THE CONfluence OF CONTEXTs THAT CONSTRUCT A SOCIAL MOVEMENT: COMPARING THE ARGENTINE AND AMERICAN PRO-CHOICE STRUGGLES

Senior Thesis

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Abstract

The issue of abortion is one that is contentious and polarizing in a number of countries. In response to the heated nature of these debates, there are strong pro-choice and pro-life movements that are active in various regions of the world. This thesis studies two such abortion rights movements in Argentina and the United States, and factors that have impacted the contexts in which the movements exist and what they have accomplished. Considerations such as the legality of abortion, current political arena, and religion are deeply influential to the ways movements operate, and which collective action frames they employ to share their mission and message to the greater public. I utilize a theoretical framework that includes the concepts of legal context, political field, religious context, framing, and reproductive justice to position abortion movements sociologically. This comparative investigation takes a fresh, nuanced approach to the subject, arguing that we must consider factors like legal, political, and religious contexts as significant pieces of the puzzle when analyzing social movements. Often, scholars and popular discourses take religion to be the sole explanatory factor for why abortion is legal or illegal in a certain country or why a pro-choice movement functions in a certain way. But throughout this work, I demonstrate that we must focus on the confluence of considerations that work together to create the fields in which social movements arise, gain support, and succeed or fail.
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I am thankful for the activists fighting on the front lines of the abortion struggles in both Argentina and the United States. You all show such resilience and leadership in your advocacy, and you are helping to generate much-needed progress around reproductive issues.

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Introduction

During my time studying abroad in Buenos Aires, Argentina in the Spring of 2019, I learned about a number of social movements currently in motion throughout the country. One that struck me in particular was the mass mobilization to legalize abortion, since it is functionally illegal on a national level and criminalized in most cases. Being from the United States, I was shocked by the fact that abortion was illegal and punishable by law in Argentina. Although many states in the United States have put laws in place that restrict abortion and make it virtually inaccessible to certain populations, I still knew that the procedure was legal nationwide. I immediately encountered a significant difference between abortion law in my new home for the semester and my country of origin.

After attending a number of pro-choice marches in Buenos Aires, along with other feminist demonstrations regarding the high prevalence of femicidios (femicides) throughout the country and Día de la Mujer (International Women’s Day), I developed a deep interest in these movements. I learned about social movements and feminism through my coursework, and came to understand the legal aspects and considerations of abortion politics in Argentina. At the end of my program, I completed an Independent Study comparing two social movements in Buenos Aires, a feminist organization and a teacher’s union, by interviewing female participants in each of those organizations. I especially enjoyed learning about the concerns that were important to my interviewees from the feminist organization which included abortion legalization, ending femicide, better access to health care, and equal pay.

I initially recognized a significant difference between the abortion politics and laws in Argentina and the United States during my time abroad. However, after learning more about the relevant contexts, I found that there is a dynamic and active pro-choice movement in Argentina that holds sway, and has made significant progress on the issue over the past fifteen years, especially given the circumstances of illegality. Additionally, the nuances of the topic became
clearer to me as I gained a deeper understanding of the Argentine abortion rights movement. These aspects include the less significant impact of religion overall on abortion law in Argentina and the deep importance and history of coalition-building in the country. Thus, the distinction I had identified was not as clear-cut as it had originally seemed. Upon returning home to the United States, I decided to write a thesis comparing the abortion rights movements of both countries through a sociological lens to understand the similarities and differences between them. I wanted to explore ways in which factors such as legality, political field, and religion impacted the movements, leading them to either parallel or diverge from one another.

Abortion is currently a heated subject of debate in both Argentina and the United States. Both countries have mobilizations around abortion, yet the movements have taken different forms in each context. In each country, activists use a variety of strategies and frame the issues differently as they respond to distinct legal, political, and religious contexts. In Argentina, these strategies include calling out religious institutions for their large role in keeping abortion illegal and using the pañuelo verde (green handkerchief) to show support with the pro-choice movement; this movement frames abortion as a “human rights” consideration, “socioeconomic issue,” “public health” matter, and “women’s rights” concern. In the United States, strategies used by pro-choice organizations include critical legal action and provision of reproductive care to populations in need; this movement utilizes the “individual privacy” and “reproductive justice” frames to convey its message and ultimate goals to the public.

I will argue that these contexts in which social movements operate are deeply influential in shaping the movements themselves. My main claim is counter to what many would expect. Popular discourses often analyze movements on their own, without considering the relevant forces that shape them. In simple terms, social movements are not masters of their own destinies. Specifically in the ways they frame and mobilize around their issue, movements are the products of sociopolitical contexts situated historically that dictate how they will function, develop, and succeed or fail.
This comparison is crucial within the sociological and advocacy arenas. As a theoretical contribution, it aims to fill the research gap in comparisons between the abortion rights movements of Argentina and the United States that I encountered when reviewing the literature. While there are many social movement comparisons of different countries, there are very few that do the work of comparing Argentina and the United States. Filling this gap in the research is important as these two countries in particular can help us to better understand the true impact of the legal context, political field, and religious context on these respective pro-choice movements. As a contribution to advocacy, each pro-choice movement can learn from the other and take strategies that work, and then apply them to their specific context and needs. This thesis can thus be a tool for abortion rights advocates in both settings, and can provide a thorough and historical comparison of these two movements in context for a variety of scholars studying these issues.

To accomplish my analysis, I conducted a comparative literature review of sociological and historical studies on abortion politics in Argentina and the United States in order to locate each abortion rights movements within the larger histories of those countries. I read upwards of seventy-five academic articles, reports, book chapters, and web pages to gather the arguments, research, and evidence of other scholars, and supplemented this material with about a dozen newspaper articles written in English as well as Spanish. These included newspapers in Argentina like Clarín (Trumpet) and La Izquierda Diario (The Left Daily), and ones in the United States such as the New York Times, Washington Post, and CNN. I chose articles from these publications specifically because they are trusted news sources that report from the front lines of these movements, and capture personal stories and voices of people involved in the struggles. The utilization of these sources allowed me to generate my unique study comparing the pro-choice movements of these two countries at unique junctures in their history regarding the fight for abortion access and education. In order to make my claim, I will discuss the legal context and political field of abortion in both countries, the religious contexts of both settings,
and the collective action frames utilized by each pro-choice movement and their significance. I will now discuss my research within the existing literature to demonstrate the importance of my work as a comparison between Argentina and the United States, and my subsequent academic contribution to sociological scholarship surrounding abortion politics.

**Situating my Work in the Literature on Law, Abortion Politics, and Religion**

*Gaining or Preserving a Right: The Significance of Legal Context*

The illegality of abortion in Argentina and the legality of abortion in the United States is paramount throughout this thesis. As I will argue, there is an important difference between obtaining a right to something that is currently illegal, and defending a right that has already been earned, but is under serious threat. We can observe a clear and significant difference in access to abortion depending on the legal context, and the pro-choice movements take different forms as a result of the varying legal contexts and political fields in which they are situated.

I will now consider literature that illustrates the diverse legal and political contexts of abortion in Argentina and the United States. Scholars demonstrate that both the formal and informal aspects of the law shape the legal context of abortion in Argentina and the United States, revealing the subtleties present in this legal discussion. We learn that the sheer legality or illegality of abortion is not the whole picture, and we must take a more nuanced approach when thinking about the entire legal context. Scholars Marta Alanis and Jacqueline Nolley Echegaray examine a number of countries in Latin America, such as Mexico, Colombia, Chile, and El Salvador, with similar legal and political contexts to Argentina (2012, 13). These countries are experiencing analogous movements in terms of the intense nature of their abortion debates and the strategies being employed (Alanis and Nolley Echegaray 2012, 13). They argue that “it is possible to reshape how people think about abortion,” even in the contentious
context in which Argentine pro-choice activists are fighting for this right (Alanis and Nolley Echegaray 2012, 14).

Feminist scholar Linda Beckman claims that “the current US [abortion] situation is typified by high polarization and intense conflict rarely seen in other Global North (Western higher income) countries” (2016, 102). Alanis and Nolley Echegaray point to the polarized and contentious political field of Argentina’s abortion politics, thus offering an example of a Global South country that Beckman does not include. My research seeks to fill this gap by comparing the legal and political contexts of Argentina, a country in the Global South, and the United States, a country in the Global North, regarding their respective abortion rights movements. This comparison is significant because, within the public discourse, we do not frequently see Global South countries juxtaposed with Global North countries. Additionally, the United States is often cast as a global leader, but through this work, I seek to put Argentina and the United States on a level playing field in which they are compared as equals, rather than as one strictly following the other’s lead.

The real, quotidian effects of the legal contexts of abortion are numerous and complicated; it is not as simple as the fact that the procedure is either illegal and legal. The topic of clandestine abortions is important within the Argentine context, as this is a serious consequence of the functional illegality of the procedure nationally. Mónica Gogna et. al argue that, although health professionals performing abortions and seeing pregnant patients may have various views on abortion, the procedure should not require judicial authorization as it currently does under Argentine law (2002, 135). Lynn Morgan adds nuance to this idea in that Argentine feminists have long been cognizant of the ways in which the illegality of abortion impacts various populations differently, similarly highlighting disparities in access to reproductive care, and calling for the eradication of the requirement for judicial authorization (2015, 144). While abortion is legal in the United States, there are a number of individual states that have extreme laws restricting access to the health service. Thus, access to reproductive care is similarly
stratified by race and class in many places around the United States, as it is in Argentina. Susan Cohen contends that minority populations in the United States, including African Americans and Latinxs, have lower rates of access to healthcare information, sex education, and contraception, and consequently experience higher rates of unwanted pregnancy and abortion (2008).

As I will illustrate, the intersectional approach to abortion taken by feminists and pro-choice supporters in the Argentine abortion rights movement is significant. In terms of the American counterpart, the introduction of the “reproductive justice” frame has worked to bring some of the aforementioned class- and race-based disparities to light within an American feminist movement that has not historically worked to represent marginalized populations and their respective needs. This frame is not formally central in the Argentine context; this is due to the historically inclusive approach taken by Argentine movement leaders for decades that result from patterns of inequality exposed by abortion’s illegality. Thus, the idea of “reproductive justice” is ingrained in the Argentine pro-choice movement and does not need explicit naming by activists or movement leaders.

**Religious Context: This Is Not The End-All Be-All**

Religion influences abortion law in both Argentina and the United States by shaping public opinion and the views of elected officials. Additionally, we can see the effect of religion on political lobbying and persuasion by religious institutions that have an important impact on this issue. While religion plays a role in both contexts, it is not the only factor to explore, and is more influential in Argentina than in the United States due to close ties between the Argentine government and the Catholic Church.

Since Argentina is a primarily Catholic country, the Catholic Church has played a large part in maintaining the illegality and highly restricted nature of abortion in the country. It has gone to great lengths to suppress the pro-choice movement and support the pro-life movement. This role has manifested in church leaders taking a stand against the pro-choice movement and related laws, urging elected officials to vote a certain way on abortion legislation, and taking
advantage of the power of the pulpit through pro-life preaching. Consequently, women’s rights scholar Elizabeth Borland argues that Argentine abortion rights activists view the Catholic Church and church leaders as the main opposition to the pro-choice movement, leading them to be directly confrontational toward the Catholic Church in their struggle (2004, 336; 2000). For example, many activists have expressed the sentiment that “the problems caused by clandestine abortion in Argentina [are] a direct result of unfair church policy” (Borland 2004, 335). The following instance further exemplifies the significance placed upon confrontation with religious institutions by abortion legalization advocates: Members of La Comisión Por el Derecho al Aborto (The Commission for the Right to Abortion), a prominent pro-choice organization in Argentina, used puppets of well-known priests in 1992 and 1993 protests on Día de Lucha por la Legalización de Aborto en América Latina (Day of Struggle for the Legalization of Abortion in Latin America) (Borland 2000, 9). This use of puppets to mock church leaders demonstrates the confrontational approach Argentine pro-choice activists take, and thus the significance they place upon directly opposing the Church that imposes “hypocritical morals” on women and their corporal rights (Borland 2000, 9).

The Argentine executive branch and the Catholic Church are very interconnected, and thus the Church has been able to influence many pieces of legislation and government actions since the 1930s (Borland 2004, 330). To this end, Argentine pro-choice activists openly challenge church officials and the institution of the Catholic Church itself in their fight to legalize abortion. As I have illustrated, the Church, as a religious institution, has a great deal of power in the Argentine political field. The deeply Catholic identity of Argentina as a nation has significantly impacted the fight to legalize abortion and the unique challenges that movement faces as a result.

Similar to the case in Argentina, John Hoffmann and Sherrie Mills Johnson claim that the abortion debate in the United States has been heavily influenced by institutionalized religion, particularly Christian organizations (2005, 162). They argue that “several [religious traditions]
have served as centers of moral outrage over the prevalence of abortion in the US” (Hoffmann and Mills Johnson 2005, 162). Thus, religious institutions construct abortion as a moral issue which can appeal to people in a different way than a strictly political issue. Michael Hout discusses the different attitudes surrounding abortion among members of different faiths and finds, from their study gauging abortion attitudes between 1974 and 1994, that “Jews are the strongest supporters of choice” and “Catholics and fundamentalist Protestants are the most pro-life” (1999, 12). This finding exemplifies the effect that one’s religion can have on one’s views toward abortion and the extent to which individuals should be able to have control over their own bodies.

Hoffmann and Mills Johnson, along with Hout, center religion and consider it one-dimensionally in terms of assessing the abortion debate in the United States. I will analyze the interaction between the legal and political context, as well as the religious context, to construct a wider lens through which to view these issues. Along these lines, Ziad Munson claims that religion is not the most important or singular consideration driving the pro-life movement: rather, it is one of many factors that influences pro-life efforts, presenting an alternative view to the aforementioned scholars (2009, 156). I will argue, like Munson, that although religion is important in the abortion contexts of Argentina and the United States, it is not the sole factor that explains why abortion is illegal or legal, respectively.

