

BOOK REVIEW ESSAY

## Reproductive Justice in Latin America

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This essay reviews the following works:

**Historia mínima de los feminismos en América Latina.** By Dora Barrancos. Mexico City: El Colegio de México, 2020. Pp. 274. \$12.13 paperback. ISBN: 9786075641850.

**The Sexual Question: A History of Prostitution in Peru, 1850s–1950s.** By Paulo Drinot. New York: Cambridge University Press, 2020. Pp. xv + 328. \$31.99 paperback. ISBN: 9781108717281.

**Seeking Rights from the Left: Gender, Sexuality, and the Latin American Pink Tide.** Edited by Elisabeth Jay Friedman. Durham, NC: Duke University Press, 2019. Pp. 344. \$28.95 paperback. ISBN: 9781478001522.

**An Open Secret: The History of Unwanted Pregnancy and Abortion in Modern Bolivia.** By Natalie L. Kimball. New Brunswick, NJ: Rutgers University Press, 2020. Pp. 374. \$42.95 paperback. ISBN: 9780813590738.

**The Politics of Abortion in Latin America: Public Debates, Private Lives.** By Jane Marcus-Delgado. Boulder, CO: Lynne Rienner Publishers, 2019. Pp. 181. \$79.95 hardcover. 9781626378063.

**Feminism for the Americas: The Making of an International Human Rights Movement.** By Katherine M. Marino. Chapel Hill: University of North Carolina Press, 2019. Pp. 368. \$27.95 paperback. ISBN: 9781469661520.

**A Miscarriage of Justice: Women's Reproductive Lives and the Law in Early Twentieth-Century Brazil.** By Cassia Roth. Stanford, CA: Stanford University Press, 2020. Pp. 376. \$32.00 paperback. ISBN: 9781503611320.

**Demanding Justice and Security: Indigenous Women and Legal Pluralities in Latin America.** Edited by Rachel Sieder. New Brunswick, NJ: Rutgers University Press, 2017. Pp. 310. \$38.95 paperback. ISBN: 9780813587929.

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Reproductive and sexual rights are areas in which many Latin American countries have made recent historic but potentially fragile gains, and others have seen reversals. Scholars working in places where historical, anthropological, and political science

accounts have long heavily featured men first began to include women at all in their research, then to consider gender issues more broadly—among them the sexual and reproductive lives of women.<sup>1</sup> The group of books under review show historical continuities and change, as well as illuminating several regional patterns within feminism and what is now known as reproductive justice. Taken together, the books advance debates on reproductive rights in Latin America with a renewed focus on women's lived experiences, especially women from marginalized Indigenous and Afro-Latin American communities, who have too often been left out of histories that focus on law rather than the experience of rights.

“Reproductive justice,” cited in several of the books under review, is a concept defined by the organization brought together to promote it—SisterSong, created by North American Black women in 1997. The SisterSong Women of Color Reproductive Justice Collective defined it as “the human right to maintain personal bodily autonomy, have children, not have children, and parent the children we have in safe and sustainable communities.”<sup>2</sup> It is a more capacious concept than reproductive rights, and captures some of these books' attention to lived and embodied experience, and the practice and effect rather than just letter of the law. Translated as *justicia reproductiva* or *justiça reprodutiva*, the concept resonates in many parts of Latin America. The framing of reproductive rights as human rights makes sense, since many feminist groups either were founded in opposition to military dictatorships in the region or grew increasingly prominent during the Cold War. As the historian Katherine Marino shows, the framing of women's rights as human rights—drawing on notions of social rather than individual rights—dates back even earlier, to the first half of the twentieth century. A diversity of issues that affect the sexual and reproductive lives of women—especially economically disadvantaged Afro-descendent or Indigenous women—might include but are not limited to access to contraception, sexual health education and medical care, access to fertility or abortion treatments, culturally appropriate prenatal and natal care, freedom from or prosecution against domestic violence, welfare provisions and high enough wages to support families, safe and nontoxic homes and communities, and access to land and water. The books under review, from history to political science and ethnography, share concerns over women's dignity, safety, and access to collective rights and self-determination, often in the face of governments that seek to regulate the most intimate aspects of their lives and communities.

