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### **Revolution is a woman.**

The questions of the future of Women's Strike and reproductive rights in Poland

On 22 October 2020, the Polish Constitutional Tribunal ruled the access to abortion on the grounds of 'severe and irreversible fetal defect or incurable illness that threatens the fetus' life' as unconstitutional. Hence, the tightening of what was already one of Europe's most restrictive abortion laws, resulted in Poland's biggest demonstrations since the fall of communism.

Before October, it was permitted on only three grounds - to safeguard the life or health of women, where the pregnancy results from rape or incest, and in the case of 'fetal defect.' However, in reality, even in situations in which abortion is legal, there are many barriers severely limiting access to the procedure. Moreover, most legal abortions – 97% performed last year, according to the Ministry of Health - were done due to fetal abnormalities.

Yet, the wave of resentment led by the Women's Strike that hit the government does not seem to be caused only by the abortion ban, although it remains the biggest trigger. The popularity gained by 'Fuck PiS' shouted at the manifestations is a solid indication of what the other trigger is - the ruling government. Still, the situation that contributed to the Strike's success is as complicated as desperate.

### Deja Vu

'We are a bottom-up independent social movement of annoyed women and supporting us, intelligent men. We protest and act for women's rights, democracy, and Poland for everyone. We are an informal, nonpartisan initiative of women,' reads the Women's Strike website.

In 2016, a 'Stop Abortion' bill was presented by a citizens' initiative, restricting abortion access and introducing a prison sentence for performing the procedure on both, a doctor and a woman. As a retort, the bill 'Save Women' postulated abortion till the 12th week of pregnancy and discussed contraception and sex education. The pro-choice project was rejected after the first reading in Sejm, while 'Stop Abortion' was proceeded to be considered by a parliamentary commission, causing mass manifestations. 'Although the bill was finally turned down by Sejm, it contributed to the radicalisation of women,' said Christian Davies from 'The Guardian.' The All-Poland Women's Strike was created.

Two years later, manifestations began again due to the rejection of a new pro-choice bill, while another 'Stop Abortion' project was proceeded by Sejm. 'Deja Vu,' commented the Women's Strike organisers. In 2019, the MPs from PiS and far-right parties submitted a motion to the Constitutional Tribunal to examine the constitutionality of the laws allowing to termination of pregnancy on the grounds of fetal defects. 'Human life is a value at any stage of development, and as such, having constitutional provisions as its source, it should be

protected by the lawmaker,' said Julia Przyłębska, Head of the Tribunal year later resulting in manifestations both, across the country and around the world despite the pandemic restrictions.

### Holy covenant

One of the Strike's initiatives got the churches' walls covered with slogans such as 'Women's Hell' and 'My body ≠ Your religion.' The protestors interrupted the masses resulting in the far-right groups to organise to 'protect the sanctuaries' and call the Women's Strike as aiming to 'destroy Polish values.' However, some protestors also expressed that the fury should be directed at the government, not the Church.

Yet, the history of abortion law in Poland is strictly linked with the Catholic Church. In 1993, the Polish Parliament passed the 'Family Planning, Protection of Human Embryo and Conditions of Termination of Pregnancy Act' establishing a quasi-ban on abortion, known as the 'abortion compromise.' A regulation between different social and political groups, but foremost, as a solution that was acceptable to the Polish Catholic Church. Although religion today plays a much smaller role in the everyday lives of Poles, authorities still tend to avoid controversial topics considered to be against the Church's agenda. Dorota Szelewa, a Social Justice expert, explains that as the Church's ability to influence the political debate remains strong, religious arguments also remain resilient, particularly on reproductive and sexual rights that are the 'key points in the public debate on moral values.'

The activity of the Polish anti-choice movement is often perceived through the prism of nationalism and Catholicism, appealing to a category of values that are supposed to be specifically Polish, such as traditional family or Catholic faith. Combined with 'gender ideology' that functions as a 'threatening Other,' and is presented as external and imposed on Polish society, the Women's Strike comes as a threat to the status quo. In one of the surveys presented in 'The 'Women's Rebellion' report, the respondents' resentment is caused by the Church's involvement in politics. One of them said that 'If the Church focused more on preaching the gospel and commandments of love, many of the Strike's postulates would be invalid.'