As Hout argues, religious institutions have proven to be an essential part of the American pro-life movement for decades (1999). Hoffmann and Mills Johnson agree when they discuss how the “Christian New Right and other conservative groups have politicized many aspects of sexual conduct,” creating a deep partisan and religious divide between people who are pro-choice supporters and those who identify with the pro-life movement (2005, 16). Similar to Argentina, religious institutions in the United States are important in the pro-life movements that are mobilizing against the right to abortion and fighting to limit the occurrence of abortions significantly. Religion does not play as large of a role in the United States abortion debate when
juxtaposed with that of Argentina. However on the whole, religion is not the sole explanation for the current legal status of abortion in either country, although many might see the prevalence of Catholicism in Argentina as the most obvious factor in explaining the current abortion situation.

**Theoretical Framework**

Throughout this thesis, I will use theories of framing and political field to construct my argument. I will illustrate how factors like legal context, political field, and religious context shape collective action frames employed by social movements. This schema will aid me in analyzing my research question and data. Additionally, I will discuss the significance of the term “reproductive justice” and how it does or does not apply to each country I study. These tools will serve as a lens through which to view my investigation.

I describe a country’s legal context as its constitutional framework, created to put regulations and policies in place that determine what is legal or illegal, the way citizens live their lives in relation to the government, and how social movements function within this structure. Specifically, the legal context of abortion can be nuanced by the inclusion of the term “de jure,” which signifies an action made formally legal or illegal by law. In tandem with the de jure illegality or legality of abortion, the “de facto” consequences, or actual ramifications of laws, of the legal context are also important to examine. The legal context of abortion is a critical factor in the consideration of the pro-choice movements in Argentina and the United States: as a result of the illegality of abortion in Argentina and legality in the United States, we can observe one of many distinctions between the two countries, in addition to other circumstances such as political field.

The concept of political field is important to my theoretical framework due to the additional layer of context it adds to de jure law. The sociologist Raka Ray defines the term “political field” as “a structured and socially constructed environment within which organizations are embedded and to which organizations constantly respond” (1998, 22). A political field thus shapes the possibilities and abilities of those social movement organizations within a given
context (Ray 1998, 33). Included in a country’s political field is its political history, governmental system, constitution, political parties, and social movement organizations. A country’s legal context is part of its political field, dictating how political institutions function, and in what setting they exist. These concepts will help to illuminate how the contexts in which the abortion rights mobilizations in Argentina and the United States operate shape their outcomes.

In the same vein, I will analyze the religious contexts of the two countries with regard to the pro-choice movements, and ultimately argue that religion is not the sole lens through which to view these mobilizations, although it is a significant consideration, more important in Argentina than in the United States. I will use the following definition of religion, as borrowed from the sociologist Emile Durkheim: religion is an institutionalized belief system that establishes meaning around what is sacred, enumerating the duties of subscribers to protect the divine and establishing a moral code that specifies how believers should act and why (see Durkheim 1995[1912], 39). While religion does not play the most prominent role in my analysis, it is one meaningful aspect of the overall picture I construct regarding the pro-choice movements in the two contexts I study. I will culminate my thesis with a discussion of framing by movement leaders, and how it is shaped by the aforementioned factors.

The framing of abortion in the Argentine and American pro-choice movements is important due to the differing social, legal, political, and religious contexts in which these mobilizations are occurring. Theory behind the framing of social movements elucidates why social movement leaders choose to formulate and introduce a given social issue in a certain way. Social movements scholar Deana Rohlinger discusses how framing processes affect social movements: “Framing processes (1) alert a broader public to the SMO’s [social movement organization’s] goal on a set of political issues, (2) identify the course of action as well as strategies the SMO intends to use in the pursuit of its goals, and (3) create boundaries of how the SMO can frame an issue to a larger public” (2002, 481). Sociologists Robert Benford and David Snow argue that multiple elements of the relevant social, political, and cultural
situation shape the processes of framing for social movements (2000, 628). Benford and Snow thus consider the framing processes Rohlinger lays out, and they do so specifically within the political fields and contexts in which those social movements are embedded.

Therefore, the framing of a social issue at the forefront of a movement can impact the movement’s goal, its repertoire of action, and how it presents its issue to the public. In combination with one another, these factors can impact the overall success of the social movement, how it leverages power, and the change it achieves in the larger political field in which it operates. I will argue that this field in which social movements exist influences the unique and particular frames that movement leaders develop and employ to convince the public, legislators, and institutions of their goals and vision. Specifically, I will discuss the “human rights,” “socioeconomic issue,” “public health,” and “women’s rights” frames employed by Argentine pro-choice movement leaders, and the “individual privacy” and “reproductive justice” frames utilized by the American pro-choice movement.

I will also introduce the concept of “reproductive justice” within my discussion of the intersection between race and class, and reproductive issues. The term was coined by SisterSong, a collective of American women of color, and it emphasizes the needs of women of color specifically amidst a largely white and middle-class women’s movement. Morgan and Cohen both claim that the mainstream women’s movement and pro-choice movement in the United States was, and still is, largely dominated by abortion discourse that disregards the reproductive needs of marginalized populations, such as access to sex education, quality health care, child care, and the ability to raise a child in a safe environment (2015; 2008). The idea of “reproductive justice” is paramount in both the Argentine and American settings. Although, as Morgan argues, the formal concept or frame is unnecessary to formally operationalize in Argentina due to the movement’s long history of the inclusion and recognition of people of color, poor people, and other marginalized populations, and considering their reproductive needs apart from abortion alone (2015, 144). On the other hand, in the United States, the “reproductive
justice” frame should be further incorporated into more pro-choice organizations and frameworks in order to include more people and their unique needs.

To contextualize the need for the inclusion of “reproductive justice” to the American pro-choice scene, I draw on the work of Black feminist and legal scholar Kimberlé Crenshaw. The combination of physical location and social class puts many who need reproductive care at a serious disadvantage. Taking this intersectional approach to reproductive issues pulls back the curtain on the major disparities in reproductive health care access between different populations across the United States. As Crenshaw maps out, intersectionality can be thought of in terms of a traffic accident: an accident in a traffic intersection could be “caused by cars traveling from any number of directions and, sometimes, from all of them” (1989, 149). Whether a pregnant person endures discrimination in terms of gender, race, location, or other identities or factors, if that person is “harmed because [they are] in the intersection,” they experience unfair treatment as a result of one or more of their (often marginalized) identities (Crenshaw 1989, 149). Crenshaw deems this as “double discrimination,” and the reproductive justice movement in the United States has aimed to mitigate the particular discrimination that black women face in the process of becoming pregnant, being pregnant, giving birth, and raising healthy children. Thus, the concept of “reproductive justice” is very important in this thesis, along with the other terms I have introduced above.

While many American observers of the Argentine pro-choice movement may gauge it as immature in comparison to that of the United States, the fact that Argentine movement leaders have utilized the idea of “reproductive justice” for decades is of ultimate significance here. Thus, Argentine feminists operationalize more sophisticated understandings of “reproductive justice” as opposed to their American counterparts. The radical leftist leaning of pro-choice leaders and organizations in Argentina has allowed the movement to incorporate precise and practical perceptions of methods of inclusivity, such as “reproductive justice.”
Setting the Scene: Taking into Account Social and Political Histories

Argentina and the United States are currently experiencing important political moments with regard to abortion rights mobilization. Pro-choice advocates in Argentina have been actively fighting to legalize abortion as a legal, safe, and free practice since the 1970s, and in 2018, the Argentine Congress finally brought an abortion legalization bill to a vote, but it did not pass both congressional chambers. American pro-choice activists have been on the defensive against pro-life advocates since the Supreme Court legalized abortion in 1973 through the Roe v. Wade decision (Tarducci 2018).

The issue of abortion is quite contentious among citizens, feminists, activists, social movement scholars, and academics in Argentina. Abortion has been criminalized since the late nineteenth century, and while there have been revisions to the Penal Code allowing and disallowing abortions under very specific circumstances, the procedure is still functionally illegal in the country. The one exception to the rule is the provision for the Interrupción Legal del Embarazo (Legal Termination of Pregnancy), which has been included in Article 86 of the Penal Code since 1921 (Clarín.com 2019; Máscolo 2019). The Legal Termination of Pregnancy allows for abortion in cases of rape and when the pregnancy threatens the life of the pregnant person (“El Estado de Situación de la Interrupción Legal del Embarazo.” 2017; “Human Rights Watch: Women’s Human Rights: Abortion” n.d.). Additionally, in 2012, the Argentine Supreme Court handed down the FAL ruling, which states that an abortion sought due to a pregnancy resulting from rape is non-punishable and does not require judicial proceedings, although many Argentine provinces have not adhered to this protocol (Clarín.com 2019). Argentines still have much trouble accessing the reproductive services they need under this protocol since they need to prove that they were either raped or that their life is in serious danger, two difficult feats to accomplish under a time limit. There is no provision for purely elective abortion in Argentina.

May 28, 2005, International Women’s Health Action Day, marks the beginning of La Campaña por el Derecho al Aborto Legal, Seguro y Gratuito (The National Campaign for the
Right to Legal, Safe, and Free Abortion). Ever since 2005, the issue of abortion has become more and more politicized in the Argentine political field and activist movements (Tarducci 2018, 430). We can observe the popularization of the pro-choice movement, and massive action taken over the last fifteen years through the following: The National Campaign for the Right to Legal, Safe, and Free Abortion “submitted proposals [to Congress] to decriminalize and legalize abortion in 2007, 2010, 2012, 2014, achieving the last, presented on March 5, 2018 which was discussed in both Chambers, and was approved by the Deputies on June 14, 2018 and rejected by the Senators on August 8, 2018” (Tarducci 2018, 430). In addition to these policy actions, there have been a myriad of protests, demonstrations, and social media campaigns that have involved millions of Argentines banding together to fight for the legalization of abortion. These actions have moved the issue of abortion forward in Argentina and have continued full speed ahead, especially after the rejection of the latest bill that would have legalized abortion in August of 2018.

The Argentine historical background is also important to take into account in order to fully grasp the current abortion situation in the country. Argentina has a long history of military dictatorship in which illegitimate leaders imposed very conservative laws and restrictions on the public. The government’s constitutional relationship with the Catholic Church is also a consideration that illuminates the prevalence of policies influenced by religion. The political field in the country is highly varied with multiple political parties represented in both chambers of Congress. Argentina has a long tradition of social movement and protest, and the abortion rights movement of the present is a clear continuation of and nod to this national practice by Argentines. Finally, the history of the women’s rights and feminist movements in Argentina is central to understanding the current pro-choice movement. As I will detail, the country’s history of machismo (strong sense of male pride) has led to the lack of political opportunities and rights of women, yet the Argentine women’s movement is an active, established, and very present force in the country, following that of the United States at the end of the nineteenth century.
Modern-day feminism in Argentina is radically leftist, influenced by Marxism, and feminist struggles include the right to abortion and fighting against the high incidence of femicide.

Pro-choice advocates in the United States have been working tirelessly to defend the legality of abortion since its legalization in 1973 through the *Roe v. Wade* Supreme Court decision. Before the passage of *Roe v. Wade*, each state had its own individual laws on abortion that ranged from illegality to being allowed only under certain circumstances (Beckman 2016, 104). While *Roe v. Wade* legalized first trimester abortions across the entire country, individual states still had, and currently have, a significant amount of power to restrict the stipulations of *Roe* and “[chip] away at women’s unconstrained right to abortion” (Beckman 2016, 104). In the present day, we have seen highly restrictive anti-abortion laws passed, such as the bill that nearly bans abortion in Alabama, and the fetal heartbeat bill passed in Georgia (Kelly 2019). Conservative states are taking advantage of their power to systematically undermine *Roe* one bill at a time. In addition, although *Roe v. Wade* is still in effect today, many abortion rights activists and pro-choice organizations are fearful of the current conservative Supreme Court taking a case that could effectively reverse the landmark decision.

Considering the historical background of the United States aids in widening the lens through which we view the present pro-choice movement. The United States has always been run on democratic principles, although many of them such as voting and elections have often been put in jeopardy by practices such as gerrymandering and the use of money to sway votes as a result of the *Citizens United v. FEC* Supreme Court case in 2010. Religion was significant to the country’s founders and is alluded to in the Constitution, yet this same document also calls for the separation of Church and State. The American political field is characterized by the two-party system in which there are two dominant parties that have become increasingly polarized over the past two decades (Doherty 2014). Finally, the women’s rights and feminist movements in the United States are an important part of the picture when studying the American abortion rights struggle. While the American women’s rights movement has been largely white and
middle-class since its beginnings in the mid-nineteenth century, it has also been a leader in women’s rights movements globally. The present, mainstream American feminist movement is liberal, but not radically leftist, and encompasses struggles such as pay parity, ending violence against women, and equal access to employment opportunities.

The legal contexts of abortion in Argentina and the United States appear to be opposite one another, however the palpable effects of these policies are not entirely different. With abortion being functionally illegal in Argentina, gaining access to the procedure is a difficult, dangerous, and punishable process that is only available to middle- and upper-class populations. Clandestine abortions are quite common, and pregnant people often die as a result of self-induced abortions on their own terms. On the other hand, abortion is legal nationwide in the United States, yet individual states have passed laws that heavily restrict access to the service. Thus, depending on one's physical location, as well as economic resources, abortion can be quite inaccessible to certain populations across the country. Clandestine abortions are not as common in the United States as abortion is legal in a de jure manner, however their clandestinity makes it difficult to know just how prevalent they are throughout the country. As a result, we can see the similarities and differences in the real outcomes of the two legal statuses of abortion in these distinct contexts.

Although abortion is functionally illegal in Argentina, with the passage of the ILE Protocol, and the National Campaign’s high level of activity throughout the country over the past fifteen years, the country seems to be in a period of progression regarding abortion rights. On the other hand, the United States could be in a period of regression as a result of the restrictive bills being passed by individual states and a seemingly growing pro-life movement. This fight to either gain or preserve a right is a central comparison I will make, and is important in the consideration of the two pro-choice movements’ histories and future trajectories.
Blueprint of The Argument

This thesis will focus on the relevant federal law in both countries, as well as social movements themselves on the national level. While there are state-by-state differences, this work will primarily emphasize the impact of federal-level legislation on the nations as a whole, and how the pro-choice movements have interacted with these policies. This larger political field is important to consider in both countries and impacts the greater movements. Along these lines, I will compare the social movements on a national scale in order to analyze the ways the movements have responded to relevant circumstances through framing.

