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*La Argentina de fuertes pechos
confía en su seno fecundo
y ofrece hogares y derechos
a los ciudadanos del mundo*
(Ruben Darío. "Canto a la Argentina")

1. Introduction

This paper is part of ongoing research on the population policies in Argentina. It is based on the hypothesis that demographic phenomena are variables dependent on political processes. For this reason we are interested in exploring the way different governments have dealt with this topic. These policies will be analyzed through an examination of the norms regarding fertility (maternity, filiation, adoption, contraception), nuptiality (weddings, marriage, civil rights) and migration (immigrants, aborigines).

The history of the evolution of the demographics dynamic -from the end of the 19th Century to the present- and its relation to the policy changes analyzed through the socio-legal dimension of the state provide fertile ground for study.

My works fall within the contemporary tendency which values the legal aspect of the social sphere as a fundamental element for the understanding of the mechanisms of contradiction and conflict which characterize it. However, the reality we grasp via the law is instantaneous, static, frozen at a certain point in time. Therefore, a diachronic analysis of the economic, political, institutional and demographic context in which laws originate must be contemplated as well. That's why I consider the historical framework as adequate for understanding the legal dimension of the social. With this objective in mind, I used the developmental

strategy concept, to be understood as the ensemble of essentially public actions the dominating group in the state apparatus proposed to the rest of society in order to impose their social model (1).

The present work presents an update of the body of knowledge on the subject covering the return of democracy in 1983 to 1999.

2. The period of 1870-1929

The strategy of exporting agricultural products to promote a dependent capitalistic development was based on the affluence of capital and a foreign labor force. The underlying social model was based on the idea of continuous, rational and unlimited progress. Although the model was supported by a liberal ideology in the economic sphere, we know that the oligarchy secured its dominion through the state. Its liberal bourgeois ideals managed to avoid the crises and demands of the dominated sectors by slowly giving them partial participation in the formal state apparatus without endangering their economic power or strategy.

2.1. Migration

Historically, Argentina has been a receiving country for immigrants of European origin—who came in large numbers until the 1930s—and of Latin American origin—who have been constantly coming since the late 19th century. Thus, international migrations have accounted for one of the most important processes in our history and, consequently, one of the most debated ones.

The renowned Avellaneda Act (1876) set forth an “open door” policy aimed at attracting European immigrants, mainly farmers, who would turn our vast territory into agricultural fields, supplying the labor needed to implement the agroexport strategy. Although the government had promised immigrants it would facilitate their access to the land after the desert campaigns, once the indigenous population had been displaced and annihilated and the territories had come under its control, the State did not include the immigrants in any specific plan. Instead, it decided to privatize the territories granting large parcels to politically related sectors that had

to do more with speculation than with production. By doing this, immigrants were deprived of the possibility of becoming land-owning settlers. The same was true for fiscal lands. The State got rid of the land in a quick, disorderly fashion, giving it away or selling it at a very low price.

As far back as the early 20th Century, the passage of the Residence and the Social Defense Acts (1902 and 1910, respectively) shows that the issue of migration brought about conflict. Anarchists would be denied admission, could not hold meetings and would be severely punished, even with the death penalty. Immigrants, who used to be the agents of civilization and an emblem of progress, had now become subversive individuals who questioned the “merits of the system”. However, these strict rules did not translate into a reduction of the transoceanic migratory flow, which by that time reached its highest point. (Halperin Donghi, 1976).

2.2. Fertility and Nuptiality

In the realm of the family, women were considered incapable. Her capability was only occasionally accepted while it was always related to her role in the family. She was placed first under paternal authority and then under that of her husband. Her situation within matrimony was totally subordinate. The replacement of religious wedding by a civil one did not affect the fact that marriage was to be monogamous, indissoluble and patriarchal. Children were classified as legitimate or illegitimate (born out of wedlock, adultery, incest, sacrilege) and mothers had no rights with regard to her children, as fathers had complete legal authority. Policies clearly punished the illegitimate children.

Towards the end of this time period, women's reproductive function was related to their role as workers, a role which was protected by giving women rest breaks. During this same period a reform introducing progressive ideas reverted the legal principle in force by giving women their civil rights; notwithstanding, the husband's rights remained predominant. Abortion was considered a crime against life, while adultery and rape were considered crimes against decency.

