

**The Right to Abortion Being Questioned. Non-Punishable Abortion
in the Argentine Press: Voices and Outlines**

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Abstract

This paper seeks to contribute to knowledge of the discursive construction of representations and gendered identities around the issue of abortion in the public space during the first years of the 21st century. The aim of this work, in particular, is to present the voices, the discursive strategies and alignments on the subject of abortion permitted by the Criminal Code in Argentina, as they are constructed and displayed in Argentina's contemporary newspapers of national circulation in order to investigate the journalistic problematization carried out regarding a legal right established in the Argentine Criminal Code. The analysis, framed within a Critical Discourse Analysis line, focuses on the

different print media coverage of national and local circulation on three outstanding cases of non-punishable abortion, and the coverage of the ruling of the Nation's Supreme Court on this subject (this analysis is currently in progress). The purpose of our research is to account for the discursive strategies and representations dealt with by the mass media on "abortion" as a social practice and, at the same time, the way in which the press constructs and construes a social and political debate in the discursive arena around the subject at stake.

An analysis of the coverage of the cases in the newspapers shows that non-punishable abortion in Argentina ends up being criminalized and the violence inflicted on women who wish to abort is made invisible.

Keywords: abortion, press, gender, Argentine, discourse analysis.

If we pay attention to the ways in which language constructs and signifies, we will be in a position to find/search for gender (Scott 1988, 55).

1. Introduction

This paper is based on some research aimed at media discourse, in particular, that appearing in the printed media, on legal abortion in Argentina. It focuses mainly on the gender representations produced and reproduced in media discourse regarding a specific and daily practice such as abortion. On the other hand, we have concentrated on cases of non-punishable abortion, since they are the only cases dealt with by the media. From the discourse analysis generated by different newspapers of national circulation on three outstanding cases corresponding to non-punishable abortion, as referred to in the Argentine

Criminal Code (ACC)¹, we have identified that a woman's claim for the right to a legal abortion - or the claim expressed by her family - generates controversy. The aim of this study is to show the way in which journalistic discourse is used for the production and reproduction of representations and hegemonic gender identities emerging on different occasions, such as the claim made by a woman or her family to have access to legal abortion according to Paragraph 2 of Article 86 of the ACC.

2. A Brief History of Non-Punishable Legal Abortion in Argentina

Abortion is a common practice in Argentina. According to unofficial figures between 500,000 and 700,000 abortions are performed yearly in our country.² This practice, conducted in secrecy, causes irreversible damage to thousands of women. Furthermore, it is the second cause of maternal death in our country.³ Abortion is illegal in Argentina, but there are certain cases specified in the Argentine Criminal Code (ACC) as detailed in the aforementioned Article 86, in which abortion is permitted.

Since its enactment in 1922 until today this article has been generating discussion and disagreement. In 1968, those disagreements became effective with the modification of certain paragraphs. Thus, the hazard severity requirement was introduced in paragraph 1 through Decree 17567, moreover, the quote: «or an indecent assault on an insane or idiot female» was removed from paragraph 2. The reform included the requirement that prosecution for the crime of rape had been initiated, and also «if the victim happened to be a minor or an insane or idiot female» her «legal representative's consent» would be

1. Art. 86 Argentine Criminal Code: Abortion performed by a certified physician with the consent of the pregnant woman is non-punishable: 1. If it has been performed in order to avoid endangering the mother's life or her health or if the danger can be avoided by other means. 2. If the pregnancy is the result of rape or indecent assault on a female idiot or insane. In such cases the legal representative's consent should be required to perform the abortion.

2. AA.VV. 2005. Informe sobre género y derechos humanos, vigencia y respeto de los derechos de las mujeres en Argentina. Buenos Aires, Biblios-ELA, pp. 175

3. *Ibíd.*, pp. 184.

required. These amendments clarified doubts concerning the scope of the decriminalization stated in paragraph 2: every woman had the right to abortion and only when the women raped were “idiot or insane”, or else when a minor was raped legal representation was required. However, these changes were not enforced, since in 1973, law 20509 was enacted with the aim of repealing the military government’s criminal legislation. Hence, the original wording of 1922 was enforced once again, but in 1976 a new dictatorial government through decree 23338 repealed law 20509 reinstating the version of article 86 set forth by law 17567. In 1984 the new democratic government passed law 23077, “ley omnibus” which revoked the overall reforms that had been added to the ACC by the dictatorship. Thus, Article 86 was returned to its original version. The situation of women who were pregnant as a result of a sexual assault had once again returned to a legal vacuum. In any case, every time there is a request to undergo non-punishable abortion, even in the present day, a renewed debate arises on whether said request is framed within any paragraph of article 86 of the ACC. The practice of abortion is then delayed, since in a great number of cases, health institutions await a ruling by the judiciary on how to proceed.

