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Abortion turmoil in Poland: trading women's rights for political goals

Social Europe (05.10.2016) - <http://bit.ly/2e1BApQ> - In summarizing the results of last year's parliamentary elections in Poland I briefly mentioned that "*the rule of Catholic conservatives might stand in opposition to respecting the rights of women*". It took less than a year for this prophecy to come true. Thousands of women in Poland are joining Black Protests to demonstrate against the newest radical anti-abortion law proposal.

Then and now: Unsatisfying "abortion compromise"

During the Communist regime, and particularly from the 1960s, abortion was available on request. After 1989, the Polish transformation embraced reproductive rights too. Despite the determination of women's organizations and owing to the massive influence of the Catholic Church, access to legal abortion was limited.

Polish abortion law today is one of the most restrictive in Europe. Termination of pregnancy is possible when the woman's life or health is endangered, when the pregnancy is the result of a criminal act or when the fetus is seriously malformed. In reality the situation is much more complicated. Polish doctors are granted a conscience clause that allows them not to provide certain medical services, like abortion, owing to their religion or beliefs. According to Polish law, a doctor unable to perform the procedure should refer the patient to another facility. As a result, many patients seeking help find it too late.

According to official statistics of the Ministry of Health, the number of legal abortions in 2015 was less than 2000, whereas it is estimated that abortion carried out underground together with "abortion tourism" to other countries, such as Germany or Slovakia, add up to 150,000 cases a year. This discrepancy has a very clear class dimension: limited access to legal abortion clearly excludes the poorest from safe procedures.

Reheating the abortion debate

The so-called "abortion compromise" reached in the 1990s is far from ideal: it has ever since been contested both by pro-choice organizations and the pro-life lobby allied with the Catholic Church. After the change of regime in Poland last year, the latter seem to have gathered momentum. In September 2016, two alternative civil law proposals on accessibility of abortion were voted on in the Sejm, the Polish parliament. A liberal draft submitted by [Save Women initiative](#) demanding free access to abortion, introduction of sexual education and refunding contraception was rejected. An alternative project called "Stop abortion", submitted by [Ordo Iuris foundation](#) was referred to a relevant committee for advancing the dossier. Should this proposal pass, women will be punished with a prison sentence for having an abortion and any case of miscarriage will be investigated. The protection of pre-natal life will force women to give birth even if they were raped or they are carrying lethally damaged fetuses. As a result, some life-saving medical interventions, such as ante-natal screenings or fetal surgery, might have to be

given up in practice because of potential penal consequences if they cause miscarriage. Some standard procedures, like terminating ectopic or molar pregnancies, will be performed only when life-threatening conditions finally occur. To sum up, such a law would not only become one of the most restrictive in the world, sending Polish women back in time to Ceausescu's Romania, but it also seems defective owing to the introduction of imprecise terms that might in practice face medical staff with a dramatic choice: risking a prison sentence or saving lives.

Two sides of the barricade

This threat to women's rights has caused a massive public outcry. The non-parliamentary Razem Party launched a [Black Protest](#) that went viral, not only on the Internet but also in the streets. Many celebrities became actively engaged. Women's general strike was called for October 3rd, inspired by the legendary action of Icelandic women in 1975. This is very symbolic, illustrating clearly the throwback happening in Poland now: a second wave feminism-style flash mob is still up-to-date there, in the 21st century.

The pro-choice protest has reached the European Parliament that is staging a debate (today) on current developments in Poland. Human rights organizations, like Amnesty International, warn against "a dangerous backward step for women and girls". Meanwhile, the streets in Poland have been the scene of constant unrest since October 2015 when the PiS party took over again. So, the question arises: can this female wave of anger make any impression on those in power?

It is important to remember that, however loud it seems, the protest movement represents only a part of the society. Not all women feel represented: it was Joanna Banasiuk, a woman, that delivered the "Stop abortion" project to the Sejm. It was also women MPs that supported the abortion ban. The Catholic Church in Poland is officially demanding that every life is protected. So far, none of the Polish doctors' associations has taken an official stance.

The heated debate has become vulgarized, detached from the very particular draft law in question. The disastrous quality of that debate was lately laid bare in a talk show, when seven *male* politicians discussed abortion as well as by the irreverent comment of Witold Waszczykowski, the Minister of Foreign Affairs, who reacted to the women's strike by saying: "Let them play".

Instrumentalising women's rights for political profits

Women's bodies have once more become battlefields. The question arises: why reheating this debate now? According to the polls, less than a third of Poles is in favour of liberalization of the current abortion law, whereas only one in ten is in favour of increasing the restrictions. Most of society backs the status quo. A conspiracy theory has it that the abortion debate coincided with the debate over CETA, a free-trade agreement between *Canada* and the European Union. That agreement is strongly rejected by the Polish farmers and the right-wing national camp. A more realistic view is that the current abortion dispute might be a PiS strategy to deepen divisions within Polish society in order to keep their supporters mobilized. Last but not least, the most trivial explanation is that the PiS party is paying back electoral debts to their civil society backups, pro-life and Catholic organizations being among its pillars. Meanwhile, after nearly 100 000 people went on the streets on Monday in the latest black protests, Polish PM, Beata Szydło, called for cooling down the emotions, simultaneously scolding her colleagues for sarcastic comments and distancing the party from the anti-abortion project. Some say, however, that this female revolution might be the key to overcome conservative government led by a woman.

