

Contingency of Passion, Forced Pregnancy and Women's Decision*

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Abstract

This text provides the theoretical/conceptual framework and the core topics of a published research study (this text being the first chapter). The research aimed at discussing abortion as a clandestine social practice in Argentina, based on the narratives of women and men from different social segments and of different ages. It is a

* This is an updated and fully revised version of Chapter 1, in *La intemperie y lo intempestivo. Experiencias del aborto voluntario en el relato de mujeres y varones* (Chaneton and Vacarezza 2011), a book published in Spanish by Editorial Marea, Buenos Aires, 2011. The book has been declared of interest by the Honorable Chamber of Deputies of Argentina. See <http://www4.diputados.gov.ar/dependencias/dcomisiones/periodo-130/130-596.pdf> (retrieved 20 October 2013). It is an analysis of the micropolitical dimension of clandestine abortion in Argentina, based on the narratives of people who underwent such experience. It derives from a research project led by July Chaneton and supported by the University of Buenos Aires, School of Social Sciences. The study is a sociocritical reading of a brief set of twenty-six in depth and semi-structured interviews. The *corpus* selection criteria contemplated gender difference and social belonging (middle and lower social sectors). Snowball method was used to contact the respondents. This text has been translated into English by Lucía Laura Isturiz.

sociocritical analysis particularly focusing on the poetics and politics of narratives which, cross-sectionally, constitute a collective énonciation about the social practice of abortion. This text describes how language, power and subjectivities (politics of gender and sexuality) connect in relation to voluntary abortion. Delegitimizing operations on women's decisions about their own bodies and sexuality are analyzed, together with the complex modes in which those pressures are defied, opening up new possibilities.

Keywords: abortion, Argentina, clandestinity, subjectivity.

A woman learns she is pregnant as she rejects it. For motivations that are inherent to her psychophysical and social existence, she will seek the means to promptly put an end to the process that has just started in her body.

In this narrative, what has happened is shaped as a discontinuity, as something untimely which is physically located in a body and is at the same time incorporeal, the latter being evidenced in the word "motivations" and the adverb "promptly". On a basic level, a chain of unexpected events (getting pregnant, not wanting the process to continue and making a decision to abort) may be understood as something that happens to a woman's body.

Such (momentarily used) extreme reduction permits to discern the existing, though invisible, space of older, powerful, conflicting relations of force that, backwards, around and in the middle of the brief events referred to, constitute the history of the decision to abort. Being the latter a history within a bigger one which is impossible because it is infinite, but that reaches us: the history of the modern production of "fit" individuals, through persistent, dominant modes of subjectivation that, by definition, may always be evaded.

Faced with the social practice of voluntary abortion, a possible problem-position guides our inquiry: what is the subjective, but sociocultural and historic, experience lived by "a woman" - a person with a body capable of getting pregnant - when she is not willing to continue a pregnancy she rejects?

Such question is raised in the social sphere and in the study of tensions inherent to

the government of individualization, that is, to the historical conditions of possibility of certain social subjects and not others. In other words, the ways subjectivities and genders are done and undone as a result of the productivity of regulatory forces that inform and animate bodies.

The narratives of the social experience of abortion show, in each strategic situation, what the transfer points of power are. It is in the dynamic field of social relations where unknown battles are fought between forces which individualize based on genders/sexualities and their corresponding modes of insubordination, in the ever-renovated creation of practices that destabilize codes¹.

We will never know what unfathomable motives exist in sexual intercourse and conception. Be it on account of ambivalence of desire, contingency of passion, lack of information on how to prevent it, failed methods of contraception or a Freudian slip, some women from every social sector get pregnant and do not accept their new status or its implications². Some of them will decide to abort and face the obstacles posed by illegality.

The practice of abortion aims at terminating a pregnancy, which is a process that, despite necessarily deriving from two people, can only take place in a woman's body.

The person with decision-making power is the one who has bodily "remained" in a subjective position to provide all the resources in her body and psyche to make a new being feasible. In the midst of an unwanted pregnancy, many women do not see the need to gestate, give birth and become a mother just because "they have to".

Is it possible to think what it means for a person to go through this kind of situation without referring to subjugation or to an attack on personal integrity?

The idea that processes such as gestating, giving birth and raising a child may be imposed on a person can only be held from a point of view where the subject

¹ According to Foucault (1995a), power relations are "rooted deep in the social nexus", so the study of their techniques translates into a microphysics. Resistances are part of the "permanent provocation" these relations are about. "Rather than speaking of an essential freedom, it would be better to speak of an "agonism"- of a relationship which is at the same time reciprocal incitation and struggle" (Foucault 1995a, pp. 182-183). This author's work - and Gilles Deleuze's interpretation - is the basis for our discussion on the existence of power when it comes to the bodies and subjectivities of women who decide to abort.

² Some pregnancies may also be rejected by the women involved when they follow rape. For a discussion on non-punishable abortion as a consequence of a rape, see Bergallo and Ramón Michel (2009). Carbajal (2009) presents cases of teenagers asking courts to acknowledge their right to terminate pregnancies resulting from rape.

in charge is not a subject but a means, that is to say, “something useful to a certain end”. This “means” is a desubjectified woman’s body capable of doing all that, and the political operation entails seizing her body’s potentialities by resorting to the naturalized narrative hedging of some convoluted kind of moral donation to Humankind, the Nation-State, God or the Mother Country, as the case may be. In practice, it is a virtual, compulsory and unconditional donation of the functions of her reproductive organs.

To conceive, gestate, give birth and raise a child, without being forced to. In a context of sound arguments deployed by local and international legal experts, the “forced pregnancy” category makes it possible to exhibit, in social and cultural terms, the kind of experience women undergo when they are expected to continue their pregnancies against their will, as mandated by the criminal code:

Forced pregnancy (...) imposes an unparalleled burden on women. No other circumstance requires unwilling individuals to provide the resources of their bodies for the sustenance of others - for instance, as organ, bone marrow, or blood donors - and legal compulsion that they do so would quickly be condemned as a human rights violation³.