### **Feminism, prostitution, and fertility control from the 1850s to the 1950s**

In *Feminism for the Americas: The Making of an International Human Rights Movement*, Katherine Marino marks out a new time period as important for the history of global feminism by

<sup>1</sup> The scholarship is much too extensive to cite here, but a few important works in English include Sueann Caulfield, *In Defense of Honor: Morality, Modernity, and Nation in Early Twentieth-Century Brazil* (Durham, NC: Duke University Press, 2000); Michelle Chase, *Revolution within the Revolution: Women and Gender Politics in Cuba, 1952-1962* (Chapel Hill: University of North Carolina Press, 2015); Jocelyn Olcott, *Revolutionary Women in Postrevolutionary Mexico* (Durham, NC: Duke University Press, 2005); Lara Putnam, *The Company They Kept: Migrants and the Politics of Gender in Caribbean Costa Rica, 1870-1960* (Chapel Hill: University of North Carolina Press, 2003); Ann Farnsworth-Alvear, *Dulcinea in the Factory: Myths, Morals, Men, and Women in Colombia's Industrial Experiment, 1905-1960* (Durham, NC: Duke University Press, 2000); Eileen J. Suárez Findlay, *Imposing Decency: The Politics of Sexuality and Race in Puerto Rico, 1870-1920* (Durham, NC: Duke University Press, 2000); Laura Briggs, *Reproducing Empire: Race, Sex, Science, and U.S. Imperialism in Puerto Rico* (Berkeley: University of California Press, 2002); and Jocelyn Olcott, Mary Kay Vaughan, and Gabriela Cano, eds., *Sex in Revolution: Gender, Politics and Power in Modern Mexico* (Durham, NC: Duke University Press, 2006).

<sup>2</sup> See the SisterSong statement at <https://www.sistersong.net/reproductive-justice>. For further reading, see Loretta Ross and Rickie Solinger, *Reproductive Justice: An Introduction* (Oakland: University of California Press, 2017).

emphasizing not individual historical actors but networks of women who crossed geographical borders and influenced, encouraged, and fought over strategies for more fully incorporating women's rights into political regimes in the United States and Latin America. The term *feminism* was invented by a French suffragette in the 1880s. By the early twentieth century, feminism had become a major movement in the Americas. Marino focuses on the period of Pan-American meetings and conferences at which women promoted "feminismo americano."<sup>3</sup> She centers her history on six women—Paulina Luisi of Uruguay, Bertha Lutz of Brazil, Clara González of Panama, Ofelia Domínguez Navarro of Cuba, Doris Stevens of the United States, and Marta Vergara of Chile—whose "collaborations and conflicts" she convincingly argues were crucial to shaping feminism. She shows that the Latin American feminists, especially Domínguez, saw their struggle as much larger than one for simple political incorporation. The Cuban feminist called for nothing less than social and economic justice and the rights of all people, including those suffering under US imperialism.

An innovation of Pan-American feminism was to frame women's rights as social rather than individual, reflecting the approach of progressive constitutions that already posed the family as a political unit to be protected. Latin America was far more advanced than the United States on this front, with many countries following Mexico's 1917 ratification of a progressive constitution by guaranteeing social rights and welfare through rewritten constitutions of their own. Marino shows that when feminist progress is measured not by the year the vote was granted to women but rather by other substantive rights, such as welfare protections, many Latin American countries came out ahead of their neighbors to the north. This reframing makes the period between first- and second-wave feminism appear not as a relative lull but as a time of new ideas and activism.

A strong element of this book is the focus on women's affective experiences of political mobilization, the "tightly cathected relationships" that formed between feminists across borders. Marino mines letters and diaries to great effect and avoids the temptation to make some of the protagonists in her story more congenial to contemporary readers, with our awareness of intersectional demands, than they really were. She does not sand off the rougher edges of some of the early twentieth century's leading feminists' racism and classicism. For example, resentment of Doris Stevens's self-assigned leadership over women she considered to be of inferior races comes through strongly, as does the conviction of Bertha Lutz that Spanish-speaking Latin America was racially backward and that the United States and Brazil should lead *feminismo americano*. Paulina Luisi, a white Uruguayan, like many of her US white feminist contemporaries including Margaret Sanger, was a eugenicist.<sup>4</sup>

Marino is excellent on the conflicts between the various women, which centered on issues from the consequential—such as whether fascism presented a threat—to the strategic, for example, Lutz's accusation that Stevens used sexual favors to promote her agenda at an important conference. Marino carefully balances the limitations of their movements against a historically appropriate appreciation of their achievements. The story culminates in their creation of the first intergovernmental organization for women's rights in the world, the Inter-American Commission of Women (IACW), and at the 1945

<sup>3</sup> While many Latin Americans associate the term *pan-Americanism* with the United States's efforts to control their region, Marino uses it in what Greg Grandin has called its "broad, idealistic sense to cover the common liberal ground that existed between competing definitions of the idea of America." See Greg Grandin, "Your Americanism and Mine: Americanism and Anti-Americanism in the Americas," *American Historical Review* 111, no. 4 (2006): 1042–1066.

<sup>4</sup> See Linda Gordon, *The Moral Property of Women: A History of Birth Control Politics in America* (Urbana: University of Illinois Press, 2002). On the neo-Lamarckian twist given to eugenic thinking in a Latin American context, see Nancy Leys Stepan, *The Hour of Eugenics: Race, Gender, and Nation in Latin America* (Ithaca, NY: Cornell University Press, 2017).

