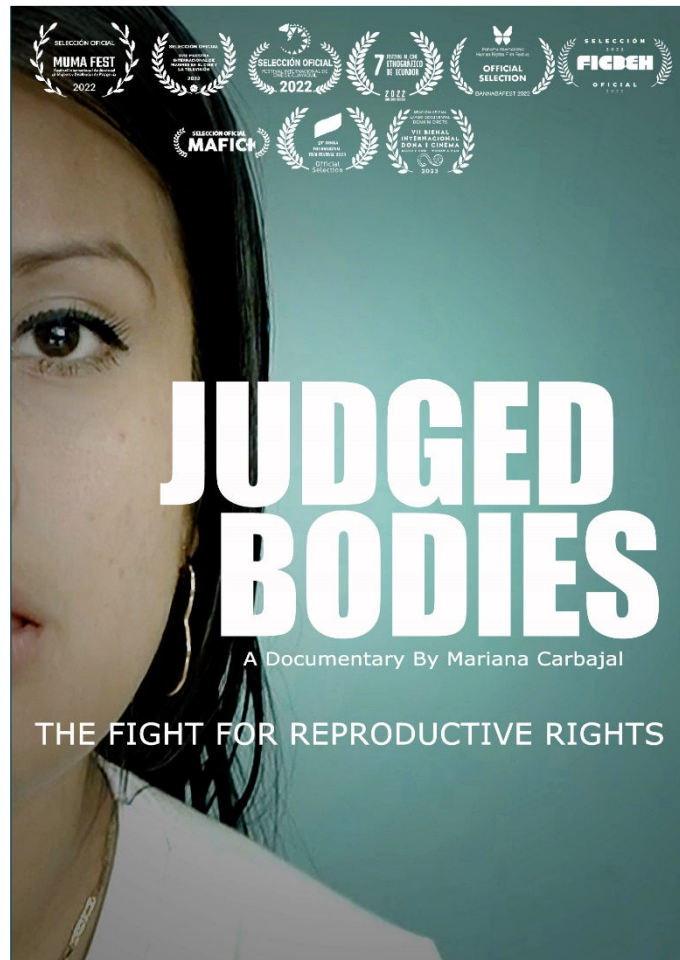




JUDGED BODIES

The Fight for Reproductive rights



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Judged Bodies

Journalist Mariana Carbajal reveals the reality for women in El Salvador, a country which has one of the strictest abortion prohibition laws in the world. Many poor women have been sentenced to long prison terms after facing obstetric emergencies. Activist, Morena Herrera, and other activist fight for women's reproductive rights.

About El Salvador

El Salvador is in Central America and is the area's smallest and most densely populated country. It shares a border with Guatemala and Honduras and borders the North Pacific Ocean. San Salvador is El Salvador's capital city. From 1528 to 1821, El Salvador was a Spanish colony. After that, it became part of the Federal Republic of Central America, which also included Guatemala, Honduras, Costa Rica, and Nicaragua. That broke apart, and in 1841, El Salvador became an independent nation. Today, the country has a population of about six-and-a-half million people, and a democratic government, with a president and a legislative assembly.

Much of El Salvador is mountainous. It has volcanoes, and destructive earthquakes are also relatively common. For instance, the country was struck by a 7.7 magnitude quake in 2001, followed by a 6.6 magnitude quake. These killed hundreds of thousands of people, left tens of thousands homeless, and caused billions of dollars in damage.

El Salvador is also plagued by crime and violence, including widespread gang activity. According to the Borgen Project, an organization that fights poverty, "Most of the crime committed is gang-related and, with the involvement of an estimated 60,000 members, gangs run rampant in practically every community." In an attempt to escape that crime and violence, many El Salvadorians migrate to other countries, including the United States.

Violence Against Women

Violence against women is a serious problem in El Salvador. According the United Nations, the country has a very high rate of violent death for women. The organization finds, "The violent death rate for women in El Salvador is 13.49 for every 100,000 women, one of the highest in the world, according to data from the National Civil Police." Overall, the UN says, "According to the National Survey of Violence against Women 2017, 67 out of every hundred Salvadorans over 15 years of age have suffered some type of violence throughout their lives."

Much of this violence against women goes unnoticed and unpunished. In 2018, filmmaker Almudena Toral travelled to El Salvador for TIME and Univision News. She reports that violence in general is so common in El Salvador that most people there don't even notice it how much violence against women there is. "El Salvador is a country with so much gang violence, so much brutality, so many murders, that nobody pays attention to violence against women," she says, "It's invisible in this huge ocean of violence." The UN estimates that only 6 percent of women who suffer violence actually report it. It says, "The rest do not do so because of fear, out of shame, or because they thought they wouldn't believe them."

Abortion Laws

In the past, abortion was legal in some cases in El Salvador. Starting in 1973, the law allowed it if the life of the woman was in danger, if the fetus had a severe congenital disorder, or if the woman was a victim of rape. However, now the country has some of the most restrictive abortion laws in the world. In 1998, it completely banned abortion, including in cases where the life of the pregnant woman is at risk, or where the pregnancy was the result of incest or rape. Under the ban, women can be convicted of homicide not only for having an abortion, but also for a miscarriage or other emergency where the fetus dies.

El Salvador's ban on abortion is widely criticized as a violation of women's rights. The Citizen's Coalition for the Decriminalization of Abortion on Grounds of Health, Ethics and Fetal Anomaly explains exactly how it violates the rights of women, stating, "The criminalization of abortion . . . has deprived all women of their freedom to decide about their own bodies." It says, "We may ask ourselves . . . whose freedom is being respected if a woman faces serious risks to her health and to her life from a complicated pregnancy, and she is not allowed to ask that her life should be saved rather than continue with the pregnancy. In El Salvador, in these cases, women are considered to be morally incapable of making such a decision, which denies them their status as human beings and violates their right to life – as granted in the Constitution of El Salvador." A number of international organizations have also agreed that a total ban on abortion violates women's rights.

Worldwide, abortion restrictions are relatively common, however, El Salvador's laws are particularly strict. According to the Center for Reproductive Rights, 40 percent of the world's women live under restrictive reproductive laws, however, only 6 percent live in places where abortion is completely banned. According to an article posted by the Council on Foreign Relations, El Salvador is one of a few exceptions to a global trend of liberalization towards abortion in recent years. The authors explain, "Since 2000, thirty-eight countries have changed their abortion laws, and all but one—Nicaragua—expanded the legal grounds on which women can access abortion services. Since 2020, Argentina and Thailand legalized abortions, with certain gestational limits; Mexico decriminalized abortion, as did South Korea; and New Zealand eased its abortion restrictions. Most recently, Colombia made abortion legal on demand up to twenty-four weeks of pregnancy, the latest sign of a growing "green wave" in Latin America."

Continuing to Fight

People in El Salvador continue to fight to change the country's restrictive abortion laws. For instance, in 2022, thousands of women marched in protest in the country's capital. Morena Herrera, president of the Citizen Group for the Decriminalization of Abortion in El Salvador, has been fighting for the country's women for years, and is optimistic about the future. She says, "Today, in our region, there is a broad social fabric of women's organizations, young people are playing an important role in defending their rights and, likewise, LGBTI people and organizations have joined forces to obtain recognition of their rights and, very pertinently, sexual and reproductive rights. Therefore, without ignoring the difficulties we face, we are convinced that we will make progress in recognizing and guaranteeing the right to legal, safe and free abortion."

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