



Transcription

Democracy in Question? – Season 2, Episode 9

Why are Reproductive Rights so Contentious in the US and Argentina?

Shalini Randeria, Host (SR)

Rector of the Institute for Human Sciences (IWM) in Vienna, Professor of Social Anthropology and Sociology at the Graduate Institute of International and Development Studies (IHEID) in Geneva, Director of the Albert Hirschman Centre on Democracy at the IHEID, Excellence Chair at the University of Bremen

Katha Pollitt, Guest (KP)

Puffin Foundation Writing Fellow, poet, political columnist, personal essayist.

Tamara Tenenbaum, Guest (TT)

Poet, journalist, teaching at the University of Buenos Aires.

Published 12 August 2021

Democracy in Question? is the podcast series of the Albert Hirschman Center on Democracy at the Graduate Institute, Geneva, the Institute for Human Sciences (IWM), Vienna, and the Excellence Chair, University of Bremen (Research Group: Soft Authoritarianism).

Podcast available on:

[Google Podcasts](#), [Apple Podcasts](#) and wherever you usually find your favorite podcasts.

SR: Welcome to "Democracy in Question?" the podcast series that explores the challenges democracies around the world are facing today. I'm Shalini Randeria, the director of the Albert Hirschman Centre on Democracy at the Graduate Institute in Geneva and rector of the Institute for Human Sciences in Vienna.

I'm joined today by two people, Katha Pollitt and Tamara Tenenbaum. Katha is an American poet, essayist, and critic. She has been a defender of women's rights and especially abortion rights notably with her book, "Pro: Reclaiming Abortion Rights." Tamara Tenenbaum is an Argentinian poet and journalist who teaches at the University of Buenos Aires, and is also an activist who has been fighting for reproductive rights in Argentina. So, very warm welcome to you, Katha and Tamara.

[00:01:00]

KP: Thanks for having us.

SR: We've been seeing a growing backlash against reproductive rights all around the world. The U.S. Supreme Court agreed to consider a case that could bring about a major setback on abortion rights in the country. But we have also seen sustained progress on women's rights issues in other parts of the world. Argentina legalized abortions up to the 14th week of pregnancy, a result of years of struggle and campaigning by women's rights movements in the country. So today, we are going to look at these

contrasting examples to understand what do these divergent developments mean for the future of women's rights? Let me begin with you, Katha. I remember an article of yours in 2015, you write, "If the next president is a Republican, game over." Is the game really over now that the balance of the American Supreme Court has shifted with these three highly conservative judges, all appointed by President Trump between 2017 and 2020?

[00:02:00]

KP: The Supreme Court has agreed to hear a case from Mississippi, a state which at present has one abortion clinic. So you'd think they wouldn't feel they had such a big problem, but they have passed a law banning nearly all abortion after the 15th week of pregnancy. That Mississippi law is a complete violation of Roe vs. Wade, which is the landmark Supreme Court decision that legalized abortion through the second trimester that ran the 24th week of pregnancy in 1973. So, depending on what they decide, Roe could go, and that would mean that any state could do pretty much whatever it wanted. And there are, I think, 12 states that have already passed legislation saying if Roe is overturned, abortion is illegal here.

[00:03:00] So, there are two things happening. One is this legal strategy of getting rid of Roe in order to criminalize abortion, but the other is the sort of chipping away at abortion rights on the ground. I mean, when you have, I think it's seven states with one abortion clinic, you have made it

very, very hard for women to access abortion in that state. So, the general picture is not good. Although I have to say that there are some states, for example, my state, New York and California, and some others that have moved in a more pro-choice direction by putting abortion rights in the state constitution, by getting rid of restrictions that they had before. So it's gonna be a mixed picture.

SR: Tamara, if we look at the legal changes, why is it that the law has become such a central instrument, even in Argentina?

[00:04:00]

TT: We had a court decision before we had the law, but it was only for what we call abortion with a cost, which meant it applied to women whose health was in danger and to women who had been raped. This was a court decision that widened something that was already in our penal code since 1920. The law that we had from the 1920s, it allowed women who were mentally challenged to have abortions when they were right, but it only applied to women with mental issues. So, a couple of years ago, the court decided that it was unconstitutional to discriminate against women who were raped and had no mental health issues. So, that was the first advance we had towards the legalization of abortion, but it was still very difficult to get one of those legal exceptions. So it was very important for us to have a law. It was actually the only way we could get free abortion for everybody.