Throughout my work, I will compare the Argentine and American pro-choice mobilizations. I will analyze the following question: How are the Argentine and American pro-choice movements, including their strategies, methods of framing, and successes or failures, impacted by factors such as legal context, political field, and the institution of religion?

Chapter I will investigate how the legal context and political field of each country impact the way the movements operate. Chapter II will consider the relevance and influence of the religious context on each movement. I will then turn to collective action frames employed by the movements and how these frames are significant within the context of these organizations. Chapter III will analyze the frames in question and how the aforementioned factors affect the frames chosen by movement leaders. Ultimately, this thesis offers fresh and nuanced ways of analyzing feminist movements, political contexts, and legal rights.
Chapter I: The Significance of the Legal and Political Context

Introduction

Abortion is a highly contentious issue in Argentina as well as the United States. In comparing the circumstances in these two countries, we can investigate how the political contexts in each place shape the pro-choice and pro-life movements. In this chapter, I will detail the legal context and political field in Argentina, focusing on the fight to legalize abortion, as well as the topic of clandestine abortion, why it happens, and who is impacted the most; I will then consider the legality of abortion in the United States and important political histories, comparing relevant laws in two American states to exemplify this struggle. I will argue that the legal context of abortion is more complicated than simply “illegal” or “legal” due to the systems of social stratification that exist in both Argentina and the United States, impacting access to reproductive education and healthcare.

I define a country’s legal context as the constitutional framework that was created to institutionalize rules and principles for citizens to live by, consequently determining which actions are legal and which actions are illegal, how people live their lives in relation to their government, and how social movements function (see Weber 1978, 312, 956). Specifically, the legal context of abortion can be nuanced by the inclusion of the term “de jure,” which signifies an action made legal or illegal formally by law. The concept of political field is important to this discussion, and the sociologist Raka Ray defines it as the socially constructed environment to which social movement organizations belong and respond, shaping the possibilities and potentials of those organizations in context (1998, 22, 33). The notions of legal context and political field are interconnected and mold the abortion rights movements in Argentina and the United States.

Abortion has been criminalized in Argentina since the late nineteenth century, and only in the past fifteen years has it been brought to the fore as a prominent issue on a national scale and received the attention it deserves in the form of social movement organization and political
consideration in Congress (“Human Rights Watch: Women’s Human Rights: Abortion” n.d.). Abortion is functionally illegal in Argentina. Since 1921, the Penal Code has provided for the Interrupción Legal del Embarazo (Legal Termination of Pregnancy) under very limited circumstances: Article 86 of the Penal Code allows for abortion if the pregnancy resulted from rape or poses a threat to the life or health of the pregnant person (Clarín.com 2019; Máscolo 2019). The 2012 FAL ruling handed down by the Supreme Court was meant to clarify the cases in which abortion is legal in Argentina (Clarín.com 2019). Although this small legal provision exists in the country, leveraging it to access non-punishable abortion services is extremely difficult for pregnant people, especially for those who are poor and do not possess the adequate resources, as well as in provinces that do not abide by the protocol (Clarín.com 2019; Máscolo 2019).

Yet, receiving this reproductive care has proven to be nearly impossible in Argentina as “many doctors in this majority-Catholic country simply won’t perform abortions” and physical and financial access to private clinics “is mostly for wealthy people” (Herrera 2019). For example, an 11-year old Argentine girl, referred to as Lucía, was raped by her grandmother’s boyfriend and became pregnant as a result (Herrera 2019). Although she had the legal right to access an abortion, many doctors simply refused her the service. Lucía filed for Interrupción Legal del Embarazo, but the process was delayed due to provincial objection, extensive media coverage, and public outcry in favor and against her receiving an abortion (Buenos Aires Times 2019). Finally, a doctor got involved in the case and offered her an early-term caesarean section in which she was forced to give birth (Herrera 2019). Lucía’s story is indicative of the great disparities existent in Argentina with regard to access to safe abortion. While she had the legal right to get an abortion, she did not have access to a private clinic to get the procedure done and instead fell victim to the politicized debate in which she was a pawn.

Although the painstaking struggle to legally decriminalize abortion failed to pass the Senate in August of 2018, the Argentine pro-choice movement has grown immensely and
received much media coverage and attention during this fight (Tarducci 2018, 430). The movement has gained numerous supporters, abortion legalization is now part of the platforms of many Argentine politicians, and the general public is much more aware of issues such as clandestine abortion and its associated danger (Tarducci 2018; Fierro and Vasco 2019). As Cele Fierro and Pablo Vasco write, “In just a few months, the use of the [pañuelo verde] green handkerchief—which is the symbol of the National Campaign for the Right to Legal, Safe, and Free Abortion—spread like a wildfire throughout the country” (2019). This is to say, the virtual illegality of abortion in Argentina has made way for heated debate amongst the strong pro-choice and pro-life movements; the high stakes of finally legalizing this important procedure that has been formally criminalized for over a century can be felt within the Argentine social movement context.

The pro-choice movement in the United States has undergone a different trajectory because abortion has been legal since the Roe v. Wade Supreme Court decision in 1973. Previous to this decision, abortion laws varied by state and were not expansive (Beckman 2016, 104). Even following the legalization of first trimester abortions with Roe, states still have the power to limit or expand abortion rights, causing a number of states to slowly take away reproductive rights and access through creative manipulation of the law (Beckman 2016, 104). Thus, pro-choice advocates in the United States have been working to defend the legality of abortion on a national level, and have also been involved in efforts to block bills that would effectively reverse Roe in certain states. Keeping abortion legal has proven to be a difficult feat that American pro-choice activists have been working at faithfully since the 1970s.

To illustrate the tribulations that pregnant people in the United States experience, I will share the story of Mira from South Dakota. The day Mira was accepted into college, she found out she was pregnant, and soon learned that the nearest abortion clinics were all 300 miles away (Winter 2013). Mira and her boyfriend came up with $700 for the procedure, spent $60 on a hotel room as they had to break up the trip, and drove the long distance to the clinic (Winter
She says, “When we got to the clinic, an escort met us at the car and asked if we wanted a bulletproof vest. Inside the clinic, the doctor took my hand and apologized that I had to travel so far. Ten minutes later, it was done” (Winter 2013). This narrative demonstrates the quotidian realities of Americans who seek out abortions, especially in locations where the nearest abortion clinic is so far away. This situation is not an anomaly. Mira was fortunate enough to have the resources and connections necessary to get an abortion, and oftentimes pregnant Americans do not find themselves in a position to get the procedure done if they are under similar circumstances. We must remember that people like Mira have experienced these difficulties getting an abortion in the United States where the procedure is *nationally legal*.

The legality of abortion in each given context is central to this thesis. The legality or illegality of abortion has significant impacts on the people who are able to seek abortions, the conditions under which abortions are performed, and ultimately who is able to have agency over their own bodies and lives, and who is not. The law is a powerful tool that shapes the actions of citizens over which it operates, and thus the legal implications of abortion in countries where it is illegal are important to analyze due to the dire consequences this legal status has on people’s lives. As I will demonstrate, there is a significant and clear distinction between obtaining a right to something that is currently illegal, and defending a right that has been earned, but is under serious threat. There is an important difference in access to abortion depending on the legal context, and the abortion rights movements operate differently due to the varying legal contexts and political fields they are located in.

In the case of Argentina, the fact that abortion is illegal has led many people to seek unsafe clandestine abortions, which can result in the death of the pregnant person. According to Human Rights Watch, in 2004, about thirty percent of maternal mortality occurred as a result of “consequences of illegal abortion” such as clandestine abortion and the lack of access to prenatal care (“Human Rights Watch: Women’s Human Rights: Abortion” n.d.). Due to the illegality of the procedure, activists in Argentina are fighting to gain the right to abortion, a
serious undertaking that would significantly improve the health and freedom of hundreds of thousands of Argentines. To abortion rights activists, the stakes could not be higher to finally legalize abortion.

In the United States, abortion is legal, and therefore people should, in theory, be able to access abortion under the *Roe* law. However, as aforementioned, laws vary state-by-state, and thus people in different states have varying levels of access and quality of care depending on their location, as well as class status. Abortion rights activists in the United States are struggling to keep abortion legal, citing the benefits of legal abortion over the past half century since the *Roe* decision in 1973. Yet the fact that abortion is legal in the United States under *Roe* allows for at least the potential protection by law of individuals seeking abortion, whereas this legal safeguard is nonexistent within the Argentine legal context.

**The History of the Women’s Movement in Argentina**

Argentina’s long history of *machismo*, or a strong sense of masculine pride and virility, created a society in which sexism was the norm and where men occupied a majority of the dominant social positions (Carlson 1988, v). Although Argentina has had two women presidents and women in other prominent leadership positions, scholars and activists claim that *machismo* is still felt widely by women on a quotidian and institutional basis throughout the country (Goñi 2016). The colonization of Latin America by the European colonizers left Argentina with a stratified society, based on a hierarchy of race and gender, imposed by the Spaniards (Carlson 1988, 18). After a period of declaring independence from Spain, and numerous political disagreements among new Argentine leaders, the province of Buenos Aires ratified and adopted the Constitution of 1853, although the country at large did not ratify the document until 1862 (Carlson 1988, 29). The Argentine Constitution is largely fashioned after that of the United States in terms of the governmental structure it created (Carlson 1988, 28). Although Argentina had gained independence and had experienced more progressive periods, “the Constitution of 1853 itself did not improve the status of women” (Carlson 1988, 39; Mercer 1998). Namely, the
fact that women were not clearly considered citizens in the eyes of the Constitution, denying them suffrage, is of great importance when analyzing the implications of the country’s foundational beginnings. Furthermore, nineteenth century Argentine civil law was based on European codes, granting women the status of children and “the insane”, without identities separate from their husbands, and without legal control of their children, no less their bodies (Carlson 1988, 40).

Following the lead of earlier women’s movements in North America and Europe, the Argentine women’s movement began toward the end of the nineteenth century, allowing Argentine women to mobilize around salient issues to women and children (Carlson 1988, 41). During this same time, the influx of immigrants at the turn of the century brought socialist ideas to the Argentine political field, influencing the attitudes and values of the greater Argentine public (Carlson 1988, 41; Mercer 1998). As a result of the large number of immigrants coming to Argentina, the women’s movement, and then the feminist movement, were largely comprised of immigrants with these socialist leanings. Today, the Argentine feminist movement is still heavily impacted by the rise of socialist ideals at the end of the nineteenth century, and thus is radical compared to the mainstream feminist movement in the United States. Additionally, the Argentine feminist movement has long included people of all social classes, centering the struggles of women of the working and popular classes specifically.

At the beginning of the twentieth century, university preparatory schools and universities were opened to Argentine women, and this was critical to the rise of the feminist movement as women were now able to receive formal educations, and on the same terms as men (Mercer 1998). Throughout the century, repressive regimes came into and fell out of power cyclically, re-popularizing sexist images of women and their supposed places in Argentine society (Mercer 1998). For example, during the last dictatorship from 1976 to 1983, the military junta quashed the feminist movement, which partially materialized as the consciousness-raising efforts by the Madres de Plaza de Mayo (Mothers of the Plaza de Mayo) following the disappearance of
thousands of their children at the hands of the illegitimate government. Yet even during this repressive time, Argentine feminists still fought for women and children deserving of the same rights and freedoms as their male counterparts.

**Understanding the Argentine Political Field**

Over the past thirty five years in Argentina, the *Encuentros Nacionales de Mujeres* (National Women’s Conferences) have been a unifying tool, bringing together women from all over the country to “put different feminist practices in dialogue,” share personal stories, and participate in actions such as marches and demonstrations for feminist issues (Broggi 2019). According to the *Encuentro* website, “The modality of the *Encuentro Nacional de Mujeres* is unique in the world, and it allows us to join thousands of people each year: it is self-convened, horizontal, federal, self-financed, plural and deeply democratic” (2019). The present-day National Campaign for Legal, Safe, and Free Abortion was born out of the 2003 and 2004 *Encuentros*, and officially launched at the 2005 *Encuentro* (De Cicco 2011). Consequently, the *Encuentros* have been instrumental in the conceptualization and creation of the popular, inclusive, and widespread abortion rights campaign that is active today in Argentina.

The Argentine pro-choice campaign, conceptualized at the *Encuentros*, has grown in popularity over the last decade and a half. The color of the movement is green, and supporters of the legalization of abortion sport the *pañuelo verde* (green handkerchief) to demonstrate their allyship with the cause. The campaign has been aptly named the *Marea Verde* (Green Wave) as a result of the use of the color green as a hallmark of the movement. In opposition to the push for the legalization of abortion, the *Partido Celeste* (Light Blue Party) has opposed the *Marea Verde*, representing an anti-abortion stance. Accordingly, the symbol of this pro-life movement is the *pañuelo celeste* (light blue handkerchief).

As stated by the organization’s website, “The Pro-Life Light Blue Party is the first political party born with the main objective of advocating the promotion and defense of human life from conception to natural death” (“Partido Celeste,” n.d.). It claims to be anti-abortion and anti-
euthanasia as it is a pro-life group that does not want human life to be tampered with. The organization also “aims to improve the level, and train teachers, especially in respect for life, and respect for religion,” and says that “a free system is intended, without ideological impositions at the institutional level” (“Partido Celeste,” n.d.).

The current political field in Argentina consists of these pro-choice and pro-life movements situated within the context of a now-democratic government that is broken up into three branches - legislative, executive, and judicial - largely fashioned after the United States’ system. The country is governed by a constitution that has been amended a number of times, and suspended under various dictatorships. Throughout the twentieth century, Argentina experienced multiple periods of military dictatorship that warranted serious social movement efforts by citizens due to rampant abuses of human rights and democratic power.