3. The period of 1930-1945

The new strategy for development the oligarchy implemented at the beginning of the crisis of 1930 established a dependent capitalism based on the local manufacturing of goods which had been imported previously. The state changed its liberalism to interventionism in order to guarantee social efficiency, by extending its control and setting thorough norms on the conduct of its citizens. The underlying model of society arose due to the rupture of unlimited progress.

3.1. Migration

The previously immigrant-appealing laws became restrictive, initially, on grounds of the need to control health conditions, and later as a way to prevent undesired ideological contents from being spread by those who had been banished from their own countries as a result of racial, political or religious pursuits and the cruel war. Some time later, the economic crisis turned immigrants into potential competitors of the local labor force. Therefore, efforts were made to hinder their entry into the country so as to protect the domestic employment level and fight unemployment. Moreover, illegal foreigners from neighboring countries emerged as a problem to be solved, given the growing cross-border migratory flow. For the first time a law challenged the merits of the “open door” policy and raised the need to look for a new policy. It was a time of heated debates. During the Primer Congreso de la Población (First Conference on Population), held in Buenos Aires in 1940, some people put forward a stern selection regime that would foster European immigration, favoring an extensive settlement process to be carried out by the State. Some proposed going back to an open policy. Others suggested that “strong races” be attracted to strengthen the population. Nevertheless, the decreasing flow of immigrants recorded during this period seemed to be the result of the new international situation rather than the consequence of the restrictive migration policy applied.

3.2. Fertility and Nuptiality

New policies were made with regard to women in the work force: protection of matrimony (women could not be fired because they married) and protection of maternity (monetary subsidy, medical attention, work prohibition thirty days prior to and forty-five days following birth, breaks for nursing). Coincidental with the underlying model of society a state instance was created: Dirección Nacional de Maternidad e Infancia (the National Board of Maternity and Infancy), which blended the state's concern for biological reproduction with its desire to discipline and set behavioral norms. Until a mother's child was five months old, the mother was obligated by law to nurse only her child and no one else's. To nurse another child, but only one other child, during these first five months, she had to get a certificate stating that she was apt for the task. Transgressors would be fined and those mothers who didn't pay could be jailed. Any woman who abandoned her child could be arrested by the authorities and be sent to a public hospital for the "sole purpose of taking care of her child". The Primer Congreso de la Población (First Conference on Population), is a clear example of the dominant sectors' concern for making sure there was a growth in population: because of their apocalyptic view of the country's depopulation, they induced women to embrace the maternal role.

4. The period of 1945-1955

The strategy prepared in this period, which coincides with the first two peronist terms in office, put into effect the industrialization process begun in previous decades by emphasizing distribution instead of accumulation. Though the strategy was capitalistic, it strove for an autonomous development by increasing the public sector's participation in the productive system, simultaneously reducing the participation of foreign capital in the economy by means of the policy of nationalization.

4.1. Migration

The industrializing strategy required a labor force that the neighboring countries could provide. The Primer Plan Quinquenal (First Five-Year Plan, 1947-1951) favored a selected “culturally assimilable, physically healthy, rationally distributed, economically useful immigration”. The immigration force should be comprised of fishermen, industrial technicians and specialized workers who would, in turn, enable the settlement process. Furthermore, the Segundo Plan Quinquenal (Second Five-Year Plan, 1953-1957) gave priority to natural growth over migratory growth. The creation of the Comité Intergubernamental para las Migraciones Europeas (Intergovernmental Committee for European Migrations) and the passage of the General Law on Settlements confirmed the prevailing preference for transoceanic flow and the long-lasting idea of associating immigration with agricultural advancement. For the first time an amnesty decree was passed. Between 1947 and 1952, the number of incoming European immigrants, mainly from Eastern Europe, increased while immigrants from neighboring countries gained more weight within the foreign population.

4.2. Fertility and Nuptiality

The state's policy on women was part of the larger policy scene of social change. Regarding the institution of marriage, the new policy broke away from the civil code's concept of an indissoluble, patriarchal and asymmetrical marriage by granting the right to remarry (legal divorce). There was a coherent separation between state and church and all the aberrant categories of children (born out of wedlock, adultery, incest) which had been in effect since the civil marriage law were replaced by those of children born in wedlock or out of wedlock. For the first time, parents who did not meet their paternal obligations could be imprisoned. The protection of the reproductive role for women continued in the form of rest breaks at work. The state took upon itself the responsibility for women and children's health by implementing a policy of larger investments: schools specializing in teaching motherhood, institutes, subsidies, etc., thereby combining the peronists' historical pro-natal ideology with the state as benefactor it had planned. The

inclusion of women in the national plans elaborated in this period is of particular importance. The Primer Plan Quinquenal (First Five-year Plan) emphasized women's political rights by granting them suffrage. The Segundo Plan Quinquenal (Second Five-year Plan) advocated women's insertion into the work force and their job training by simultaneously protecting their role in the family.

