justice especially appeals to vital factors such as class and status. Of course, social justice is closely related to public health since it is mainly women in the poorest regions or provinces that are likely to die or face complications during their pregnancy as well as during their reproductive life. Right-based reproductive governance does apart from producing an opposition of rights bearers, also supports neoliberal agendas for example by producing citizens that have the 'right to choose'.⁹⁴ In the context of the reproductive governance of Argentina, this can be seen as direct discrimination, since women living in certain provinces encounter difficulties of accessing public health services due to their geographic location. These inequalities result in a very elevated ratio of Maternal Mortality, which clearly demonstrates a connection between social justice and poor access to public health in the country.

In addition, since the concept of reproductive governance makes it possible to overlook the links between embodied and biological moral regimes, global economic logic and political strategies, it is therefore conceivably to link 'intimate governance to world governance'.⁹⁵ The church's financial of the leftist political campaigns that opposed abortion during the military dictatorship could hence illustrate the involvement of political-economic processes within the subject making powers of moral regimes.⁹⁶ The economic support might with high probability have been exchanged for a non-challenging political agenda of the Church's condemnation of abortion. The reproductive governance of Argentina has made reproduction appear as something domestic, intimate and apolitical, due to the influence of the Catholic church over state legislative and national core ideas. However, despite this, reproduction has shown to be fully entangled within the production of nation-states and economics.⁹⁷ Religious institutions such as the Catholic Church have used economic inducements in order to influence the

⁹⁴ Morgan, Roberts, 2012, p.249.

⁹⁵ Morgan, Roberts, 2012, p.244.

⁹⁶ Morgan, Roberts, 2012, p.249.

⁹⁷ Morgan, Roberts, 2012, p.244.

national political agenda of the political parties to produce and control reproductive behaviours. Together with leftist political parties they enshrined the concept of foetal rights.⁹⁸ The country's reproductive governance based on those ideas and beliefs has therefore been developed by these actors.

6.1.3 Human rights

The third rhetoric of right that has been identified in the primary material perceives the right to abortion as a question of human rights. The support arguments for this claim reads as follows:

- "The human rights of women are universal."
 - "Women have reproductive rights and reproductive rights are human rights."
 - "The refusal of a state to provide the provision of certain reproductive health services to women under legal conditions is discriminatory."
 - "Restrictive laws on access to abortion and the consequent lack of access to safe abortions and deaths due to complications are a violation of women's right to life and health."
 - "States in which abortion is not legal should consider the possibility of modifying the laws and regulations in force regarding the legal interruption of pregnancy to safeguard the life and health of women."
- (See question 14, chart 1 in appendix).

The connection with public health and social justice is illustrated very well in the support arguments concerning human rights. However, the aim of this section is to analyse the rhetoric of human rights further and see how it can be understood as a local dynamic within the framework of reproductive governance.

As stated, ever since the human rights strategy has gained favour in international law and diplomacy, international political legitimacy ascribed to universal hu-

⁹⁸ Morgan, Roberts, 2012, p.247.

man rights has facilitated shifts in reproductive governance. The claims of right-bearing citizens are today pitted against each other.⁹⁹ In Argentina, multiple NGOs, social movements and political activists are mobilising under a rights-based approach, aiming at advancing their goals of reproductive safety and autonomy. Their arguments are mainly focusing on right claims and as noted in the result of this study, are mainly based on *logos* and *ethos* arguments. On the other hand, several state and religious institutions as well as organisations have successfully mandated the rhetoric of the ‘right-to-life’. However, it is well known that these ‘pro-life’ movements tend to a greater extent to use *pathos* arguments to convince through feelings, especially appealing to the use of words such as ‘life’ and ‘killing’ in debates concerning abortion, such as for example the ‘pro-life’ movement in Argentina *Salvemos las dos vidas* (Let’s save the two lives). Therefore, the absence of *pathos* rhetoric from feminist movements fighting for abortion to be legalised by claiming reproductive safety and autonomy, could with high probability also be a rhetorical strategy in their argumentation.¹⁰⁰

This whole new universal right rhetoric that even the Catholic Church as well as conservative movements and groups have adopted, result in new kinds of actors that today are pitted against older subject positions. The reproductive governance of Argentina consequently constitutes a new dynamic of actors such as women versus embryos. The church’s framing of its political agenda with human rights terms is a result of an adaptation to the universal human right strategy. Because of Argentina’s and other Latin American countries’ history of military dictatorship and witnessing of campaigns of disappearance and torture, the concept of human rights and its rhetoric tends to have a more collective valence and can also be analysed as something necessary, regardless of the counter pole of the debate. Argentine feminists hold onto the rhetoric of rights since it makes sense in a context where the government respects human rights.¹⁰¹

For this reason, the importance of the notion of human rights is inevitable and that is also why the National Campaign for the right to legal, safe, and free abortion has been the public face of the movement, since it put pressure on legislators to keep the responsibility of the respect of women’s human rights on the state. As Lynn Morgan noted in her article “Reproductive Rights or Reproductive Justice?”, this explains why

⁹⁹ Morgan, Roberts, 2012, p.243-244.