United Nations Conference in San Francisco, where Pan-American feminists pushed to insert women's rights and human rights into the United Nations charter. Marino also lays out some intriguing historical antecedents of issues picked up by other volumes under review: for example, as Marino notes, feminists demanded safe abortion in the early twentieth century, as in Chile in the 1930s. The conferences and meetings she recounts are also important antecedents to the United Nations' first world conference on women held in Mexico City in 1975, the subject of an important new book by Jocelyn Olcott.<sup>5</sup>

During the same period, but a world away from the genteel conference rooms where feminists made their appeals, Peruvian authorities were building and then destroying a red-light district in an effort to protect men from women who were supposedly vectors of venereal disease. Through interventions into prostitution, certain Latin American countries for the first time made a move to regulate what had previously been merely a common feature of life. Scholars have long since debunked the notion that, even before the twentieth century, women's reproductive and sexual lives were the private domain of families. Any consideration of domestic servants, not to mention enslaved women, makes analysis based on a clear divide between public and private spheres untenable.<sup>6</sup> Historian Sueann Caulfield's work on deflowering cases in early twentieth-century Brazil, which prosecuted the crime of sex with an "honest virgin" aged sixteen to twenty-one, shows a potent example of state intervention into the sexual and reproductive lives of women during this period.<sup>7</sup> As two new books illustrate, over the early part of the twentieth century, Latin American elite concerns about the health and morality of poor families grew as they came to consider the family as the building block of a "modern" society.

Paulo Drinot's fascinating book *The Sexual Question: A History of Prostitution in Peru, 1850s-1950s* tells the story of the creation of a red-light district called Huatica in Lima in 1928, and its closure in 1956. Drinot poses this effort to control prostitution as part of what he calls the "sexual question," addressing sex-related issues that were perceived as barriers to the flourishing of the population. For the period he writes about, this boiled down to how to control disease and make prostitutes "safe for men" (9). The sexual question echoes the global "social question" about what—or who—was thought to impede the flourishing of industrialized societies. In Peru, it resonated also with the "Indian question" that had haunted a persistently racist political sphere since Independence, about how to incorporate Quechua- and Aymara-speaking peoples into a modern nation. Peruvian authorities were particularly preoccupied with syphilis, which could be passed along not only to wives but also to children, affecting the "stock" of the nation during a period in which elites were concerned about racial degeneration.

An amusing aspect of this history is Peruvian elites' orientation toward France. French authorities pioneered the practice of policing prostitutes and enclosing brothels in isolated areas of cities beginning in the early nineteenth century with reference to St. Augustine's dictum: "Remove prostitutes from human societies and you will throw everything into confusion through lusts." Peruvian authorities argued a half century later that to follow suit would be civilized, not to mention modern, and would cut down on all sorts of ills from disease to masturbation, though abolitionists argued from various standpoints—religious, feminist, liberal—that regulation would make the state complicit in male perversion. A group of anonymous Catholic doctors went so far as to claim in an article cowritten for a religious periodical, *El Católico*, that it was incomprehensible that "la culta

<sup>5</sup> Jocelyn Olcott, *International Women's Year: The Greatest Consciousness-Raising Event in History* (New York: Oxford University Press, 2021).

<sup>6</sup> Sandra Lauderdale Graham, *House and Street: The Domestic World of Servants and Masters in Nineteenth-Century Rio de Janeiro* (Austin: University of Texas Press, 1992).

<sup>7</sup> Sueann Caulfield, *In Defense of Honor: Morality, Modernity, and Nation in Early Twentieth-Century Brazil* (Durham, NC: Duke University Press, 2000).

Francia” really regulated prostitution. It was only in the early twentieth century, with what Drinot calls the “deepening medicalization of Peruvian society” (84), that prostitutes were ushered into the Huatica district and required to keep booklets (*libretas*) of their weekly medical checkups with stamps marking them “healthy,” “ill,” or “menstruating.” The book draws on unusual sources, including neighborhood petitions to kick out the red-light district and letters to municipal authorities from prostitutes and madams grumbling about their relocation and ratting out colleagues who had not yet made the move. Their logic is impeccable: if some prostitutes were allowed to stay in more central areas, they would eat up all the business “while we will go hungry.” Eventually the obvious ineffectiveness of regulation—doctors sometimes *spread* disease during inspections with unsterilized equipment—and the abolitionist argument that regulation had made the state a “pimp” won out in Peru. Prostitutes dispersed but did not disappear with the destruction of the Huatica red-light district. Drinot records the nostalgia of some men for Huatica, including an APRA (Alianza Popular Revolucionaria Americana) politician who recalled the brothels as where “we killed off the night, the never-ending night of a village trying to become a city” (103); but he makes it clear that the women who sold sex there may have had very different memories.