The gender-related political specificity implied in the problem is overlooked whenever the lines drawing women’s bodies are effaced in the discourse of “the abortion debate”. Their capacity for action, language, feelings and desire, their historical lives are socially ignored, as well. Their limits and possibilities are shorn in the customary image of essentially static motherhood.

1. Abortion as a Social Practice

In most instances, the state had nothing immediate or material to gain from the control of women. The

³ Cook, R.; Dickens, B. and Bliss, L., *International Developments in Abortion Law from 1988 to 1998* in “American Journal of Public Health”, April 1999, quoted in Chiarotti, García Jurado and Schuster (1997, 32).

actions can only be made sense of as part of an analysis of the construction and consolidation of power. An assertion of control or strength was given form as a policy about women.

Joan Scott

In Latin American democracies, the current constituted powers (the State, political society, the catholic religion and others) seem to ignore the basic emancipation principles of freedom and equality whenever they remain indifferent to the ongoing reduction of women to a legally and socioculturally protected status as far as voluntary abortion is concerned. At the same time, there are highly diverse social movements, composed of civil society; women's, feminist and human rights organizations; academic institutions; professional groups; and individual (female and male) citizens, in several countries of the region that are reformulating the demand for civic acknowledgment of self-determination over women's bodies and sexualities.

Abortion is no longer a crime in Mexico City, Cuba, Guyana, French Guiana, Puerto Rico and, more recently, Uruguay. It is totally punished in Chile, El Salvador, Dominican Republic, Honduras, Suriname and Nicaragua. In the remaining countries, abortion is legally punished, except in some cases, but these exceptions are hard to enforce on many occasions (judicialization of non-punishable abortion)⁴.

According to the argentine criminal code, an abortion is a "crime against a person", except for two cases: «1) if abortion has been conducted in order to avoid a threat to the mother's life or health, and this threat could not be avoided by other means; 2) if pregnancy results from a rape or an attack on the decency of an idiotic or insane woman. In such case, the legal representative of the woman involved shall be requested to consent to the abortion» (section 86 of the argentine criminal code)⁵. In a historic ruling dated March 13, 2012, the Argentine Supreme Court established the scope of the permission to abort in cases of rape, after many decades of debate. The ruling acknowledges the right to non-punishable abortion

⁴ See Human Rights Watch (2005a) and Asociación por los Derechos Civiles and Grupo de Información en Reproducción Elegida (2012).

⁵ For a critical-philosophical and political discussion of the language of the Code, see Klein (1997, 2005), Maffia (2006) and Rosenberg (2010).

for any women who have been raped, without any need to obtain court approval or file a police report⁶.

Almost three decades following the return of democracy in Argentina, and after increasing demonstrations and persistent critical interventions, the civil and political society is starting to show there is now some room for discussion on the legalization of abortion⁷. It is a social experience opening up to its becoming itself, with a renovated attention given to the matter, an interest for getting information about it and, also, willingness to express and share one's own opinion.

Often afraid of the usual anathema from ecclesiastical leaders, powers have yet to acknowledge and understand how inadmissible it is to force a person to gestate in her body, to give birth and raise a child against her will⁸.

In relation to this right which has yet to be acknowledged, expanding freedoms are continuously asserted by both women who anonymously feel they "are within their rights" to decide on their own and, at the same time, by a large social movement struggling for the legalization of abortion (currently led by the Argentine campaign for a right to a legal, safe and free abortion⁹), which is deeply committed to gender-related

⁶ See Cavallo and Amette (2012).

⁷ For information on the status of abortion within the framework of sexual and reproductive rights considered as human rights in Argentina, see Human Rights Watch (2005) and Bascary (2012). A considerable research on health and reproductive rights in Argentina and the region may be found in the Health, Economy and Society Area of CEDES (Center for the Study of State and Society). As for abortion and public opinion from a health and sexual and reproductive rights perspective, see Petracci (2004).

⁸ "All citizens and leaders - says Mabel Bianco (FEIM, Foundation for Study and Research of Women) - need to assimilate the separation of religion from politics and states' laicism. Not only will this lead to legislation that fully recognizes men and women's sexual and reproductive rights, but it will also result in health care centers where every citizen is taken care of based on his/her decision, without any interference from a health care provider's personal beliefs" (Checa 2006, p. 323). An interesting research on the facts and ideology of the religious fundamentalism affecting women's lives in Latin America and Argentina may be found in Vasallo (2005, Chapters 1, 2 and 3). For a discussion of abortion, the Catholic Church and a position in favor of "a secular society and culture", see Gutiérrez (1997). Based on 2043 cases, the First Survey on Religious Beliefs and Attitudes in Argentina (National Agency for Scientific and Technological Development - ANPCyT-, National Council for Scientific and Technical Research - CONICET- and Argentine universities; director: Fortunato Mallimaci 2008) has gathered suggestive results, such as: "When asked about controversial issues (abortion, sexual education at schools, use of contraceptives, women capable of becoming priests), most Argentinians reveal an autonomous conscience and decision, departing from doctrinal postulates from religious institutions."

⁹ Founded in 2005, the Campaign is made up of nearly 300 social organizations. It derives from and is a part of the historical social activism - seen year after year in the Argentine Meeting of Women (since 1985) - formed by groups of women and feminists who, following the return of democracy and even before that, have publicly demanded their right to decide on their own bodies

justice.

As this research is being conducted, the Argentine congress is approaching this topic for the first time and is preparing to consider a bill, among other legislative bills which have been demanding lawmakers' attention for too long.

Drafted with its members' consent and introduced by the campaign in 2007, 2008, 2010 and 2012, the so-called "Legalization/decriminalization of abortion in Argentina Act" (Bill) grants "every woman" the right to "decide to voluntarily terminate pregnancy in the first twelve weeks of gestation" (section 1). Moreover, section 2 provides for the "right to have the abortion performed" free of charge at state-run health care centers, as the law sets forth. Decriminalization entails repealing sections 85 (2), 86 and 88 of the Argentine criminal code¹⁰.

After the persistent judicialization of non-punishable abortion, the construction of "cases" in the media and the increasing debates, the existence of a code still continues with its invisible prohibition. It is applicable because of its mere existence, with its influence developing regardless of its language and of religious and secular tensions caused by its object.