¹⁰⁰ Mral, 2016, p. 36-40.

¹⁰¹ Morgan, 2015, B), p.144.

Argentine feminists hold ‘human rights’ in the center of the legislative project with the National Campaign by holding the Congress directly responsible and repeating that abortion is a “debt to democracy”.¹⁰²

However, the study of the primary material did not show such extensive use of the concept of human rights, except of course in the section of arguments that perceive the right to abortion as a human right. I would like to believe that this is due to the rise of different rhetoric, for example the right to public health and social justice. As illustrated by the Colombian case in 2005, arguments regarding women’s constitutional right to life, health and physical integrity have gained considerable influence in the international political sphere.¹⁰³ This could also be a response to the rhetoric of the counter pole regarding the ‘right-to-life’ and a reaction to the Catholic Church. The feminist and women’s rights movements fighting for the legalization of abortion could in fact also change and readapt their rhetoric to the opponent in the campaigns that might result in a successful legislative change in future voting. In response to the rhetoric of the ‘pro-life’ movements in Argentina and their slogan *Salvemos las dos vidas* (Let’s save the two lives), Argentinian activists answer by emphasizing the value of the lives of the women that undergo an abortion and die because of the existing criminalization and lack of implementation of the cases where unpunishable abortions should have been performed. The rhetoric of abortion as a question of public health and social justice could be a way to defend the right to abortion, within the core of human rights.

Moreover, the reproductive governance of Argentina must be viewed within the context of the nation’s history and cultural heritage. As discussed in previous sections, Argentina’s strong culture of *natalism* and the Church’s rhetoric of the right-to-life of the unborn as a ‘divine right’ and ‘parental right’ must be taken into account. One of the most important influences remain after all the strong culture of *maternalism* and the powerful symbol of motherhood, reinforced by the *Madres de Plaza de Mayo* (Mothers of the Plaza de Mayo), even if they have expressed their support for the National Campaign.¹⁰⁴ Nevertheless, these two aspects have played a significant role as a local dynamic in the reproductive governance of Argentina. The National Campaign for the right to legal, safe, and free abortion is for this reason aiming at challenging deep

¹⁰² Morgan, 2015, B), p.142.

¹⁰³ Morgan, Roberts, 2012, p.248.

¹⁰⁴ Morgan, 2015, B), p.140.

grounded notions and values of nationalism and state identity, with updated right claims in accordance to the history of the country and a national wish, to be viewed as a pioneer of human rights on a global political level. As Blofield and Ewig stated in the previous research, “The factors that are decisive in abortion reform are public opinion, the ideology of government, secularization and the strength of feminist versus conservative mobilization.”¹⁰⁵ In the case of Argentina, the first and the latter are definitely present while the government remains quite conservative and very influenced by the Catholic Church. But since the abortion bill presented by the National Campaign for the right to legal, safe, and free abortion actually did pass the lower Chamber of Deputies in June 2018 but was rejected in the senate in 2018 with 38 senators against 31, it can be stated that the reproductive governance of Argentina is in fact experiencing a shift.

In conclusion, the rhetoric of rights that can be identified in the National Campaign for the right to legal, safe, and free abortion is the perception of abortion as a question of public health, social justice and human rights. This rhetoric of rights can be understood as local dynamics in the reproductive governance of Argentina in very different ways. Within the rhetoric of public health, the ‘reproductive rights’ of women relates to the mechanisms through which NGOs and social movements as historical configurations of actor protest and take a stand against the actual reproductive governance. These actors claim that the health of women as individuals is not taken into consideration, in comparison with the actual legislation based on the ‘right-to-life’ of the unborn. Regarding the rhetoric of social justice, the difficulties that women encounter by living in certain provinces result in inequalities to access public health services due to their geographic location. This is in a very elevated ratio of Maternal Mortality, which clearly demonstrates a connection between social justice and poor access to public health in the country. Finally, the concept of human rights and its rhetoric tends to have a more collective valence in Argentina because of the country’s history of human rights violations during the military dictatorship and its rhetoric is thus fundamental. The rhetoric of abortion as a question of public health and social justice could thus be a way to defend the right to abortion, within the core of human rights and consequently contribute to a transition in the reproductive governance of Argentina.

