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Poland

The Power of the Weak, Neoliberal Biopolitics, and Abortion in Poland

- Features - Feminism -

Publication date: Monday 30 May 2016

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It was not long ago that Poland's name echoed throughout the whole civilized world, that its fate stirred every soul and provoked excitement in every heart. Lately one no longer hears very much about Poland – since Poland is a capitalist country. Do we now want to know what became of the old rebel, where historic destiny steered it?

Luxemburg, The Industrial Development of Poland

Several days ago, at the end of March, the conservative party Kukiz15, the ruling party of Mr. Kaczynski, Prawo i Sprawiedliwosc (PiS), the Polish Prime Minister, Mrs. Beata Szydlo, the national council of bishops, and the majority of MPs declared their support for banning abortion completely.

A new law proposal, submitted to the Parliament last week by members of a pro-life organization, "Ordo Juris", allows the surveillance and investigation of women who are known to be pregnant; requires a statement from women who miscarry; and enforces imprisonment between 3 months and 5 years of not only the doctor who performs the abortion, but also to the woman, regardless of how the pregnancy was initiated (i.e. whether it resulted from rape) the possible consequences for the life and health of the woman, or the state or prognosis for the fetus. The law, welcomed by Polish bishops and politicians (the order of enumeration is not accidental) is actually harsher than anti-abortion laws adapted in Iran, Indonesia and Saudi Arabia. The Parliament Members from the PiS party speak about pregnancies resulting from rape as if no controversy whatsoever existed about forcing women in such conditions to give birth. Mr. Czeslaw Hoc said, for example, that an 11 year old girl who has been raped should give birth, because there will always be many people who will want to care for the child. He clearly does not understand that somebody should take care of the girl, first and foremost. Another PM, Arkadiusz Czarotorski, said that many good Poles were born of war rape, so we should not fuss over allowing contemporary women to experience what women did experience in the WWII times.

Immediately, women and our supporters in Poland mobilized in response to the new law proposal. Seventeen demonstrations took place in Polish cities on the 3rd of April (and one in Oslo), and international protests, in New York, Tbilisi, Geneva, London, Paris, Budapest and Dublin took place on April 9th. Approximately 100,000 people, mostly women, subscribed to a social portal group "Girls for Girls", where protests and strategies are planned, and nearly 8,500 participated in an event called "Tough period for the government", aimed at informing government institutions of each woman's individual menstrual cycle in an ironic gesture of "supporting" the new anti-abortion law that will be voted upon in the coming months. Women submit comments detailing their experience of menstruation and their monthly cycle to PM Mrs. Szydlo's fan page as comments to an entry about the success of her government's family politics. Here is one example, chosen of hundreds of similar ones. Further in this text they are used as subtitles for new sections:

Dear Madam Prime Minister! Because you are so interested in the wombs of Polish women that you want to equip them with a police officer and a prosecutor (keep it up – less unemployment for graduates of law), let me save you the trouble (and if any of your colleagues wants to have two police officers and two prosecutors, you can give them mine!). I kindly report that my menstruation will start soon. I should get it on Tuesday. Now, my boobs hurt, my legs and abdomen are swollen, and I ate my chocolate Easter egg and half of my husband's chocolate Easter egg. I can't wait to get my period –, because of stress I've had problems with a number of periods, and I wish to return to normal. During my period I use tampons – do you think that the introduction something other than penis of my husband to my vagina is a sin against reproduction and I will go to hell?

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In the novel, *Peter Pan*, which inspired so many kids, Wendy's parents take some time to decide whether they can "keep her." They sit down to count the expenses, and after some hesitation they decide they can afford to raise a child. They have to perform this calculation, because, as the book openly states, "they are poor" (see: J. M. Barrie, 2000).