This does not prevent the criminal code from being infringed all the time, everywhere, by women determined not to carry on with an unwanted pregnancy for reasons related to their personal and unique existence, which is - as with anybody else - social and civic, i.e. political, in nature.

Abortion happens because women want it, regardless of what the law says, and despite the distress and violence involved in the act itself. However disturbing it may sound, and even if it is something nobody wants to hear about, it is known that, despite being forbidden, abortion happens¹¹. This is so in different ways, depending on

in a context of assertion of and political advocacy for women's rights. About the topic of abortion within the context of women's social movement, see Sutton and Borland (2013), Alma and Lorenzo (2009), Coledesky (2008) and Gutiérrez (2003).

¹⁰ See the full text of the bill on the Argentine Chamber of Deputies' site: <http://www.diputados.gob.ar/proyectos/proyecto.jsp?id=134820> (retrieved 20 October 2013). The bill's latest introduction, in 2012, was endorsed by sixty legislators from different parties. Moreover, many professional and intellectual associations, along with cultural figures, have adhered to the bill, especially the Universities of Buenos Aires, Córdoba, La Plata, Mar del Plata, La Pampa and Del Comahue, by way of resolutions issued by their respective governing bodies.

¹¹ Since abortion is illegal, the statistical information about the number of cases in Argentina may only be obtained by resorting to complicated estimation procedures, as done by Pantelides and Mario

women's social segment. While all of them are subject to the same prohibition, poor or socially excluded women die of septic abortions, and those who can afford a safe abortion get to preserve their health and life.

For all of them, without distinction of class, civil conditions are humiliating by definition, on account of the deficiencies in citizenship, even for women who can access abortion services provided by highly qualified physicians.

But in the case of women deprived of financial and sociocultural resources, there is also suffering as a consequence of their social conditions. In the borderline, they will often pay with their own lives.

Given the illegality of this practice, virtually nothing is known about the actual existence of women who endure serious damage to their health or who die as a result of an unsafe abortion, defined by the World Health Organization (WHO) as a procedure done "by persons lacking the necessary skills or in an environment lacking minimal medical standards." As for measurements, it is possible to access statistical data prepared by public institutions.

The experience of women hospitalized for complications of an unsafe abortion who survive are classified under "abortion-related morbidity"¹². As regards women who die, the health discourse keeps on miscalling them cases of "abortion-related maternal mortality" when they are in fact "gestating women"¹³. At a population level, these are designated as "avoidable deaths", but they are also actual lives whose

(2009) in an important research study supported by the Argentine Ministry of Health. By using two alternative methodologies, these researchers gathered results ranging from 371,965 to 522,000 abortions a year. According to the authors, these figures "should be regarded as an order of magnitude, not as exact numbers."

¹²The number of women treated for complications of an abortion has been obtained from the statistics on discharges from state-run health care centers, by diagnosis, provided by the Ministry of Health. M. Romero, N. Zamberlin and M. C. Gianni (2010) state, "In 2000, there were 78,894 abortion-related discharges from state-run hospitals, accounting for 32% of hospital discharges for obstetric causes (excluding natural births). Between 1995 and 2000, total discharges related to abortion increased by 46% and then remained virtually unchanged in 2005 and 2006." S. Checa, C. Erbaro and E. Schwartzman (2006) conducted a quantitative and qualitative analysis of this problem in a research focused on state-run hospitals located in the City of Buenos Aires.

¹³The vital statistics for 2011 (published in December 2012 by the Directorate of Health Statistics and Information, under the Argentine Ministry of Health) reported a total of 302 deaths, 73 of which were related to abortion. The ideological bias implied in the invisibility of women who are identified as mothers when referring to "maternal mortality" has been questioned by Checa and Rosenberg (1996) and by Chiarotti, García Jurado and Schuster (1997). About the status of pregnancy, see the chapter "*Doble de cuerpo*" ("Body Double") in a critical philosophy essay on abortion written by Laura Klein (2005).

tragic experience, mourning and ritual will fail to be narrated.

How does a social practice become a “problem” to be discussed in the public sphere? What are the circumstances surrounding this passage? The terms in which social events are expressed as a “problem” guide their reception, form its intelligibility and, therefore, are not indifferent to their political implications. “Abortion”, as an object of discourse and according to its conditions for emergence, may operate in the public sphere - including in a forum - by entrapping a complex set of connections and histories that this word alone seems to have lost.

A paradoxical effect occurs when, as has happened over the past few years, the issue of abortion is once in a while covered in the media as a (judicialized and then mediatized) “case”, positively signalling the “problem” or “debate”. At the same time, the scenarios and words inherent to the clandestine social existence of such practice, where “every occurrence is a case”, are effaced once again.

The women and men concerned, as well as their friends and family if aware of these circumstances, might not think of “the problem” as being connected with “human rights”, “citizenship” or “public health” because “for those concerned, ‘the problem’ takes place through assemblages”, as Gilles Deleuze maintains, adding that, «Every time ‘human rights’ are violated, the question at issue will be very different from what is usually claimed; the question will be, “What are we going to do?”» (our translation) (2010, 69). This is evidenced in the narrative of a teenager whose rights have been infringed, a girl who “knew” just one thing about her pregnancy: that it was something to be dislodged from her body:

I knew I wanted to get rid of it, but how? How should I do that?... The uncertainty of not knowing anything, of not wanting to do anything insane because a lot of friends had inserted pills, had taken pills, and that hadn't worked out well for them, so I didn't want something like that for me. I knew an abortion was a lot more expensive... I didn't know whether to tell *Damián*, either... (Sara)

2. In Clandestinity, a Sexual Policy

What the prohibition seems to affect is the rules of the game, i.e. the conditions in which the practice takes place, rather than the practice itself. Abortion happens strictly outside the visibility imposed by powers on this matter. When considered in terms of its social existence in Argentina, its conditions are reduced to a single word: clandestinity.

Below is Andrea's recollection of her experience in an "office" when she was seventeen:

It was located in a poor neighborhood, in an old house, I mean, it was a house... I didn't like that. I was scared.