5. The periods of 1955-1963 and 1966-1973

The industrialization strategy carried out during the military governments following the 1955 overthrow of Perón was dependent capitalism and fomented the concentration of capital in foreign entities. The structure of the state changed into an autocratic bureaucracy whose objectives were to destroy the welfare state created by peronism and to guarantee the transnational accumulation of the private sector. The social model was based on liberalism, which, though originally bourgeois, turned authoritarian.

5.1. Migration

For the first time a law expressly stated that the migratory flow was necessary for the expansion of industrial activities. Quite importantly, the Residence Act (Law N° 4144) was repealed, voiding the banishments for trade union or political reasons, and allowing favored foreigners to return to the country. Some time later, the Guido administration established a restrictive regime for admission, residence and banishment of foreigners aimed at eliminating illegal immigrants; this granted ample powers to the Dirección Nacional de Migraciones (National Migration Bureau). Coincidentally, the policy formulated by Onganía's government ("Revolución Argentina")—resulting from the military coup d'état—centered around two axes: a) preventing clandestine immigration by punishing offenses and hindering access to paid work; and b) hardening the banishment policy to be applied whenever foreigners carried out "activities" that disturbed the social peace, the national security or the public order. The decrease and the fluctuation of the migratory flow from neighboring countries observed were a result of the designed policy, wage reduction and banishment actions.

5.2. Fertility and Nuptiality

About women legal status regarding to marriage, a retrocession occurred when legal divorce, granted in 1954, was no longer allowed. Later, during the military government "Revolución Argentina", family roles were modified by eliminating the husband's patriarchal rights as far as marital possessions. In addition, legal separation was allowed through mutual consent, but legal divorce remained impossible. At any rate, this simplified things and helped to partially "regularize" the situation of "remarriage". As far as the reproductive role is concerned, services were modernized by eliminating the Maternity Bank and creating a new bank which contemplated various family subsidies; it continued the policy of previous periods but was stricter on state employees.

6. The periods of 1963-1966 and 1973-1976

These periods are those of the democratic governments of Dr. Illia and of Juan D. Perón, both of whom were overthrown by the military. Their strategy was to industrialize and expand the production of mass consumption goods by means of a nationalistic, distributive and independent policy contained within the global boundary of capitalism. The objective of the social model was to improve people's standard of living under the umbrella of a welfare state.

6.1. Migration

During this period, several amnesty decrees were passed as a remedial action allowing immigrants from neighboring countries to bring their legal status up to date. The Plan Trienal para la Reconstrucción y la Liberación Nacional (Three-Year Reconstruction and National Liberation Plan, 1974-1977) considered immigration to be essential for the country's development, and sought to increase and guide immigration, funneling it towards the provinces -especially those in the South- and using it as a fast population growth factor. Hence, immigration would become a tool that, through appropriate training and guidance, would significantly

contribute to the good use of the Argentine space and natural resources. For the first time, the emigration of Argentine citizens was raised as a problem to be solved. The creation of the Comisión Nacional de Política Demográfica (National Commission on Demographic Policy) in 1974 was part of the Peronist policy that deemed it necessary to reinforce quantitative and qualitative population growth. In those days, the migratory flow was coming exclusively from neighboring countries while the percentage of foreigners over the total population was diminishing.

6.2. Fertility and Nuptiality

During Illia's term a bill was passed extending state control over marriage by requiring women to get a prenuptial certificate. An important achievement was the congressional approval of a bill for legal parental authority for both parents; however, this law was vetoed by the president. Another frustrated public policy had to do with the creation of the Instituto Nacional de Jardines Maternales Zonales (National Institute of Neighborhood Daycare Centers), which offered specialized and integral attention for children of low-income families, thereby freeing their mothers for work outside the home; this law was never went into effect. Regarding fertility, the state expressly declared its responsibility for the health of mothers and children and came up with a policy which assured them free medical care and basic foodstuffs throughout the country. Meanwhile, the state took control of the commercialization and sale of contraceptive medicinal products and prohibited all activity directly or indirectly related to birth control (Decree 659/74). Although these ideas, which originated in the Ministry of Social Welfare, coincided with the stance of pronatality traditionally held by the peronists, the use of incentives was disregarded in favor of the prohibition of family planning in public health entities, thus hurting the sectors of lesser means. The Work Contract law sanctioned during the third peronist term, retakes and amplifies the dispositions created at the beginning of the century for the protection of working mothers. Nevertheless, the old idea of making employers provide nursing and daycare centers was never enforced. The Plan Nacional de Desarrollo (The National Plan for Development, 1965-1969) elaborated in the radical term of government foresaw an increase in