There are over fifteen major political parties that are currently active in Argentina, along with more than fifteen minor parties, and the two chambers of Congress include members from those parties based on the vote share each party receives during a given election (“Argentina Government,” n.d.). This plurality of party positions and opinions present in Congress creates a polarized environment in which members of radical leftist groups and radical conservative groups make laws for the country. It is also important to note that almost the full gamut of the political spectrum is represented within the Argentine political context: the radical left can be as far left as Marxism, Communism, and Maoism, and the radical right can be as far right as conservatism and neoliberalism, along with the category of military dictatorship in non-democratic times (“Argentina Government,” n.d.).

The Argentine citizenry has a long and noteworthy tradition of protest and social movement, especially by women, and this is a central aspect of the country’s political field and socio-political history. For example, during the última dictadura (last dictatorship) in the late 1970s and early 1980s, the Madres de Plaza de Mayo played an instrumental role in uncovering the inhumane actions of the dictators, and calling on citizens to rise up and make their voices
heard. From around the 2000s through the present moment, “activism became a new quotidian for many women and transformed their identities and experiences with politics and gender relations” (Borland and Sutton 2007, 700). Following the December 2001 economic crash in Argentina, citizens followed the country’s deep-seated tradition of taking to the streets to demand social change from political leaders, and women participated significantly in this movement, in part due to their being the most affected group (Borland and Sutton 2007, 700). Argentina’s political system, political parties contained within it, tradition of protest, and pro-choice and pro-life movements all comprise the country’s political field.

**Consequences of Illegality: The Danger of Clandestine Abortion**

The legal context of abortion has significant impacts on who has access to abortion, education surrounding ways to get an abortion, and the safety of the procedure. Despite the functional illegality of abortion in Argentina, between 400,000 and over 500,000 abortions have been estimated to take place every year, and “complications of unsafe abortion have been the leading cause of maternal mortality for the last two decades” (Sutton and Borland 2019, 27; Ramos, Romero, and Aizenberg 2015). Making abortion illegal, or heavily restricting access to this important health service, does not stop people from seeking abortions, or conducting clandestine abortions on their own. As Laski and Coast demonstrate:

> The most recent data confirm that restrictive abortion laws are not associated with lower abortion rates. On the contrary, the average abortion rate, in those countries where abortion is completely prohibited or where it is only allowed to save a woman’s life, is 37 abortions per 1000 women of reproductive age, compared to 34 per 1000 in countries where abortion is legal in broad terms (2018).

While restrictive abortion laws are intended to keep abortion from occurring all together, we can easily observe the ramifications of these types of laws and protocols as demonstrated above. When laws render abortion illegal, people all over the world are forced to seek this health service through dangerous and secretive methods. Clandestine abortion is one such method that is popular in Argentina.
Clandestine abortion is defined as the administration of abortion in secret due to the fact that the procedure is illegal or inaccessible within the country’s legal context. In Argentina, women perform clandestine abortions on themselves or find underground abortion providers to get the procedure done in order to take control over their lives. However, there are serious legal consequences as the State does not allow or provide for abortions for its citizens, except during cases of rape and to protect the life of the pregnant person. Even with these minimal provisions, people are often denied abortions, even under legal circumstances. Women who are caught getting clandestine abortions are in constant fear that they will be punished for their illegal actions (“Human Rights Watch: Women’s Human Rights: Abortion” n.d.). For example, if women seek abortions in hospitals, they run the risk of abuse from nurses and doctors, along with the possibility of being reported by those medical professionals to the authorities who have grounds to arrest them (Booth 2018). The movement to make abortion legal in Argentina is directly responding to these punitive measures taken against people who seek abortions in dire situations.

Clandestine abortion is unsafe, dangerous, and conducted in the private sphere, hidden from the public realm. These procedures, either performed by the person seeking an abortion, or a medical professional, often result in the death of the pregnant person due to unsafe methods and lack of medical care. Although “the use of medical abortion [use of a pill] by women is reducing the risks of unsafe abortion,” abortions performed outside of hospitals without certified abortion providers are still much more dangerous than those performed in controlled medical spaces such as hospitals and reproductive health care clinics (Ramos, Romero, and Aizenberg 2015, 5). For example, we can observe, through the following anecdote, the necessity of people to access the procedure, regardless of how dangerous it may be. An Argentine doctor said that she had a patient who had used parsley to attempt to induce an abortion, and the woman soon died of septic shock as a result (Notas Periodismo Popular 2018). The doctor explained that she had not seen such extreme measures for years,
demonstrating that “illegality forces the poorest women to use the most desperate practices” (Notas Periodismo Popular 2018). Pregnant people who need abortions turn to dangerous methods out of despair in a country that does not legally allow this procedure. I will now turn to specific implications of clandestine abortion within the Argentine legal context.

As indicated above, the illegality of abortion in Argentina disproportionately affects poor and marginalized groups who do not have the resources necessary to seek safe abortions, in a setting in which they are already hard to access. For example, Elizabeth was a young woman who performed an abortion on herself, and it resulted in septic shock, causing her to die after bleeding heavily in the hospital (“Argentina’s Rejection Of Abortion Bill Claims First Victim” 2018). She came from a working class neighborhood and did not have the resources to seek an abortion at a private clinic; additionally, she did not want to risk legal punishment for doing so. Elizabeth was the first victim of death by clandestine abortion following the rejection of the abortion legalization bill by the Senate in August 2018 (“Argentina’s Rejection Of Abortion Bill Claims First Victim” 2018).

As Mónica Gogna et. al claim, “the women who die due to clandestine abortions are poor and not from the middle or upper classes, who can afford a safe abortion” (2002, 133). Poor women are most affected by the lack of access to safe abortion in Argentina, and despite the illegality of the procedure, middle- and upper-class people have the means to access the service through private abortion providers. At these private institutions, doctors can charge the equivalent of “twice the monthly minimum wage in Argentina,” making it functionally necessary to have the resources to access, have knowledge of, and afford, a safe abortion performed by a medical professional (Parvini 2017). Thus, access to safe abortions is stratified by class, as well as who is seeking unsafe, clandestine abortions and how they are affected by them. The National Campaign for the Right to Legal, Safe, and Free Abortion and the Network of Health Professionals for the Right to Decide poignantly ask, “How many more dead pregnant women
are needed to understand that abortion should be legal, safe and free in Argentina? Clandestinity doesn’t save any lives” (Notas Periodismo Popular 2018).

**The American Women’s Movement: A Global Leader?**

Similar to Argentina, the United States has a long history of male-domination in society and politics as men hold a disproportionate number of positions of leadership and power. American women gained the right to vote one hundred years ago, and many white women entered the paid workforce for the first time during World War II, whereas Black women had already participated in the workforce for centuries before (Zinn 1980, 494). American women as a whole comprised half of the electorate, yet made up a fraction of the country’s legislative bodies and faced rampant sexism in their everyday lives (Zinn 1980, 494). The Women’s Rights Movement in the United States is often broken up into three or four waves, based on different time periods and objectives of the given surges.

First Wave Feminism spans from the mid-nineteenth to the early twentieth century, and is characterized by the fight for white women’s suffrage, beginning with the Seneca Falls Convention in 1848 (History.com Editors 2019a). It also intersected with the abolitionist and temperance movements which were both active during this period. After a long struggle, white women won the right to vote one hundred years ago in 1920, yet women of color were left without suffrage, and also excluded from this history, even though they played an integral role in the fight for suffrage. Sojourner Truth, in her 1851 speech famously questioned: “Ain’t I a Woman?” Here, she criticized the lack of inclusion of black women in the largely white women’s movement, as well as the mistreatment of black women based on their race and gender (History.com Editors 2019a; Truth 1851).

Second Wave Feminism, also known as the Women’s Liberation Movement, spanned from the 1960s to the 1990s. This wave is described as a largely white, college-educated movement that “failed to address the concerns of women of color, lesbians, immigrants and religious minorities,” although underrepresented and marginalized groups were more included in
the second wave than the first, taking a small step toward a more unified solidarity among
American women (History.com Editors 2019a; Rampton 2015). The National Organization for
Women (NOW) was founded in 1966 by Pauli Murray and Betty Friedan, among others,
becoming important to the Women’s Liberation Movement. The organization fought for women’s
rights broadly, pushing for the ratification of the Equal Rights Amendment which passed
Congress, but still has not been ratified by enough states to become law (History.com Editors
2019a). Friedan’s *The Feminine Mystique* (1963) very much illustrated the grievances of
educated middle-class American white housewives who were most represented by the Second
Wave movement, but again left out the quotidian realities of many other women, such as
women of color and lower-class women who did not fall into this narrow, exclusive category.
Activist and author bell hooks responded to Friedan’s interpretation of “the problem that has no
name” by arguing that Friedan’s one-sided perspective did not adequately portray *all* American
women as Friedan claimed it did (hooks 2000).

The Third Wave began in the mid-1990s and includes more “post-colonial” and post-
modern thinking. Yet the wave metaphor is imperfect as Black feminist writers and groups, such
as Claudia Jones, Frances Beal, and the Combahee River Collective, emerged long before the
1990s and brought important perspectives to the field decades before the “Third Wave” began.
In this era, scholars worked to destabilize social constructs that continue to keep women and
other marginalized groups oppressed (Rampton 2015). As part of this Third Wave, Black
feminist writers made significant contributions to feminist scholarship and social movement
organization. For example, Kimberlé Crenshaw coined the term “intersectionality” which points
to the “double-discrimination” that Black women face at the intersections of their race and their
gender (Crenshaw 1989, 149). These contributions helped to illuminate the lived experiences of
Black women in the United States, bringing their perspectives into the women’s movement that
long ignored them.
Fourth Wave Feminism in the United States is currently in motion and is characterized by the #MeToo Movement, Women’s Marches on Washington, and an emphasis on intersectionality (Rampton 2015; Gökarıksel and Smith 2017, 632). To encapsulate the importance of these values of inclusion in this fourth new wave, Martha Rampton writes: “The emerging fourth wavers...speak in terms of intersectionality whereby women’s suppression can only fully be understood in a context of the marginalization of other groups and genders—feminism is part of a larger consciousness of oppression along with racism, ageism, classism, ableism, and sexual orientation...” (2015). At the present moment, more people who agree with the goals of feminism and the feminist movement are not identifying as “feminist” due to the connotations that come along with that title, bringing up the debate of whether feminism is an identity or a practice (Rampton 2015). The trajectory of the United States women’s movement is important to this thesis as the American abortion rights struggle of the twentieth and twenty-first centuries is situated within this very historical context.

**Political Field in the United States**

There are a number of organizations in the United States that are fighting to keep abortion legal and expand reproductive rights in states where access is very limited. Such groups include Planned Parenthood, NARAL Pro-Choice America, and the National Abortion Federation, among many others. These organizations lobby Congress, mobilize citizens to take action and lobby their members of Congress, and educate the public about citizens’ rights to legal and safe abortion, contraception, and inclusive, expansive sex education. While there is no unified front fighting to maintain the right to abortion as there is in Argentina to win this right, these groups are leading the way and keeping reproductive issues on the minds of the public, and on the political agendas of American legislators.

In order to understand the American pro-choice and pro-life movements, we must consider the United States political field, which includes the governmental structure, political parties in play, and the country’s history of grassroots organizing for social change. As I
explained above, the Argentine political system is largely modeled after the United States
democratic structure, so accordingly, the United States’ government is broken up into the
legislative, executive, and judicial branches. The country is governed by a constitution that has
a number of amendments that have added additional rights for citizens and powers for individual
states, for example. The United States has a resolute two-party system that has led to a highly
polarized government and society in terms of political beliefs and leanings. The two-party
system consists of the Democratic and Republican parties; the Democratic Party represents
modern liberalism and works toward equal opportunities for all Americans, while the Republican
Party, also known as the GOP, stands for conservatism and believes in American

As a consequence of the two-party system, many social issues are associated with one
party or the other as the parties have claimed specific policy positions as their own. For
example, the pro-choice position is very tightly connected with the Democratic Party, and the
pro-life position is intertwined with the Republican party platform. During the Obama and Trump
presidencies, the partisan divide that has been present within the American political system has
grown even larger, particularly on issues such as government aid to the poor, immigration, and

The history of the United States is filled with moments of protest and social movements
to create real change in American society. For example, the country’s beginnings are marked by
the Boston Tea Party in protest of English colonial rule in 1773; the 1963 March on Washington
for Jobs and Freedom is another important example of grassroots social movement by the
American people, located within the context of the Civil Rights Movement that demanded
tangible change from elected officials. In comparison to the Argentine history of civil protest,
United States social movements, specifically the Women’s Rights Movement, have been more
monolithic in terms of leadership and whose rights are being fought for (Rampton 2015).
The United States’ Legal Context and a State Comparison of Abortion Laws

Abortion has been legal in the United States since the *Roe v. Wade* decision handed down by the Supreme Court decision in 1973. However, it is important to note that “illegal abortion was common” in the United States before *Roe* (“Abortion Before and After Legalization,” n.d.). According to Rachel Benson Gold, “In 1930, abortion was listed as the official cause of death for almost 2,700 women—nearly one-fifth (18%) of maternal deaths recorded in that year” (2003). In the two decades immediately preceding the *Roe* decision, the number of illegal abortions ranged from 200,000 and 1.2 million per year (Benson Gold 2003). Yet during the years surrounding the *Roe* decision, between 1972 and 1974, the estimated number of illegal abortion procedures fell from 130,000 to 17,000, and the number of deaths associated with illegal abortion decreased from thirty nine to five, with a majority of those affected being Black people (“Abortion Before and After Legalization,” n.d.).

Prior to this landmark Supreme Court decision, each state had its own rules and regulations regarding the procedure with only four states taking action to specifically legalize abortion; following *Roe*, first-trimester abortion became legal in all fifty states (History.com Editors 2019b). While the legalization of abortion on a federal level was a big victory for pro-choice activists, individual states “still had significant latitude in passing laws that constrict women’s rights to abortion, such as parental notification for minors and required counseling prior to abortion” (Beckman 2016, 104). Linda Beckman argues that “the surge in anti-abortion legislation is the direct result of the election of politicians to state governments who oppose abortion under most or all circumstances” (2016, 104). This analysis helps to explain the rise of a pro-life, anti-abortion sentiment throughout the country since *Roe*, contextualizing the political field in which the current pro-choice movement is operating.

