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## The Left and "Life" in El Salvador

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Throughout the past decade, governments across Latin America have experienced an unprecedented swing to the left. In this essay, I ask: Does the rise of the Left promote women's equality? Or in contrast, could women's continued subordination be an important factor promoting the rise of the Left? Using the case of El Salvador, I demonstrate how the Farabundo Martí National Liberation Front (FMLN) deradicalized its public image — away from "guerrilla insurgents" and toward a viable political party — at least in part by converting its 1980s support for reproductive rights into present-day support for one of the most restrictive abortion policies in the world. I conclude that reversing the causal question about gender and left-leaning political parties may not only extend our understanding of the complicated relationship between gender and the Left but also improve our understanding of the factors moving Latin America from right to left, and from "red" to "pink."

In 2007, 19-year-old Glenda Liseth — a single mom with a four-year-old daughter — began to feel stomach pains. She lived in a poor, isolated rural area without accessible prenatal care. When the pains started, she went to the outhouse, thinking she needed to have a bowel movement. She expelled what felt like "a piece of meat." She tried to catch it, failed, and passed out. Her family found her unconscious and took her to the hospital. The doctors, fearful of prison time for not reporting suspected abortions, called the police. The police recovered the fetus from the septic system for evidence. Initially, Glenda appeared lucky; the court ruled that the fetus was miscarried and not aborted. Yet her luck was short-lived. The courts sentenced her to four years in jail for manslaughter. She should have not gone to the bathroom when she knew she was pregnant and perhaps miscarrying, they argued, but rather should have sought medical help. Her daughter

was placed in an orphanage while Glenda served her prison sentence for unintentionally “murdering” her unborn child.

In 2008, 30-year-old Maria Edis had four children and a *compañero* (roughly, “life partner”), who was working in the United States. She was pregnant, and it was unclear who had fathered the baby. When health complications led to miscarriage, Maria’s family took her to the public hospital. There, she was charged with aggravated homicide and transferred straight to prison with a 30-year sentence. According to court documents, her conviction was based largely on the facts that the pregnancy was the result of “an act of infidelity,” and that Maria did not “act like a biological mother” who would have taken actions to save her unborn child. When her *compañero* returned to El Salvador two years later, he found that Maria had died while handcuffed to a bed in a prison ward. Ensuing investigations uncovered Maria’s pretrial medical records, which clearly stated that she was being treated for leukemia, and that she had pre-eclampsia. This evidence strongly suggests that her pregnancy ended with miscarriage rather than abortion, but was not presented at her trial.<sup>1</sup>

What do Glenda Liseth, Maria Edis, and other Salvadoran women accused of killing their unborn children have in common? They are overwhelmingly young, single mothers who became pregnant out of a recognized partnership. They are poor and poorly educated, with little access to health care. They are sent to jail directly from the medical facilities to which they went for help. And they live under a leftist FMLN administration — an administration that articulates a political commitment to women’s equality while supporting one of the strictest anti-abortion policies in the world.

In 2009, the FMLN’s candidate, Mauricio Funes, won the presidency in El Salvador. This marked the first time in the nation’s history that a leftist political party had ever been elected to the executive office. Many anticipated that the FMLN’s win would constitute a powerful step forward for women’s equality. In the 1980s, the FMLN was a militant guerrilla organization with a clear socialist ideology. In its guerrilla camps, women were educated to take on nontraditional military roles and to prevent pregnancies with family planning (Viterna 2006, n.d.). The FMLN also strictly enforced a no-violence-against-women code in

1. These cases are compiled from interviews with Salvadoran “decriminalization of abortion” activists and the United Nations Human Rights Committee (2010).

its camps (Viterna n.d.). At present, the Funes presidency has prioritized efforts to increase access to affordable education and to lower rates of child and maternal mortality. It constructed a “Women’s City” that will provide a centralized place for women to access health care, job training, legal aid, and psychological counseling. And women’s organizations were especially pleased when Funes appointed a recognized feminist leader, Julia Evelin Martínez, to head the state women’s office.

Yet feminism and the Left have always had a complicated relationship, and the FMLN is no exception. Earlier commitments always to place a woman on the presidential ticket have been forgone. Party-level gender quotas are only loosely enforced. The calls by women’s organizations for strengthening legislation against domestic violence and enforcing payment of child support have been met with apathy from some male FMLN leaders. Perhaps most visibly, the FMLN has moved from a militant organization that utilized abortion in some of its guerrilla camps in the 1980s to speaking out actively in favor of some of the most extreme penalties for abortion in the world.

