

## Marcin Kościelniak. **Cultural and political history of abortion in Poland 1956-1993**

On 7 January 1993, the Polish Parliament adopted the ‘Act on Family Planning, Protection of the Human Fetus and the Conditions of Admissibility of Termination of Pregnancy’. It abolished the ‘Act on the Conditions of Admissibility of Termination of Pregnancy’ adopted on 27 April 1956, which (together with a ministerial decree of December 1959) had introduced the principle of so-called abortion on demand. Under the 1993 law, the possibility of abortion was restricted to three exceptions: when the pregnancy poses a threat to the health and life of the woman, when it is the result of a crime or when there is damage or defect to the fetus (the latter exception was abolished in 2020 by the Constitutional Court). The criminalization of abortion on so-called social grounds amounted in practice to an almost complete ban on abortion.

**The aim of the project** is to construct the history of abortion in Poland between 1956 and 1993. This construction will be of critical nature: the history of abortion will become the basis for reflection on the political and cultural logic of the democratic transformation leading from Polish People's Republic to the Republic of Poland.

**The first thesis** of the project is that the statutory ban on abortion was introduced in 1993 as an element of a transformation understood primarily as a political and cultural phenomenon. I associate it with the position occupied by the Catholic Church in the Polish symbolic universe before 1989, and with it the pattern of collective identity defined by a set of national and Christian values. An expression of the rapprochement between the democratic opposition circles and the Catholic Church, dating back to the early 1970s, were specific anti-abortion programmatic, social and legal initiatives – today mostly unknown. These initiatives were part of a broader ideological front, the expression of which was the absolute acceptance by all opposition circles of the role of the institution of the Church as an exponent and guardian of the moral and symbolic order. Seen from this perspective, the ‘abortion compromise’ is part of a process spanning more than two decades, which led to the consolidation of a social, political and legal order in Poland after 1989 that I call **non-secular democracy**. Adopting such a point of view makes it necessary to look at the history of abortion in Poland – from liberalisation to practical prohibition – as a process taking place not only at the legal level, but above all at the **political and socio-cultural** one.

**The second thesis** of the project is that it is impossible to understand the logic of the Polish democratic transition without taking into account the particular perspective of women’s rights. From the perspective of women’s reproductive rights it is problematic to see 1989 as the beginning of democratic change – and this way of thinking is still fundamental for today’s collective identity in Poland. In the discourses of feminist activists that have worked for reproductive rights since May 1989, the right to abortion has been closely linked to the rule of full separation of state and Church as the foundation of a democratic and secular state. The thesis has not only a **cultural** and **political** dimension, but also a **methodological** one, and concerns a feminist-led critique of the ways in which history is established and collective memory is constructed.

The assumption of the project related to this thesis is the need to take into account the **international perspective**, with particular emphasis on the communist bloc countries. Liberalising abortion was adopted there in most cases in the second half of the 1950s in the wake of Soviet legislation. At the same time, the further – extremely varied – fate of the legislation makes it possible to show the diversity of policies and cultures in the Eastern Bloc countries and to reinforce the thesis that the fate of abortion legislation after 1989 was closely linked to the position and reputation of religious institutions built up under communism era and to the appreciation of religious ‘roots’ in national identity projects.

A history of abortion written in this way will not only be a history of facts, political decisions and legal acts, but a **cultural analysis** of the underlying knowledge (and the sources of this knowledge) concerning what is ‘Polish identity’ and ‘Polish nation’, what events constitute ‘Polish memory’, what should be the axiological foundations of the democratic order, and what place women’s rights occupy in it. A history constructed in this way will make it possible to show the 1993 statutory ban on abortion not only as the result of a game of specific political forces, but as an element of the **symbolic universe** of the Polish community established after 1989, but shaped in earlier decades

The final aim of the research project is to write and publish a **two-part academic monograph**. It will cover, on the one hand, the history of the political and cultural process of the years 1956-1993 leading from the liberalisation of the law to the so-called abortion compromise and, on the other hand, the history of women’s struggle for the right to abortion: first to establish the law, then to maintain it. For both themes, the turning point will be the first half of 1989 as the moment of public articulation of the attitude of various circles towards the abortion issue on the eve of the democratic transition. In both cases, the story will be organised by the dates of key events in political history and the question of the place of the issue occupied by the issue of women’s rights, including reproductive rights.