Now, the battle is getting the law applied. We are not a federal country like the United States. So, the provinces are not allowed to make their own laws, but they can make it very difficult for it to be applied, for example, through consensus objections. Consensus objection is the right a doctor has to refuse to perform any kind of procedures they are not in favor of. It could be an abortion or it could even be tie someone's tubes or whatever. This is a country that is very unequal. So this will probably be worse for poor women who live in the most conservative provinces far from the big cities. So, they even have a very hard time getting what we call an illegal but safe abortion, which you could definitely get in Buenos Aires, in many other big cities. So, for example, an abortion with pills or an abortion that's performing in an illegal clinic, but in clean conditions. That's what it would mean. I mean, we had illegal abortion for many years and if you had enough money, you could get a very perfectly safe illegal abortion. If you don't have money, you get a perfectly unsafe illegal abortion.

[00:06:00]

SR: Katha, if I play that back to you, can you say something about not only the rural-urban divide, you gave the example of New York, but also the class question, which Tamara just raised? Can you think about how that plays out with regard to abortion rights in the U.S.?

KP: It's a major issue. Medicaid, which pays for healthcare for poor women and many, many insurance policies will not cover abortion. So, a

lot of women have to pay for their abortion out of pocket and they don't have the money. Something like 40% of people in the United States say that they could not come up with \$500 if they had a month to do it for an extra expense, like say, repairing a car. So, if suddenly you're pregnant and you need to get an abortion, that \$500, or it could be more, it could be a lot more depending on how far along you are, that could be very hard to come by.

[00:07:00] What tries to fill the gap are NGOs called Abortion Funds, which raised money from kind people with some money to help women find abortions. The problem is that there isn't enough money in the pot to help all these poor women who would like to have abortions.

And that means that while women are trying to raise the money, the price goes up because the longer you wait, the more expensive the procedure is. And so, I'm a supporter of Abortion Funds and I receive urgent requests, this person needs an abortion that's going to cost \$7,000. That should almost never happen, except for some really important medical reason. So abortion has always been a question about prosperity, about who can afford it and who can't. And the less you can afford it when abortion was illegal, the less safe your procedure was. But now there are, according to one of the very few studies that have been done of this, something like 20% of women who would like to have an abortion cannot get the money to do it.

[00:08:00]

SR: So, let's talk about the nature of the political mobilization in both your countries in bringing the laws into effect. Because as I understand from Tamara's writings, the Argentinian success story's also not a straightforward one, and you called it, Tamara, "The Untranslatable Journey of Argentina's Fourth Feminist Wave." So, could you explain why?

TT: While in the U.S. people mobilized around the Me Too on the sexual violence, in Latin America, what we call the fourth feminist wave that started in 2015, it railed around femicide, the killing of women. In Argentina, every 24 hours a woman is killed. We haven't all been able to change that number since it started to be counting, which is actually very few years ago. It took some time, it took at least I would say two years since 2015 to 2017, to make the feminist movement be openly pro-choice. I even remember when I went through the first marches, me and my friends went with pro-choice signs and we were frowned upon. Some people said, this divides us. This is not a good idea. There are many people here who are not pro-choice, and we still want them here. There were a lot of mothers from girls who have been killed, and some of those mothers were anti-choice and we, of course, wanted to be respectful of them. So, we didn't show our signs and many other people did the same thing.

[00:09:30] But, you know, after one year or two years, we thought, what are we going to use all this political force for if not to legalize abortion? Because around 200 or 300 women die from illegal abortion, so it's actually another important issue. The feminist movement had to be pro-

choice and its mainstream version had to be pro-choice too. And that's how we get the political force to change the law. I mean, the law was sent to Congress first, 2018 and it didn't pass. And then in 2020, the official party, the party that's governing sent the law with the support of the president, and then it passed. But it's not like they were for it before 2015 or before 2017, it was a feminist movement that made it a good idea to be pro-choice for a party.