On march 13, 2012 the supreme court ruled that those women whose pregnancy was a result of a sexual assault were constitutionally protected to undergo abortion. This ruling was in favor of a broad interpretation of article 86 of the ACC stating that in all rape cases filing a criminal complaint was not necessary, nor was the involvement of more than one health professional or the authorization of a judge. On the other hand, it reinforced the view that hindering the practice of non-punishable abortions was an illegal act since it blocked access to health services. Therefore, it involved responsibilities for physicians as well as for court magistrates who exceeded their duties and had to be punished.

Currently, the argentine criminal code and the argentine civil code are being debate. The last year, the argentine civil code was passed by the senate, and includes article 19, which regulates the beginning of the existence in the conception. This article has generated discussion and it should be modified when it is reworked by the representative, eventually.

On the other hand, the Argentine criminal code was studied by an *ad hoc* committee, to introduce a draft of a new Argentine criminal code, where there is article 86. Despite this work, the committee members agreed not to modify the abortion article because abortion is a special and sensitive social issue that needs a particular political debate and there should be a specific law to change the current situation.

3. When and How is Abortion Mentioned in the Media in Argentina

Ever since the year 1994 within the framework of the constitutional convention debate, abortion has taken a relevant place in the public sphere regarding the inclusion of gender policies. The topic has come up periodically since then in specific circumstances, such as parliamentary discussions around health-related laws, sexual and reproductive rights, in the discussion of public policy initiatives related to the subject, or from a demand to its practice framed as non-punishable abortion. Abortion is “news”, especially when a non-punishable abortion case which has been judged or rejected comes to light. The question of how the media deals with abortion and the subjects involved in such a practice has allowed us to move from a descriptive to a more complex level of analysis in the context of our research.

Our first finding in the newspapers we researched addressed the issue of abortion as a specific “case”. Talking about cases instead of referring to the thousands of abortions performed illegally in our country is a resource used by the media which restricts and closes the debate on the social practice of abortion and its consequences. The ruling by the nation’s supreme court of justice on non-punishable abortion generated a new discourse situation which will not be addressed in this paper. This involves a case of discursive formation scene (in terms of discourse analysis) that enables the reader to see a constellation of voices from a different approach to the one we have been working on here so far.

The analysis of the texts produced by the newspapers that were part of our research

corpus, focused on coverage of individual cases, where the explicit issue of legal abortion emerged. This abortion, called “non-punishable abortion”, enabled us to delve into the “how” and “what” the media actually said when they addressed the subject. This analysis was based on the Appraisal Theory within the framework of the critical analysis of the feminist discourse (Lazar 2008).

4. Some Theoretical Considerations

In this paper social representations and identities will be studied (Fairclough 1992; Choularaki and Fairclough 1999), especially those of gender, which converge in the public sphere, where they are questioned and where hegemonic representations and identities are negotiated. The public sphere is understood as the inter-discursive arena (Fraser 1990) where a heterogeneous set of voices (texts and discourse) showing a diversity of positions about public interest issues converge.

Building public opinion is a social practice largely in charge of specialists in the subject due to its production and circulation conditions (Martín Rojo 1997). However, throughout history we can find numerous topics that have gone beyond these production and circulation conditions, thus giving rise to questioning and negotiating the subject matter from which a great variety of voices stem. «These moments may, therefore, have an important diagnostic value. They briefly make visible inequality structures and power practices which distort the process of public opinion fabrication in normal times, in a less evident but more systematic way» (Fraser 1997, 134).

Mass media, especially journalistic discourse, have contributed in an active way to debates on abortion in Argentina, expressing different voices and ideological positioning around the discussion. However, mass media as symbolic power resources - journalistic discourse included - have taken a stand with respect to “abortion” as a subject and they socialize it every time a case is covered. At the same time, the media circulate other voices

and discourse that make up the public sphere, regardless of their alignment to the media standpoint.