(...) And the guy was wearing, I can't remember, but I'm pretty sure he was wearing a coat. He took a seat. Then what? He grabbed a chart and started asking about my personal information [*tone of desperation*]. He began to ask: name, age, I don't know, health information. Bear in mind I was going to be given general anesthesia. I didn't know this required general anesthesia.... But I'll never forget his answer when I asked him, "Why do you need a chart if I'll never come back again?" He replied, "All of you always come back". I have never forgotten that because it was deep humiliation.

In view of this scene, we wonder: where does the connoted affect of humiliation lie? "All of you always come back" is some kind of verdict including a universal quantifier ("all of you"), as a result of which Andrea must have felt dragged to the vast, morally degraded set encompassing "all of you, those who...". "Those who" do what? This is an encrypted reference, which cannot be precisely decoded and delivers a severe blow. Andrea stops talking, and what follows next in her narrative is the heavy sleep of anesthesia.

Not only do those words ("All of you always come back") have an effect, but they also create and pervade an environment. Back then, Andrea merely understood what she felt: humiliation, a bodily sensation with anesthetizing effects: "I don't remember having suffered, I don't recall any suffering. I do

remember the guy's words: 'All of you always come back.'" These words lingered in time to the point of affecting her. Some kind of living picture appears in her narrative: an office hidden in an old house, the doctor and herself, a medical chart, neglect, the impossibility of changing anything:

I was alone and there was no other way out. I didn't want to leave. I knew I had to stay there and have it done.... Up until then I was at a loss, disoriented. That guy's violent interpellation made me come down to earth and I realized.

Faced with such blatant statement ("All of you always come back"), any question for a chart, any general question, any word is superfluous. At the mercy of illegality, there is no room for words of support; there are not many reasons for them to be told, except as something cynical, of which there is certainly no shortage. In a scene of illegal treatments, words are untimely, as they resound in Sara's narrative:

It was horrible because it was an apartment, you know? And there was nothing, just a bed, no office; it was totally clandestine, horrible.... Then I was told, "Bring a towel and some cotton". So I asked, "And what if things get complicated? What will you do?" Then he answered, "If you don't like it here, go find someone else to do it." I left the place in tears with a friend of mine.

In these women's narratives, there are body-to-body scenes, in an indistinguishable composite with things being told as verdicts, interrogations, undefined references. Relationships between forces in locally strategic situations, with very diverse compromises, are part of a specific world: what remains invisible every time the "dilemma of abortion" is discussed.

The legal prohibition is a force affecting women's and men's possible actions, driving them in a certain sense, and simultaneously imposing decisive restrictions. But it is a force exerted on other forces, which in turn relocate, opening up alternative roads, displacing themselves. This may be observed in Sara's remark

about her experience in clandestinity:

“Doctor, I’m saying I don’t want to keep it.” The guy looked at me and said, “But you should have thought about it first.”... Then, all that stuff of “if you liked opening your legs, now bear it”, that kind of things, started coming to mind.

The displacement refers to how Sara is able to objectivate a blaming statement - about her sex life and her right to enjoyment,- so as to say: “Then, all *that stuff of* ‘if you liked opening your legs, now bear it’, *that kind of things*, started coming to mind”. “That kind of things” is typical of a historic type of sexualization of women that, despite being subtly restated all the time, can now be identified and refused by a young women like Sara: «I left that place and told my mother, “Mum, I don’t want to have it done here”».

These are statements evoking perceptions and affects, and that may be thought of in terms of space and time, just like in Andrea’s narrative, in how a few words (“All of you always come back”) fall onto her subjectivity as an unforgettable affection: “it was deep humiliation”.

“To humiliate” means “to lower the pride” (or “to reduce to a lower position in one’s own eyes or others’ eyes”), but just in a figurative sense. Its original meaning, the one related to its etymology, is not connected with the “inner world” (the “soul”). Instead, the body is its object. Humiliate (from latin *humiliare*) is a transitive verb that means “to lean, bow or bend, for example a knee, especially as a sign of submission and obedience”. The root of the word ‘*humiliare*’ is actually “humus”, earth, soil, ground.

The code forbids abortion, but tolerates it so long as practices (including those that end up in an “avoidable death”) remain underground. Its purpose - not entirely thought of or intended, but anonymous - is to break that practical will and discourage any potential rebels. It is a political apparatus that not only supports the prohibition of abortion, but also weaves it into a wider and more intricate fabric, producing truth about bodies, genders, consciences and desires, relying on blame, some impossible mourning and subsequent indebtedness.

“All of you always come back”, “You should have thought about it first”, “If you

liked opening your legs, now bear it". These statements fall "onto bodies" in two ways: they refer to bodies because of their content and at the same time identify them as a target, turning them into sexual bodies tied to a morality which will be confusingly passed on. An androcentric, sexist myth insists on informing the environment where diverse kinds of social violence against women are established over and over again in terms of some kind of sexualization of their bodies and subjectivities.

The fact that blame for an abortion falls on sexual pleasure is a part of the same procedure of control over women. As abortion is related to a (heterosexual) sexual relation, the type of humiliation involved takes specific forms based on the sexualization of gender. In the case of women, it is connected with and reinforced by punishing their own enjoyment.

3. "Come hell or high water"

Why do women who decide to end an unwanted pregnancy violate the prohibition and face the uncertain vicissitudes of illegality? When narrating their experiences, women explain their reasons. However, what actually resonates the most in their accounts are words - tones, gestures and emotions that can be seen in face-to-face interviews - of a recurring subjective position, a determination to terminate their pregnancies, because what is happening in themselves is considered a threat to the continuity of their own existence as a whole¹⁴.

It is as though the forces that take a woman and that she rejects also encourage her - living her autonomy at once - in her desire to go ahead with her decision to abort, confronting the obstacles it entails.

It was I that pushed forward and made the decision not to have it come hell or high water.... I just couldn't, I couldn't, I couldn't, and I [pointing to the horizon] was determined to do it, without weighing up... uh... maybe I had to

¹⁴ In many of its occurrences, the term "desire" appearing in our interpretation of the *corpus* should be interpreted in its plain meaning. In other occurrences, this one for example, "desire" is used as in G. Deleuze and F. Guattari (2008). For these authors, desire does not imply lack but positivity and persistence of a potentiality.

do it because a lot of things, a lot people were trying to convince me not to...
(Amanda).