A very different history of medicalizing the sexual and reproductive lives of women in the early twentieth century is Cassia Roth’s *A Miscarriage of Justice: Women’s Reproductive Lives and the Law in Early Twentieth-Century Brazil*. This exhaustively researched and well-written book links criminal investigations for fertility control to the advent of republicanism in Brazil after the abolition of slavery in 1888, a gradual process that began with a “Free Womb Law” manumitting the unborn babies of enslaved women. As in other post-independence republics of the Americas, the Brazilian state rewrote its laws in pursuit of what Linda Kerber calls the ideal of “Republican motherhood,” hoping women could further the health of the republic by nurturing future citizens.<sup>8</sup> In Brazil, doctors and politicians saw fertility control as a potentially dangerous attempt by women to resist their natural role as mothers. They sought to incorporate the fight against abortion into new public health institutions designed to promote women’s health, though their reach was limited. Roth notes that while, unlike the United States, the Brazilian government did not explicitly restrict or end Afro-Brazilian life through Jim Crow-style laws or sterilizations, republican Brazil promoted notions about Afro-Brazilian women’s supposed hypersexuality and “curbed full citizenship through its regulation of reproduction” (9). She follows these threads through to the 1930 populism of Getúlio Vargas, who explicitly linked family and nation in his rhetoric. Lacking oral histories about miscarriages and abortions in this early period, Roth creatively uses a variety of archival materials from medical journals to 193 police investigations and court cases in Rio de Janeiro and an additional 39 cases from the state of Rio de Janeiro and the Supreme Court. This allows her to track political, medical, and legal discussions and strictures over time—including attempts to control unlicensed midwives—and, mostly through the court cases, at least partially to access the experiences of pregnant women as well as their familial and social context. Roth shows how earlier notions of honor were encoded into the new republican penal codes, with less severe sentences for abortion and infanticide if women were unmarried and committed crimes to protect their honor. She writes that in the context of “scientific racism” and eugenics, “even racist thinkers who viewed Brazilians of color as a serious obstacle to the modernization (and whitening) of the nation rejected abortion” (18). She also shows that despite restrictive laws, women mostly avoided jail time for reproductive crimes. Hewing to a strong ideology of maternalism, both judges and juries claimed that women who committed unnatural acts against motherhood must have been acting in a mentally

<sup>8</sup> Linda K. Kerber, *Women of the Republic: Intellect and Ideology in Revolutionary America* (Chapel Hill: Published for the Institute of Early American History and Culture by North Carolina University Press, 1980).

altered state, which led to lighter sentences. Roth also links fertility control to women's economic lives, using police investigations to show that some women sought to end pregnancies with recourse to "angel-makers," illegal midwifery clinics, when they feared that their unborn child would suffer hunger. Using a reproductive justice frame, Roth argues that while the Brazilian state promoted motherhood during the republican period, it did not take steps to provide all mothers equal access to the ability to raise a child free of poverty.

### Abortion and miscarriages, twentieth century to the present

Demands for safe and legal abortion mounted among Latin American feminists in the 1960s. Cuba was the first to legalize abortion in 1965, and abortion remains a free service provided by the public health system there. Abortion demands were highly unpopular in other parts of Latin America, and the legalizations approved from the 1980s onward were usually limited to women who had suffered rape or for whom pregnancy posed a medical threat. There was a backlash to even limited access to abortion locally and globally. The Vatican replaced progressive with conservative clergy, and President Ronald Reagan's notorious 1978 "Global Gag Rule" prohibited organizations abroad from receiving US aid money if they so much as informed the women they served about abortion services. In recent years there has been progress on this front, with Mexico and Argentina, and now Colombia, legalizing abortion after pressure from massive social movements.

In *The Politics of Abortion in Latin America: Public Debates, Private Lives*, Jane Marcus-Delgado points out that progress has not been made in a straight line. Some of the first steps toward providing access to legal abortion were made under military dictatorships, when other rights were contracting.<sup>9</sup> Some countries—including Nicaragua and El Salvador—have restricted, not expanded, abortion rights in recent decades. The Catholic Church, though losing adherents through secularization and a booming Pentecostal church, still maintains political clout at the national and international level. (The Holy See is a nonvoting member of the United Nations.) At the time of Marcus-Delgado's writing, there were twenty-six countries in the world where abortion was banned under all circumstances, no exceptions. Six were in Latin America: Dominican Republic, El Salvador, Haiti, Honduras, Nicaragua, and Suriname. This is a public health crisis: according to the Guttmacher Institute, approximately 760,000 Latin American women end up in the hospital each year after unsafe abortions. The Latin American Federation of Societies of Obstetrics and Gynecology estimates that every five minutes a teenager in the region kills herself because of worries or problems related to sexual or reproductive health. Marcus-Delgado, like Roth, notes that fertility control is an issue deeply linked to economic life. Many women who sought abortions reporting that they could not afford to have another child, even if they wanted to.