### Lost in communication

After intensive weeks, the Women's Strike is facing the challenge of fading momentum. At the beginning of November, Women's Strike called together a Consultative Council of experts, following the example of Belarus. They surveyed protesters, identified thirteen topics of greatest concern to them, and created working groups of experts. Before that, however, they presented demands that were widely criticised. The biggest critique related to the seven-day-ultimatum demanding directing 10% of GDP from public media and the Church to health care. Although the frustration regarding the governmental support for these institutions is understandable, so is the impossibility of such a demand. It is impossible to amend the budget, denounce the concordat, or revolutionise TVP just like that. According to Bartosz Czupryka, a PR and political marketing specialist, the protest against the abortion restrictions turns into a political manifesto.

In December, the Women's Strike presented the initial outcomes of the work of the Council. The wave of outrage was linked to the Strike seemingly leaving out its most important postulate - abortion on demand. However, the Strike representatives answered that safe pregnancy termination access is still the most important point on the movement's agenda. However, the short-term postulates are to protect those people who can be influenced by the Tribunal's decision right now. Still, the whole confusion showed that Strike's communication is not the clearest. And what should be questioned is whether the message is not simply lost in the Strike's ambition to deal with everything.

### Dignified life

Although there are voices from within the strike community that the abortion law liberalisation postulate is too radical and to focus on maintaining the 'compromise,' 66% of Poles support the right to abortion up to the 12th week of pregnancy (IPSOS). What is most important, is that the abortion ban will never stop women from doing them, even so, abortion will continue and become less safe. The current legislation has encouraged a rise in backstreet procedures, where the price becomes a key issue. Many women decide to have an abortion without anaesthesia to reduce the cost or 'take the matter into their hands.'

Those who can afford it often go abroad. Nowadays, the 'travels' of Polish women are more individual, compared to the practices from the 1990s, when the intermediating agencies were organising those kinds of travels. After the Tribunal's decision, many European clinics offered help and support for Polish women, while the Abortion Dream Team is spoken about widely and loudly. This in the long-term may indicate a return to the previous practices. Still – the right that protects only those who can afford it is not a right but becomes a privilege.

Moreover, according to the Contraception Atlas, Poland has the worst access to contraception in Europe. The report takes into account the quality and accessibility of contraception information, advisory services, and the process of getting a prescription. Meanwhile, since coming to power in 2015, PiS has also decided to end state-funded IV treatment and restricted access to the morning-after pill.

While the anti-choice rhetoric proclaims the care for unborn children to provide them with a dignified life, the current situation for children with disability and their parents is far from ideal. It happens often that the parents of the child are unable to get a job. This is because they would lose out on the benefits, even though they estimate around only 2000 PLN. According to the Statistical Office and Eurostat, 70% of parents have problems with affording medications and bear the costs of care, while 60% are unable to cover the costs of rehabilitation.

### What now?

The protests that have taken over Polish streets indicate that the critical mass has been achieved. Access to safe and legal abortion, education, and contraception is a tool enabling making conscious decisions about parenthood and the basis of civil rights.

But what now? According to Dominika Sitnicka from Oko.press, PiS seems to be stuck between two options regarding the protests – 'sitting it out' or scorching it with the use of

police. Not publishing the Tribunal's decision, what is happening right now, is also not the best idea as it has already been confusing - and does not help PiS with its 'breaches of rule of law' issue.

One of the solutions was supposed to be the proposition of President Duda presented as a 'new compromise.' However, it was still a radical restriction of the abortion law, so it was doubtful it would have mitigated the public mood. The 'new compromise' was not liked by the 'pro-lifers' either and was critiqued by the episcopacy. Another proposal was submitted by Solidarity Poland and aroused aversion from the Women's Strike that summed it up as a compulsion to give birth – either in special institutions or in the delivery room right next to women having healthy children. The fear was also related to the fact that it was Zbigniew Ziobro standing behind the project, who publicly declared criminal consequences for the protests' organisers.

In 2018, Ireland liberalised abortion law. Two years later, Argentinian women won a long fight for abortion rights as previously the procedure was considered a crime. The question is not whether but when Poland will follow in their footsteps. Meanwhile, the fight is still on, and as it was shouted at the demonstrations – 'No rest! We'll be here tomorrow! And the day after tomorrow!'