The abortion debate in the United States is one of “two competing ideologies” in which the pro-choice side believes that abortion leads to “social equality for all women,” while the pro-life side views abortion “as a threat to motherhood, morality, and social cohesion” (Beckman
These two ideologies are incongruent with one another, so the arguments made by each side tend to address completely different issues. For the pro-choice side, this means female empowerment and agency through the ability to terminate a pregnancy, and for the pro-life side, this includes pushing for the rights of the unborn child and issues of morality as a result of abortions killing babies (Beckman 2016, 102). Due to the American two-party system, each movement has worked to situate their side of the issue into either the Democratic or Republican party platforms, respectively, thus polarizing and politicizing this contentious issue even more. A 2019 Gallup Poll found that about 27% of registered voters, in contrast to 13% in 1992, claim they will only vote for candidates who hold their views on abortion (“Abortion,” n.d.). Thus, people who are passionate either way about abortion choose to vote for political candidates based on these beliefs, causing topics of reproductive autonomy to be among the most polarizing political issues of our time. As Beckman writes, the abortion debate in the United States is a “constantly evolving social-political context” that is complicated, combative, and capricious (2016, 102).

As is the case in Argentina, the issue of abortion and access to reproductive health services unequally affects people based on class and race in the United States. Poor people and people of color face tremendous disparities, in comparison with the middle- and upper-class, as well as white people, with regard to their level of access to abortion (Beckman 2016, 108). For example, higher unintended pregnancy rates among Black and Hispanic women “reflect the particular difficulties that many women in minority communities face in accessing high-quality contraceptive services and in using their chosen method of birth control consistently and effectively over long periods of time” (Cohen 2008). In addition to lack of comprehensive sex education and difficulty in accessing high-quality health care as root causes of higher unintended pregnancy rates among people of color in the United States, Susan Cohen names the multiple barriers to preventative practices that are present for these populations, including lack of access in terms of geographic location, finances, and personal factors in individuals’
lives (2008). Consequently, people of higher social classes and privilege are more able to receive the reproductive care they need, and face fewer risks in seeking illegal abortions, for example in states that have highly restrictive abortion laws.

To demonstrate the significant differences in access to abortion by state, I will compare two states with polar opposite laws with regard to this issue. Alabama is a state with one of the most restrictive abortions laws in the entire United States. In May of 2019, Alabama passed a bill that punishes doctors who perform abortions with up to ninety-nine years in prison, and has very few exceptions, often placing the importance of the life of the unborn child before the needs of the pregnant person (Levenson 2019). The Governor expressed deep religious sentiments behind the bill, as well as disagreement with the Roe decision. To illustrate the very real struggles of accessing abortion in Alabama in the present day, Abbey Crain writes, “Finding a clinic with openings, getting together enough money to pay for the procedure, which can amount to $600 in some cases, taking off work, and finding transportation all combine to create a nearly insurmountable barrier for many women facing an unwanted pregnancy” (2019). State regulations such as an in-person consultation visit and a 48-hour waiting period are part of this burdensome process that make abortion even more inaccessible to those who live farther away from abortion clinics, and who do not have the resources to complete the necessary steps (White et al. 2016).

On the other hand, New York has recently expanded its abortion rights with a law passed in January of 2019 that “protects some late-term abortions...after 24 weeks if the fetus is not viable or when necessary to protect the mother’s life” (Levenson 2019). Additionally, the New York law decriminalized abortion for providers, as opposed to the Alabama law (Levenson 2019). In direct contrast to Alabama, New York has consistently had abortion laws that grant reproductive care access to women, dating back to the 1970s when it repealed its law criminalizing the procedure (Larson 2017). In 1972, immediately before the Roe decision was handed down, over 100,000 women [travelled] to New York City to get an abortion, half of them
coming from more than 500 miles away (Larson 2017). As we can see, abortion is much easier to access in the state of New York, making it more available to those who live there, as well as others who are able to travel there to get the procedure done. These critical differences in laws surrounding abortion between Alabama and New York exemplify the gaps in access depending on where one resides. In addition to these geographic differences, social class and race are radically important in shaping people’s ability to access abortion services.

**Conclusions on the Impact of Legal Context in Argentina and the United States**

This chapter has demonstrated that the differences between abortion politics in the United States and Argentina are more complex than a simple binary of “legal” and “illegal.” In spite of the difficulties involved in accessing abortions and reproductive health care in the United States, abortion is still indeed legal in a de jure sense. Nonetheless, the United States is facing a period of regression in terms of reproductive rights as many states, like Alabama, are putting highly restrictive abortion laws in place. Just in 2018 and 2019, ten states passed extreme laws that not only significantly limit access to abortion, but also shorten the time period, within the gestation period, in which people can get abortions (Levenson 2019). The discretion of states to either expand or contract access to reproductive health services is very apparent in the modern-day American political field.

As opposed to the legal context of abortion in the United States, abortion is not legal in Argentina, except in very few cases, thus effectively eliminating legal provisions surrounding access to the health care service. Clandestine abortions in Argentina occur under similar circumstances as abortions in states with extreme laws in the United States, often hinging on an individual’s social class and physical location. Abortion procedures are difficult to acquire in Argentina, and the State does not provide for legal, safe, and free abortions that people can seek without special permission; however the pro-choice movement is making important strides that demonstrate significant progress toward this very goal for the nation.
The differing legal contexts of abortion, along with diverse political fields in which the abortion rights movements of Argentina and the United States are operating, are important pieces of the puzzle. The Argentine pro-choice movement is mobilizing to legalize abortion in a space that has criminalized the procedure for over a century. Thus, the movement’s strategies and tactics are connected with this context of illegality: movement leaders emphasize the danger of clandestine abortions that occur due to the very illegality of abortion in the Argentina. On the other hand, the American pro-choice movement is defending the right to abortion that was won in 1973 with *Roe*. Since this decision was handed down, pro-life activists and organizations have mobilized to seriously weaken this law by passing restrictions in various states. As a result, the pro-choice movement has worked to keep abortion legal due to the freedom and choice it has provided women in a variety of situations and social locations, using the *Roe* decision as a foundational case and reasoning to keep the procedure legal. While there are important legal differences between abortion politics in Argentina and the United States, we also see similarities such as the social dynamics of race and class that significantly stratify access to abortion.
Chapter II: The Role of Religion

Introduction

Religion is salient with regard to abortion debates in Argentina and the United States. Christianity is an important influence in both contexts, and the Catholic Church in particular is a prominent proponent of the pro-life movement. This institution, along with other Christian organizations, mobilizes against access to abortion on a systemic level, reproductive health services that advocate for the use of contraception and abortion, and inclusive sex education that teaches the use of contraception, information regarding LGBTQ relationships, and other related contemporary subjects. For example, in Argentina, this opposition manifests in Catholic Church leaders using their power of the pulpit to organize events to convince the public of their views, and to speak out against efforts to legalize abortion using their platform (Politi and Londoño 2018). I use the sociologist Emile Durkheim’s understanding of religion throughout this chapter, defining it as a belief system housed within institutions that constructs meaning and significance around what is sacred, specifying the duties of followers to protect the divine and creating a moral code that teaches believers how to act (see Durkheim 1995[1912], 39).

In Argentina and the United States, religious individuals and larger religious institutions are important aspects of the anti-abortion movement as they hold significant power within this realm. This chapter will examine the effects of religion on the abortion debates in both countries, laying out the legal provisions for religious influence on the State and how religious individuals and organizations are involved in the pro-life movements fighting against the institution of abortion rights. As I will illustrate, religion affects abortion law in both Argentina and the United States by influencing public opinion, by shaping the views of elected officials, and through active political lobbying by religious institutions that have an especially noteworthy impact on this issue. Although religion is important in both contexts, the two situations cannot be fully explained simply by religion; additionally, religion plays a more influential role within the Argentine context as compared to the American context.
Constitutional Foundations

While both countries’ constitutions indicate some relationship between Church and State, this link is much stronger in Argentina than in the United States. Argentina’s Constitution states in Chapter 1, Section 2: “The Federal Government supports the Roman Catholic Apostolic religion,” thus establishing a clear connection between the State and the Catholic Church (*Constitution of the Argentine Nation* 1994, 1). However in Chapter 1, Section 14, it states: “All the inhabitants of the Nation are entitled to the following rights, in accordance with the laws that regulate their exercise, namely: to work and perform any lawful industry; to petition the authorities;…to profess freely their religion…” (*Constitution of the Argentine Nation* 1994, 2). Thus, Argentina’s government and the Catholic Church have a tight relationship, yet Argentines have the individual freedom to practice the religion they choose.

In the case of the United States, the First Amendment states: “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances” (“Constitution of the United States” 1789). Therefore, the United States government cannot establish a state religion as a result of this constitutional amendment. In theory, this concept should extend to lawmaking and the ways in which religion does or does not affect government officials participating in the lawmaking process. However this is not the case because lawmakers bring their own religious persuasions to their jobs, acting on personal beliefs within a political system that does not condone religion playing this role.

In Argentina, the government’s close association with the Catholic Church has an effect on legislation either as a result of lobbying by Church officials, or persuasion of legislative bodies by elected officials who cite their religious beliefs as important to their decision-making. In the United States, religious citizens organize and protest for causes they care about, and religious politicians invoke their religion when making policies and voting on various bills. The
United States government does not have as close of a relationship with the Catholic Church as the Argentine government, yet the impact made by individual citizens’ and politicians’ actions within the American political context creates a similar outcome in terms of how religion influences larger policies and laws, such as those related to abortion rights.

Religion and Abortion: The Force of the Catholic Church in Argentina

Argentina has a high percentage of Catholics throughout the country. In fact, a significant 92% of Argentine citizens identify with the Catholic faith (“Religious Beliefs in Argentina,” n.d.). Norberto Padilla argues that the seemingly conflicting constitutional stipulations, that allow for the interconnection of the Catholic Church and Argentine government as well as the individual religious freedom of citizens, are not seen as contradictory by many Argentines (2010, 66). That is to say, what may be interpreted by outsiders as a conflict of interest is, in fact, not understood in that way by Argentines. Padilla claims “this is due to the fact that [individual] religious freedom has been assured for everyone in the country,” paralleling my analysis, in the Introduction to this chapter, of the juxtaposition of the relationship between the Church and the State on an institutional level, and their supposed separation on an individual level (2010, 66). Finally, they say that “the intensity of the bond between the Catholic Church and the State” is a “‘moral union’ for some,” while it is “just an economic arrangement” for others, representing a compromise between religious tradition and neoliberal political institutions (Padilla 2010, 66). There is an important distinction between the de jure construction of the Church and State relationship in the Argentine Constitution, and the de facto reality of the power and influence of the Catholic Church over individuals and Argentine politics.

The impact of individuals in the struggle against the pro-choice movement is just as important to analyze as the various influences of institutions. Esquivel finds that many members of Congress surveyed by the National Scientific and Technical Research Council “considered it appropriate to use religious convictions in addressing the standards for society” (2016, 139). Juan Cruz Esquivel writes that religious legitimation is essential to Argentine political practice,
and the congresspeople surveyed demonstrated their beliefs regarding the role of individuals’
religion in the legislative realm (2016, 140). Those lawmakers who saw religion as an integral
part of the political process went on to say that their religious backgrounds were important to
their conscience as a legislator, mattered in terms of their convictions and principles, and that
they should defend their religion in all aspects of their daily lives (Esquivel 2016, 139). To this
end, Esquivel claims that “the priority of legislators’ personal convictions over any notion of
political representation and party affiliation is apparent,” and with regard to debates on
controversial issues such as abortion, sex education, etc., these “personal convictions” become
even more important and apparent in political spaces (2016, 139).

The Catholic Church holds a great deal of power in Argentina, and consequently
influences the country’s social realm and political field. To demonstrate the Church’s sheer
power, scholars Cele Fierro and Pablo Vasco point out the funding that the institution receives
directly from the federal government: “Due to laws enacted under the military regime, the state
pays the salaries and retirements of bishops and priests. Public subsidies to Catholic churches
surpass $1 billion each year” (2019). In addition, the institution “benefits from tax exemptions,
subsidies to schools, maintenance of churches, transfer of fiscal real estate, and so on”
(“Preparan lanzamiento de campaña por la separación entre Iglesia y Estado” 2018). Finally,
the Church maintains the legal status of an individual person, giving this organization the rights
of people, such as the freedom of speech and press (Fierro and Vasco 2019; “Constitution of
the Argentine Nation” 1994). These legal provisions allow the Church to possess its present
status, and thus exercise its power in the many ways it does so. Due to the amount of power
that the Church currently holds, there is a national campaign to keep the Catholic Church and
the Argentine State separate.

The Campaña Nacional por un Estado Laico (National Campaign for a Secular State)
was launched in 2018 due to the influence of the Church in everyday social and political
matters. This fight has borrowed strategies from the revolutionary National Campaign for the
Right to Legal, Safe, and Free Abortion, including the use of a *pañuelo* ("Preparan lanzamiento de campaña por la separación entre Iglesia y Estado" 2018). Accordingly, this mobilization uses the *pañuelo naranja* (orange handkerchief) as a symbol of solidarity with the movement. The campaign is relevant to this discussion as many supporters of the legalization of abortion simultaneously want to see the separation of Church and State, and vice versa (Máscolo 2018). Due to the prominent religious influence on the movement against the pro-choice campaign, these two campaigns to legalize abortion and separate the Church and State are interconnected and intertwined.