It is true that “not being able to” at first means “I can’t have it”, but a careful reading of the narratives guides us in a different direction, that of “not being capable of bearing” the situation they find themselves in as they say “no” to all the subsequent implications of the act. This is the reason why we have stated that women live their autonomy at once.

Hence the expression “get rid of it” that some of them use with diverse connotations related to something alien, to an improper occupation, to some impossible permission¹⁵. This disdainful expression reveals something more than a mere stylistic choice. What cannot be provided is physical and psychic support, so women will seek to terminate their pregnancies at the earliest time possible (“No, not next week; now, right now, tomorrow”) to make their own existence habitable, beyond what is experienced as a trap - in absolutely adverse sociocultural and legal conditions, - that is, a bodily process that is inexorable. A woman will find her way out of that situation by rightly making a decision related to her body, exercising a legitimate bodily and subjective autonomy (“the decision not to have it”). In another case (which is not related to the previous case), a man is able to clearly and accurately acknowledge women’s deterritorialization when referring to the way he felt dragged by that specific kind of desiring power:¹⁶

Not having a say in it really bugged me. What could I do? The whole thing dragged me, and I couldn’t do anything else. (Gustavo)

¹⁵ Whether this expression is used or not depends on social factors (it is a sociolect), but such aspect is not relevant for our argument here.

¹⁶ Deterritorialization implies desiring positions, openings, exits, lines of flight. “Reterritorialization consists of an attempt to recompose a territory engaged in a process of deterritorialization” (Guattari and Rolnik 2005).

4. “It’s not the same because it’s inside her”

It may sound redundant but the pregnancy process and, therefore, abortion happen in women’s bodies. The fact that such a crucial fact is overlooked by merely considering it an adjunct of place constitutes a strategic aspect of the apparatus of sexuality whereby women’s corporeality becomes a vivid field of power¹⁷.

The narratives of participating men point to the fact that the legitimate decision rests with women. They even seem to perceive women’s subjective position with respect to abortion more effectively in terms of discourse than women themselves:

Despite everything, I think it’s the girl who gets the worst of it... [The problem] is kind of corporeal in her case. (Gustavo)

When many men regret “being left out”, that gap that opens up seems to enable, compared to women, some objectivation of the political issue of abortion. The observation shows to what extent women will always be in the vortex of an event in relation to which they are both subjects and carriers.

The fragment below leads us back to this chapter’s initial question and to the issue of empathy. These days, to meditate and imagine what may be felt “in her place” is something absolutely necessary, still strange and therefore moving in a man’s voice:

My girlfriend told me she didn’t want her pregnancy. “I don’t know how to explain it”, she said. I don’t know if I understand her either because I can’t put myself in her place. It’s something inside one’s body and one doesn’t want it. I can’t experience it myself, but it must be something terrible, and it’s terrible that this is something we cannot freely talk about. (Andrés)

Another man, Chilean gynecologist-obstetrician Aníbal Faúndes has recently said:

If men were those having an abortion in this patriarchal society, the dispute would

¹⁷ An essay on “women hidden behind mothers” and women’s seized bodies in the patriarchal system may be found in Campagnoli (1997).

have been solved long ago. Today, a man can have an abortion by saying “it’s not mine”, and that will be it. Those holding the power to change the situation do not suffer the consequences of not so doing¹⁸.

This argument shows the existing inequality between genders when abortion is prohibited, and reveals, by hypothetically reversing the viewpoint of gender (“If men were...”), the blind imposition on women from an androcentric perspective¹⁹. Genes are said to equally come from both sides, and this would grant both parties the same rights to decide. The union and filiation apparatus is favored, and the work involved in gestating, giving birth and raising a child, which is carried out by the body and the subjectivity of a woman, is forgotten. When female citizens are prevented from deciding whether to continue or not with an unwanted pregnancy, the legal and cultural system offers them nothing but one choice: to sacrifice themselves and complete the process against their will. In turn, men participating in conception have a wide variety of options when they are aware of the pregnancy: they may be with the woman in every stage of the process or in some of them; they may be a part of it from a close, far or medium distance, with or without legal recognition of parentage; they may refuse to acknowledge paternity altogether or assume it in practice (in this case, men may even refrain from giving the child their last name if not considered convenient for their interests). Lastly, men may remain absent for good and even forget the whole thing by not remembering well.

5. A right to have it, if she wants to

The demand with regard to abortion does not only imply the right to decide on terminating a pregnancy, but also (and on the same legal footing) the right to

¹⁸ “Punishing abortion does not result in a lower incidence and is socially unfair, as it affects those who are most vulnerable”. See full interview at: www.abortolegal.com.ar/?p=825 (retrieved 20 October 2013).

¹⁹ The androcentric view of the world is part of the anonymous system that contains us in culture. It is a specific and particular point of view that, despite that, is formulated and works as a neutral gender based on which, perception and interpretation schemes are held as universal schemes which are codified in terms of interests, concerns, values and problems with a (certain) imaginary “masculine position” as the standard. Such universalizing device entails denying gender differences and, therefore, prevents them from becoming visible and articulable.

continue with a pregnancy, to give birth and to raise a child, if that is the woman's will.

Such aspect is often and relatively obscured²⁰, which may be partially explained in the context of the questions raised at the beginning of this text.

The recognition of the free will to continue with a pregnancy seems to be subject to the same naturalizing constraints as those imposed by compulsory motherhood, *i.e.* considering motherhood as deriving from some kind of "instinct" that leads to a pure, spontaneous "desire for a child".

Can it be said that women in this type of mythical narration have a "right" to decide to continue with a pregnancy? If pregnancy automatically entails a "desire for a child" as an unconditional part of the "natural female being", why should the right to continue with it be redundantly asserted?