women's participation in the work force and in their educational level. It proposed a maternal-infant health plan to reduce morbidity and mortality. The Plan Trienal para la Reconstrucción y la Liberación Nacional (Three-year Reconstruction and National Liberation Plan, 1974-1976) formulated a project to assist mothers and their children by training the former with the purpose of incorporating them into the productive system.

7.The period of 1976-1983

The strategy implemented by the military government formed after the 1976 coup de etat was based on the de-industrialization along with the liberalization of the economy and the opening up to the international marketplace. The new, repressive liberal state exercised severe social disciplinary control. This neo-liberalism could only impose its freedom of commerce by means of an extremely authoritarian policy.

7.1. Migration

The military dictatorship, like the preceding *de facto* governments, attached significant importance to the population variable. As early as 1977, a decree that set the National Population Objectives and Policies was passed. This decree, which was revoked by President Alfonsín in 1986, highlighted low volume and distorted distribution as impediments for our full realization as a Nation. Such a regulation intended to increase the number of healthy and culturally-assimilable immigrants, preferably, those who were skilled workers and had capital. As far as neighboring countries were concerned, the decree sought to establish an admission regime for selection and guidance purposes. However, the passage of the General Act on Migration and Immigration Development, in 1981 was, undoubtedly, the most significant event during General Videla's government. This law, which formally repealed the Avellaneda Act and is still inexplicably in force, promoted immigration from Europe associated with the settlement process. Based on the dominant National Security doctrine at that time, and repeating a piece of legislation passed during Onganía's government ("Revolución Argentina"), it expressly forbade illegal foreigners to carry out paid activities, hindering their

access to health care and education (both secondary and tertiary levels). Although the foreign population was dropping, and the neighboring countries-to-total population ratio was increasing, they became less important in the face of the de-industrialization process under way and the decreasing need for labor force.

7.2. Fertility and Nuptiality

The rules and reglamentation referring to women clearly show a restrictive policy regarding the rights they had already acquired. The Work Contract law was modified by limiting benefits in favor of the employers. Workers' rights were restricted by the reduction in the period of time they used to have to lodge complaints if they were fired because of having gotten married, and they also had to officially notify their employers of their marriages. A similar attitude was taken regarding pregnancy: maternity leave was reduced, indemnity was cut back, etc. The approval of the *Objetivos y Políticas Nacionales de Población* (Population Objectives and National Policy) expressly posited the need to increase fertility and to do so eliminated all activities promoting birth control. Despite their pro-natal stance, in the labor arena there was no obstacle to the creation of opposing policies.

8. The period of 1983-1989

Raúl Alfonsín's constitutional government could not reverse the development strategy initiated under the preceding military regime. From the very beginning, the deep economic crisis, the inherited burden of the foreign debt, industrial recession, etc. limited the action of a formally democratic state. This transitional stage ended in an unusual process of hyper inflation promoted by the dominant economic groups. Applied as a method of social discipline it finally turned into a quasi-coup d'état, forcing the radicals to anticipate the change of hands.

8.1. Migration

The Alfonsín administration adopted some politically contradictory measures. In 1984, it passed an amnesty decree but the following year, through a Resolution from the Dirección Nacional de Migraciones (National Migration Bureau) it established a restrictive policy for immigrants from neighboring countries on the grounds of a serious economic crisis. Quite coincidentally, in 1987, it established rules for the law on migration of the military dictatorship while continuing with the above-mentioned approach.

8.2. Fertility and Nuptiality

There were significant advances via the reform introduced in the institution of marriage, by means of which not only was legal divorce sanctioned (thereby making remarriage legal) but also conjugal relations were democratized (domicile was to be agreed upon by both, the use of a husband's last name was no longer obligatory). Raising the legal age for marriage implied greater protection and worry on the part of the state. Another noteworthy advance was the policy that eliminated all discrimination among children, making all equal in the eyes of the law. The elimination of legal paternal authority for fathers through the sanction of shared legal paternal rights for both parents was another example of progress. And finally, the possibility of acting through the Ministerio Público to determine paternity when a child appeared with his or her father as unknown was a great step forward. On the other hand, pregnant women were one of the primary objectives of the relief policy known as PAN. As part of the frustrations experience, we should include the bill, vetoed by the president, that would incorporate into the national regimen family allotments to all pregnant women and/or mothers of children under five years of age. A new policy on fertility repealed the peronist decree controlling the sale of contraceptives and birth control activities. The new viewpoint considered reproduction as a right to be an individual right.

