

## ANALYSIS

# Poland's Abortion Ban Protests Changed the Country Forever

Restrictions are still in place, but the Catholic consensus that dominated Polish politics is over.

By [Joy Neumeyer](#), a writer and historian of Eastern Europe and fellow at the European University Institute.

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In October 2020, after Poland's constitutional court imposed a near-total ban on abortion, hundreds of thousands of people took to the streets. Demonstrators across the country were united by the lightning bolt symbol of the All-Polish Women's Strike and a simple slogan: "Fuck off."

One year later, their campaign may seem at first glance to have reached a dead end. The court's decision remains in effect, and Women's Strike leaders face criminal charges for actions committed during the protests. But the movement's apparent defeat conceals its deep impact. The Catholic consensus that dominated Polish politics since the fall of communism is over, with far-reaching effects: Public acceptance of abortion is up, support for the ruling party has fallen, and progressive activists are building new coalitions.

Turnout at demonstrations on the anniversary of the Oct. 22 decision was relatively meager. "It would be impossible to have that kind of energy the second time around because we failed," said Magdalena Grabowska, a sociologist who specializes in gender studies at the Polish Academy of Sciences. Grabowska, who has conducted focus groups with feminist and queer activists across Poland, said the current mood is a mixture of "hope, disappointment, and burnout."

Women's Strike co-founder Marta Lempart said the movement's organizers didn't want another round of protests. "We're not doing the sad, candle-burning anniversary thing," she said. Instead, the Women's Strike is focusing on a new project: gathering 100,000 signatures for a civic initiative bill that would allow abortion on any grounds up to the 12th week of pregnancy. This policy is standard in many European countries and is still more restrictive than the United States, which allows abortion up to 20 weeks (with the

exception of Texas, where it is currently banned after six weeks). The Women's Strike seeks to emulate the successful grassroots movement for abortion access in Argentina and has even adopted its signature green color.

“The message we want to send is that we're not surrendering,” said Magdalena Biejat, a member of parliament from the leftist Lewica Razem party. Although the bill has little chance of getting enough legislative support, she said gaining the necessary number of signatures will force a debate of the issue in the legislature, “where it belongs.” Meanwhile, an anti-abortion organization is promoting its own bill, which proposes a prison sentence of up to 25 years for women who get abortions and anyone who assists them. Although this measure is also unlikely to pass, it has already gathered enough signatures to meet the threshold for parliamentary discussion.

**Abortion has been central to debates over the shape of** democracy in Central and Eastern Europe since 1989. While campaigns to restrict reproductive rights in post-communist countries such as Hungary and Lithuania were unsuccessful, the situation played out differently in Poland, where commitment to liberal democracy became conflated with protecting life from the moment of conception.

In the Polish People's Republic, abortion had been easily accessible following its legalization in 1956. Once the communists lost power, restricting it became a top priority for the country's bishops and their new political partners, including Lech Walesa, head of the Solidarity movement and a conservative Catholic who served as president from 1990 to 1995.

During this time, liberals and conservatives alike embraced an alliance with the Polish National Catholic Church, which was portrayed as a source of patriotic resistance to communism. (Although, in fact, the church had maintained an uneasy alliance with communist rulers while also lending support to the opposition.) A law passed in 1993 allowed abortion only in cases of a threat to the life or health of the mother, rape or incest, or fetal abnormalities. Since then, in implicit exchange for liberals' ongoing support, the church has thrown its weight behind key democratic causes, including Poland's campaign for European Union membership in the early 2000s.

Lobbying by Catholic organizations led to a 2016 parliamentary draft initiative aimed at outlawing abortion entirely. Following mass protests and a nationwide strike known as “Black Monday,” the bill was voted down. Last

year, rather than trying to pass new legislation, conservative politicians asked Poland's Constitutional Tribunal to review the existing law. In October 2020, its judges—some of whom had been illegally appointed by the country's far-right ruling Law and Justice party—declared abortion in the case of fetal abnormalities illegal. Since more than 90 percent of procedures were performed on these grounds, the ruling effectively eliminated legal abortion in Poland.

The public confrontation with the church that followed was unlike anything the country had ever seen. Demonstrators staged sit-ins at Sunday mass, engaged in shouting matches with priests, put cards with lightning bolts in offering baskets, and chanted “this is war” in front of cathedrals. Police officers responded with tear gas and beatings (while a few of them cheered or joined the protesters themselves). Biejat was gassed in the face while monitoring an event in Warsaw, Poland. Many protests took place in small- and medium-sized towns that are usually seen as safe territory for Law and Justice. The spread of protests in conservative strongholds “scared the government to death,” Lempart said. Jaroslaw Kaczynski, the party's leader, called on supporters to defend churches “at any cost.” Protests and street fights raged through the end of January, when the ban went into effect.