It is about deciding by oneself, every time, on whether to make one's own body "available" for the sustenance of another life, with all its vital resources, adopting, by reason of affects and desire, by means of the psychic support of one's own subjectivity, a life that will lead to the birth of a son or a daughter upon completion of that pregnancy. The parents or family of some teenagers will, for instance, keep on pushing them and finally forcing them to abort against their will, on the pretext that it is "for their own good". This attack on a woman's integrity is comparable to the attack on another woman's integrity when being forced to continue with a pregnancy.

A woman relates how she had to run away from home to escape her mother's pressures, as she was under age:

When my mother found out it was Ángel's - my family is not at all fond of him, - she went to my aunt's after fifteen days and made me come back home. As I was under age, I had to go back home, and they wanted me to get rid of it. I didn't get rid of it. I left home. I ran away with Ángel. (Romina)

Our corpus also includes a case of abortion imposed on a woman by her husband. That woman's daughter tells how she talked about having an abortion with her aunt

²⁰ Apart from the political discourse of organizations demanding the legalization of abortion.

when she herself wanted to abort:

My mother would have never accepted it. My father made her abort twice, so this was very painful to her. He made her do that because he said he was not the father.
(Natalia)

Under the same archaic legal and cultural organization, a woman is forced to abort against her will, whereas another is forced to continue with a pregnancy she rejects, just to alleviate others' concerns. In these cases, the control is the same, even if the impositions involved run in opposite directions (having the child or not). The apparatus of gender and sexuality requires *ad-hoc*, flexible codes to manage and adjust effectiveness, as deemed convenient, in pursuit of self-sustainability.

6. Gender/Class: The Differentiated Game of Prohibition

- It cost \$1500. It was a very good place.
- How did they treat you?
- Good. Excellent. (Lucía)

The tolerated prohibition of abortion has the political effect of reinforcing social inequality, in this case, between women with respect to the same practice. Instances of domination are vaguely multiplied and concealed from the “democratic” visibility as abortion necessarily takes place in clandestinity. The established order has thus been effectively and economically reinforced for long, as the State and other institutions have been released from the obligation to protect the lives of the most vulnerable women, which - as is widely known - are those who are mostly exposed to an unsafe abortion²¹.

The gross within-gender inequality that abortion entails as an illegal practice shamefully persists in a society where democratic statements abound and the so-called “defense of life” does not seem to relate at all to the social violence resulting from the actual loss of women's lives.

There is cruel verticality, with obscure social modes of hypocrisy and an

²¹ An original, highly critical approach to this issue can be found in Pauluzzi (2006).

anonymous and invisible procedure that separates and opposes, and isolates and compartmentalizes women based on their class.

It can be argued that the prohibition of abortion, whose purpose remains unfulfilled, anyway leads to a number of strategic effects which are useful to powers and that greatly derive from the clandestine conditions under which the practice takes place. This can be thought of as a side benefit of the unfulfilled purpose. This is one example of what Foucault (1995, 278) called “differential administration of illegalities” to refer to the political substance of the liberal, legal edifice; it is a complex and tangled operation that, in the case of the tolerated prohibition of abortion, tends to foster a weakened ability to act in a large portion of the governed (Chaneton 2007, 62).

As for the social practice of abortion, it should be underscored that the procedure’s political specificity lies in the historical forms of sexualization of bodies and subjectivities according to gender, in this case, focused on women’s bodies, hence the strategic importance of the idea of *sexe*, as pointed out by Foucault (1990), for domination in the sociocultural sphere.

Thus, under the impassive reign of legal forms working as guarantors and with political society’s consent, there will be neither equality nor justice for female citizens living in poverty, suffering from social exclusion, if voluntary abortion is not legalized. Some might say that social injustice actually affects every aspect of their lives, but this cannot be used as an excuse to let democratic powers continue disregarding the terrible situations associated with clandestine abortion.

7. Politics of Gender and Sexuality

At the beginning of this chapter, we have referred to the productivity of regulatory forces that inform and animate bodies according to androcentric viewpoints and types of rationality. A whole historical line of the cultural economy of bodies that benefited the most from what Foucault (1990) called the *enjeu* of sex to refer to the political use of bodies’ potentialities; in the case of women, specific sensations and pleasure with no product, and the ability to gestate.

An individual is nothing but a subjected body, says Foucault (1995a, 169-170), adding that the political task does not exactly consist in “freeing individuals” but “struggling against the government of individualization” by questioning its procedures, and making bodies appear in the context of strategic situations, recording the way in which the historical and “the biological” have been connected and continue to be linked in new ways, in biopolitics.

As regards abortion, this analysis shows how women’s bodies are turned into social territories where a great deal of struggles related to power over life and death take place.

By means of which regulatory procedures are those bodies surrounded and animated to result in the purpose of a forced pregnancy? How can certain forces produce certain affections that make so many women take a long detour, face specific difficulties and even desert themselves in order to live an unalienated sexual and emotional life?

Although nowadays no distinction can be easily made between normal and abnormal (Rolnik, n/d), in the case of abortion, the androcentric norm continues to draw a difference about differences, the abnormality produced as its exterior. This is where delegitimizing and criminalizing operations of women’s decisions concerning their bodies and sexualities occur.

As Foucault maintained, the processes of normalization are not to be regarded as something completed (“normalized” society) but as a will to dominate that, tending to that, do not manage to include all the potentialities of a livable life, which keep on opposing themselves and escaping in numerous ways.

A note of hope is that norms fail and new modes of subjectivation begin to emerge, exceeding the regulatory fictions of gender and sex (Butler 2001). Individual and/or collective practices of resistance break down apparatuses by pulling them, taking established norms and transforming them.

In Argentina, the recent enactment of the so-called Equality of Marriage Act, which authorizes same-sex marriage, twisted the deeply rooted bourgeois institution of marriage, by altering the deployment of sexuality “from within” and expanding the inclusive potential of historical civic principles with a gay implosion whose emancipatory

implications are ongoing²².