9. The period of 1989-1999

President Menem was democratically elected in 1989 and served two terms. He remained in office through 1999. This 10-year period constituted the consolidation phase of the open strategy, state reform, the privatization process and the liberalization of the economy started in 1976 with the military coup d'état. A profound administrative, institutional and economic reform was carried out. In 1990, the priority was to eliminate inflation and achieve monetary stability while servicing the debt. In order to attain these goals, the government embarked on a vertiginous privatization of production areas and state-run "public services" as well as on a labor restructuring process with the consequent loss of labor benefits. The state rushed to get rid of, sell or grant concessions for energy-related areas, communications, utilities, industries, port operations, silos, railways, etc. At the same time, it launched a policy to attract foreign capital, a key variable for success during this new stage. The underlying society model assigned the market the role of a natural, spontaneous harmonizing agent of social issues while the economy came to the fore of public life. Social discipline was a result of high unemployment rates and precarious working conditions.

9.1. Migration

In 1992, President Menem granted amnesty to native citizens of neighboring countries. In contrast to this line, and almost simultaneously, the government authorized control operations regarding the legal status of immigrants all over the country and ordered immediate banishment for all those caught in the act of committing a crime. Some time later, in 1994, a more explicit policy that delved into the limitations and set new admission criteria was adopted "with the aim of safeguarding national interests". The Regulations of the previous administration were superseded by more severe ones granting more power to the Ministry of the Interior.

The positive aspects of President Menem's 10-year term include: the creation of a Committee on Population both in the Senate (1990) and in the House of Representatives (1991); bilateral Migration Agreements signed with Bolivia and

Peru; and ten bills introduced in Congress in relation to the General Migration Act passed during the military dictatorship -6 bills to amend it and 4 to repeal it- (none was adopted and some were regressive from the standpoint of immigrants' human rights).

9.2. Fertility and Nuptiality

While the Peronist party was in office, several bills on Reproductive Health were introduced in Congress but none of them became a law due to the strong opposition of the Catholic Church and some government officials who shared the same ideology.

Likewise, in 1994, while the National Constitution was being amended, President Menem attempted to introduce a section punishing abortion, but he failed to get it adopted because even some Peronist legislators considered it inappropriate.

Over the course of this 10-year period, several provinces and municipalities passed their own laws and established Reproductive Health Programs in their own territory. At a national level, it was not until April 2001 that the House of Representatives passed a bill creating a National Program on Sexual Health within the scope of the Ministry of Health. However, it still needs to be passed by the Senate to become a law.

The position against abortion adopted by Argentina together with the Vatican and the Moslem countries at the International Conference on Population and Development, held in Cairo in 1994, did not necessarily implied a pro-birth policy at a domestic level. Regarding migration, the government stated that this subject was tied to economic productivity and, although the country had a good predisposition towards receiving immigrants, the international community was responsible for addressing this issue.

Conclusions

Before drawing any conclusions, it would be interesting to summarize the current demographic dynamics of Argentina. This is characterized by low total growth, early fertility reduction, stagnated mortality rate, early population aging, deep regional inequalities and a strong urban concentration. Likewise, it features a decreasing immigrant flow and an increasing emigration of the Argentine youth.

a) Migration

While the agroexport strategy was in force, the “open door” migration policy was essential for succeeding in attracting almost 6 million European immigrants. For both of its phases, the industrializing strategy required a labor force of immigrants who, for the most part, came from neighboring countries. During the openness and economy liberalization strategy (1976-1999), there was less migration from neighboring countries, and immigrants were faced with restrictive policies - especially during the military dictatorship- that coincided with the shrinking of the domestic market, the de-industrialization process and the growing unemployment rate.

The analysis of the legislation reveals a consistent thread that presents the foreigner as an individual who generates xenophobic surges and is to blame for domestic ills at critical moments in history. The policies have been discriminatory and, at times, racist as a consequence of having formulated specific, well-differentiated policies for immigrants of European origin that were not the same as those for immigrants of Latin American origin. Furthermore, policies also had an impact on the fundamental human rights of immigrants.