Leaders of the fight to separate Church and State in Argentina plainly stated that “we need a secular state that assures us of comprehensive sexual education, social conscience, public health without moralistic prejudices, [and] a more egalitarian, just and advanced society” ("Preparan lanzamiento de campaña por la separación entre Iglesia y Estado" 2018). Therefore, the connection between these two campaigns, to legalize abortion and separate Church and State, is quite clear as the Church has its hand in many issues, a number of which directly relate to the demands of the campaign to make abortion legal, safe, and free. These two campaigns have shed light on serious social and political issues in Argentina, yet the Church has protested in an attempt to maintain its hold on the government. As Daniel Politi and Ernesto Londoño write, the opposition to abortion legalization efforts has materialized in many Church leaders speaking out forcefully against abortion and senators from conservative provinces coming under pressure to stand against pro-choice legislation (2018). The Church went to great lengths to push lawmakers to vote against the August 2018 bill that would have legalized abortion throughout the entire country. For example, Pope Francis, who is from Argentina, personally requested “anti-abortion legislators to lobby their Senate colleagues to reject the [August 2018 legalization] bill” (Sherwood 2018). This is the very authority that the National Campaign for a Secular State is trying to undercut as advocates believe that the religious realm and Argentine politics should be independent of one another.
Religion has always been an important cultural factor in the United States, from the invocation of “the creator” in the Constitution, to the marked religiosity of American presidents throughout the country’s history (Barber 2012). According to a 2014 national study, 70% of Americans identify as Christian in general, 20% of whom describe themselves as Catholic specifically (“Religious Landscape Study,” n.d.). While there is a de jure separation of Church and State in the United States, as stipulated by the Constitution, the religiosity of American citizens, as well as individual lawmakers on Capitol Hill, means that the de facto relationship between Church and State is more intertwined than the Constitution implies.

The pro-life movement, which mobilizes against the pro-choice struggle, is prominent in the United States. Religion plays a role in the pro-life movement, but it is not as influential in the fight as compared to the Argentine pro-life movement. Scholars vary in how much influence they attach to religion in terms of how it affects the pro-life movement in the United States. For example, Ziad Munson argues that religion is less central for pro-life activists, while Byron Daynes and Raymond Tatalovich find it to be very important to the policy positions of elected officials, and John Hoffmann and Sherrie Mills Johnson claim that the institutional power of religious organizations is paramount (2009, 156; 1984, 197; 2005, 162). When the impact of religion on individual activists, elected officials, and public opinion is taken into account, it is clear that Christianity plays an important role in shaping pro-life legislation in the United States, although not as prominent a role as in Argentina.

To demonstrate these scholarly positions, Hoffmann and Mills Johnson write, “religious traditions have clearly played an important role in the abortion debate” (2005, 162). However, Munson argues that “the [pro-life] movement is influenced by, but by no means relies on, religious institutions for resources and support,” thus describing the relationship between these two forces (2009, 156). While religion is surely significant for some people who oppose abortion, “the pro-life moral universe consists of substantially more than just religious ideas” (Munson
There is an important distinction between the contributions of individuals within the pro-life movement, and the influence of institutions such as the Church or other religious entities. I will now detail how these contributions from individuals and groups have shaped the American pro-life movement into what it is today.

Individuals are essential pieces of the puzzle in terms of understanding the pro-life, anti-abortion movement. Munson finds that “pro-life activists are more religious on the whole than the general population,” thus highlighting the impact of religion on the fundamental beliefs of individuals and how religion affects their morals and political views (2009, 9). Although religious background and involvement are important factors in shaping the beliefs of pro-life activists, religious identity is not encompassing of the whole story. While the moral worldviews of activists may be affected by their religion, Munson says that these individuals value social movement apart from religion and participate in campaigns, meetings, and events related to their social cause, separate from their religion (2009, 9, 156). Thus, for these individuals, activism is both a “religious practice and social movement practice,” without one being significantly advantaged over the other (Munson 2009, 9; Luker 1984, 132).

Munson identifies and examines how religious beliefs transfer into social action. They argue that “at least four different kinds of religious practices are enacted as social movement activity: prayer, rituals of birth and death, the gathering of the flock, and doing God’s work” (2009, 171). These are examples of how religion affects an individual and mobilizes them to take action on an issue that is morally important in their religion. In the case of the pro-life movement, activists feel they are protecting the sacred, saving the lives of unborn children through their protesting, lobbying of elected officials, and other related activities, thus doing God’s work. Munson writes, “religion is continually enacted in a wide range of contexts in daily life, and the pro-life movement is one such venue. The practice of activism is thus at the same time often religious practice” (2009, 171). Therefore, we can observe how religion impacts the
individual in terms of mobilization on social issues, and their practice of religion in an everyday manner.

The individual persuasions of lawmakers are also important to consider when analyzing the impact of religion in the United States political field. Daynes and Tatalovich studied the voting patterns of members of Congress based on their religious identification and laid out their results, categorized by different religious sects. They found that members of Congress who identify as Unitarian or Universalist, Jewish, United Church of Christ, and Congregational follow a “strong pro-choice voting pattern,” while Roman Catholic and Mormon members of Congress overwhelmingly support pro-life legislation (Daynes and Tatalovich 1984, 199). These scholars claim that studies by Eccles (1978), Vinovskis (1979), and Bardes and Tatalovich (1982) “have concluded that the political ideology of the congressperson is the most important reason for supporting or opposing abortions,” and “religious affiliation is the second most important predictor” of how legislators will vote on abortion issues (Daynes and Tatalovich 1984, 197). Thus, while the Church and State are technically separate according to the Constitution, many congresspeople who represent citizens and make laws are influenced by their own religious backgrounds in a significant way.

It is important to note that about one-quarter of the membership of the 93rd through 96th Congresses consisted of Roman Catholics, and today, in the 116th Congress, Roman Catholics make up over one-quarter of the membership (Daynes and Tatalovich 1984, 199; “Faith on the Hill: The Religious Composition of the 116th Congress” 2019). Daynes and Tatalovich conclude by highlighting the importance of religion in the abortion debate: “What is ultimately significant about the abortion controversy, unlike most social-welfare or economic disputes facing Congress, is that religion however defined has emerged as an important determinant of congressional voting” (1984, 200).

Aside from the impact of individuals, institutions also play an important role in this nationwide pro-life struggle. Munson finds that the direct involvement of churches in pro-life
movement activities and church officials “exhorting congregants to protest in the streets” are not awfully common occurrences (2009, 9). On the other hand, Hoffmann and Mills Johnson argue that the indirect role of religion and religious institutions has been paramount in the widespread nature of the pro-life movement, claiming that the abortion debate in the United States has been heavily influenced by institutionalized religion, particularly Christian organizations (2005, 162). Conservative groups have worked to heavily politicize the issues of abortion, contraception use, and sex education, emphasizing the political meaning of a variety of social issues (Hout 1999, 16). Accordingly, Hoffmann and Mills Johnson argue that many religious organizations “have served as centers of moral outrage over the prevalence of abortion in the US” as these groups often portray abortion in a negative manner (2005, 162). Religious institutions in the United States have been important in shaping the pro-life movement, especially because of the power these organizations have, and the ways in which they can leverage that power over their subscribers.

**Conclusions on the Effects of Religion**

Religion has proven to be a significant force with regard to the abortion debates and the political fields in both Argentina and the United States. The influence of religion operates through three specific mechanisms: pro-life activism, legislators’ views and consequent actions, and political lobbying by the Church. In both countries, the relationship between Church and State is not directly reflective of their respective constitutional visions. In Argentina, there is a discrepancy between the government’s support of Catholicism and each individual’s right to practice their own religion freely. In the United States, the de jure lines of separation of Church and State are blurred in reality as religious institutions lobby elected officials, and legislators are influenced by their personal religious beliefs.

Religion plays more of a prominent role in the Argentine abortion debate as the Argentine government and the Catholic Church have close ties, as stipulated by the Constitution. Additionally, there is a considerable percentage of Catholics in the country, thus
influencing individuals in a religious manner. In terms of the pro-choice movement, Argentina’s National Campaign for Legal, Safe, and Free Abortion is a quite united front for this cause, and the campaign itself has had great success in bringing this issue to the forefront of the political agenda. We must remember that the functional illegality of abortion, as well as the overwhelming power of the Catholic Church in Argentina, has made this campaign’s progress of monumental worth. However, religion is not the sole explanatory factor of the illegality of abortion in the country.

In the United States, religion is important in the abortion debate, but not to the extent that it is on an institutional level in Argentina. Yet, religion is still significant to individuals and lawmakers who base their beliefs about abortion around their faith. When religious legislators represent constituents with different beliefs and backgrounds, the constitutional vision of a separation between Church and State is left unrealized as lawmakers can be heavily influenced by their own religious persuasions. With regard to the pro-choice movement, rather than a relatively united national campaign fighting to keep abortion legal and accessible, there are a number of organizations and interest groups that do this work, heading the pro-choice fight in the United States.

Although religious institutions affect the pro-life movements to various degrees, they are highly influential in both Argentina and the United States as they push the idea that life begins at conception, is a God-given right, and should not be taken away through abortion. Additionally, these organizations often encourage their subscribers to act on these convictions in the political field, causing the pro-life movements to include faith-based arguments. Finally, religion is a far-reaching factor in both countries, affecting the abortion debate in both local and national fields. Religion plays a crucial role in the politicized argument over abortion by influencing public opinion and pro-life activism of individuals, by shaping the views of legislators who are responsible for representing their constituents and making laws, and through political lobbying by powerful religious institutions. Yet, we must remember that religion is just one of many
aspects of the field of abortion in Argentina and the United States that shape the frames utilized by the abortion rights movements.
Chapter III: How Pro-Choice Movements Frame Their Issue

Introduction

There is an important connection between the field of each abortion rights movement and the way the movements have responded in terms of the framing of their issue. The legal, political, and religious circumstances shape the way each social movement proceeds, namely what frames it uses to captivate the public and create social change. In terms of the legal context, due to the illegality of abortion in Argentina, the pro-choice movement has worked tirelessly to demonstrate why abortion should be legal, using the public health frame as just one way to do so by citing the high rate of dangerous clandestine abortions affecting poor women as a main reason to enact change. On the other hand, American pro-choice activists are trying to keep abortion legal, mobilizing the reproductive justice frame as one way to demonstrate how restrictive abortion laws overwhelmingly limit access for marginalized populations.

With regard to the religious context, both movements are affected by the prominence of religion; however, Argentine activists are up against a government with legal ties to the Catholic Church, while American activists are fighting against the individual religious persuasions of citizens and lawmakers who have a great deal of influence over the laws that are passed. As a result of the strong presence of the Catholic Church in Argentina, pro-choice advocates are directly confrontational toward the Church and religious officials, unafraid of calling out the immense power and influence this institution has in the abortion debate. In the United States, abortion rights activists draw on the “individual privacy” frame to demonstrate the importance of separating the religious beliefs of citizens and legislators from the individual, private choice of Americans that Roe v. Wade stipulates.

In addition to the legal, political, and religious factors discussed above and in previous chapters, there are other significant components that influence the way social movements frame their issue. Movement leaders present their social issue to the public in a manner that brings people to their organizing efforts. The frames that activists choose can be inclusive or exclusive
of different populations, and therefore, their decision is likely indicative of who will be drawn to participate in their fight. For example, the Argentine pro-choice movement, and women’s movement for centuries, has worked to include people of all social classes; this inclusion has created a movement in which everyone has a voice, no matter their class background. On the other hand, the American women’s movement long excluded people of the lower classes and non-white people. The historical moment in which a given social movement is situated - the legal context, political field, and religious context - is key to the frames chosen and employed. Finally, the goals that movement leaders have with regard to moving their issue forward and taking action dictates the frames they utilize. This discussion of framing will illuminate key differences between the pro-choice movements in Argentina and the United States, especially given their different historical backgrounds and different types of mobilization.

Framing processes are important to analyze within this discussion of abortion rights movements. After considering the fields in which these movements exist, I will now consider how the movements have responded in terms of the frames they employ to capture their issues and present them to the public. According to Robert Benford and David Snow, “collective action frames are action-oriented sets of beliefs and meanings that inspire and legitimate the activities and campaigns of a social movement organization (SMO)” (2000, 614). Frames are used by movement leaders to demonstrate the grievances and demands of a given campaign or group of people, and they allow prospective participants, as well as the general public, to identify with their claims and become involved in those social change efforts. The Argentine and American movements employ a number of different frames to move their progress forward, and the choice of frames is reflective of the factors of illegality or legality, political field, and religious context. The Argentine pro-choice movement uses the “human rights,” “socioeconomic issue,” “public health,” and “women’s rights” frames, whereas the American pro-choice movement employs the “individual privacy” and “reproductive justice” frames. In this chapter, I will focus on these specific frames used by the movements to fight for their cause, and will argue that the fields in
which these movements are situated impact the frames that leaders adopt and utilize to spark social change.

**Salient Frames of the Argentine Abortion Rights Movement**

The leaders of the Argentine pro-choice movement have employed a variety of frames to present their issue and demonstrate the urgency of this struggle. The specific frames I will discuss include the “human rights” frame, abortion as a “socioeconomic issue,” the “public health” frame, and the “women’s rights” frame. These frames are all significant to the Argentine pro-choice movement given the field in which it is situated, as well as the pro-life movement against which the campaign is fighting. The various frames can be observed in different settings where the abortion debate is active, such as the *Encuentros Nacionales de Mujeres* (National Women’s Conferences), media outlets where leaders and supporters publish information, and within specific pro-choice organizations fighting as a part of the National Campaign for the Right to Legal, Safe, and Free Abortion.

Women’s social movement scholars Barbara Sutton and Elizabeth Borland use the *Encuentros* as a setting in which to observe the way different frames are operationalized since these conferences are “a microcosm of movement diversity in Argentina” (2013, 198). They find that the “human rights” frame and associated language, as it is often used in Argentine social movements due to the recent and complex history of human rights abuses by the government, is not employed as frequently as expected within this context (Sutton and Borland 2013, 228). In fact, this frame was referenced the least in the workshops they studied at the *Encuentros*, signaling a relative insignificance of this framing in relation to abortion rights (Sutton and Borland 2013, 223). Yet when this frame *is* used, it materializes in slogans such as “women’s rights are human rights,” pointing to the need for women and their particular needs to also be acknowledged in the fight for human rights (Sutton and Borland 2013, 219). We can observe the political field as a consideration here in terms of the collective action frames that are utilized by the Argentine pro-choice movement.
Because of the recent military dictatorship in Argentina between 1976 and 1983, many subsequent social movements in the country, such as the Madres de Plaza de Mayo (Mothers of the Plaza de Mayo) that demanded justice for their disappeared children, base their grievances and claims on issues of human rights. Therefore, the fact that the pro-choice movement does not utilize this claim more is slightly surprising due to the success of other Argentine movements that do choose to employ this frame. However, the employment of the “human rights” frame in the context of the Madres implies a maternal role that many pro-life advocates claim is not fulfilled by those who choose abortion over (forced) motherhood (Morgan 2015, 140). That is to say, these anti-abortion advocates have made the “human rights” frame less accessible to pro-choice activists through their use of language that bestows human rights onto the fetus, rather than the person who is pregnant.