From the seventies onwards there has been a new discourse analysis perspective that recognizes the role of language in the structuring of power relations in society (Kress and Hodge 1976; Fowler 1979, and Wodak 1989). In the nineties, the works of Fairclough (1995); Chouliaraki and Fairclough (1999) supported the possibility of discovering the discursive nature of a great deal of social and cultural contemporary changes. Meanwhile, the analysis of the mass media as symbolic power resources from a gender perspective seeks to explain how representations and gender identities figure in the media, legitimizing inequality between subjects (Lazar 2005). We are particularly interested in focusing on what Cameron (2003) calls “gender ideologies”, referring to socially shared representations of gender relations in a society at a given historical moment. In line with our study, M. Lazar points out that underlying this perspective in the three domains (representations, identities, social relations) is “Gender Relationality”. This involves co-focusing the discursive constructions of the ways of doing and being a woman and a man in specific communities of practice, i.e. thinking of men and women not in an isolated way, but in terms of gender order, i.e. considering dominant gender relations.

These are the theoretical bases that allowed us to formulate the hypotheses partially corroborated through our research. One of them holds that the news media display and articulate the voices of social actors as a strategy for the reproduction of gender representations and the legitimation of gender stereotypes. The debates on abortion reveal identities and representations of hegemonic gender roles which are tensed and negotiated at every juncture. It is our understanding that abortion as a right women are entitled to calls into question the whole system of hegemonic ideas on the role of women in our society.

5. How to Study Voices in Discourse

Critical discourse studies propose the use of systemic-functional linguistics as the appropriate tool to examine how language works in discourse practices (Fairclough 2003).

Corpus analysis has been made from semantic and grammatical categories found in the Appraisal Theory (Martin and White 2005; Kaplan 2004). This theory aims at demonstrating the attitudinal positioning built by subjects with respect to certain subjects, objects and world phenomena as well as the relationship that the writer builds with his/her interlocutors, whether real or hypothetical. This theory is organized into three levels or dimensions of meaning: attitude, graduation and engagement, which correspond to three semantic domains.

The attitudinal field systematizes the ideational meanings, i.e. expressing emotions, judgments, engagement values on emotional, ethical and esthetic aspects. Graduation refers to modulating meaning by degree, where focus meanings may have certain sharpness or softness depending on up-scale or down-scale, force refers to intensification or quantification of the meanings construed in the text. Interpersonal relationships, in particular the assessment of the interlocutor's words and stance with respect to the writer make up the field work of engagement.

Engagement prioritizes the inter-subjective dimension, i.e. studying linguistic resources in order to express attitude towards other interlocutors or actors, as well as towards the writer's own words. Thus, engagement deals with *heteroglossia* from a dialogical contraction and expansion. (White 2003, 2004)

In the dialogical expansion, the speaker gives rise to other voices or statements - potential or real and he/she aligns with or keeps at a distance from them in an explicit or implicit way. On the other hand, dialogical contraction refers to those cases in which the interlocutor's words are limited or non-existent, inasmuch as these resources explicitly show the speaker's attitude, by restricting the possibilities of questioning or confronting.

Dialogical expansion is organized in two sub-systems: acknowledgement and attribution. Acknowledgement proposes to recognize the potential or hypothetical pronouncements

which are implicit in the proposition, while attribution recognizes the interlocutor's words which are reproduced explicitly. Here, we make a distinction between recognition, the simple reproduction of the interlocutor's words, and distancing, where the speaker keeps at a distance from the proposition by means of paraphrasing.

6. About the newspapers and corpus selected

Each of the cases that make up our corpus refers to each one of the circumstances in which women have the right to request legal abortion taking into account a broad interpretation of paragraph 2 of Article 86 of the ACC: LMR, a mentally handicapped teenager from Guernica, (Buenos Aires) who in august 2006 claimed the legal termination of her pregnancy resulting from sexual abuse; Ana María Acevedo, a young girl from Santa Fe, who died of cancer in 2007 after physicians refused to perform a therapeutic abortion so that she could be subjected to chemotherapy; a twelve-year-old girl from Mendoza, raped by her stepfather, to whom judges refused access to legal abortion in september 2008. These three cases were chosen because they lie within the framework of legal abortion, besides they had widespread media coverage. The general corpus is made up of 31 articles that were published about Ana María Acevedo's case; 54 about the girl from Mendoza; and 59 about LMR's case. For the purposes of our analysis we selected 16 articles published in three newspapers of national circulation: *Clarín*, *La Nación* and *Página 12*.