SR: So, Katha, let me stay with the one point which Tamara just made about how the political coalitions around abortion within the feminist movement changed. You have argued that there is a need to reframe the discourse around abortion rights. And you have a provocative proposition. You say we should think of abortion as a positive social good and not simply as a necessary evil or a regrettable decision that women are sometimes allowed to make. Why do you think that is an important step?

[00:11:00]

KP: Well, there's a lot of shaming around abortion. There's a lot of, "Well, we can't let women die in back alley, so abortion has to be legal, but it's really terrible. And these women who have them are careless and slutty, and they don't use birth control, and that's why they're having this abortion." That messaging is very disempowering to the movement because basically, you're saying, well, here's this murderer, but we can't let her die. So that's not good. A much better framing, which is the one I argued for in my book is abortion is a part of life. There's a great deal of

unintended and unwanted pregnancy. There's a lot of involuntary sex. There's a lot of difficulty in accessing birth control in this country in a consistent way. Modern life is based on being able to control your family size. People don't have six children anymore. They want to have children when they're ready to have them, ready to take care of them when they're in a good place with the relationship and with work, and abortion and birth control together are how that is achieved.

[00:12:00]

SR: Katha, let's look at the American experience here, where there used to be a really strong women's movement, a women's movement which also was about abortion rights, women's rights to their own bodies. Did this movement turn complacent thinking victory had already been won and it'll stay that way forever?

KP: Activists have never been complacent. Activists have always warned that abortion rights were easily threatened, but large numbers of people who were pro-choice were and probably still are complacent. And one reason for that is America is huge. The states are very different. So, if there's some law in South Dakota, which is a very anti-abortion state, if you live in New York City or you live in Chicago, you might not even be aware of it. And so, it's only as these anti-abortion laws creep out of the small rural states into states that have big populations that people are beginning to think, "Oh my goodness, what is going on here?" I'll give you an example. Virginia used to be quite a Republican state. Then they

passed a law requiring everyone who wanted an abortion to have a transvaginal ultrasound requiring the insertion of a probe into the vagina. This outraged people, this woke a lot of people up, and in the end, the law was not passed. But it fueled a wave of very energetic activism, and now Virginia is a Democratic state. At the same time, the exact same law was passed in Texas, and Texas is more anti-choice than ever. So, a lot of it depends on where you are.

[00:14:00]

SR: So, Tamara, for many of us following the Argentinian developments, the Argentinian law was surprised because we thought the Catholic church was a very powerful agent in not only Argentina, but all over Latin America. So, can you say something about the role the church has played in this entire transformation trying to oppose it or not oppose it very strongly?

TT: First thing to say is that like in many other countries in the West, the Catholic church has lost a lot of power in the last decades. In Argentina and I believe in the rest of Latin America too, but it still definitely has a lot of power and it mobilized its forces to keep abortion illegal. When the abortion was legalized, the marches were divided. There was the green side, which was our side, pro-choice, and the blue side. When you got to that side, it was people praying, a lot of nuns, a lot of priests and the people wearing crosses, and they are still trying to put around legal strategies around the country to delay abortions because as you probably

know, abortion here is legal with no particular cost until the 14th week. So, any delays that you have in the process can actually keep you from getting a legal abortion. Also, I think our law was very successful in protecting women from the unfair use of consensus objection, because there was a group in the anti-choice camp that wanted to make the law more restrictive in that it allowed hospitals to object institutionally, not just individual doctors objecting, which is admitted by our current law, but in entire institutions. And if that law had passed, that modification, that would mean that many cities, many towns, many small towns, especially in the countryside would have no place to perform an abortion. And that didn't pass. And that was a very, very big loss for the church because many Catholic hospitals here wanted to object institutionally, and now they cannot.

[00:16:00] This is like the last loss of many losses. They have lost gay marriage. They have lost our sexual and reproductive health law, which means that any woman, even underage women can get free access to contraception anywhere they want. So, the church is an actor in Argentina and that's not to be denied, but I'm very optimistic that in the next decades, we're going to get even further from the influence of the Catholic church in Argentinian politics.