The Argentine abortion rights movement also frames the problem as a “socioeconomic issue,” one that is profoundly stratified by class. Borland claims that leaders of the pro-choice struggle point to abortion as a concern that “divides society along economic lines” (2000, 3). From a social standpoint, activists can draw clear pictures of the dire situation, and how the lack of access to legal, safe, and free abortion negatively and disproportionately affects poor populations. There are a plethora of issues framed in this manner as much of human society is organized by class, often disadvantaging poor people. Activists “portray the close relationship between high abortion and maternal mortality rates,” thus making use of the “socioeconomic” frame as women of popular classes have lessened access to sexual education and avenues to access safe abortions (Borland 2000, 3). This strategy is also applicable to the “public health” frame as movement leaders point to maternal mortality rates as a reason to reform abortion law.

This “public health” frame is operationalized by activists within the Argentine pro-choice movement, and again is seen within the context of annual Encuentros. In their study of frames used in the movement, Sutton and Borland claim that the “public health” frame was the most dominant “in terms of frequency of use and inclusion in movement slogans” (2013, 223). This
application of language regarding health is a crucial aspect of the Argentine abortion rights movement. For example, the main slogan of the pro-choice movement in Argentina, printed on the *pañuelos verdes* worn by supporters, is “por el aborto legal, seguro y gratuito” (for legal, safe, and free abortion), signaling the significance of public health concerns within the movement, and the larger context of the illegality of abortion in the country.

We can observe discussion around sex education in popular neighborhoods and easy access to contraception as methods of equalization across class lines and prevention of pregnancy for everyone who needs it (Borland 2000, 3). The use of the “public health” frame is tightly interconnected with the “socioeconomic” frame as access to reproductive health education and services is stratified by class, creating vastly different outcomes based on one’s social location. One slogan utilized by the pro-choice movement that demonstrates this connection is “educación sexual para decidir, anticonceptivos para no abortar y aborto seguro, legal y gratuito para no morir” (sex education for choice, contraception to prevent abortion, and safe, legal and free abortion to prevent death). This phrase illuminates the large void in equal and comprehensive education surrounding reproductive health among different populations across the country (Sutton and Borland 2019, 28). As Borland writes: “With the remarkably high rates of maternal mortality caused by abortion in Argentina, as well as international pressure, it is no wonder this argument [posing abortion as a health issue] has been successful in mobilizing support for contraceptive access” (2000, 3). The use of both the “socioeconomic” and “public health” frames neatly fit into Argentina’s political field which includes the illegality of abortion, and a long tradition of social uprising, often by the popular classes who are most affected by issues that are stratified by class, such as access to abortion.

Because of the close linkage between the Argentine feminist movement and the respective pro-choice movement, it should come as no surprise that the “women’s rights” frame is critical to this discussion of the ways in which abortion is framed in Argentina. Borland reflects on this necessary connection that is hard for many pro-choice activists to separate (2000, 4).
They say that “in this feminist view, women see the persistence of illegal abortion as a means of maintaining patriarchal power,” thus demonstrating the interrelation of these feminist and pro-choice perspectives (Borland 2000, 4). A slogan that employs this frame is “mi cuerpo, mi elección” (my body, my choice); this phrase is clearly intertwined with the “women’s rights” frame due to the fact that female-assigned bodies are the only bodies that can get pregnant and that are directly affected by pregnancy (Sulis Kim 2018; Lopera 2019). Additionally, pro-choice feminists in Argentina view “involuntary motherhood as a sentence to a perennial ‘low status’ for women,” placing sex education and access to contraception at the forefront of the pro-choice agenda, along with the obvious need to legalize abortion to make it available and safe (Borland 2000, 4). This operationalization of the “women’s rights” framework by Argentine abortion rights activists elucidates the significance of gender identity within the struggle for women to have control over their bodies and lives. Thus, it is clear that the legal context of abortion in Argentina is of utmost importance when this frame is used because the illegality of the procedure is directly discriminatory against women.

**Pertinent Frames of the United States Abortion Rights Movement**

American pro-choice activists have used multiple frames to view the issue of abortion in the United States. I will draw attention to two important frames - “individual privacy” and “reproductive justice” - that are prevalent and salient in the American pro-choice movement. While the “individual privacy” frame is considered more traditional and pertinent to the 1973 *Roe v. Wade* case, the “reproductive justice” frame is a more recent addition to American feminist debates, and brings an important perspective to the issue of abortion from the standpoint of women of color. As we will observe, there are notable differences between the frames employed by the Argentine and American abortion rights movements, and these variations stem from the differences among the aforementioned fields in which the movements operate. We can see the use of these frames in many settings where abortion is being debated in the United States,
including academic works, various media outlets, and different pro-choice organizations such as NARAL Pro-Choice America.

In the process of analyzing the trajectory of the American abortion rights movement, including the history before *Roe v. Wade* and following this landmark Supreme Court decision, the “individual privacy” frame becomes apparent. As Myra Marx Ferree et al. argue in their work, “the central issue for the Supreme Court majority [in the *Roe* decision] was the right to privacy from government intrusion into intimate personal matters” (2002, 29). Therefore, the court majority emphasized this concept of privacy from the government to make one’s own decision regarding their body, theoretically allowing women this freedom. Although this was a landmark Supreme Court decision, the court provided no concrete educational or economic support for Americans to learn about or have the resources to access abortion (Marx Ferree et al. 2002, 29).

Marx Ferree et al. discuss the widely held mentality that the United States government is an entity that interferes with the lives of individual Americans, and the idea that issues such as abortion should not be up to the government to decide upon (2002, 29). Additionally, NARAL Pro-Choice America advanced the idea that the government should not play a part in a person’s reproductive decisions, emphasizing this necessity of privacy within the American mentality (Smith 2005, 128). An important slogan used by different organizations and citizens is “my body, my choice,” a slogan that is also operationalized by the Argentine pro-choice movement as a way to demonstrate the “women’s rights” frame (Fisher, n.d.). This phrase points to the significance of a woman’s autonomy over her own body, and her ability to make the right choice for herself, rather than the government doing so. “My body, my choice,” along with “#MyRightMyDecision” from the Center for Reproductive Rights, illuminates the resonance of the “individual privacy” frame in the United States as it works to bestow individual choice, power, and agency onto those who are able to get pregnant (2020).
Furthermore, with regard to a feminist framework, autonomy is of utmost value to feminists as the ability for women to make their own decisions about their bodies recognizes their “full personhood” as humans (Marx Ferree 2003, 314). The American pro-choice movement’s use of the “individual privacy” frame demonstrates the importance of the legal context as the movement is utilizing language from Roe that made abortion legal in the United States some four decades ago. By working within the legal-political structure of abortion in the United States, the pro-choice movement has emphasized the importance of the legality of abortion in the country.

In contrast to the traditional feminist narrative above, reproductive justice advocates argue that “women of color found ‘reproductive rights’ to be too focused on privacy, autonomy, and abortion,” and was thus “inattentive to the concerns of immigrants and women of color” (Morgan 2015, 137). The concept of “reproductive justice” is a framework that concentrates on these populations and centers ideas of justice over ideas of privacy and autonomy; it was introduced by an organization called SisterSong in 1994 (Morgan 2015, 137). This collective of American women of color believed that the terminology and scope of “reproductive rights” was solely limited to the reproductive concerns of white people and middle- and upper-class populations, rather than those of the greater American population (Morgan 2015, 137). Leaders of organizations that operationalize the “reproductive justice” framework claim that the mainstream reproductive rights movement is “too narrowly focused on promoting family planning and abortion rights” without considering the reproductive needs, struggles, and realities of low-income and minority populations (Cohen 2008).

The mainstream First and Second Wave movements of feminism in the United States were not completely devoted to the inclusion or unique needs of non-white women, making the utilization and popularity of the “reproductive justice” framework during the Third Wave (and Fourth Wave) even more important during the present moment. This fight for reproductive justice not only includes the right to abortion, but also to sex education, protection from
sterilization and eugenics, and the opportunity to raise children to adulthood in a healthy and safe environment. Thus, we can observe a departure from strictly focusing on *Roe*, and the subsequent legal context, by reproductive justice advocates as this framework is much more expansive than just providing abortion services to those who need or want it. A slogan that has been utilized to demonstrate the “reproductive justice” framing is “Pro life? Not after birth.” ("The Facts," n.d.). This phrase is quite indicative of the real struggles that people of color face after giving birth and trying to care for their children due to the societal structures in place that discriminate against people of color in a systematic manner ("The Facts," n.d.).

Andrea Smith argues that all Americans should have the unequivocal *right* to abortion, regardless of access to resources. They critique the claim within the dominant discourse that middle- and upper-class people in the United States have earned reproductive *choice*, while poor people and people of color have not due to their lack of resources to unlock that choice (2005, 128). Therefore the “choice” in the pro-choice versus pro-life debate is language that does not apply to every American, especially within the confines of a capitalist system due to the unequal distribution of monetary and educational resources (Smith 2005, 128). Smith claims that this pro-choice versus pro-life debate excludes numerous groups of people, and is not a fair comparison as people who are pro-choice are not “anti-life,” and people who identify with the pro-life side are not necessarily “anti-choice” (2005, 134). The use of the “reproductive justice” frame is important to consider in this discussion as its introduction has allowed for the inclusion of many more perspectives and experiences in the United States abortion debate. The applicability of this frame to a wider range of people demonstrates the practicality of employing a frame that addresses social issues at the intersection and rejects systems of oppression (Smith 2005, 135).

**Comparison of Frames Across Contexts**

As I have demonstrated, the frames employed by abortion rights advocates in Argentina and the United States are drastically different. This is due to the distinctive contexts in which the
activists and movements are operating and mobilizing. Argentina’s long struggle with abortion can be attributed to the fact that the procedure has been illegal from the country’s founding, as well as its deep-seated Catholic tradition. The United States’ abortion debate and fight can be ascribed to its similar anti-choice policies, followed by the procedure’s national legalization in 1973, along with the prevalence and consequent influence of Christianity in the country. I will now discuss the relevant differences between these two sets of frames used by each pro-choice movement.

When activists choose the specific frames through which to approach and present their issue, they are embodying their desired outcome of the movement. Argentine activists utilize the “human rights” frame due to the country’s extensive history of human rights abuses at the hands of the government and multiple military dictatorships. Many other Argentine social movements use this framing for the same reason, and therefore the abortion rights movement has been able to capitalize on this part of the country’s past and present. Under military dictatorship, Argentine civil society referenced international human rights laws and protocols for support during times of repression and abuse. Thus, “human rights” framing is meaningful to Argentines as a result of the country’s recent history of human rights abuses at the hand of multiple military dictatorships. On the other hand, “human rights” framing is not as resonant in the United States as the country is not wholly invested in international human rights laws and efforts, leaving a large number of human rights treaties unsigned and unratified (“Ratification of International Human Rights Treaties - USA,” n.d.). Thus, pro-choice advocates in the United States draw more on nationally resonant frames such as “individual privacy” that hold more value for Americans.

The explanation of abortion as a “socioeconomic issue” is salient in Argentina due to the vast social disparities among different populations throughout the country. Unequal access to education around abortion is an issue that disproportionately affects people of the popular classes, and the Argentine movement is fighting to rectify this gap. There is also a large socioeconomic gap across the population of the United States, and some pro-choice activists
and organizations have brought attention to the harmful effects of this disparity with regard to reproductive health services. For example, a person of the upper classes who lives in a state in which abortion is heavily restricted has the ability to travel to another state to have the procedure, while their poor counterpart simply cannot. American pro-choice advocates have not utilized this frame to the extent that it has been utilized in Argentina; however, reproductive justice activists in particular do point to issues of socioeconomic discrepancy and ways the mainstream reproductive rights movement excludes the concerns of these marginalized populations. Socioeconomic issues that are more central to the Argentine abortion debate are less mainstream within the United States abortion rights movement.

The operationalization of the “public health” frame by Argentine pro-choice activists is a signal of the current plight of many poor people across the country who do not have access to sex education, contraception, or the resources to seek a safe abortion. The pro-choice movement has used this frame due to the dire circumstances of a large number of women who have died having clandestine abortions, pointing to the illegality of the procedure as a main cause for this high rate. The scholars that I have cited here do not draw on public health frames to analyze the American pro-choice movement. However this lens is still important within the American context as clandestine abortions occur, although they are not as commonplace in comparison to Argentina because the procedure is legal nationally.

Argentine pro-choice advocates use the “women’s rights” frame as it is an aspect of their feminism, or feminist perspective. The illegality of abortion is discriminatory toward women, or female-assigned people - those who have the ability to get pregnant. This frame pulls in aspects of racism, classism, and obviously sexism, taking an intersectional approach to the hardships that illegal abortion causes. American pro-choice advocates do not invoke this frame as much as Argentine activists do, and this is true for a number of reasons. Marx Ferree claims that Americans, both male and female, “advocate abortion rights in nongendered language that refers to the rights of the ‘individual’…to be free from state interference” (2003, 322). This is
important to note because this emphasis on individual rights and privacy supersedes an idea of “women’s rights” with respect to abortion in the United States. Similarly, Marx Ferree discusses the fact that men in the United States regard abortion and reproductive issues “more as a matter of liberal self-determination than as women’s rights” (2003, 324). As we can observe, the “individual privacy” frame utilized in the United States pro-choice movement holds prominence in its own regard, as well as in comparison to the “women’s rights” frame.