Nowadays *Clarín* is the newspaper with the highest circulation in Argentina, averaging 300,000 copies daily. The position of this newspaper concerning abortion has varied over time, but in general it could be said that it takes a stand in favor of abortion only in exceptional cases. *La Nación* rates second, after *Clarín*, in terms of daily circulation (160,000 copies as a daily average) and has always taken a position against abortion, clearly stating the most extreme and conservative voices like those of the highest ranking members of the catholic church and *pro-vida* (pro-life) or anti rights groups. *Página 12* has

the lowest circulation of the three newspapers analyzed. On the issue of abortion, this newspaper has always maintained a clear position in favor of decriminalization and legalization, giving rise to the voices of social organizations fighting for women's rights.

However, as discussed below, we cannot generalize regarding the "media standpoints" judging only from columns or editorials which are occasionally published in newspapers in view of certain events. Social representations and modes of interpellation that show what D. Cameron (2008) calls "gender ideology", are constructed from long discursive processes and reading contracts where media, authors, writers and readers negotiate meanings around social issues and social gender identities in every act of production and assignment of meaning.

7. Analysis of journalistic texts

7.1. Newspapers and the articulation of voices

On a first level of analysis or corpus entry, we systematized the different actors appearing in different newspapers and chosen as study objects in the coverage of the cases. We found that in all the cases and in all the newspapers legal voices prevailed, those of judges, prosecutors, lawyers and members of different chambers. Then there appeared civil society voices and institutional voices, the latter being public officials from the provincial and national governments, ministries and public hospitals. Regarding civil society voices, there appeared the victim's relatives and NGOs. Instead, the catholic church or its representatives were considered in few cases. It is even striking that in LMR's case the only newspaper that took up the voice of the catholic church was *Página 12*, by reproducing the words stated by the dean of the *universidad católica* de La Plata.

In this first analysis we were able to identify that the legitimate voices in this debate were mostly linked to Justice. It is worth noting that in all three cases the court was of uppermost importance because it is the institution which rules whether a pregnancy may be

terminated. Furthermore, we have found that the negotiation that started with each case, or every occasion when abortion needed to be discussed was marked by the positions expressed by physicians or Ob/Gyn service directors in hospitals, i.e. the voices of so-called “experts”.

By systematizing different voices we have found that according to every case and the peculiarities of the provinces where they occurred, the public sphere was shaped or taken over by other voices, possibly associated with the institutions they belong to or represent. Thus, in the case of the girl from Mendoza, representatives of the catholic church had an active role, according to our findings, whereas in the case of LMR we recorded only the participation of the dean of the *universidad católica* de La Plata. Finally, in Ana María Acevedo’s case we failed to identify the opinion of the church regarding the court’s ruling and the decision taken by the bioethics committee .

The fact that the discussion lies within the framework of medicine and law helps us define how the debate is organized in the public sphere. Moreover, it makes us wonder whether here abortion is deemed as a problem of law and health and the way in which this problem is perceived and constructed.

7.2. *Second level of analysis*

On a second level of analysis, we were particularly interested in focusing on what the different newspapers chose to say, with respect to: 1) the interpretation of the criminal code in non-punishable cases; 2) the violence to which women are subjected before requesting the right to legal abortion/ the re-victimization of the victims; 3) the concept of “law” expressed in these cases; 4) the portrayal of the fetus in the media.

By analyzing the different newspapers we noticed their varied interpretations of the criminal code as far as their positioning regarding non-punishable abortion and the way each interpretation was supported by the voices legitimized as authorities to back said interpretation.

Bearing in mind the voices that construe its discourse, *Página 12* made a broad interpretation of paragraph 2 of article 86 of the ACC from the very first moment the cases came to light. At all times it reinforced the position which considers that every woman that has been raped and who became pregnant as a result of that rape has the right to legal abortion.

The national government stated its position through the INADI (National Institute against Discrimination, Xenophobia and Racism): «It is clearly a case of non-punishable abortion. It shouldn't have been judged. Neither does the Law demand a ruling by any committee. Any delay endangers the girl's health. She was raped, they want to violate the law and the rapist is still at large», Karina Ferrari deputy from the INADI in Mendoza warned us through this newspaper (*Página 12*, September 6, 2008)

From this interpretation of the ACC this newspaper reinforces and at the same time constructs the idea that the rights of women are being violated by being denied the termination of their pregnancies, as stated in Article 86 of the ACC. In the articles appearing in *Página 12* the sexual attacks perpetrated on the two minors were explicitly mentioned. The newspaper referred to the judgment and denial on the request of terminating the pregnancies in these three cases and stated that it meant a violation of the rights entitled to women. The newspaper claimed that an authorization to terminate a pregnancy should be made effective upon a woman's request. «In order to avoid a second rape» (*Página 12*, September 3, 2008).