The polish church and government open new attack on women's reproductive rights

Social Europe (06.04.2016) - <http://bit.ly/209Q9W3> - As the crisis around changes implemented to Poland's Constitutional Tribunal continues, the ruling Law and Justice Party (PiS) has opened up a new conflict through an attack on the reproductive rights of women. This is significant as it would not only mean making abortion completely illegal in Poland, but also shows how the country is moving further away from being a democratic, secular state. The hierarchy of the Polish Catholic Church is directly intervening in a major political issue and dictating how the government should act. This has caused an immediate reaction amongst those opposed to the tightening of the abortion law, with thousands already taking to the streets in protest.

Poland already has one of the most restrictive and repressive abortion laws in Europe. Abortion was made illegal in 1993, in a move that was ludicrously described as a 'compromise'. It banned abortion in all but three circumstances: where there is a high probability of severe and irreversible damage to the foetus or where it will have an incurable life-threatening disease; where a pregnancy threatens the woman's life or health; or where the pregnancy is the result of a criminal act.

This draconian abortion law has inevitably resulted in huge numbers of Polish women either being forced to undergo illegal abortions in Poland or travel abroad to have their pregnancies terminated. It is obviously the least well off women – unable to travel abroad – who most often have to have illegal 'backstreet' abortions in Poland. It is estimated that around 150,000 illegal abortions take place in the country each year, which carry significant health risks. The fact that women whose lives are at risk or have become pregnant due to rape would now no longer be able to have a legal and safe abortion, or that a woman could be prosecuted for having had a miscarriage that is deemed to be her fault, highlights the barbarity of the current proposal to completely outlaw abortion.

The Church in power

The second alarming factor in this situation is that the proposal has come directly from the top of the Catholic Church that is now directing government policy on this crucial issue. The Presidium of the Polish Catholic Bishops' Conference issued a statement last week that Poland should not halt at the present 'compromise' on abortion, but move towards a total ban. This statement was then read out in churches throughout Poland on Sunday. This has concurred with an action being run by the 'Stop Abortion' campaign to collect signatures in order to put forward a citizens' bill to parliament to completely outlaw abortion in the country.

The Prime Minister, Beata Szydło, has said that she personally supports a complete ban on abortion. Even more disturbingly, the leader of PiS (and de facto the most powerful politician in Poland) has stated that as a Catholic he has to support the decisions of the Bishops, and that although his parliamentary group would have a free vote he was sure that the vast majority would vote for the bill.

Although support for the legalisation of abortion has waned during the past two decades, a large majority of Polish society is against it being completely banned (80% when it threatens the life of the mother, 73% when the pregnancy is the result of rape; 53% when the child would be born ill or handicapped). However, the Polish government is now clothing itself in a cape of religious morality that cannot be questioned. As they are believers in the Catholic faith, they must simply do as the Church dictates. This moves Poland further away from a form of government based upon the opinions of the majority,

and towards one that is run according to the ideology and decisions of a religious institution.

The claim by leading members of PiS that they are simply following their faith through obeying the decisions of the Catholic Church is misleading. For example, the Pope last year made a strong statement urging action on climate change, arguing that it 'is a problem which can no longer be left to a future generation' Meanwhile, the present Minister of the Environment is someone who in the past has claimed that climate change is not a threat and the government has recently announced a drastic increase in logging in the country's unique [Białowieża](#) forest.

Likewise, Pope Francis has repeatedly called for help for refugees during the present crisis, stating that all religious communities should aid and give shelter to refugees However, the present Polish government has been one of the most hostile to refugees and, after the recent terrorist attacks in Brussels, it quickly announced that it would no longer take the quota of refugees that it had agreed previously with the EU. Therefore, whilst the conservative right in Poland is now talking about the 'rights of children' it is turning a blind eye to those refugee children being washed up on the shores of southern Europe, or the estimated 10,000 refugee children that have gone missing in Europe since the crisis began.

This blatant attack on the reproductive rights of women has been met with strong resistance. On Saturday (2 April), the left-wing party Razem organised protests around the country, including a demonstration of around 7,000 in front of the parliament. The atmosphere was defiant, with protestors holding up coat hangers as a symbol of the brutality of illegal abortions. A coalition of women's groups and other organisations has been formed to protest against the government's proposal, with a large demonstration planned in Warsaw this Saturday (9 April). Already, solidarity protests have been organised in other countries, with the Young Labour Women organisation also holding a picket in front of the Polish embassy in London this Saturday.

This aggressive move by PiS and the hierarchy of the Catholic Church is another sign of the anti-democratic and socially regressive nature of the present government. If it goes ahead with its stated intention to support the project to completely ban abortion in Poland, then the divisions and conflicts within the country will only intensify. The fight to defend women's reproductive rights from further erosion in Poland is part of a wider movement to oppose a government that is becoming increasingly authoritarian and regressive.