

Zika and abortion in Brazilian newspapers: how a new outbreak revived an old debate on reproductive rights

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Abstract: *Since the beginning of the Zika virus epidemic, the Brazilian Ministry of Health has reported over 2000 confirmed cases of microcephaly associated with Zika virus in Brazil, with the cases concentrated in the northeast states. The Zika epidemic reopened a debate in Brazil that has played out in the national newspapers about expanding the abortion law to provide autonomy and legal protection to women. The argument for expanding the abortion law to include microcephaly secondary to Zika virus infection called for autonomy for women and, more broadly, protection of reproductive rights. The argument against expanding the current abortion law was separated into two main moral veins: those citing eugenics and those citing religious beliefs. However, the debate on abortion in the case of microcephaly accomplished more than giving a voice to two different viewpoints; it exposed health disparities that exist in Brazil, which were magnified by Zika virus, and reopened the political arena for discussion of the abortion law. DOI: 10.1080/26410397.2019.1586818*

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Introduction

Since the beginning of the Zika virus epidemic, the Brazilian Ministry of Health has reported over 2000 confirmed cases of microcephaly associated with Zika virus in Brazil with the cases concentrated in the northeast states.¹ The outbreak began in March 2015 and, to date, Brazil leads all other nations in the number of cases of microcephaly.¹

From the time of the onset of this epidemic, there has been an increase in demand for abortions.² The majority of the Brazilian population seeking abortion, however, primarily only have access to unsafe abortion, leading to significant morbidity.³ Safe abortions, while illegal in Brazil, are more readily accessed by wealthy women and are essentially inaccessible to those who cannot afford it.

The current abortion law in Brazil dates back to 1940 and includes two indications for abortion: when a woman's life is in danger or in the case of rape. In 2012, anencephaly (when a foetus grows without the development of the brain,

skull and scalp) was added to the list of indications as incompatible with life. But in the case of anencephaly, each individual case still requires a judge's approval.⁴

Although the Brazilian abortion law is amongst the strictest in the world, it does not reflect the reality of abortion in Brazil. According to 2016 estimates, more than one-fifth of women aged 18–39 in Brazil had had at least one induced abortion in their lifetime, and nearly half a million women had an abortion that year.⁵ Abortions can be obtained in private clinics, costing anywhere from R\$5000 to R\$15,000 (US\$1500–4500).⁶ A gynaecologist from Pernambuco, one of the states where Zika virus was most prevalent, explains, “for women who have money, the laws are different,”⁷ highlighting how the abortion law has different implications for women of different socioeconomic statuses.

The arguments for reevaluating the current law on abortion have been widely covered in the Brazilian newspapers. Printing the public's opinion

in the top two circulating newspapers in Brazil, *Folha de São Paulo* and *O Globo*, has allowed both sides to express their viewpoints, and has elicited responses from key political players.

Newspaper coverage of this debate has important political implications for several reasons. First, exposing health policy issues in news media has been effective in inciting change by displaying the issues to a broad and diverse audience. Moreover, exposing health policy debates in news media increases participation, in turn promoting democratic discussion with the potential for political change.⁸ Finally, newspapers in Brazil have a history of vigilance, uncovering corruption and initiating political and economic change.⁹

Debate on women's right to abortion in Brazilian newspapers

Immediately after Brazilian officials declared a national emergency on 11 November 2015, due to an alarming number of microcephaly cases, the newspaper articles surrounding Zika virus began increasing in frequency.¹⁰ The actual debate focusing on a woman's right to abortion appeared in a newspaper on 10 January 2016 when an article in the *Folha de São Paulo* acknowledged the different viewpoints with the headline "Increase in microcephaly reignites debate on legal abortion".⁴ The author, Claudia Collucci, who has been particularly vocal in the debate, first presents the reality of abortion in Brazil, telling the story of a mother who opted for abortion after "grave lesions" were discovered in the foetus at 30 weeks gestation, post Zika virus infection.⁴ Collucci then tells the story of gynaecologists who perform abortions and who argue that forcing a mother to care for a child with serious physical and mental difficulties is not just. Finally, she presents the opinion of Paulo Leão, a lawyer and member of the anti-abortion group *Brasil sem Aborto* (Brazil without Abortion), who argues that microcephaly is not justification for abortion and that it should be considered as eugenics.⁴