[00:16:30]

KP: The influence of the Catholic church is enormous in this area. In the United States, the Catholic church controls one in six hospital beds. And

that means that in those hospitals, not only can you not get an abortion, you can't get birth control, you can't get a sterilization procedure, nothing. It's like you have modern medicine except for your reproductive system, and then you go back to the middle ages. And the Catholic church is very powerful, maybe not as powerful as it used to be, but maybe even more important than the Catholic church is the protestant fundamentalists and evangelicals. This is their big issue. They just stuck to Trump like white on bread, as we say, they would admit, you know, I don't like everything he says and he's to women, but we're gonna get what we want on abortion and on, you know, religious rights, as they would say, religious privileges, as I would say. Something like a quarter of Americans are Catholic and most of them are approachable to some extent, and another quarter or so are evangelicals, even though their numbers have been declining.

SR: So, let's look at the difference which race makes in Argentina or in the U.S. when it comes to abortion rights. Katha.

[00:18:00]

KP: Originating with Black women, but now much more widely diffused is the concept of reproductive justice. Reproductive justice is the idea that you should have the right to have a child or not have a child. And you should have the right to raise that child in decency, which includes a lot of things. It includes clean air, good schools, not thinking your son's going to walk out the door and be murdered by a policeman, etc. It's a

broader framework than simply you should be able to have an abortion. I think you're seeing some changes around that in recent years. Like just the last two, I think, a number of important reproductive rights organizations have turned to Black leadership. There's been a lot of internal turmoil about whether Planned Parenthood or NARAL are racist internally in the way they promote and the way they hire. And so, more and more organizations are being led by Black women and Hispanic women. But there's a lot of accusations floating around about who is racist, who is classist, who is transphobic. There's a certain amount of turmoil that has yet to settle down.

[00:19:00]

SR: Tamara, does race play a role in Argentina?

TT: Class politics play a bigger role in Argentina and race politics, but that doesn't mean there is no relationship. The poorest people in Argentina are Brown people. We wouldn't say black people because, well, African-Americans exist in Argentina, but are definitely a minority, Brown people are definitely the ones usually getting the worst part. So, I would say that race plays a role, but the language in which we articulate that in Argentina is class politics. With that said, this is a very complicated and entangled issue in Argentina whereas people are also many times the more Catholic people. And that's why you can find even priests and nuns who are actually pro-choice. And many of them were either silence or relieved when abortion was made legal because they work with the

communities and they know what the communities are facing. They know abortion is a reality. Even if they don't like it, they know it is a reality and they know girls and women are getting abortions and they need help.

[00:20:00] So, I think it was very complicated because in one side, you had this, you know, what people call the elitist feminists, like me, you know, white girls who went to college and went to the marches, we were portrayed as influenced by foreign cultures and whatever. And then you had poor women who are supposedly women of faith, and they would never have an abortion. That's not what the numbers say. Those women are having abortions and they're probably having more abortions than I am. I'm on the pill since I was 15, like most white girls in my age. So, it's very complicated, very entangled, but the media tried to put it as if it was white feminist affluent girls telling Brown women what to do with their bodies. So I think race plays a role, but it's entangled in an intersectional way with class, with educational levels, with culture, whatever.

[00:21:00]

SR: Intersectionality is the way in which race, class, and gender intersect with one another. So there are certain kinds of narratives, which we hear narratives about life at conception or the personhood of the embryo, or as Katha mentioned earlier, abortion being murder, which is very present in not only the print media, but also in social media. What kinds of spaces

are there for facilitating a conversation that places women's rights to their own bodies at its center?

KP: Most Americans get their news and their information online now, and they get it from their Aunt Susie, they get it from Uncle Bob and sending things to them on Facebook. It's really kind of shocking to me. You know, one thing that was interesting to me when I wrote "Pro" and did a book tour for it is that people do not know some very basic facts about abortion. And one of them is that most women who have abortions already have children, and that changes the picture. If you can get people to see that, it changes the picture amazingly because the picture people have of a woman who has an abortion is hyper-sexualized, careless, flirty teenager or woman in her 20s who doesn't want to settle down, who hates children, a cold-hearted career woman maybe who hates children. And if you can get people to see, no, the people who have abortions are poor women who already have kids and cannot support another, that I think makes a big difference.