¹⁰⁵ Blofield, Ewig, 2018, p.481.

6.2 Discussion

In relation to the already existing previous research briefly presented above, my study differs from the rest because of its linguistic focus. The theoretical framework of reproductive governance is rarely discussed within the context of linguistics. Therefore, my study contributes to the research field by studying the rhetoric of the National Campaign for the right to legal, safe, and free abortion and combining the results with the theory of reproductive governance to analyse an eventual shift in the latter. With this study, I want to emphasize the importance of the language and illustrate how it affects politics. Rhetoric is also politics and its politicization and influence are of great importance, especially when there are significant societal changes and movements as for example the abortion bill in Argentina. A linguistic focus also allows a further analyse of the connection between them, as I have concluded with my study where different rhetoric plays a different role in the shift of reproductive governance.

I would state that my research is of high relevance because of its topicality. Much of research has been made regarding the right to abortion both region wise and dependent on context. But since the abortion bill passed the Argentinian National Congress for the first in 2018, I was not expecting to find a lot of research on the movement for the legalization of abortion since the National Campaign reached new heights during last year. Likewise, the topic of women's reproductive rights has been debated worldwide within the last couple of months after controversial new legislative in the United States. Therefore, it is of the highest importance that research is made on this subject and especially in accordance with strong social movements in civil society.

Moreover, I would like to incorporate the interesting research that I briefly discussed in the section of previous research written by Diana Mulinari regarding the hegemonic feminist scholarship. She states that we need to unlearn privilege regarding the power of defining what a theory is and who is a theorist by looking at those situated at the margins of hegemonic feminist scholarship. Since the language barrier was not an issue for me when searching for previous research, I did not have any problem finding interesting papers in Spanish written by Hispanic or Argentinian scholars, but this would definitely have been an issue for a non-Spanish speaking person. The difference regarding the access was also something I found astounding. The Spanish sources I found and have used in my research are not sources that were easily accessible from

university platforms or elsewhere. Furthermore, Mulinari also discusses West's perception of Latin-American feminism, which is often characterised as activism that "takes on the streets".¹⁰⁶ Latin-American scholars have expressed their frustration to that illustration, arguing that it diminishes all the underlying work of their political manifestation or social movement in the civil society. This shows that we are controlled continuously by hegemonic Anglo-Saxons theories or theorists. This could result in that impressive research might fall into oblivion because of how it is categorised in the Global North and twisted visions of Latin-American activism because of how it is perceived in West.

During the investigation, some questions emerged regarding the impact and power of the international community. Since rhetoric turned out to have such a significant impact on the reproductive governance of Argentina, I was questioning how the international community could continue to put pressure besides supporting the National Campaign. In light of the results of my study, I would like to emphasize the importance of more research being made on social movements and contemporary debates and subjects. I also believe that a more in-depth investigation and more advanced studies on linguistics could contribute to new important understandings. In addition, it would be interesting to apply the concept of reproductive governance to other settings to gain a deeper understanding in the functionality of social movements, new laws, economic inducements and moral incitements to regulate, police and coerce reproductive bodies. Finally, international and global politics have shown to be vital but not decisive, when it comes to a change in national politics. A combination of research on both of these spheres could for example lead to a changed perception on how western theorists perceive Latin American feminist movements and hopefully contribute to a change in hegemonic scholarship.

¹⁰⁶ Mulinari, 2018, p.142.

7 Summary

Finally, the purpose of this study was to research if the reproductive governance of Argentina is in transition. In order to do so, a rhetorical criticism was applied to a document written by the National Campaign for the right to legal, safe, and free abortion in Argentina, to answer the following research questions; “What rhetoric of rights can be identified in the National Campaign for the right to legal, safe, and free abortion? And “How can it be understood as a local dynamic in the reproductive governance of Argentina?”.

To conclude, the National Campaign for the right to legal, safe, and free abortion should be perceived as a new important local dynamic in the reproductive governance of Argentina. In itself, the National Campaign may as part of a strong social movement, be resistance to state biopower, today mainly controlled by a configuration of legislative and religious actors. Nevertheless, the rhetoric of the National Campaign is very much adapted to the national and historical context as well as connected to the shift in strategy for progressive right claims to liberalize abortion around the world.