The principal argument for expanding the abortion law to include microcephaly secondary to Zika virus infection began to emerge in these newspapers, calling for lawmakers to grant autonomy to women. An opinion piece in *O Globo* by Jacqueline Pitanguy, a human rights activist in Brazil, points out that the common denominator in legalising abortion is "the recognition that a woman has the right to protection and to respect for her dignity

and physical and emotional integrity".¹¹ More broadly, the rights of the unborn should not be placed above the fundamental rights of a woman. Although this debate focused on Zika virus and abortion after a foetal microcephaly diagnosis, the underlying issue persisted throughout of whether to allow women, who either fear the possibility of new Zika diagnosis affecting their early pregnancy or fear the emotional and mental health implications of giving birth to an already confirmed severely disabled child, access to safe abortions in public hospitals.

The argument that emerged in the newspapers against expanding the current abortion law can be separated into two main moral veins: those citing eugenics and those citing religious beliefs. Paulo Leão introduced the term *eugenics* into the debate, which both *Folha de São Paulo* and *O Globo* reported,^{4,12} underlining the importance of the use of this term. Throughout the debate in Brazilian newspapers, eugenics describes the act of selecting against traits, such as microcephaly, as they may flaw the population. Many argue that expanding legal abortion to include microcephaly is not acceptable because, unlike anencephaly, the current legal exception, microcephaly is compatible with life.^{13,14} Some authors went as far as to say that abortion of microcephalic foetuses would "propagate the pathological hatred for minorities" and reinforce the idea that only healthy humans have the right to be born.^{15,16}

Religious arguments were also featured in the newspaper debate. In Brazil, 64.4% of the population is Roman Catholic, which made recommendations of the Catholic Church very influential.¹⁷ During their conference on 5 February 2016, the Catholic Bishops of Brazil called abortion of a foetus with microcephaly "a total disrespect for life".¹⁸ They also compared microcephaly to other conditions that reduce the quality of life, such as old age or a person living on the streets, arguing that this does not take away their right to life.¹⁸ The Pope also weighed in on the debate on 18 February 2016, showing some lenience when discussing the use of contraception to avoid pregnancy during the Zika virus epidemic. On 20 February 2016, the secretary general of the National Bishops Conference of Brazil, Leonardo Steiner, held an interview with *Folha de São Paulo* clarifying the Pope's words. Steiner appeared to backtrack, stating the Pope was not condoning the use of contraception, but rather was distinguishing between the use of contraception and abortion, clarifying that the latter is a crime while the former is not.¹⁹

Although Catholicism predominates in Brazil, many readers expressed their disagreement with the Pope's words in letters to the editor.^{20,21} Readers argued that the Pope should not make decisions regarding a female's reproductive rights and questioned whether the Pope is aware of the economic disparities of abortion access, where wealthy women have access and poor women do not.²⁰ One reader reasoned that the debate should be based on the *reality* that many Brazilian women are facing rather than on religion or philosophy.²¹ However, while Brazil is a secular state, and regardless of the religiosity of its citizens, the Catholic Church's influence in politics cannot be ignored. Although religion may play an important role in politics and political lobbies in Brazil, there is no difference of religious belief between women who seek abortion and the general population.⁵

Political implications of the newspaper debate on abortion

It should be noted that these two newspapers, *Folha de São Paulo* and *O Globo*, have a national circulation, but are based in the southern states, an area less affected by Zika virus. Given this context, the women suffering most from the effects of Zika virus may not have an active voice in this debate. What the newspaper debate has done is draw attention to the issue of abortion access and attracted the attention of national political players.