In line with Foucault, Félix Guattari argues that individuals are the result of a mass production, modeled according to identification systems that “hold us everywhere”. He adds, however, that “subjectivity cannot be totalized or centralized in an individual” (Guattari and Rolnik 2005, 46) (our translation)²³. It is true we all are the object of some production, a result of it, rather than “subjects”. However, nothing is totally stable in the materiality of bodies so as to serve as a enough stable support for the legitimation of domination (Foucault 1990). In line with the philosophical tradition which is critical of the hierarchical mind/body opposition, Elizabeth Grosz (1994, xi) refers to corporeal matter:

Animate bodies are necessarily different from objects; they are materialities that are uncontainable in physicalist terms alone. If bodies are objects or things, they are like no others, for they are the centers of perspective, insight, reflection, desire, agency.

8. The Ways Out

Contrary to what might be expected, what narratives mostly refer to is not “guilt” as understood in the Judeo-Christian tradition. In the following extracts, women’s self-referential discourse reveals that the predominant feeling associated with the event is another:

I believe it was something that happened. I don’t know if I feel guilty, because it’s not something I should blame myself for... I don’t see it that way, honestly. I think

²² Act No. 26618, known as the Equality of Marriage Act, amended the provisions on civil marriage contained in the Argentine Civil Code, which now fails to make any reference to the gender of the two people getting married. It was signed into law on July 21, 2010. The Gender Identity Act (No. 26743), enacted in May 2012 also expands rights. This law represents a victory in the struggle for civic acknowledgement for transsexuals, as now a person may change their name and sex on their ID documents. Additionally, the law grants transsexuals the right to health, conferring the right to surgical procedures and hormone therapies without requiring court or administrative approval.

²³ Guattari says Freud was “the first to show the extent to which that concept of a totality of a self is precarious” (Guattari and Rolnik 2005, 46).

it was a need to survive, because I knew my father would kill me if he knew about it, he would kill me. (Natalia)

When remembering how she felt as a teenager when she had her first abortion at seventeen, Natalia rules out the word “guilt”, as it does not fit her memories of how she felt at the time. She even regrets ruling it out (“honestly”), for she thinks that feeling guilty is what is culturally expected of her as a woman in that case. The term “honestly” removes guilt’s cultural capture, so as to deploy something that, rather than following the logic of domination, stems from a question about her own practice. In this sense, it is a liberating movement at the micropolitical level of the social sphere that dissolves guilt procedures, their subtle capture.

Thus, what happened “was something that happened” at a time when she was not capable of dealing with it otherwise. To be truthful, she should not feel guilty (“I don’t see it that way”). What she “sees” is something quite different, which is related to herself and her desire to live. The reason that drove her to do that is connected with her persistence as a person (“need to survive”) when faced with what appeared as a threat to her own life (“he would kill me”).

Andrea also says she did not feel guilty either, explaining why:

I didn’t feel guilty either. I didn’t feel guilty. I knew it had to be done that way. There was no other way out. Otherwise, it would have been a catastrophe, something impossible: to tell my parents about it, to have it. That was not within the horizon of possibilities.

This fragment contains the memories of her feelings at that time. Some subjective positioning is described; a feared scene is recalled. All of that seems to be condensed in the word “catastrophe”. The argument used to discard the feeling of guilt from her narrative is based on necessity: “it had to be done that way”; doing “otherwise” was unfeasible. It was as if she saw a border she would not be able to cross without being alienated.

From a logic point of view, this was a necessity, as opposed to a contingency

of possibilities. Her actual existence as a person has thus a comparatively higher value in her argumentation than the unactual, therefore, inexistent universe of that “otherwise”, which is impossible/unthinkable (“That was not within the horizon of possibilities”).

In these narratives, the experienced affection is a potential, subjective ruin, which relates to their psyches and minds, and also to their bodies:

My world fell apart. This can't be happening... A child... Horrible thoughts started coming to mind. (Sara)

It was as if everything came tumbling down on me, because that was the last thing I wanted... [Having an abortion] was the only way out for me, because, just think about it, I mean, no, I thought, “I'm seventeen years old... A child with that guy...” (Lucía)

An empirical rhetoric (“My world fell apart” and “everything came tumbling down on me”) is used to refer to a situation that, in a physical and psychological sense, leads to weakening and collapse. In Spanish, the use of reflexive forms (“*el mundo se me bajó*” [my world fell apart] and “*se me derrumbaba todo*” [everything came tumbling down on me]) indicates that everything also happens in the folding of subjectivity: a totalitarian and devastating force starts acting on the “self”, pushing it to search for an exit or to alienation.

What is desperately yearned for is to abort the process that has just started and “defuse” its implications, which will multiply day after day: images, things said, thoughts, bodily sensations, promises, a future about which nothing wants to be known²⁴.

Women that make the decision to abort in clandestinity, avoiding fear and danger the best they can manage, reveal a strong desire to live a livable existence without being alienated for dark reasons that fail to consider them.

²⁴ This has been said long ago by writer Tununa Mercado: “As some kind of truth full of humanitarian understanding, it is often heard that ‘Nobody wants abortion’ [...] If we were to be absolutely honest, nothing is wanted more than abortion [in that situation]”. Quoted in Chaneton and Oberti 1998, 353. The text between square brackets is ours.

To the extent that every time this extreme decision takes the shape of an event, especially in women's lives - but also in participating men's lives in a different way and to a different degree, - some kind of transformation may occur, opening up to individual and collective possibilities which may enable to imagine afresh the promise of communitarian cohabitation (Lazzarato 2006).

The unique ways in which a woman who goes against the law - with or without the support of the man who participated in conception - gets through when asserting her right inevitably imply an old structure that no longer stands "naturally" out of social inertia: prejudice, lack of understanding, indifference and mercilessness, conservative alliances, cowardice and poorly disguised blindness of those who will not see. Paying attention to the invisible traction of that intricate subjectivation network embodied by women opens up the possibility of there being changes in perception and new modes of understanding of or empathy for the usually tragic social and subjective dimension implied in the social experience of illegal abortion.

9. As a Still Image

Abortion could not be criminalized if motherhood had not been regarded as sacred for so long by forgetting its history. The production of motherhood as a regulatory ideal of gender for women is a key factor in the politics of gender and sexuality.

Immensely complex processes such as conception, pregnancy, birth and upbringing are reduced to a disembodied entity, a "Mother", an essence that supposedly establishes not only women's social and psychic identity, but also society's/the nation's identity regarded as one big family.