Since women's rights were already violated once, they should not be violated again by preventing them from undergoing an abortion. Rape on the girl's body is considered violence, in the same way as violation of having access to an abortion is.

Clarín newspaper chose as spokesmen the judges hearing all three cases as well as the health ministers of those provinces (Mendoza, Buenos Aires, Santa Fe). Through an analysis of the articles we were able to ascertain that the newspaper aligns with the

restrictive interpretation of the criminal code made by the ministers regarding non-punishable abortion cases. Neither the judges' grounds for their rulings or the ministers' interpretations were questioned by the newspaper. The voices of the minors' relatives did not appear in *Clarín's* discourse; instead, the voice of Ana María Acevedo's mother came to light. The voices in defense of women's rights were non-existent as was the voice of the catholic church. However, it is interesting to notice the way in which the newspaper clearly aligned with the arguments posed by the judges in order not to authorize the minor to undergo abortion without the need to call upon the most radical voices regarding the subject. The newspaper used the resources of pronouncement/support and attribution/acknowledgement, i.e. it brought to light the voice of the judges who criminalized abortion and it aligned with it at the same time recognizing it as the legitimate voice, the natural consequence of the implicit argument that constructs value.

In that respect it stated that "the law is very clear" and it permits abortion only when «life is at risk or in the case of rape, when (the female) is mentally handicapped or has a similar illness. If it does not lie within that framework and Justice does not understand it in that way we are unable to perform any proceeding» it concluded bluntly (*Clarín*, September 3, 2008)

[...] Chamber members Juan Carlos Rezzónico and Ana María Bourimborde ratified their positions with new arguments: they quoted article 4 of the *Convención Americana de los Derechos Humanos* (Pacto de San José de Costa Rica) that states that «every person has the right for respect for his/her life. This right is protected from the moment of conception» (*Clarín*, July 26, 2006).

Nowhere throughout the newspaper coverage could we find a refusal or an explicitly marked distancing, by means of semiotic resources with regard to these positions. Interpretation of the ACC was done through the voice of justice, quoted, reproduced and

acknowledged as legitimate. The same was true of the voice of the judge that ruled against authorizing abortion on the minor from Mendoza:

A key factor was to prioritize the girl's will over the ancient Civil Code. Two years ago Judge Ferrer ruled differently in another outstanding case: he authorized abortion on a mentally handicapped twenty-five-year old woman who had been raped by her brother-in-law (*Clarín*, September 17, 2008).

By “contextualizing” decisions, *Clarín* marks a difference between the rape of a mentally handicapped woman and the rape of a minor. It generates the argumentative conditions that legitimate reading as a case where the right to abortion has no material cause. However, we noticed that in the case of the woman suffering from cancer, the newspaper aligned with a broad interpretation of art. 86 of the ACC:

The request for termination of the pregnancy was protected according to the Law: article 86 of the Criminal Code states that abortion will not be punishable when performed on a woman whose health is at risk or when the life of the mother is at stake (*Clarín*, May 20, 2007).

In fact, in the “praise chart” of values that legitimate non-punishable abortion, or fail to do so, the risk to health seems to be an objective issue that appears to be more “reasonable”. Neither gender nor violence issues come into play here, even when they emerge in cases of rape giving rise to a debate on stereotypes and power relations.

As regards *La Nación* newspaper and the case of the girl from Mendoza, we are in a position to say that it gave more importance to the voices of the catholic church (through the statements made by the archbishop of Mendoza) and the NGOs that claim to be against abortion (mainly the groups *pro vida* and *pro familia*). Throughout the coverage of the cases of LMR and the minor from Mendoza the bioethics committee appeared frequently

overtly stating its position against the termination of pregnancy. The voices against abortion were introduced to *La Nación*'s discourse mainly through the attribution/acknowledgement resource without questioning them at any time. We found no articles containing voices in favor of the termination of pregnancy on the raped minors. Only a few times did the paper introduce the voice of the minor's relatives, and when it did, it was through the Attribution/distancing resource. The defense lawyers' statements were not reproduced in *La Nación*. Nor were the voices of the NGOs, claiming to be in favor of the minor's right to terminate her pregnancy, published. Through the voices used in its discourse throughout the coverage of the case, *La Nación* takes a clear stance against abortion.

Meanwhile, the archbishop of Mendoza, monsignor José María Arancibia, stated in a document that «the law or jurisprudence will be able to broaden the margins of imputability for abortion in some cases. What they will never be able to do is void its nature of seriously disordered act: a wrong objective. It will always mean an injustice that damages society in a deep way» (*La Nación*, September 9, 2008).