Funes’s support for the total criminalization of abortion does not represent a radical change in FMLN policy but, rather, the culmination of a slow but powerful transformation. When the FMLN became a political party in 1992, at the conclusion of a 12-year civil war, their principal opposition was the conservative ARENA party. At that moment, Salvadoran law allowed abortion when the life of the mother was at risk, the pregnancy was the result of rape or incest, or the fetus had suffered a grave malformation. At about the same time, a nascent pro-life movement began to fight against “socialist” and “international” pressures for accessible abortion. Their efforts were supported strongly by a new Catholic archbishop, whose affiliation with Opus Dei shifted the national church from a relatively progressive institution to a conservative one. At this time, the FMLN did not anticipate abortion to be a particularly divisive issue.

In 1995, the postwar legislature began drafting a new criminal code modeled largely on Spanish law. Following the Spanish example, a moderate expansion of abortion rights was included in the initial draft (Hipsher 2001). When these proposed expansions became public, the pro-life movement launched a powerful public outcry. The ARENA party responded quickly by drafting a new bill that criminalized abortion under any circumstance. This alternative legislation quickly gained public support from the smaller, centrist Christian Democratic Party. In the ensuing public debate, statements promoting the alternative bill

proved remarkably insensitive to actual gender relations. In several instances, for example, politicians and activists suggested that women simply should not sleep with men if they did not want to become pregnant (CRLP 2001; Hipsher 2001) — powerfully ignoring the reality for Salvadoran women, many of whom have little control over their own sexual encounters.

Initially, many in the FMLN supported the moderate liberalization of abortion. Congresswoman and future FMLN vice-presidential candidate Marta Valladares,<sup>2</sup> for example, argued publicly that she would support legal abortion so long as the economic conditions that encourage abortions exist (Hipsher 2001). Despite some internal dissent, the FMLN party uniformly voted in favor of liberalization in 1997. They did not, however, have sufficient votes to carry the decision, and the total abortion ban was passed.

Building on the momentum from the highly publicized legislative victory, the ARENA party proposed a constitutional amendment to protect life “from the very moment of conception.” The FMLN stood against this amendment in the first vote, but did not have sufficient representation to prevent it from passing to a second round.<sup>3</sup> As the final vote approached in 1999, the FMLN’s internal division deepened. The pro-life campaign had aggressively argued that there was no situation in which medical science could not save the life of a pregnant woman and also try to save the life of the embryo inside her. The minister of health supported the amendment, stating that no one has the right to interrupt a life, which begins when a sperm and an ovum unite (CRLP 2001). Sensationalized videos of abortion were played in the media and even on the floor of the legislative assembly. Voting for legal abortion in any form seemed a deeply unpopular move, and with upcoming legislative elections, FMLN deputies increasingly worried that the party line would equate to political suicide. The FMLN leadership relented, allowing their representatives to “vote their conscience” in the final round. In 1999, the constitutional amendment passed with 72 favorable votes in a legislative assembly of 84 members. There were 12 abstentions, and no negative votes.

The police and judicial systems in El Salvador have strictly enforced anti-abortion laws from the passage of these landmark votes to the present day. Women found guilty of abortion legally receive two to eight years in prison.

2. Also known as Nidia Diaz, her nom de guerre.

3. Jack Hitt, “Pro-Life Nation,” *New York Times Magazine*, April 9, 2006, p. 40.

Abortion practitioners receive six to 12 years. Abortion accomplices — defined to include health workers who do not report suspected abortions — may spend two to five years in jail. If a fetus is considered viable at the moment a pregnancy is terminated, as determined by the ruling judge, then the ruling of abortion may be converted to aggravated homicide, with an accompanying 30–50 year prison sentence. In at least one case, an 18-week-old fetus was ruled “viable” by a judge, and the mother sentenced to 30 years in prison (Hitt 2001). Indeed, the law has been enforced so strictly that public hospital doctors refuse to operate on women who have ectopic pregnancies until they can confirm that the embryo has no heartbeat, or until the woman’s fallopian tubes explode (Hitt 2001).

