

The New York Times

Polish Women Protest Proposed Abortion Ban (Again)

By [Marc Santora](#) and [Joanna Berendt](#)

March 23, 2018

WARSAW — To Magda, giving birth would have meant inflicting a slow death. Her unborn child had a rare genetic syndrome that causes severe, fatal birth defects.

“I would feed it, hug it, love it, get attached to it, and then, when it would be 3 or 4 months old, it would suffocate while in my arms,” she recalled, explaining her decision a decade ago to have an abortion. “It would scar me for life. I don’t know if I would be capable of giving birth to another child and not look at it as if it were the one that had died in my arms.”

She asked that her surname not be used, fearing that the agonizing decision she made could be used to shame her. But even in Poland, an overwhelmingly Roman Catholic country with some of the strictest anti-abortion laws in Europe and a government seeking to curb reproductive rights, it is a decision she could still make legally — at least for now.

Lawmakers from the governing Law and Justice party, who have previously tried to ban all abortions, are making a renewed push to outlaw them, even when the fetus is sure to die in infancy.

The government dropped the earlier bill after it set off nationwide protests in 2016. Lawmakers revised the legislation to make it less harsh, including dropping criminal penalties for women who have abortions, and the new version has once again stirred women in Poland to take to the streets.

Under a pale gray sky outside the Parliament building on Friday, thousands of women raised red placards shaped like hands that read “STOP.” They demanded that the government stop pressing for new abortion laws and charged that the country’s leaders were treating women as if their views had no value.



Thousands of women marched in Warsaw on Friday.
Maciek Jazwiecki/Agencja Gazeta, via Reuters

Agata Lewandowska came by bus from Poznan and said she had made the trip with her twin 27-year-old daughters in mind. “I am terrified about what is happening in this country,” she said. “And I am just so frustrated.”

Carrying a flag with a silhouette of a woman with a lightning bolt, the symbol of the rally, and wearing a sticker of a pregnant woman in the place of Jesus on the cross, she joined thousands of others as they marched from Parliament to the headquarters of the governing party.

Along the way, they chanted, “Your rule will end, but your shame will last.” Many women, and the men that joined them, wore stickers with a woman, fist clenched, declaring, “We have had enough.”

Some 200 nongovernmental organizations joined in writing a public appeal to Polish lawmakers, saying the bill would “place women’s health and lives at risk and violate Poland’s international human rights obligations.” The Office of the United Nations High Commissioner for Human Rights has also condemned the proposed law.

The previous effort to ban abortion was thwarted when Polish women mobilized on a scale unseen in the country’s history — more than 150,000 rallied in roughly 140 cities, towns and villages in October 2016. Their fight helped start a general strike by women in dozens of countries around the world, coinciding with International Women’s Day on March 8, 2017, and known in the United States as “A Day Without a Woman.”

The earlier Polish bill would have prohibited all abortions, and threatened legal action against women who went outside the country to terminate pregnancies and against doctors who helped them. The law would also have limited access to prenatal care and contraception, in a country where birth control is increasingly difficult for women to obtain.

Two days after the 2016 rallies, the bill was pulled.

Poland’s increasingly autocratic government has alienated its international allies by curbing the independence of the courts and restricting speech about the Holocaust. But even a governing party that was willing to defy critics abroad backed off at the sight of so many empowered women on the streets at home, said Krystyna Kacpura, the executive director of the Federation for Women and Family Planning.



Jarosław Kaczyński, the leader of the governing Law and Justice Party, said in 2016 that it was his goal to “strive to make cases of even very difficult pregnancies, when the child is doomed to die because it is severely deformed, finish with birth, so that the child can be baptized, buried, given a name.” Stanisław Rozpedzik/EPA, via Shutterstock

Since then, anti-abortion campaigners have been working “step by step” to curtail women’s reproductive rights, she said.

Their latest effort is a bill that supporters say is only about protecting unborn babies with disabilities.

Jarosław Kaczyński, the Law and Justice leader, has argued that it does not matter if a baby’s life is short, saying in 2016 that it was his goal to “strive to make cases of even very difficult pregnancies, when the child is doomed to die because it is severely deformed, finish with birth, so that the child can be baptized, buried, given a name.”