As I have alluded to, the American abortion rights movement very much centers the “individual privacy” frame, especially since the Roe v. Wade Supreme Court decision in 1973. As Marx Ferree et. al discuss, the right to individual privacy and choice was placed at the forefront of the case, centralizing this issue (2002, 29). The American culture of individuality, coupled with distrust of the United States government, has led this frame to dominate the American pro-choice movement. Following the Roe case, the Supreme Court has heard other related cases that have emphasized the right to individual privacy in terms of reproductive decisions. For example, in Harris v. McRae in 1981 “the Supreme Court clarified the scope of Roe’s right to privacy as the non-intervention of the government in women’s decisions” (Noguera 2019, 370). Therefore, we can observe the significance of the individual’s agency to make their own reproductive decisions within the United States abortion debate.

Some American pro-choice advocates utilize the “reproductive justice” frame as a more inclusive lens through which to view issues of sex education, conception, contraception, pregnancy, sterilization, and abortion. Rather than solely focusing on peoples’ right to abortion, activists who focus on reproductive justice expand their interpretation to all Americans, including people of color, immigrants, and poor people. We see the existence of different strands within the American pro-choice movement, namely a reproductive rights strand and a reproductive justice strand. The American reproductive justice movement takes a more similar approach to that of Argentine feminists, working to include the stories, voices, and experiences of marginalized populations. A reproductive justice standpoint sheds light on the reproductive
struggles of these populations that often go unseen in the mainstream abortion rights movement. For example, middle- and upper-class white people rarely experience sterilization after giving birth, yet people of color and immigrants are often subjected to forced sterilization due to racist policies in over half of the fifty states and a lack of informed consent in and knowledge of the practice (Patel 2017).

If we believe that all people should have access to reproductive choice, then the reproductive justice frame seems ideally applicable in all contexts; however this frame is not pertinent within the Argentine movement because “Argentine feminists have long been attentive to the ways that social class, gender, environmental degradation, migration, and racism intersect with reproduction—in short, to the values espoused under the banner of reproductive justice” (Morgan 2015, 144). Lynn Morgan eloquently points to the fact that movement leaders in Argentina have been cognizant and inclusive of the various struggles of poor people and other marginalized groups with regard to lack of access to reproductive education and care. In comparison, the United States early pro-choice movement was much more focused on the grievances of middle- and upper-class white people, thus erasing the experiences of other populations. Issues of reproductive justice have long been salient in Argentina, whereas there is more of a disconnect between older pro-choice frames and modern reproductive justice frames in the United States.

The employment of this array of frames across the Argentine and American pro-choice mobilizations illuminates the influence of their respective fields on the ways they respond and operate. The movement leaders of each struggle have chosen frames that are directly applicable and relatable to the people in each location, and due to the difference in the histories and cultures of each country, these frames are rightfully varied. Additionally, existing social movements can have an effect the abortion rights movements. For example, the Madres de Plaza de Mayo leverage the human rights argument within their movement, and thus the Argentine pro-choice movement has utilized the “human rights” frame due to the consciousness
raising by the *Madres*, and the country’s long history of human rights abuses. Without these contextual factors in play, the Argentine abortion rights movement would not look the way it does and utilize the frames it currently uses. As I have demonstrated above, the same is true of the United States pro-choice movement.
Conclusion

Summary of Key Claims

As I have argued throughout this thesis, the abortion rights movements of Argentina and the United States are heavily influenced and impacted by the respective legal, political, and religious contexts in which they operate. Popular narratives analyze social movements without considering the forces that shape them, and thus I have focused my thesis on this very idea. When we study specific social movements, we must understand the fields in which they are located to be able to grasp their actions, ways of mobilizing, frames utilized, successes, and failures.

I have centered the illegality and legality of abortion throughout my work to demonstrate the importance of the legal context in the fight for abortion rights. We see each movement mobilizing in various ways and employing different frames, in part based on the legal status of abortion in their respective country. That is to say, Argentine pro-choice movement leaders are struggling to secure a right that has long been criminalized, and utilize frames that are revealing of the discrepancies that exist as a result of the criminalization of abortion; American movement leaders are fighting to maintain the legality of abortion, as stipulated by Roe v. Wade, and thus use frames that highlight the importance and success of the procedure’s current legal status. Through the various vignettes, stories, and data that I presented, it is clear that the quotidian effects of the legal statuses of abortion are important aspects of this analysis. The de facto impacts that exist as a result of the illegality or legality of abortion, namely the high rate of clandestine abortions in Argentina and the stratification in access to abortion based on class, race, and location in the United States. The legal status of abortion in a given country has serious impacts on the daily lives, health, and freedom of its citizens.

I have discussed how the respective political fields in each country are important pieces of the puzzle in terms of considering the environments that affect social movements. The political field, relevant history, and current socio-political climate of both countries shape the
social movements that arise. In particular, I analyzed each country’s social and political history to situate the current pro-choice movements in those larger timeframes as this contextualization is essential to truly understanding the makeup of the movements today. Thus, the concept of political field helped to reveal the significance and influence of the contexts in which the social movements are situated.

I have demonstrated the role of religion in the Argentine and American abortion debates, drawing on the impact of faith on individuals and elected officials, as well as the great power that religious institutions, namely Christian organizations, hold over abortion rights mobilization, in favor of the pro-life movement. In both countries, religious institutions push religious ideas including the following: life begins at conception and life is a God-given right that should not be taken away through abortion. Religion affects the pro-choice movements of both countries in local and national ways, although I have focused on the national impacts. While many might assume that the Catholic identity of Argentina or the large Christian population in the United States are the sole factors that explain the current abortion situations and debates, I have argued that we must take a more nuanced approach. Religion is only one of a number of important factors to examine when studying the pro-choice movements of Argentina and the United States.

Finally, I have conducted an detailed analysis of the various collective action frames utilized by each pro-choice movement. My thesis adds depth and perspective to the sociological scholarship on framing and how it is influenced by factors such as legality, political field, and religion. As I mentioned, looking at the specific frames movement leaders employ helps us to better understand the contexts in which they operate. Thus, we see a great variation in the frames used by the Argentine and American pro-choice movements due to the differing legal contexts, political fields, and religious contexts. I discussed and provided examples of four frames used in the Argentine abortion rights movement, including the “human rights,” “socioeconomic issue,” “public health,” and “women’s rights” frames. I did the same for two
popular frames within the United States context, analyzing and giving examples of the “individual privacy” and “reproductive justice” frames. Collective action frames are an important tool utilized by social movements, and they demonstrate the ways a movement’s sentiments, claims, and vision are operationalized in a quotidian sense.

Throughout this thesis, I have laid out a framework of important contexts that work to construct an environment in which the respective pro-choice movements exist and operate. These various considerations of legal context, political field, and religious context have thus shaped the frames utilized by each social movement. While each component of this framework I constructed is important, I revealed how religion, although a consideration, is not the end-all be-all explanation for the continued struggle to legalize abortion in Argentina. It is in the nuanced fields that we can begin to grasp all the factors that work to influence the actions and success or failures of social movements in context.

**Further Research**

Following the work I have carried out to write my thesis, there is still much investigation to be done on this subject. I have undertaken a thorough comparison of the abortion rights movements of Argentina and the United States. The fights to legalize abortion or keep the procedure legal are in a state of constant change, and therefore this topic should be regularly revisited as governments and movements evolve. As I have discussed, Argentina seems to be moving toward legalization, and thus revisiting research on abortion in the country should it be legalized would allow for analysis of the effects of a shifting de jure legal context on the everyday de facto realities of life. What will abortion politics in Argentina and the United States look like in five or ten years’ time? Further research, as contexts change, will be important in order to continue to reconsider the effects of legality, political field, and religion on abortion in these countries.

Related research would include comparisons of other countries and their respective pro-choice struggles, with a focus on Latin America. For example, countries like Chile and El
Salvador ban abortion in all cases, and therefore clandestine abortion is rampant as people have very little reproductive choice and access (Nolan 2016). A comparison between one of these countries and a place like Germany in which abortion is legal, yet there are many required steps including counseling, would illuminate important differences between locations in which abortion is illegal versus legal (Marx Ferree et al. 2002, 29). This type of comparison would give us a deeper understanding of the de jure and de facto realities of abortion in the two countries as Chile and El Salvador are in a much different position on spectrum of abortion legality as compared to Germany. Leveraging the nuances of the differences between the two locations would elucidate a different set of legal contexts, political fields, and religious contexts to analyze with regard to abortion law. It is important for this research to consider the multiple legal, political, and religious factors I have operationalized in order to create a well-rounded lens through which to view the pro-choice movements.

If I had more time to write this thesis and develop it into a larger project, I would interview leaders of the Argentine and American pro-choice movements. Carrying out an ethnography would have provided me with insights of people on the front lines of this fight, bringing in a firsthand perspective to my study. This step would have shifted the focus onto the individual opinions and experiences of people currently involved in these struggles. With regard to the sources that I did utilize, I recognize that many of them were written in English, which is a limitation when studying a movement in a Spanish-speaking country. If I had more time to read and access a larger number of scholarly works and newspaper articles in Spanish, I would have used those as a resource to add to this investigation, but I am happy that I was able to find and work with the Spanish language sources that I did.

**Moving Forward: Abortion Should Become and Remain Legal**

As I have made clear, the legal context of abortion is of much significance as it determines the access to, safety of, and education surrounding abortion in a given country. In the case of Argentina, abortion is functionally illegal, and the few legal provisions that allow for
the procedure are extremely limited and difficult to unlock. As a result of this legal context, abortion is challenging to access, oftentimes an unsafe practice, and strikingly stratified by class throughout the country. Additionally, the rate of clandestine abortions is very high, and consequently, this unsafe practice is the leading cause of maternal mortality.

The Argentine pro-choice movement is thus fighting to legalize abortion nationally, working to decrease the insecurity, lack of access, and death that occurs due to abortion’s current illegality. The legalization of abortion in Argentina would allow for significant changes and represent a paradigm shift. With the current trajectory and past successes of the movement, I believe that the National Campaign for the Right to Legal, Safe, and Free Abortion will succeed in legalizing abortion, thus allowing Argentines to experience corporal control and freedom, safe abortions, and all-important education surrounding sex, contraception, and pregnancy, as we have observed in other contexts. In fact, the new Argentine President, Alberto Fernández, planned to introduce a bill to legalize abortion in the Chamber of Deputies as of March 2020, taking a step in the right direction in terms of legalizing the procedure on a national level (Daby and Moseley 2020). Laski and Coast write, “The evidence is clear: improving access to legal and safe abortion protects the health of women, and would make Argentina, once again, a trailblazer in the region” (2018). However, it is more complicated than the simple binary of “illegal” and “legal,” and thus access to reproductive health services must be expanded for all people. Throughout my work, I illustrate that legality, like the other factors I discuss, is one piece of the puzzle, and that the de jure and de facto circumstances of abortion in a given country can be quite dissimilar.

In terms of the United States, abortion has been legal nationally since the Roe v. Wade decision was handed down by the Supreme Court in 1973. Yet, American pro-choice activists and organizations have been on the defensive since the procedure’s legalization, fighting a strong pro-life movement that is working to limit, and ultimately take away, this right. But abortion must remain legal in the United States as we have seen the great success of its
legality, and because the country serves as an example to many other countries globally. As we can observe in Argentina, the lack of access to abortion has led the maternal mortality rates caused by clandestine abortions to increase significantly, and Argentina should serve as an example to the United States. Although the country seems to be in a period of regression with a conservative majority on the Supreme Court and a wave of conservatism that has grown over the past few decades, abortion is still legal and the pro-choice movement is actively fighting to maintain its legal status.

The “reproductive justice” frame formally came to the American pro-choice scene in the 1990s and has served as a tool to include many marginalized populations that previously were not represented by the abortion rights movement. The ideals of reproductive justice, such as the right to have or not have an abortion, be educated about sex, and raise a child in health and safety, are rights that all people should have. This is a radical framework that ties the importance of true justice into reproductive issues, and should be used more widely throughout the United States pro-choice movement. Not only is reproductive justice a frame utilized by the abortion rights movement, but it can be categorized as a movement unto itself, and I see its rise as a way to maintain the legal status of abortion in the United States, and also expand the idea of “choice” in terms of the pro-choice mobilization.

The topic of abortion continues to be a heated subject of debate throughout the world, and throughout this thesis, I have compared those debates located in Argentina and the United States. These two countries have opposite legal contexts, different political fields, and somewhat similar religious contexts. As a result of these factors, the respective pro-choice movements employ drastically different frames to persuade the public, elected officials, and institutions of their goals. These movements present visions for their societies in which people can make bodily decisions that are best for them, and in which abortion is easily accessible and safe.
**The Deeper Significance**

Within the sociological arena, my thesis contributes to understandings of pro-choice issues and struggles, bringing a fresh perspective to this topic through the exploration of the influence of the fields in which the two social movements operate. By comparing two different countries in different positions with regard to their pro-choice fight and success, I have demonstrated how a comparative approach can shed light on the similarities and differences between two contexts. Through my use of a sociologically-grounded theoretical framework, I considered the various aspects of each movement within this tradition of academic inquiry.

I have developed the idea that social movements are a main driver of change within the two democratic countries I focused on. The contexts in which the movements exist tell us a lot about the mobilizations themselves and the way they function. These legal, political, and religious considerations are important aspects of the way social movements behave. On a smaller scale, provincial- or state-level electoral politics in Argentina and the United States are instrumental in dictating legality and accessibility of abortion in certain areas. To be a part of this struggle to either legalize abortion or keep the procedure legal, getting involved in the provincial- or state-level efforts is a key course of action in which to do so. This could include voting in elections to elect politicians who support reproductive choice, contacting legislators regarding reproductive issues, or getting involved in local activism efforts surrounding these issues. Abortion is an issue that affects people globally in an immediate and quotidian sense; the present investigation has attended to this immediacy while also considering the larger ideas, concepts, and frameworks in which they are situated.
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