The slogan of the National Campaign “Sexual education to decide, contraceptives not to abort and legal abortion not to die”, manage to include all three identified right rhetoric, perceiving the right to abortion as a question of public health, social justice and human rights, without literally appealing to the concept of human rights in itself. According to the analysis made within the framework for reproductive governance, this can be explained by the emergence of a necessity to adapt to current right rhetoric appropriated by the ‘pro-life’, movement since the human right strategy gained favour in international law and diplomacy. In fact, the strategies of the Catholic Church to counter the human rights discourse of reproduction has given them prerequisites to frame their agenda of ‘rights-to-life’ of the unborn.

Consequently, this has resulted in new ways of using the rhetoric of rights to defend a legalization of abortion, regarding public health and social justice. The right rhetoric that perceives abortion as a question of public health, social justice and human rights, all serve different purposes in the rhetoric of the National Campaign for the right to legal, safe, and free abortion in Argentina. Even if the rhetoric of human rights is not

that explicit, it still functions as a fundamental rhetoric for the historical and cultural context of the nation. The right rhetoric of human rights within the context of legalization of abortions is fundamental in Argentina with respect to the country's history of military dictatorship and willingness to defend human rights at all prices since the return of democracy in 1983. But the rhetoric of public health and social justice in their turn, can be seen as the necessary right rhetoric to put the reproductive governance of Argentina in transition and challenge deep grounded notions and values of nationalism and state identity such as the strong *maternalism* culture as well as the important symbol of motherhood.

Moreover, by examining the cases of Colombia and Uruguay, it is possible to identify the importance of the public health frame used by actors pushing for a legalization of abortion within the reproductive governance. Thus, it is a rhetoric of great impact since it has led to a liberalization and a legalization in Colombia and Uruguay respectively. Regardless, feminist activists are careful to frame clandestine abortion as solely a problem within public health, because they want to avoid that reproductive rights become de-politicized, bureaucratized or medicalized.¹⁰⁷ A right focus, even regarding public health, allows the pressure to be kept on political leaders so that legislator does not shift the legislative responsibility to medical realms. The National Campaign could possibly in fact be based on the rhetoric of individual rights regarding the reproductive rights of women and their right to health, but from that basis also create a collective sovereignty based on a collective identity of women. The National Campaign for the right to legal, safe, and free abortion could indeed be the face of this collective, perturbing the reproductive governance of Argentina and contributing to a shift.

Nevertheless, even if a legalization of abortion has not been attained yet which would be a result of a complete transition, there are signs of a shift in the reproductive governance of Argentina. The abortion bill presented by the National Campaign for the right to legal, safe, and free abortion actually did pass the lower Chamber of Deputies for the first time in June 2018, on the seventh attempt. This is due to a large mobilization in the Argentinian civil society and might also be a result of changed attitudes as the strategies of the rhetoric of abortion within the National Campaign have developed. The region of Latin America is, and will continue to experience a dramatic

¹⁰⁷ Morgan, 2015, B), p.143.

transformation of reproductive governance in the future as abortion takes a more prominent place in public policy conversation. The rhetoric of the right to abortion as a question of public health, social justice and human rights has put the reproductive governance of Argentina in motion. “It did not become law on August 9 2018, but there is no doubt that abortion in Argentina, sooner rather than later will be legal.”¹⁰⁸

¹⁰⁸ Alcaraz, 2018, p.289. “No fue ley el 9 de agosto de 2018 pero no hay dudas de que el aborto en Argentina, más temprano que tarde, será ley.”

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Appendix

Chart 1

Questions	Main argument	Support arguments	Counter-argument + <i>Refutatio</i>
<p>6. Why do we talk about legalization and not only decriminalization? (p.5)</p>	<p>A simple depenalization is not enough. (p.5)</p>	<p>A depenalization will cease abortion being a crime but its access will not be guaranteed for all pregnant women and people who request it. (p.5)</p> <p>This will establish an inequality between those who have more and less economic recourses. (p.5)</p> <p>The state disclaims their responsibility for the right to health for women and people with the capacity to gestate. (p.6)</p> <p>The current criminalization does not prevent the practice from being carried out, but kills and sickens women and people with the capacity to gestate younger and of less economic resources. Its guarantee from public health is the only way to face this inequality. (p.6)</p>	
<p>7. Why the limit of 14 weeks, with the exception of specific reasons? (p.6)</p>	<p>The first trimester is associated with a lower risk that these interruptions imply for the health and life of the pregnant woman. (p.6)</p>	<p>The majority of the regulatory models of countries that legalize abortion establish a limit between 12 and 14 weeks of pregnancy, unless there is a risk to life or health of the pregnant person or a serious foetal malformation. (p.6)</p>	
<p>8. Why is our slogan “Sexual education to decide, contraceptives not to abort and legal abortion not to die”, all-encompassing and not step-wise neither excluding in its terms?</p>	<p>Those are necessary conditions for the protection of the life and health of women and pregnant people. (p.7)</p>	<p>There exist unmet contraception needs (people of reproductive age who maintain heterosexual relationships and would like to take care of themselves but do not) and failures in contraceptive methods. (p.7)</p> <p>Contraceptive responsibility falls solely on women and gender inequalities also make it difficult for many women to access contraception and the use of condoms. (p.7)</p> <p>In the long-term, the legalization of abortion decreases the number of</p>	