One of the obstacles for recognizing women as autonomous individuals, one of the most powerful symbolic mechanisms, is the creation of a cultural paradox: to extol a "mother and her child" as an indivisible entity and, at the same time, to differentiate that inextricably linked pair every time expressions such as "child in the womb" or "child in the tummy" appear in discourses resisting legalization of abortion. In this context of enunciation, there is a slip of signification which is subsequently condensed in a "Child" regarded as World heritage. The result of conception is thus separated from the woman,

an existing social subject on whose body and desire it will depend to be viable. The body then becomes a “means”, a “receptacle” for the “Child”, an essentialized entity which is quite different from the son or daughter to feed, take care of and support in psychological and physical terms in very concrete situations.

Although these procedures and figures have been criticized by feminisms for over fifty years and have less and less credibility, it still seems necessary to continue reformulating its deconstruction, at least on this side of the globe.

From a perspective that originally connects the psychoanalytic theory with the theoretical-critical practice of feminist materialism movements, Rosenberg (1994, 25) considers that “motherhood implies bodily, material work, and gestation of symbolic work”, adding that “the practice of abortion is telling that women do not want to or are not able to separate the bodily work from the symbolic work of motherhood”. According to this author, abortion is therefore a symptom of a lack of adjustment between the dominant imaginary for femininity (to be a mother so as to be truly a woman) and the concrete, material conditions of reproductive processes and sexuality.

In the following narrative, a mother’s knowledge comes from the experience as such, not from the immobile version of “a Mother” that fuels unattainable ideals. Amanda elaborates on the happiness and joy during the pregnancy and birth of her two children:

Pregnancy and birth... to me, they are both wonderful events as a woman. A pregnancy is, really, an indescribable life experience... and birth is something... more pleasant... it’s the climax of pleasure. I think no orgasm is like it... [laughing, she moves her hand from her belly upwards].

Motherhood is something too valued not to take it seriously, with all the involvement the body and willingness are capable of. Amanda decides to abort on account of an unfavorable family situation that prevents her from having the necessary “room” and “energy”:

There was just no room left... I mean, you don’t have any room left when you’re

faced with a[n unfavorable] situation.... It's as if there's no room in you, and you can't think about... what it takes to be pregnant and then take care of a baby, a baby, a child, and what a child will mean afterwards. This was especially my case. I had two children already and I knew what pregnancy and children involved. It's something that drains a lot of your energy for long, I would say, all of your energy...

10. Motherhood/Abortion

Dominant dispositions, their images and discourses, seem to separate entities which are linked in women's corporeality - motherhood and abortion -, making them take extremely opposite directions: sacredness of motherhood/criminalization of abortion. The assessments of subjectivities and practices thus tend to be arranged as an excluding disjunction, where a term is an alternative to another.

Instead, the interviews let us see how abortion and motherhood operate in narratives, and how this binary dissolves or how its parts reunite but in a different way. Relationships are found between both entities, which relationships are impossible to identify when the gender/sexuality apparatus splits and thus controls their sides, turning them mutually exclusive.

In Sara's narrative, abortion and motherhood break away and are readjusted in a particular view of her "reproductive" life. Invited to talk about her experience, Sara centers her narrative on motherhood from the very beginning: «Well, I always compare... let's say, parallel situations, being pregnant with Leandro and what happened to me [the abortion], which was in February this year».

Two unexpected, unplanned pregnancies - the first one when she was 17, and the other one when she was 22 - make up a system in her discourse which is based on differences and reciprocity: the meaning of her experience in each situation makes it possible to contradistinctively understand the other one. When Sara got pregnant with the child she wanted to have (Leandro), she was in the third year of secondary school.

I got pregnant with Leandro and, well, I thought, "What do I do?" This blew my mind and I said, "My child is gonna save my life so I won't pass up this chance [of

getting out of a turbulent lifestyle]. I don't want to die young, I wanna be okay". His family didn't want me to have my child; he didn't want to, either. They wanted me to have an abortion, but I didn't want to. I fell in love with my pregnancy from the very first moment and I said, "I don't give a damn. I'll keep going". I was very young. My mum also told me I should have an abortion, but I didn't want to.

In her account of how she decided to carry on with her pregnancy against what the rest wanted, her "wanting to carry on" is evidenced in her strong statement: "I fell in love with my pregnancy from the very first moment".

Sara seems to have established that bond of love with herself, given that what is mentioned in her discourse is pregnancy as a subjective condition. A libidinal force drives her to both accept and reassert herself in her present as a "mother-to-be". The event of pregnancy has been surrounded by powerful drives: she desires it.

It is a desire that rests on asserting herself, in opposition to the others, those wanting an abortion: the child's father, his family, her parents. The narrative of her wanted pregnancy with her son Leandro finishes when Sara starts talking about her other unplanned pregnancy, which ended up in a voluntary abortion. The change in the narrative's object is indicated by a comparative shift: "Unlike what happened last February, a tough situation." As "parallel situations", the two events share the same purpose: they would "save" her life - in the sense of a livable life for her. In the second unexpected pregnancy she decides, in a context of horror, to abort:

Jime, I need you to be with me while I take a pregnancy test. So we went to get the test and suddenly a horrible situation came to mind: What am I going to do? Because I knew I wanted to get rid of it...

Pregnancies, whether unexpected or not, happen. Biological processes are imposed according to their own logic and, in the case of human conception, according to the "undecidable nature of desire" (Tubert 1991, xiii). It can thus be inferred what an enormous challenge gestation processes represent for the so-called human "freedom".

If, in any case, a decision has to be made to live a livable life, that will "depend

on the situation”, as Sara reasonably maintains. Every decision has a certain location and involves a desiring subjective position, both collective and political:

It depends on the situation. When I got pregnant with Leandro, I didn't want to have an abortion at all [...] because I felt it would help me a lot to carry on with the pregnancy. Then I became a mother and I know how much suffering and effort it means, so in my second pregnancy it was clear to me that it would be the exact opposite of Leandro, that it would ruin my life because I wasn't prepared to have another kid by myself. I knew I'd have it by myself, and I wasn't ready for that.

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