The capitulation by the FMLN to the pro-life movement was seldom publicized during the years following the constitutional amendment. Its ability to avoid the issue was perhaps a consequence of its inability to become a serious contender for the presidency. Since its birth in 1992, the FMLN enjoyed consistent electoral support only from its traditional base; it struggled to broaden its appeal to the political center. ARENA’s politicking appears key in limiting its political expansion. ARENA’s campaign strategy routinely painted the FMLN as a communist organization aimed at turning El Salvador into “another Cuba” — or more recently, “another Venezuela.” Through television commercials, newspaper articles, and interviews on local news programs, ARENA highlighted both the former war exploits and present-day socialist connections of FMLN candidates. This socialist agenda, they argued, entailed atheism and the destruction of the family unit (ARENA 2004).<sup>4</sup> Socialists would align themselves with communist nations, anger the United States, and force the expulsion of Salvadorans living abroad (Gonzales 2009). And socialists, ARENA argued, would legalize the slaughter of innocent unborn children, which is clearly against the laws of the Catholic Church, God, and Salvadoran values.

In the 2009 elections, however, the political context changed: Mauricio Funes and the FMLN were polling ahead of the ARENA candidate. ARENA relied once again on its strategy of portraying the FMLN candidate as a radical socialist. They publicized pictures of Funes standing side by side with Hugo Chavez. They highlighted the role played by Funes’s wife in organizing world socialist forums. They

4. Campaign advertisements are often available on YouTube (e.g., <http://www.youtube.com/watch?v=6oGP5mvyqBc>).

mobilized U.S. politicians to state that a “socialist” FMLN victory would severely damage El Salvador’s political relationship with the United States.

Yet Funes seemed relatively impervious to these accusations, in part because he portrayed poverty alleviation programs not as socialist but as closely aligned with a Christian, Catholic mission.<sup>5</sup> He frequently highlighted his education in Catholic schools, his close ties to Catholic priests, and his proven record as a journalist who acted as a watchdog against bad politics by both major political parties — doing the right thing, not the politically expedient thing, as emphasized in his Catholic education. In short, Funes’s embrace of the church transformed long-standing FMLN policies into mainstream, Christian goals, rather than radical, “socialist” agendas.

ARENA’s final attack on Funes centered on his presumed stance as a pro-abortion candidate. One campaign commercial ended with the question: “If Funes and the FMLN are in favor of abortion, would you trust the future of your country to them?”<sup>6</sup> Funes responded to this attack with a strong pro-life statement, and he has maintained a pro-life position throughout his presidency. Indeed, when Julia Evelin Martínez, the progressive director of the state women’s organization, signed a regional agreement questioning the criminalization of abortion in El Salvador — a document that, she argues, she was legally allowed to sign given her formally stated duties — Funes immediately removed her from office and stripped the institution of much of its autonomy.

In conclusion, the FMLN’s rise in legislative power and its first presidential victory required a transformation of party policy to support the total criminalization of abortion. This transformation appears critical to the solidification of the party’s image as political mainstream rather than radical fringe. Similarly, in Nicaragua, Daniel Ortega’s return to power was accompanied by his rebirth into the Catholic Church and his support for the total criminalization of abortion. In Brazil, Dilma Roussef, the nation’s first woman president, has self-reported a transition away from pro-choice Marxism to pro-life “pragmatic capitalism” prior to her presidential success. Cases like these suggest that the political Left in Latin America, in order to gain power, has made conciliatory moves

5. There are, of course, a number of reasons that Funes won the presidency, including a move to the left across the region, his reputation as a centrist candidate, his support from powerful business elements in El Salvador, Barack Obama’s election in the United States, and an increasing disillusionment with ARENA for failing to mediate the economic crisis, lower crime rates, or combat perceived corruption among its officers.

6. See <http://www.youtube.com/watch?v=zlidlw0LTOA>.

toward the Catholic Church and conservative religious values. Such conciliatory moves do not require a softening (or “pinking”) of leftist economic policies, but they do require the pinking of leftist policies on gender relations and sexuality. The case of El Salvador, in addition to those examined by Ewig, Richards, and Lind in this issue, make clear that scholars should investigate whether and how women’s renewed subordination may be one important causal factor explaining the recent rise of the Left in Latin America.

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## Contradictions that Endure: Family Norms, Social Reproduction, and Rafael Correa’s Citizen Revolution in Ecuador

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Upon entering office in 2007, socialist Rafael Correa launched his Citizen Revolution in Ecuador, with the aim of establishing a postneoliberal order.