To date, the political debate on expanding abortion rights in Brazil continues while there has yet to be a change in the abortion law.¹⁸ On 29 November 2016, the Brazilian Supreme Court made a historic ruling for a particular case involving five abortion providers, releasing the providers from prison.²² The judges who heard the case defended their ruling, explaining that the law violates the fundamental human rights of a woman. However, on 12 December 2017, a congressional committee voted to further restrict the current abortion law, making

abortion illegal in all cases, including rape or danger to the mother,²³ an apparent setback for abortion activists. More recently, in preparation for a ruling, on 6 August 2018, the Brazilian supreme court held a public hearing on the decriminalisation of abortion before 12 weeks gestation. This hearing, both public and on a national stage, drew attention from many political players.²⁴

Conclusion

In Brazil, newspapers have historically played an important role in informing the public and eliciting political change.⁹ Examining Brazilian newspapers provided a unique opportunity to observe the unfolding of national political debate with many participants. The newspaper coverage also allowed readers to become aware of the human implications of political decisions in the setting of a disease outbreak. This debate regarding abortion in the case of microcephaly accomplished more than giving a voice to two different viewpoints; it exposed health disparities that exist in Brazil, which were magnified by Zika virus. Allowing women to choose when they get pregnant is a right that should be shared by all, especially during a time that poses a great risk to the health of the foetus. Continued reevaluation of the current abortion law is warranted, to ensure that it is not the source of social injustice where wealthier women are able to access a health service that poor women are not.

Disclosure statement

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Résumé

Depuis le début de l'épidémie de maladie à virus Zika, le Ministère de la santé brésilien a notifié plus de 2000 cas confirmés de microcéphalie associée au virus Zika dans le pays, les cas étant concentrés dans les États du nord-est. L'épidémie causée par le virus Zika a rouvert un débat dans les journaux nationaux brésiliens sur l'élargissement de la loi relative à l'avortement afin d'accorder une autonomie et une protection juridique aux femmes. Les arguments en faveur de l'expansion de la loi sur l'avortement pour y inclure la microcéphalie consécutive à la maladie à virus Zika demandaient une autonomie pour les femmes et, plus généralement, une protection des droits reproductifs. Les arguments contre l'expansion de la loi actuelle sur l'avortement étaient divisés en deux principales lignes morales: ceux qui citaient l'eugénisme et ceux qui citaient les croyances religieuses. Néanmoins, le débat sur l'avortement dans le cas de la microcéphalie n'a pas seulement donné la parole à deux points de vue différents; il a exposé les disparités sanitaires qui existent au Brésil, amplifiées par le virus Zika, et a rouvert la tribune politique pour la discussion de la loi sur l'avortement.

Resumen

Desde el inicio de la epidemia del virus de Zika, el Ministerio de Salud brasileño ha informado más de 2000 casos confirmados de microcefalia asociada con el virus de Zika en Brasil, los cuales están concentrados en los estados del noreste. La epidemia de Zika reabrió un debate en Brasil manifestado en los periódicos nacionales acerca de la ampliación de la ley sobre aborto para ofrecer autonomía y protección jurídica a las mujeres. El argumento de ampliar la ley sobre aborto para incluir microcefalia secundaria a la infección por el virus de Zika exige autonomía para las mujeres y, en general, protección de los derechos reproductivos. El argumento en contra de ampliar la ley vigente sobre aborto fue separado en dos principales venas morales: las que citan la eugenesia y las que citan las creencias religiosas. Sin embargo, el debate sobre aborto en caso de microcefalia logró más que dar voz a dos puntos de vista diferentes; expuso las disparidades de salud que existen en Brasil, que han sido magnificadas por el virus de Zika, y reabrió el ámbito político para discutir la ley sobre aborto.