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Poland

# Poland's pro-choice movement: a long and winding road ahead

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**"The greatest crime of the criminal law" - that is how one German scientist described a law that penalizes the termination of pregnancy. ... Unfortunately ... such a law, incapable of bringing any help, has a great power to cause harm.**

"Perhaps those who draft such laws in their quiet offices would shudder if they heard the instances of young women's deaths, of severe and irreversible illnesses that are a result of the current callously maintained state of affairs. And if you added to this the indirect consequences: suicides, infanticides and other disasters it would then be clear how correct were those who labelled that law: 'the greatest crime of the criminal law'."

[<http://internationalviewpoint.org/local/cache-vignettes/L320xH241/polpro-choice-3d514.jpg>] Pro- and anti-choice demonstrators clash

These words were written in 1930. They could as well have been written today. Tadeusz Boy-Zelenski, their author and one of the first proponents of what we would nowadays call reproductive rights, was condemned and ridiculed for his ideas.

Present-day supporters of the right to legal abortion are accused of supporting the 'holocaust of innocent, unborn children', while women still undergo back-street abortions, often risking their health or even life. Every year the police register several dozens of instances of infanticide or abandoning of babies just like in the 1930s. Poland has managed to travel back in time.

Current regulations concerning access to abortion date back to 1993 and were introduced under strong pressure from the Roman Catholic Church, with personal backing of Pope John Paul II. Sadly among those who initiated this restrictive law were former activists of the oppositional Solidarity movement. They received strong support from the medical community.

The law was introduced even though 1.3 million people signed a petition demanding a national referendum on the plans to restrict access to abortion. The referendum never took place. Ordinary citizens, including women, were left out of the debate.

The law permits an abortion only if pregnancy constitutes a threat to the woman's life or health; if there is a high probability that the foetus is severely damaged; or if pregnancy is the result of a criminal act. Although women are not punished for having illegal abortions, anyone who assists them in obtaining one may be sentenced to up to 3 years in prison.

However, no matter how strict the law sounds in theory, pro-choice activists emphasize that it is even more stringent in reality. Women who are legally eligible to have an abortion are often refused it.

In a country with a population of reproductive-age women of around 10 million, no more than 200 legal abortions per year are performed. Doctors abuse their "right" not to perform an abortion on the grounds of conscientious objection and say no to abortion even to women with severe health problems.

In one case a woman with serious vision impairment and degeneration of the retina was forced to give birth and, as a consequence, almost completely lost her sight. Another woman, suffering from poor circulation and oedema, can now hardly walk. Equally common are refusals to do prenatal examinations which might lead to women finding they have the right to legal abortions.

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There is also the much-publicized story of a woman who had one child suffering from a rare genetic condition and, when pregnant again, she was refused the tests and gave birth to another child with exactly the same disability. She brought the case to the court and won partial compensation from the hospital.

At the same time having an illegal abortion is not a problem - as long as a woman has enough economic, social and cultural capital to decipher the secret code of gynaecologists' newspaper adds ("Gynaecologist: full service" or "Bringing back your period"), have contacts with people who know where to get an abortion and can pay anything between Euros370 and Euros1,000.

Clearly, abortion has become a class issue, and so has the right to make a choice about one's life. This right is a privilege of a small minority of women, as - according to the Central Statistical Office - 60 per cent of households in Poland live at or below the so-called social minimum of Euros200 per month.

Still, it is estimated that 80,000 to 200,000 illegal abortions per year are performed - with no control over their quality or the conditions in which they are carried out: sometimes without anaesthetic, usually by the most dangerous curettage method. There have been cases of women dying as a result of an illegal abortion, but also of women dying because they were refused not only an abortion but also any medical help (as this might have posed a risk to the foetus) or because they tried to induce an abortion themselves, e.g. by injecting washing-up liquid into their uterus.

Such facts, however, have rarely been brought up in public debates. The language in which abortion is discussed - if it is discussed at all - has been appropriated by the opponents of the right to choose. Calling themselves 'pro-life,' they accuse women who have abortions of murdering 'conceived', 'unborn' or simply 'children' and portray these women as criminals.

The language of the abortion debate is a distorted language of morality or even human rights (as in: every person has the right to live, beginning with the most innocent ones) and nationalism, in which women themselves are entirely invisible, not to mention being granted any rights - including the right to live.

This became very obvious when one of the parties of the now-ruling coalition, the right-wing League of Polish Families, submitted a proposal to amend the Constitution of Poland so that it ensures the protection of the life of every citizen from the moment of conception. If accepted, such a clause would in practice mean that abortion would become illegal under all circumstances, even when a pregnant woman's life is in danger.

At the same time, those who are against abortion do nothing to help women avoid it: they actively - and, unfortunately, successfully - oppose any attempts to introduce subsidized contraceptives and make sure that schoolchildren are taught in 'Preparation to family life' classes (the Polish equivalent of sex education) that contraception does not work.

Moreover, the Parliament has recently started working on a project to further restrict already largely limited access to oral contraception (by requiring that a note "harmful to your health" be placed on packages, just as it is with cigarettes).

While the most influential representatives of the 'pro-life' movement care very much about 'unborn children', they seem far less interested in those who have already been born, and such issues as the poorly functioning adoption system or the high level of children's undernourishment never attract a lot of their attention. And their support for death penalty as well as - as it is the case of some politicians of the now-ruling coalition - Polish troops' involvement in the wars in Iraq and Afghanistan renders their care for life even more dubious.

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But in fact no one has any doubts: it is not life that is at stake here. At stake is the need to control women so that they reproduce in order for Poland to remain strong and carry out its mission of saving Europe from the 'civilization of death'. However pathetically such a nationalistic language inspired by the Roman Catholic church may sound, it has taken over people's consciousness.

As one seriously ill woman forced to give birth to a child and then put him up for adoption said, "in Poland the rich, who can afford children, rule. They want Poland to grow at the expense of others. Mothers should give birth and raise children, and if they cannot raise them, they should give them away. They don't think at all what it means." Taking pride in the Polish nation's alleged high moral standards does not prevent the anti-choice activists and politicians from depriving women of any sense of dignity and ability to make independent moral decisions.

Questioning the status quo requires breaking a huge social taboo. But more and more women and men have been doing it in recent weeks. A national demonstration to legalize abortion took place at the beginning of November. Before this there had already been three public gatherings of women, who, facing hatred and accusations of being murderers, admitted during an 'abortion coming out' in front of the Parliament building that they had had an abortion. These actions are to be continued. Significantly, feminist pro-choice activists get more and more support from the so far male-dominated and male-oriented left-leaning trade unions and other labour movements.

Meanwhile, special parliamentary commissions are still working on further restrictions to the access to abortion and contraception. It is vital that the pro-choice movement both in Poland and internationally lets them know that they should reconsider their ideas.

Sign the English-language open letter at [www.federa.org.pl/signatures](http://www.federa.org.pl/signatures)

*This article was firstly published in Socialistisk Information n° 213, December 2006, monthly magazine published by Socialistisk Arbejderparti (SAP, Danish section of the Fourth International). Examples of women who fell prey to the existing anti-abortion law come from Contemporary Women's Hell. Polish Women's Stories by Federation for Women and Family Planning, [www.federa.org.pl/english/pieklo\\_ang.pdf](http://www.federa.org.pl/english/pieklo_ang.pdf)*