In Poland women are not allowed to make these kinds of calculations, at least not since 1993. We are obliged to deliver our babies regardless of our economic situation, which obviously strengthens the already existing social and economic inequalities, making sexuality another area shaped by privilege, such that those who can afford contraceptives and abortion will experience it quite differently from those whose resources do not allow a cheerful sense of abundance. Gender does not come without class and ethnicity, just like abortion is not primarily a choice. Abortion is always first and foremost an issue of availability, which under capitalism is either regulated by the state and/or access to resources. An upper middle class woman and a poor rural woman will experience pregnancy in different ways, and this difference will only be strengthened in countries where abortion is illegal. In Poland rich women just pay their doctors more money – they can buy silence, friendly assistance and delivery of the banned service without any hesitation or problems. With the now proposed regulations, women will face prison if they terminate pregnancy, which under current law is still not the case. But because the new anti-abortion law will affect women differently, depending on their social position, poor women will almost certainly face jail.

Adverts of "bringing up the menstruation" are now published in every Polish newspaper, except the ultraconservative ones. A woman can terminate pregnancy if she has the equivalent of a midrange monthly salary to spend on the pills/operation (some 700 euro). Otherwise she has to go abroad, which might cost just about the same or more, along the lines of 500 to 900 euro, depending on the access to cheaper doctors plus travel and accommodation costs. While it is a matter of choice whether somebody wants to have kids or not, in most cases women are not deciding "do I or do I not want an abortion." Instead, plans for the future, a vision of one's life, efforts to avoid health risks or worries about the health of the child-to-be dictate these difficult decisions. The hegemonic narrative of liberal feminism, in which abortion is in itself seen as a "choice," is particularly troublesome in Poland, where conservatives managed to stage themselves as occupying higher moral ground, leaving feminists in the zone of egoist madness fuelled by cruelty. The preoccupation with choice pushes away other contextual factors that define women's pregnancy, in which economic status, culture, and family play a fundamental role. The experience of abortion is very different in a country where it is forbidden from the experience in one where it is not; but the experience also differs depending on the financial status of the woman, the presence or lack of emotional support from her partner and those around her, and the cultural and religious judgments she might have to face. All these can hardly be reduced to "woman's choice," although they matter quite a lot in the situation of pregnancy and its termination. We choose to have children or not, to terminate pregnancy or not, to give birth or not, but abortion is just a tool, just as are contraceptives, condoms or day-after pills.

Does the concern of the Government and of the episcopate for the reproductive organs of citizens cover male genitals as well? Should we send any interim reports of underwear worn (apparently too tight underpants may be particularly bad for sperm) to the Prime Minister? (...)

Lisa Duggan argues that austerity cuts and the dismantlement of state granted health care systems require a conservative cultural turn as its counterpart. Similarly, I would like to emphasize that the Polish version of neoliberalism requires a strong collaboration with the Church on several levels (Duggan, 2003). The restrictive abortion law and general prohibition against subsidizing contraceptives and providing sexual education is an important element of the neoliberal capitalism introduced in Poland after 1989 with an exceptional brutality. It was much easier to transform the weakening and bankrupt state communist country into a private-property and exploitation-based neoliberal one with the support of the Catholic Church than it would have been without it. Thus the state accepted the dominant cultural role of the Church in defining moral values.

The pseudo care for the children, which most often takes the form of censorship in the visual arts or efforts to embrace the ultra-conservative vision of becoming human from the moment of conception, constitutes an important element of what Michel Foucault rightly labeled “biopolitics.” However, the changes in the penal codes and general increase in using punitive justice and sending people to jails contradicts the general line of Foucault’s argumentation. In the case of abortion and visual arts in Poland we can definitely see that his analysis at least partially fails. The increased control over women’s bodies in the case of abortion in Poland proceeds not just in a parallel fashion or, as Foucault suggested, differently from the pre-modern, carceral forms of justice. It is not only discipline, but also punishment, that awaits us with this law. The proposed law actually embraces some smoother versions of punitive justice and combines them with multiple systems of control and surveillance. Today’s biopolitics is not ashamed of any kind of action; it is almost as hybridic as the feminist cyborg. However, its counterpart – the social resistance – is also shifting. Now, resistance sarcastically mimics a willing servant of state control institutions:

Dear Madam Prime Minister Beata, I inform you that my cycle is fine. I got my period on time (my cycle is 31 days). On the first day it has hurt as always (going on all fours home and hot water bottle) but after it went smoothly and it’s now over. I expect my fertile days to arrive in approximately 5-6 days, but I’m leaving Poland for one week and I will not see my husband during ovulation. You have my gratitude that the Government is so interested in me and my reproductive potential. It is fantastic to know that soon I will be able to dump the responsibility for my reproduction on someone else. I will inform you about my health on regular basis.