Jacek Januszewski, a member of Life and Family Foundation, an organization dedicated to ending abortion, said, “People who are healthy enjoy a full set of human rights from the moment they are conceived, whereas the disabled are discriminated against at this prenatal stage.”

Mr. Januszewski, whose group drafted the proposed legislation, said that of 1,100 abortions performed in Poland in 2016, 1,042 were related to the health of the fetus.

“It’s 95 percent of all abortions, and that’s what we want to ban,” he said. “Almost 40 percent are the abortions of children suffering from Down syndrome. This illness is a genetic condition, but many of the people with it enjoy a normal life and are aware of this discrimination. We regularly receive thank-you cards from many of them.”

The politics of abortion are almost always divisive, and in Poland, the issue is further complicated by history.

Women marching in Poznan on Friday. Poland currently allows abortion solely in cases of rape and irreparable damage to the fetus. Sean Gallup/Getty Images

Abortion was legalized in 1956 under Communist rule, and for years, Poland had one of the most liberal abortion laws in Europe. The procedure became so common that it is estimated that at least one in four Polish women have had an abortion.

The church played a key role in the fight against Communism, and the collapse of the Soviet bloc led to an embrace of Catholic identity that had been suppressed. With the church pushing hard for a total ban, lawmakers made abortion illegal in 1993, with exceptions for serious threats to the health of the mother or the fetus, and for pregnancy resulting from rape or incest.

For years, the laws were not widely enforced, but they did create a two-tier system, allowing women with money to go to private doctors to get abortions while forcing poorer women to seek out less reliable options.

No major party in Poland supports liberalizing abortion laws, but the election of Law and Justice in 2015 brought a push to enforce existing laws and further limit women's reproductive choices.

The "morning after" pill had been sold over the counter, but a senior official from the governing party called it "a death pill," and the government made it available only by prescription.

Under a legal "conscience clause," Polish doctors can refuse to prescribe birth control, and pharmacists often refuse to dispense it, making it hard — sometimes impossible — to obtain prescription contraceptives.

Meanwhile, a Health Ministry ad has been encouraging Poles to "breed like rabbits."

"If you want to become a parent one day, look at the rabbits," encourages the narrator, himself a bunny. "I know what I'm talking about, my father had 63 of us!"

Demonstrators in Lodz, Poland, on Friday. The 2016 protests involved more than 150,000 people in roughly 140 cities, towns and villages.
Marcin Stepień/Agencja Gazeta, via Reuters

Such efforts, however, have only emboldened some women to protest. On Thursday, a front-page headline of the leading Polish daily, *Gazeta Wyborcza*, blared: “Enough is enough! We are taking to the streets.”

“I feel like I have been protesting since I was born,” said Matylda Szempruch, a 22-year-old philosophy major at Warsaw University.

On an array of issues, the governing party has been able to wear down public resistance — it introduces a divisive bill, weathers protests, retreats temporarily, proposes a new bill, and ultimately enacts a version of the law it wanted, with less outcry.

Mr. Januszewski, the anti-abortion activist, noted that two years ago there were thousands of people but that the number had decreased to hundreds.

But on Friday, thousands of Poles made their voice heard. Magda Kazmierczak, 34, said that one protest might not be enough to stop the government, but that she and others would not give up.

Speaking of her 2-year-old daughter, she said, “I don’t want her to grow up in a country that will stifle her independence and deprive her of her fundamental rights.”

Justyna Wydrzyńska, an activist with the Polish nonprofit organization *Kobiety w Sieci* (Women on Web), offers help to women seeking information on sex, contraception and abortion, but says she fears that the new law would make much of her work illegal.

“I would probably have to leave the country as we could be prosecuted for our activities,” she said. “Or maybe I would stay and let them put me in prison. Maybe the world would pay more attention then.”

Follow Marc Santora on Twitter: [@MarcSantoraNYT](https://twitter.com/MarcSantoraNYT).

A version of this article appears in print on March 24, 2018, Section A, Page 10 of the New York edition with the headline: Poland Pushes Again to Outlaw Abortion. Women Push Back. Again.