This position could be seen in the process of attribution/acknowledgement this newspaper performed on taking up the statements made by the archbishop of Mendoza: there are rights which are more relevant than others:

The right to life is the fundamental human right, assumed besides all the other rights. Therefore there is no right to abortion, or in this case an alleged right to decide on the person's own body (Statements by the archbishop of Mendoza) (*La Nación*, September 9, 2008).

At this point, it is interesting to analyze the way in which the newspaper, by means of different voices, constructed a representation of the actus necessary to support the view that whatever is in the gestation process is a subject of law. The representation must necessarily

separate the developing fetus from the gestating body, at least in a discursive way:

The unborn child is a personal subject, different from others, including the woman who has conceived (Statements by the Archbishop of Mendoza) (*La Nación*, September 9, 2008).

Any interference done to terminate the pregnancy of the handicapped girl who was raped “would not have been” an abortion but “childbirth” (*La Nación*, August 2, 2006).

The context of conception is made invisible, that is why *La Nación* chose to publish statements which did not refer specifically to the case in point, but rather to a general position regarding “abortion”.

The rape perpetrated on the girls was considered “minor” violence - and was concealed or questioned, according to the cases - with regard to that which caused the destruction of a life. This stance was held by the newspaper in all the different articles, where violence against the minors was attenuated, besides it was pitted against something considered “much worse” or “more violent”

[...] when the girl’s mother went to San Martín hospital to be sure that her daughter, a 19-year-old (with the maturity of an 8-year-old girl) was pregnant, that had been physically abused and wanted to undergo an abortion (*La Nación*, August 2, 2006).

In a third level of analysis comprising what has been stated so far, we noticed in terms of discursive practices that news reports on non-punishable abortion cases rather than focusing on the statutory legal right and its guarantees, concentrate on the general and specific conditions of the case in point.

However, these conditions focus on questioning the rights of subjects. In the first place, it means denial on the part of a public actor to exercise his/her right or else its social

consequences generate the news coverage. But immediately, the person whose right to abortion is hindered is the one placed in the center of the discursive scene. The focus moves from the public officials or professionals that hindered the exercise of the right (to abortion) to the pregnant girl/woman and to the conditions that such a person and her circumstances should meet so that the abortion requested would not be considered a crime. In other words, the burden of proof is reversed, the girl/woman who has been subjected to an act of violence or suffers from an illness takes the place of the “defendant”, and her words acquire a relative value, are neutralized or silenced. Her behavior, her wishes, her will turn into an object of debate for those appearing as her legitimate spokesmen to take part in decision-making: physicians, public officials, clergymen. *Clarín*, in spite of its “pro non-punishable abortion” columns, as well as *La Nación* giving privilege to the voices of these actors, and by not highlighting any discursive distance by means of semiotic resources, they acknowledge their voices and generate an alignment on the part of the writer, thus, calling upon an alignment and identification on the part of the reader. The absence of the voice of the person whose right is at stake is made natural, and in the case of *La Nación* the voices of the victim’s relatives are silenced as well.

As regards *Clarín*, we even noticed a differential treatment among the causes for debate. Non-punishable abortion for therapeutic reasons seemed to be more acceptable or less questionable, at least in a discursive way in the texts than that performed as a result of rape.

8. Conclusions

Regarding the abortion issue, we have come across a generalized silence in the media. Said silence is broken in exceptional and newsworthy cases: those of non-punishable abortions. Abortion is news when it comes to cases involving legal abortion. The “judicialization” of legal abortion cases is rife in our country. Behind every rejection of the request for non-punishable abortion, the social mandates imposed on the female gender are updated, thus

putting forward hegemonic gender identities and roles. By analyzing the printed media discourse on the subject we noticed the way in which rape and abuse remain in the background when what is at stake is the woman's request to undergo abortion. The circumstances leading the woman or her family (in the case of a minor) to request an abortion were not discussed in the majority of the newspapers analyzed. There is a "naturalization" that leads to a lack of visibility concerning violence against women. Requesting the exercise of a right guaranteed by the law focuses on the woman who claims the necessary conditions for the full exercise of this right, and the actions and claims to this effect are questioned, they become news. To sum up, the news coverage of the decision to exercise the right to legal abortion criminalizes discursively the subject who claims it by placing her under "suspicion" of having committed a crime. Thus, the hegemonic reading and interpretation of abortion is legitimized and reinforced, as well as gender relations and representations.

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