From a historical perspective, until the 1980s there was a positive correlation between the *de facto* governments and the restrictive policy on the one hand, and the constitutional (or democratic) governments and the permissive policy on the other hand. However, this trend has recently ceased. In fact, although Alfonsín and Menem’s administrations both passed amnesty decrees, they maintained

enforcement of the military law, and in passing their own Migration Regulations in 1987 and 1994, respectively, they established increasingly restrictive immigration policies.

b) Fertility and Nuptiality

Since the end of the last century, the state, interpreted through its rules and regulations, perceives, recognizes, reaffirms, and assigns women the role of mothers, of the principal figure in the family. The conflictive topic of contraception was promulgated with the low sectors in mind, since the middle and high sectors had private access to contraceptive measures. Decree 659/74, which regulated the sale and commercialization of contraceptives and prohibited birth control activities, led to the elimination of family planning in public hospitals, thereby affecting primarily women with low incomes or with no medical insurance. In synthesis, we could state that it is the women of the low class and their role as mothers (creators and protectors of the family nucleus) who repeatedly appear in the legislation which was analyzed.

The poorest women were the targets for the norms related to welfare or social promotions (such as protection for the adolescent mother, the abandoned mother, the low-income mother, the mother in a dangerous situation, etc.), and those which were intended to reduce maternal morbidity and mortality. The same could be said for the law that created neighborhood daycare centers. It would be interesting to see if this state policy has had any effect on society. Recent research shows us that the population growth in Argentina is sustained in the fertility of the lowest social stratas. The fertility of the worker class is one and two times higher than that of the middle class (Torrado, 1992). We can, therefore, state that this fertility rate (according to social class) is partly the consequence of the analyzed legislation, which had these women and their role as mothers as their primary objectives.

Relating development strategies to those of women policy, we could add that the agro-export strategy (1879-1929) responded to the dominant clerical ideology of those times, and, even though the religious wedding gave way to the civil

ceremony, the patriarchal structure and women's subordination continued. During the first phase of substitutional industrialization of imports (1930-1945) the political elite assigned women the "patriotic task of motherhood" because it was alarmed by the low population growth, while at the same time it closely regulated and controlled their maternal role. In the following period (1946-1955) the government tried to combine women's reproductive role with those of citizen and worker, and although policies tended to suppress the clerical ideology, it continued to be essential. The second industrialization phase presented two variants: in the era of the military governments (1955-1963 and 1966-1973) a regression in terms of divorce and a progression in terms of the management of marital patrimony were felt, protecting the interest of middle and upper class women. The democratic governments (1963-1966 and 1973-1976) came up with a socio-economic policy of maternal/infant protection and a policy in direct contradiction which controlled birthrates. The strategy of openness and liberalization (1976-1983) restricted acquired rights and proclaimed a policy fomenting motherhood, which excluded women workers when their employers were adversely affected. In the 1983-1989 period a new policies making family relations more democratic and ending discrimination among children born in and out of wedlock were enacted. Finally, during the 1989-1999 period, the harsh neoliberal policies adopted took funds away from social policies related to mother and child programs. The government made an unsuccessful attempt to include the punishment of abortion in the wording of the Constitution. However, several laws creating Reproductive Health Programs were passed at both a provincial and a municipal level throughout the decade.

The slight fertility increase observed in the 1980s could be the result of the encouraging pro-birth policies fostered by the Peronist governments and the restrictive pro-birth policies advanced by the military dictatorships. Moreover, the rise in nuptiality recorded in the 1970s seems to be in response to the expectations raised by the return of democracy in 1973.

The Argentine democracy should urgently adopt a new Migration law to supersede that of 1981, which was passed during the military dictatorship. Likewise, it would be essential to adopt a national law to create a Sexual and Reproductive Health

Program. These two laws would allow for greater social equity and would turn population policies into instruments for development.

Notes

(1) I should explain the limitations of my work: a) I identify laws with policies, a decision that obviously reduces and restricts my analysis from a much more complex phenomenon, b) I do not explore the implementation of these policies, that is to say, their effects, c) the information gathering is not complete, since I worked on those laws I considered most important, d) I focus my study on laws made by the legislative and executive branches of government and do not consider the resolutions and dispositions made by the various ministries, e) my analysis is not exhaustive in that a legal text, like any other text, offers more than one interpretation.

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