Marcus-Delgado finds that even impressive numbers of female legislators—nearing 40 percent representation in some countries, encouraged by quotas—or female presidents are no guarantee of making progress toward abortion rights. In fact, it can have the opposite effect. In Brazil, generalized misogyny surrounding Dilma Rousseff's 2010–2016 presidency pressured her to reverse her own previously stated position in favor of abortion rights. Instead, Marcus-Delgado shows that the varying relations between government actors, civil society, and the international community combine and clash in complex ways. Her fine-grained analysis of all the variations in different cases provides a comprehensive and welcome compendium, but also might cause an activist looking for a formula or best

<sup>9</sup> See also Mala Htun, *Sex and the State: Abortion, Divorce, and the Family under Latin American Dictatorships and Democracies* (New York: Cambridge University Press, 2003).

approach to despair. What has worked in one country—such as a legal approach in Colombia—might be unfeasible or even backfire in another country. As Marcus-Delgado reminds us by frequently returning to the individual lives of women affected by abortion criminalization, the stakes could not be higher. Until there is equitable and safe access to abortion, the feminist slogan she encounters in the region will remain true: “Rich women abort, poor women die.”

Natalie L. Kimball’s *An Open Secret: The History of Unwanted Pregnancy and Abortion in Modern Bolivia* shows how Indigenous conceptions of reproductive justice have often come into conflict with mestiza-led, globally oriented NGOs. The author provides an often surprising account of how the politics of abortion have unfolded in Bolivia, where it has been banned since 1973. Kimball places their account in the historical context of the second half of the twentieth century, when Bolivia experienced a 1952 revolution followed by a series of mostly military regimes. Similar to their counterparts in Peru, elites in Bolivia saw controlling the bodies of women, especially Indigenous women, as crucial to becoming modern—whether pathologizing Indigenous women as inferior because of their birthing practices as compared to a Western “norm,” or because of large families in the context of the global fears of overpopulation during the Cold War. Specifically, elites in Bolivia fretted about Indigenous women’s desire to heat the body before birth by drinking warm liquids, deliver squatting rather than lying down, and raise more children than outsiders thought they should. Despite laws against fertility control and social censure, Kimball shows that both Indigenous and non-Indigenous women sought and seek to end pregnancies with recourse to everything from dilation and curettage to herbal teas. “Choice” may not be the most appropriate rubric, Kimball shows, as many Indigenous women agitate not for expanded abortion rights but for expanded opportunities to raise their children in healthful, safe, and abundant environments.

The book is based to a large degree on oral histories—113 interviews with 121 people from midwives to mothers, single women, and medical professionals—and the stories that come through do not always line up with top-down political narratives. Kimball cites women who oppose abortion rights but have undergone abortions, for example. An individual’s access to information and resources—what Kimball simply calls “who a woman knew”—is much more important than their religious beliefs in determining whether or not they seek an abortion. Being a practicing Catholic is not necessarily a limiting factor, though some interviewees reported anguish on this score. The interviews also show that the most common reason for a pregnancy to be unwanted was an unstable or abusive relationship with the father. “Please excuse me, but I don’t know you,” one man told an interviewee after being informed of her pregnancy. Other concerns include being able to afford an additional child, a desire to space or limit the number of pregnancies, and wanting to continue education. These interviews on a difficult subject were clearly conducted in a respectful and collaborative atmosphere. Kimball’s care in changing names and not providing any potentially identifying details or information about abortion services came after a misstep made in giving two interviews to the Bolivian press during research, a mistake about which the author is refreshingly frank. As Kimball notes, the feminist approach to safeguarding privacy is at odds with the “best practices” suggested by the Oral History Association of banking interviews in an archive or repository—a reminder that as research on abortion and other sensitive issues continues, these well-intentioned guidelines should perhaps be rethought.

Perhaps both Kimball and Marcus-Delgado, who includes a chapter on the politics of abortion in Bolivia, could have made more of the history of forced sterilization in the Andes and how it impacted perceptions of any form of contraception, including abortion. The Fujimori government in Peru sterilized an estimated three hundred thousand women—mostly Indigenous—from 1990 to 2000. (Forced sterilizations have also taken place in the United States and Canada, among other parts of the world.) A 1969 Bolivian movie,

*Yawar Mallku* (Blood of the Condor, dir. Jorge Sanjinés), depicted Peace Corps volunteers secretly sterilizing Indigenous women, which led to the real-life expulsion of volunteers in 1971. Kimball notes that part of the backlash not just to abortion but to any form of contraception, and indeed to aid-provided powdered milk and medical vaccinations in the 1960s and 1970s, arose from fears that foreigners sought to sterilize Indigenous women. Kimball writes that the film sparked global criticism of family-planning projects as eugenicist plans designed to limit Indigenous and Black reproduction, and in Bolivia “provoked widespread opposition towards birth control” (57). On that point, I would have been curious to hear whether any of the interviewees mentioned the film or the horrifying evidence later uncovered that some Peace Corps volunteers had indeed inserted IUDs into some Indigenous women in the countryside without their knowledge or consent.