(p.6)		<p>abortions. (p.7)</p> <p>The right to abortion is a content of the law 26.150 of Educación Sexual Integral and is perceived as a sexual and reproductive right. (p.7)</p>	
<p>9. Why do we sustain that it should be free? (p.7)</p>	<p>Clandestine abortion implies a much greater risk to the life and health of people with less material and symbolic resources. (p.7)</p>	<p>If abortion is decriminalized but is not guaranteed free of charge, this inequality will persist. (p.7)</p> <p>The legalization of abortion is not only a matter of public health and human rights, but also of social justice. (p.7)</p> <p>(Abortion should be a practice within the health system.) (p.7)</p>	<p>Abortion should not be paid for by public health and social works. (p.7)</p> <p>Rights should not be considered in terms of cost/investment. Even within this logic, paying for a pregnancy interruption from both public and private health system, could imply a significantly lower cost than treating complications due to unsafe abortions that often require hospitalizations and interventions for haemorrhages and infections. (p.7-8)</p>
<p>10. Why do we claim safe abortions? (p.8)</p>	<p>Only the legalization and decriminalization of abortion and the guarantee of its implementation will guarantee the eradication of unsafe and risky abortions for women and people with the ability to deliver. (p.8)</p>	<p>Unsafe practices are maintained due to difficulties in accessing legal abortions, abortion medications and information, inequalities in access to information and persistent abuse in hospitals and guards for women who request abortions or care for complications of abortion. (p.8)</p> <p>The persistence of these practices is expressed in the high rates of maternal morbidity and mortality due to complications of abortion that do not decrease. (p.8)</p>	
<p>11. Why do we talk about voluntary interruption of pregnancy? (p.8)</p>	<p>The decision or will of the woman or pregnant person is sufficient cause to decide. (p.8)</p>		
<p>12. Why do we talk about legal abortion as an issue of public health? (p.9)</p>	<p>The legalization and decriminalization of abortion and the correct access to information could prevent not only deaths from complications of clandestine abortions, but also some of those caused by diseases aggravated by pregnancy.</p>	<p>Abortion complications are the first individual cause of pregnancy mortality since 1980. (p.9)</p> <p>Free access to abortion, safe and free of charge would prevent 18% of deaths due to complications of abortion and also affect 26% of deaths due to indirect obstetric causes. (p.9)</p> <p>Evidence shows that the legalization of abortion reduces maternal mortality. In Uruguay, since the legaliza-</p>	

	(p.9)	tion, the percentage of deaths fell from 37% to 8%. (p.9)	
13. Why do we talk about legal abortion as an issue of social justice? (p.10)	There exist a situation of inequality depending on the area of residence and the economic and symbolic resources of women, where women with fewer resources face greater exposure to unsafe and therefore riskier practices. (p.10)	The ratio of Maternal Mortality (MMR) due to abortion under risk conditions is three times higher in Latin America and the Caribbean than in the developed regions. (p.10) Women of Formosa and Jujuy have 16 and 14 times more risk of dying throughout their reproductive life due to causes related to pregnancy, childbirth and puerperium than the women residing in the City of Buenos Aires. (p.10)	
14. Why do we talk about legal abortion as an issue of human rights? (p.11)	The International Law of Human Rights has considered the right to abortion as part of the right to health of women. (p.11)	The human rights of women are universal. (p.11) Women have reproductive rights and reproductive rights are human rights. (p.11) The refusal of a state to provide the provision of certain reproductive health services to women under legal conditions is discriminatory. (p.11) Restrictive laws on access to abortion and the consequent lack of access to safe abortions and deaths due to complications are a violation of women's right to life and health. (p.11) States in which abortion is not legal should consider the possibility of modifying the laws and regulations in force regarding the legal interruption of pregnancy to safeguard the life and health of women. (p.11)	