Since 1993, three situations were outlined in which abortion would be legal in Poland: when the mother’s life or health could be threatened by the further continuation of pregnancy, when the fetus is not developing correctly or when pregnancy is the result of rape. Although women did demand the legalization of another cause for abortion – social and economic reasons – this has never been accepted. The health and freedom of Polish women has been the major stake in the negotiation about the EU enlargement. The neoliberal social democrats (SLD) actually “sold” their right to amend the anti-abortion law and add “social causes” to the list of legally acceptable reasons for abortion in exchange for the Catholic Church’s support to join Poland in the EU. Now, while the new left party (Razem) organizes protests and joins resistance, the neoliberal social democrats want to ask in referendum whether abortion should be legal in the event that the woman’s life is in danger. This means asking if a woman’s life should be saved if endangered by pregnancy. As Marcelina Zawisza from Razem rightly pointed out, asking questions whether to save lives is not legal and should not be promoted by politicians.

Dear Prime Minister, I would like to thank you and the episcopate for your concern and I would add that for some time, I have not used contraceptives, but we – unfortunately – use condoms. I would like to ask whether people who are not Catholics are allowed to use condoms, because I know that Catholics are not. (...)

After the first wave of protests, the Polish PM said, “There is no such topic as abortion in Poland.” Marx was right: Hegel should be corrected, and while history does indeed repeat itself, the first time it does so as tragedy, the second, as farce. Margaret Thatcher’s original “there is no such thing as society” announced the closure of protections for workers in the Fordist system of production, and while the Polish Prime Minister clearly would like to follow the Iron Lady, neoliberalism is already hegemonic in Poland and there are no shipyards or factories to close. It seems impossible the claim could have the same strength. Yet somehow it has, but in a farcical way. If all the important politicians and clergy already defined their positions in the debate over the new anti-abortion law and when the Prime Minister herself took a stance on the state run Polish Radio Channel 1, the statement “There is no such topic as abortion in Poland” must be read as farce.

Many women call the new anti-abortion law barbaric or medieval. The problem is that in the Middle Ages Poles did not have a repressive law regulating pregnancy. There were other oppressive legal measures, sure, but not one as bad as this most recently proposed. Interestingly, Poland has never been a traditionalist, ultraconservative country. Women were granted the right to vote in 1918, homosexuality was decriminalized in 1932, abortion has been legal since the 1950s and the pay gap between women and men is currently the smallest of all countries of the EU.

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Therefore the current government is not “taking us backward.” It is inventing a novel dimension of backwardness, which does not result from the postcolonial “European Universalism” imposed from the West. It is instead the very own barbarity of Polish conservatives and clergy, invented at the turn of the 21st century and propagated as if there were no one to resist. In fact, the most visible result of the new ban on abortion is the new wave of solidarity among women, who were before divided into those supporting the “pro-life” and “pro-choice” options. Now, all women are united. And we’ll never be divided, because everyone has come to see that this is not about ethics. Someone who seriously says that an 11 year-old girl should keep a pregnancy resulting from rape is clearly not speaking about ethics.

It can only be ironic that in a country that in 1989, some 10,000,000 people mobilized to join the “Solidarnosc” workers unions in solidarity with a woman who was fired 3 months before her retirement. It can only be ironic that in the same country where such a show of support for women was possible, now it can be possible to propose a law that so thoroughly violates women. The second round of protests took place on April 9th, and the vital display of “cycle news” continues on the fan page of the Prime Minister. After posting, some women even get back to the Prime Minister, reporting updates:

“Correction! I just got my period, decided to keep you posted” or “It is still the 16th day of my cycle, but I wanted to let you know that I am still fine.”

April 26 2016

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