Both Kimball and Marcus-Delgado conclude that abortion rights are unlikely to budge in Bolivia in the coming years, despite the danger of the procedure as currently practiced. A contentious debate around reproductive justice—as well as other feminist demands—centers on the Andean notion of gender complementarity, or *chachawarmi*. Kimball cites the definition of the noted Aymara Bolivian scholar-activist Silvia Rivera Cusicanqui: *chachawarmi* is literally the words for man and woman stuck together: “a dynamic and contentious equilibrium, normatively oriented by the model of the Andean couple” (107).<sup>10</sup> The leading Indigenous feminist group in Bolivia is a 100,000-strong organization called Las Bartolinas after the wife of the eighteenth-century anti-colonial rebel Tupac Amará and her coconspirator Bartolina Sisa. Las Bartolinas, who played a key role in President Evo Morales’s election in 2006, oppose legalizing abortion. They see this as a concern exported from Western feminism that is hostile to men and out of step with *chachawarmi*. (Debates over *chachawarmi*—and the possibility of creatively remaking the concept—are taken up in a chapter by Shawna Mullenax in *Seeking Rights from the Left*, and a chapter by Ana Cecilia Arteaga Böhr in *Demanding Justice and Security*, both volumes discussed below.) Still, as Kimball notes, despite the opposition of the Bartolinas, the Morales administration in 2017 passed a new penal code that permitted early-stage abortions for women who already had children—true of most women seeking abortion, in Bolivia and globally—or adolescents or students. A measure that would have decriminalized abortion for women living in extreme poverty was debated but not included. Under protest over other, non-abortion-related provisions, the penal code was repealed the following year. But if it passed once in Bolivia, why not twice?

### **Pink Tide advances and retreats, and Indigenous women make their demands**

Edited by Elisabeth Jay Friedman, *Seeking Rights from the Left: Gender, Sexuality, and the Latin American Pink Tide* takes up the important question of how far the grouping of post-dictatorship left-wing administrations known as the Pink Tide—in power from roughly 2000 to 2015—managed to advance feminist goals for sexual, LGBTQ, and reproductive rights. The authors of the comparative study found that though there is “no linear story of progress across these chapters,” which cover a wide swath of left-wing governments across South America and Nicaragua, they are able to catalog some overall improvements over previous right-wing governments and military dictatorships. They also mark some notable disappointments, often from the Left’s “dangerous liaisons” with conservative religious forces to stay in power. Like Marcus-Delgado, the authors of this volume observe that quotas for women politicians do not necessarily advance rights, noting the persistent anti-choice politics of former president Cristina Fernández de Kirchner of Argentina and

<sup>10</sup> See also Silvia Rivera Cusicanqui, “The Notion of ‘Rights’ and the Paradoxes of Postcolonial Modernity: Indigenous Peoples and Women in Bolivia,” trans. Molly Geidel, *Qui Parle* 18, no. 2 (Spring/Summer 2010): 29–54.



the similar views of first lady, vice president, and “tropical Lady Macbeth” Rosario Murillo of Nicaragua.<sup>11</sup>

While acknowledging “material gains for poor women under left administrations,” often as a result of conditional cash transfer programs to mothers, the authors are critical of Pink Tide governments, especially of gaps between political promises made and programs enacted, as well as what they identify as cases of “pinkwashing.” Borrowed from activism against cooperate co-option of breast cancer charity messaging, *pinkwashing* in this context refers to using LGBTQ- or feminist-friendly messaging in a superficial way to detract attention from other harms against women permitted or perpetrated by organizations or governments. The authors argue convincingly that several countries have used pinkwashing techniques to be perceived as progressive or modern abroad. For example, in 2006, Daniel Ortega decriminalized homosexuality in the same set of laws that fully criminalized even therapeutic abortion in Nicaragua. An excellent chapter by Annie Wilkinson recounts how, in Ecuador, an alliance between Correa and a prominent trans activist named Diane Rodríguez, as well as Correa’s appointment of an openly lesbian cabinet minister, earned him international approbation. Meanwhile, Correa pooh-poohed Indigenous women’s groups’ critiques of funding social welfare through extractive mining, saying Ecuador “can’t sit like beggars on the sack of gold,” continually made sexist comments, and argued in 2013 that “gender ideology”—a catchphrase circulated among religious conservatives—is “*extremely dangerous*” and could “destroy the basis of society, which continues to be *the conventional family*” (269).