According to Polish newspaper *Gazeta Wyborcza*, 4,000 people have been brought to court during the past year for participating in the protests. In many cases, judges have dismissed the charges, determining that the government's decree outlawing mass gatherings during the COVID-19 pandemic violated the constitutionally guaranteed right to assembly. Lempart still faces 81 legal cases brought against her by the authorities and various religious organizations. They include accusations of insulting a police officer, blocking traffic, and causing an “epidemiological threat” by encouraging protests during the pandemic, which can be punished by up to eight years in prison. In light of judges' rulings in previous cases involving protesters, the odds she will be convicted of imperiling public health are low.

Yet there are other dangers. After receiving death threats, which in one case led to an arrest, Lempart now appears at public events with a police escort. Lempart said the government gave her this security presence because the profile of the person threatening her was similar to that of the man who murdered Pawel Adamowicz, the progressive mayor of Gdansk, Poland, at a charity event in 2019. The added security is “exhausting,” she said, but “I have to comply.” She added that the problem is not only violent threats but also the anti-feminist rhetoric that fuels them on state television channels.

“More painful than the fact that [certain] people hate me is that the state hates me,” she said.

**Although the Women’s Strike was unable to overturn the ban,** the movement’s political impact is already evident. In the wake of the protests, support for Law and Justice fell to around 30 to 35 percent (down from 40 percent in the summer of 2020). While this decline may be due in part to the pandemic, a simultaneous rise in support for opposition movements and organizations, including the Women’s Strike, suggests the protests played a role. Twenty-four percent of the country expressed support for the Women’s Strike in November 2020, compared to 9 percent in 2017.

More young people, especially young women, now identify as leftist. The court’s decision, which was opposed by 73 percent of the country, has moved the center toward accepting abortion access: Around two-thirds of Poland’s population now supports legal abortion up to 12 weeks, up from 53 percent in 2019. Shifting attitudes among voters led the country’s main opposition party, Civic Platform, to endorse the 12-week policy. “This means that we are more frightening than the bishops,” Lempart said. “This fear is a good thing.”

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## **As young people and previously marginalized groups enter the political stage, old alliances are cracking.**

The narrative surrounding abortion has also changed. Although public discourse previously focused on “irresponsible women,” abortion is now more often framed as part of public health. International initiative Abortion Without Borders said in the year since the ruling, it has helped 34,000 women in Poland access abortion services. While the majority of women who contact the organization order pills to take at home, some travel to clinics abroad. Last year’s ruling had a chilling effect on Polish doctors, some of whom are afraid to perform abortions involving fetal defects even when the life of the mother is threatened; medical personnel who perform or assist with illegal abortions face up to three years in jail. According to Polish organization Abortion Dream Team, a pregnant woman recently died of septic shock after doctors waited for the death of the fetus to operate. Demonstrations in her honor have since taken place in dozens of Polish towns under the hashtag “Not One More.”

Studies show Polish society is secularizing—a long-term development the Women's Strike put on jaw-dropping display. According to church statistics, the percentage of the population that goes to Sunday mass is steadily declining: 50.3 percent attended in 1990 versus 36.9 percent in 2019. The trend is particularly pronounced among young people, whose participation in religious practices has fallen by half over the past 25 years. Yet the Catholic Church remains an influential force in politics, and lawmakers are still more conservative than the population as a whole. When Biejat drafted a bill last year to remove criminal liability for doctors who perform abortions in cases of fetal impairment, even the centrist Civic Platform party voted against debating it.

“In order to understand what's possible now, you have to look at the margins of mainstream politics,” Grabowska said. Women's Strike committees now exist in 600 cities and, in collaboration with leftist political parties and organizations like the Feminist Fund, support a variety of initiatives at the local level. Research by Grabowska and her colleagues found that the energy sparked by the protests lives on and is extending in new directions, as activists in rural areas advocate for abortion access along with sex education and LGBT+ rights.

Prospects of legislative victory are low until at least 2023, when the next nationwide elections are due to take place. In the meantime, grassroots activism, broader public acceptance of legal abortion, and declining religious observance will continue to reshape the field of play. As young people and previously marginalized groups enter the political stage, old alliances are cracking. Support for reproductive rights, once dismissed in the name of democracy, has entered the mainstream.

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**Joy Neumeyer** is a writer and historian of Eastern Europe and fellow at the European University Institute. Twitter: [@JoyNeumeyer](https://twitter.com/JoyNeumeyer)

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