[00:22:45]

And there are a few other facts that people don't know, the picture people have gotten from the media promoted by anti-choice forces is that the typical abortion is the day before birth. They believe that this happens all the time. In fact, it never happens. So, the typical real life abortion is in the first trimester. That's like 91%, I think, of all abortions. And the ones that are very, very late of a potentially viable fetus are a

tiny, tiny percentage. And if abortion were paid for by health insurance, that kind of abortion they present as typical would be even lower. So, I think those are two very important facts that the media tends to obscure in favor of the picture of the careless slut.

[00:23:30]

SR: Tamara, what about Argentina and Latin America, in general?

TT: When you speak about media in Argentina, and in Latin America, in general, you cannot speak about media without speaking about the economic crisis, which means that the media are more concentrated than ever, small media are closing every time. It's very difficult in Argentina to sustain independent media, and even the big media are always in a crisis. And the two big groups are very right-wing and definitely worked towards the non-approval of our abortion law. Having said that, I agree with what Katha said that people are getting their information online. So, for example, Twitter was actually very important for the women's movement in Argentina. Twitter, Facebook, Instagram, even, it was very important for young feminists, which make a big portion of feminism in Argentina today, I mean, girls in their 20s or even younger than that. When I went, it was in 2018, to the biggest marches, it was like 2 million people or something like that in Buenos Aires and most of those girls were high school girls.

We actually have a phrase here that's very common, which is la revolución de la pewas, when we say pewas, we mean girls, it's like the

revolution of the girls, but it's also kind of a slang word. It's like the girls in the hood, you know? We call our fourth feminist wave, the girls revolution, it's a young women thing. So, social media was very, very important to get the word out and also to organize the first feminist assemblies that we have now were organized online. And there you had 500, 600 women debating on how to organize the next march. What were our next goals? Are we in favor of prostitution or against it? It was a very important space for political action and political debate and, I think, the answer that the movement is giving now is not trying to conquer spaces in mainstream media is just turning our backs on them.

[00:25:30]

SR: Katha, is there a generational dynamics or a generational divide here in the U.S. as well?

KP: Oh, I think there are a lot of differences in style, in priorities, and probably in philosophy too. I was thinking that the second wave, the feminists of the late '60s and early '70s, they get a terrible rep now, they get a terrible reputation of like, oh, they're racist, and they they were too conservative, and they were very dictatorial. And I think this is very unfair. A lot of the things that young feminists, of course, I say this as an older person, that the young feminist think they invented, it's a little how like every generation thinks that they invented sex. They think they invented intersectionality. The word is new, but, well, it's about 30 years old now, but the concept is not new and there were some conflicts, but I

think that's gonna be true of any movement. I mean, it's 50 years now. And it would be strange if people still thought exactly the way they did in 1970.

TT: I always tell my students in the university that what they now call the intersectionality debate was used to call the multiculturalism debate, right, when I was younger. I always give them an article by Katha, which is "Whose Culture?" you probably remember that article.

[00:27:00]

KP: Yeah. It's so nice to know that somebody read it.

TT: Yeah. I love it. So, I always give it to my students. So we have those kinds of internal debates, but, well, I think we will work through it and so will you.

KP: Well, the young win every debate, don't they, over time?

TT: And then they become old and then there are new young people and the world just keeps going.

SR: Thank you so much for being here today with me, Katha. Thank you so much, Tamara.

KP: Thank you so much. It was great.

TT: It was a pleasure. Thank you.

[00:27:30]

SR: So, we're witnessing complex and contradictory developments in the area of reproductive rights. What we also saw is the way in which the question of women's rights, reproductive rights are inextricably intertwined with questions of class, of race, of educational levels, ethnicity. We are also reminded of the very important role played by the church, in not only the debates on abortion rights, but also on their practice because of the role that the Catholic church plays, for example, in the provision of health services in a country like the United States. Reproductive rights encompass a large number of women's rights, rights over their own bodies, rights to decide about their sexuality, about decisions, about when and how many children they would like to have or not have. But the much larger concept of reproductive justice reminds us that it is a right that women are asking for to have, but also to raise their children in a safe environment, in a socially fair and economically equitable environment.

This concludes this episode of "Democracy in Question?" Thank you very much for listening.