A few of the chapters, mostly researched within the last decade up to about 2016, are by now out of date. Mostly, this is good news. One of the volume’s examples of contradictory gains is Argentina, which for decades suppressed demands for safe abortion while passing LGBTQ-friendly laws and a pathbreaking gender identity law, which allows citizens to change their IDs without “expert” oversight by doctors and funds surgical and hormone treatments. In a landmark vote in December 2020, Argentina passed a longtime demand of feminists: legal abortion up to fourteen weeks for any reason. This came after relentless pressure from Ni Una Menos, “not one fewer,” the very name a rallying cry against all kinds of violence affecting women throughout the region. It will be worth keeping an eye on possible gaps between law and practical access, with recent reports showing that Argentine doctors are now citing “conscientious objections” to deny women the service in conservative parts of the country.<sup>12</sup> But it was an obvious breakthrough that came after the publication of this book. The editor noted that the chapter on Venezuela (by Rachel Elfenbein) was written before the recent economic meltdown and crisis in which one in five Venezuelans has left the country. It would be interesting, if depressing, to read an update on a chapter that celebrates the feminist underpinnings of the *chavista* movement, which its leader said had a “woman’s face.” Citing Ruth Pearson’s term “reproductive bargain,” Elfenbein wrote: “such a reproductive bargain is political, in that the population offers the regime political support as long as the government continues to offer and improve upon a basic standard of living” (207).<sup>13</sup> Of course, the new situation represents the unraveling of the reproductive bargain and is falling hard—perhaps hardest—on impoverished women.

The volume’s authors note that while Indigenous women’s movements often have welcomed the additional resources provided by Pink Tide governments, they have remained

<sup>11</sup> For more on Rosario Murillo, see Alma Guillermoprieto, “Nicaragua’s Dreadful Duumvirate,” *New York Review of Books*, December 16, 2021; and Gioconda Belli, “Daniel Ortega and the Crushing of the Nicaraguan Dream,” *New York Times*, July 4, 2021.

<sup>12</sup> Daniel Politi, “Abortion Is Now Legal in Argentina, but Opponents Are Making It Hard to Get,” *New York Times*, March 7, 2021.

<sup>13</sup> Ruth Pearson, “Renegotiating the Reproductive Bargain: Gender Analysis of Economic Transition in Cuba in the 1990s,” *Development and Change* 28, no. 4 (1997): 671–705.

“critical of the cultural disciplining of indigenous mothers” and lobbied against the “unsustainable and environmentally degrading extractivist industries” (24) that provide cash for social welfare programs in Ecuador, Chile, and Bolivia. These tensions also come through clearly in another richly researched volume, *Demanding Justice and Security: Indigenous Women and Legal Pluralities in Latin America*, edited by Rachel Sieder. The volume is outstanding for its in-depth ethnographic research, mostly conducted by ethnographers who are based in the countries they write about or have long-standing activist or academic commitments there.

As Sieder states at the outset: “Across Latin America, women have been at the forefront of indigenous people’s struggles, challenging state violence and racial discrimination and demanding respect for their collective rights to group autonomy, including the right to exercise their own forms of law” (1). The contributors to the volume show the many ways that women have made their demands: bringing a case before the Inter-American Court of Human Rights arguing for a collective not individual sentence for a rape; trying to develop a “gender agenda” for municipal governance; and participating in the Regional Indigenous Council in Cauca, Colombia, and Community Police in Guerrero, Mexico, among many other examples. Though even left-wing governments are often quick to demonize Indigenous mobilizations as being opposed to modernity or development, these careful ethnographies show instead that these mobilizations result from steady encroachment onto Indigenous land and protest the use of sexual violence by military members or members of paramilitary groups—especially in Guatemala, Colombia, and Mexico. In response to outside aggression, Indigenous women frame their demands, as María Teresa Sierra writes, on the basis of “a liberating vision of communal justice and indigenous rights distinct from western feminist conceptions of agency and emancipation” (97). This volume, which combines legal anthropology with in-depth ethnography, is heavy on research from Mexico, since many of the contributors are affiliated with the Center for Research and Higher Studies in Social Anthropology (CIESAS in its Spanish-language acronym). It also includes research from countries that have legally transformed into plurinational states, such as Bolivia, as well as countries like Guatemala that have made some provisions for limited legal autonomy (called in various places *derecho propio*, *usos y costumbres*, and other names) that include alternative dispute resolution or “indigenous courts.” These can create overlapping centers of power and jurisdiction in which different actors sometimes compete for legitimacy.

Most of the research was carried out through collaborative workshops or otherwise responded to interviewees’ own research concerns or demands. Despite this sensitivity, the methodology chapter pointed out that only one of the authors speaks an Indigenous language fluently. It sounds as though the authors reflected on this limitation during group discussions, and the volume would have benefited from more discussion on the page as well, as in the chapter on Ecuador, including making clear who was translating, when, and under what circumstances, and which interviews were conducted in Spanish. Despite the language limitations that I’m sure the authors would agree are unfortunately typical for research on Latin America, the volume is a major contribution that makes a convincing case for why “reflection on specific histories of indigenous women’s agency provides a vital resource for contemporary organizing for greater gender justice” (4). These cases and their demands from women, at once intensely locally and international, show just how widely demands for reproductive justice extend, including into realms not often taken into account by Western and NGO-centered feminism, such as “lack of access to land, lack of experience, training, or education, feelings of shame or fear, being subjected to gossip and slander, economic dependence on men, physical and sexual violence, abandonment, and systematic denial of women’s participation and voice” (5). One conclusion of the volume, as well as much of the other work under review here, is that women from all backgrounds have insufficient access to justice when they suffer from violence. One proposal that came out of a collective workshop for Guatemalan women, along with “organize

ourselves as women” and “support victims with advice about how to make complaints” was to “*train the men*” (88, emphasis mine). While this volume catalogs quotidian problems like malicious gossip surrounding women who organize for Indigenous rights outside the home, it also makes repeated reference to some of the most menacing forms of violence facing women throughout the Americas: rape, domestic violence, and femicide—the crime of killing women for being women—a term popularized by the Mexican activist, politician, and anthropologist Marcela Lagarde. These issues are increasingly the focus of widespread organizing.

Inspired by the work of the feminist Argentine-Brazilian anthropologist Rita Segato, a Chilean collective called *Las Tesis* began performing a song and dance called “A Rapist in Your Path” (“Un violador en tu camino”), which has since been performed by thousands of women in hundreds of countries around the world to protest violence against women.<sup>14</sup> Since its first 300,000-woman march in Buenos Aires in June 2015, *Ni Una Menos* movements are on the rise throughout the Americas, as are social movements rooted in Black women’s claims for reproductive and social justice in Brazil, Cuba, and many other countries. Dora Barrancos’s major new synthesis of the history of feminism in Latin America names these and other protest movements as reasons for hope at the end of a long catalog of feminist projects throughout Latin America that were often defeated or frustrated.

Barrancos recounts the history of feminisms country by country for most of South America, Mexico, Central America, and the Caribbean. Some strong patterns emerge: the patriarchal valorization of women’s role as mothers above all else, the mobilization of their roles as mothers and grandmothers in the fight against dictatorship and repression, the sea change presented by the pill and other forms of birth control, and the struggle by socialist and communist women to convince their male counterparts that women’s rights are central, not secondary and able to wait until after the revolution. In her chapter on Peru, Barrancos makes a note that could apply to the whole book: “This gallery of assuredly heroic women should be supplemented by the countless anonymous women still awaiting recognition” (107). She warns that we should be careful to archive and properly catalog the many written, oral, and material sources that continue to be produced by feminists. Otherwise we risk continuing to confront lacunae in the historical record that make this kind of historical work so difficult. In addition to wonderful country-based surveys of feminisms—and the plural is advised—across Latin America, with its varied cast of characters, Barrancos concludes with several chapters on recent developments, from *Ni Una Menos* to student movement leadership in Chile, women’s participation in the peace movement in Colombia, and the largest mobilization of women in the history of Brazil—the *Ele Não* (“not him”) movement that sought to prevent the noted misogynist Jair Bolsonaro from being elected in 2019.

Bolsonaro’s election is just one sign of a backlash. In her afterword to the volume on the Pink Tide, political scientist Sonia E. Alvarez argues that the recent militancy of feminists in Latin America—“the perceived successes of feminist, queer, antiracist, indigenous, human rights, and environmental movements under the Pink Tide,” in addition to “brazen, bold-faced class warfare”—helps account for what she calls the conservative “U-turn” in the region (307). Despite the backlash, diverse women’s movements on the march throughout the Americas have provided both political wins for the present and hope for the future. The long history of the struggle for sexual and reproductive rights and justice in Latin America show governments’ persistent attempts to control, regulate, and contain what they see as threatening or unruly sexual or reproductive behavior or insufficient adherence to reigning gender norms, though the nature of the supposed threats has changed over time. It also shows women’s tireless and creative endeavors to secure rights and

<sup>14</sup> Charis McGowan, “Chilean Anti-Rape Anthem Becomes International Feminist Phenomenon,” *The Guardian*, December 6, 2019.

justice for themselves and their communities. Barrancos reminds us of Uruguayan feminists' slogan against the dictatorship there (1975–1983): “Las mujeres no sólo queremos dar vida. Queremos cambiarla.” Women do not only want to give life. We want to change it.

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