

# GIVING BIRTH TO THE NATION: Securitising Abortion Rights in Post-Socialist Poland

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Polish women protest outside the Fourth World Conference on Women in Beijing, 1995  $^{
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<sup>&</sup>lt;sup>1</sup> Photo by Aleksandra Solik in Magdalena Grabowska et al., *Fifteen Years After Beijing: Platform for Action at the Crossroads*, ed. Agnieszka Grzybek and William Glass (Heinrich Böll Foundation Regional Office Warsaw, 2010), https://pl.boell.org/sites/default/files/fifteen\_years\_after\_beijing\_www.pdf.

#### Abstract

This paper explores the journey of Polish women's rights organisation FEDERA as it fought to secure abortion rights in the country amidst a backdrop of shifting political and social landscapes in the post-socialist era. Through a detailed analysis of FEDERA's evolution, the thesis explores how the organisation navigated the turbulent waters of Polish nationalism, gender identity, and international norms on women's rights to advocate for reproductive health and rights. The thesis traces FEDERA's efforts to securitise the right to abortion, from its inception in an increasingly conservative climate to its engagement with international conferences and transnational networks. By examining FEDERA's strategic use of language, legal frameworks, and transnational alliances, the thesis sheds light on how the organization sought to challenge patriarchal norms, address gender inequalities, and amplify the voices of Polish women in the global feminist movement. Through the lens of securitisation theory, the thesis underscores the unique challenges and triumphs faced by FEDERA in its pursuit of women's reproductive rights and the broader implications for women's activism in a post-socialist society.

# Abbreviations

BPfA	Beijing Platform for Action
CEDAW	Convention on the Elimination of all forms of Discrimination Against Women
CEE	Central and Eastern Europe
CSW	Commission on the Status of Women
CSS	Critical Security Studies
DEDAW	Declaration on the Elimination of Discrimination Against Women
ECE	Economic Commission for Europe
EU	European Union
FEDERA	Federation for Women and Family Planning
FSS	Feminist Security Studies
FWCW	Fourth World Conference on Women
ICPD	International Conference on Population and Development
IR	International Relations
NGO	Non-Governmental Association
PiS	Prawo i Sprawiedliwość
SKOP-'95	Społeczny Komitet Organizacji Pozarządowych
SRHR	Sexual and Reproductive Health and Rights
UN	United Nations
VDPA	The Vienna Declaration and Programme of Action

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# Introduction

... not everyone dares to speak publicly about abortion, not everyone is able to do so, feels able to do so. I therefore feel a moral obligation to address it. After all, someone has to do it. If we don't fight for our rights, they will drive us home and make us give birth without a choice. That's why I'm doing this now.<sup>2</sup>

– Wanda Nowicka, founder of FEDERA

The collapse of state socialism<sup>3</sup> in Poland in 1989 and its subsequent transition to democracy have been often heralded as a success for its relatively peaceful handover of power and swift adoption of neo-liberal market policies. The consequences for women, however, were considerably more complex. The swift enactment of the restrictive Family Planning, Human Embryo Protection and Conditions of Permissibility of Abortion Act of 7 January<sup>4</sup> into law in 1993, resulting in a near-total ban on abortion, led many to form the conclusion that there was no feminist consciousness to be found in the country, that years of "top-down" Soviet-style emancipation of women's rights had resulted in passivity and apathy towards feminism<sup>5</sup> among women in Poland.<sup>6</sup> On the contrary, this period was far more complex for Polish women's activism than many scholars wished to acknowledge.<sup>7</sup> This paper, therefore, seeks to shed more light on women's activism for abortion rights in Poland following the collapse of state socialism, and its transformation in the subsequent decade as women in Poland and the wider post-socialist regions of Central and Eastern Europe (CEE) and Central Asia sought to advocate for their rights and establish themselves in the global network of feminisms.

<sup>6</sup> Małgorzata Fuszara, "Feminism, the New Millennium, and Ourselves: A Polish View," *Signs* 25, no. 5 (Summer, 2000): 1069–72, https://www.jstor.org/stable/3175489.

<sup>&</sup>lt;sup>2</sup> Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 członkiniami," Press release, September 1997, 77, accessed March 26, 2024, https://www.karat.org/pliki/wp-

content/uploads/2016/06/Same\_o\_sobie\_Rozmowy\_z\_czlonkiniami.pdf.

<sup>&</sup>lt;sup>3</sup> This paper uses the term "state socialism" to refer to the countries that experienced state socialism in Central, Eastern, and South-eastern Europe and the former USSR given that "communism" was never fully achieved. "Communist regime" shall be used in reference to the government and state apparatus to denote its authoritarianism.

<sup>&</sup>lt;sup>4</sup> Henceforth referred to as the "Anti-Abortion Act" or "Anti-Abortion Law".

<sup>&</sup>lt;sup>5</sup> The concept of "feminism" shall be used here to refer broadly to an ideology of social transformation incorporating both the doctrine of equal rights for women and a world beyond simple social equality of the sexes, as defined in Maggie Humm, *The Dictionary of Feminist Theory*, 2nd ed. (Edinburgh University Press, 2003), 94, https://ebookcentral.proquest.com/lib/uunl/detail.action?docID=6994695.

<sup>&</sup>lt;sup>7</sup> Grabowska, "Bringing the Second World In: Conservative Revolution(s), Socialist Legacies, and Transnational Silences in the Trajectories of Polish Feminism," 386–90.

The revival of conservative elements in Polish society post-1989 resulted in what feminist scholars have described as a "transition to male democracy", constructing an identity of the renewed Polish nation based on Catholic-nationalist ideals which included the reestablishment of traditional gender roles.<sup>8</sup> Women were to be perceived primarily as wives and mothers, assigned to the archetypal role of *Matka Polka* (Mother Pole) tasked with the renewal and preservation of the Polish nation.<sup>9</sup> Throughout the 1990s the conflict over these values crystallised in the form of the debate over the right to abortion, a right which had been available to Polish women since 1956 and one which the Roman Catholic Church had long sought to remove.<sup>10</sup> A draft bill prohibiting abortion was submitted to the Sejm<sup>11</sup> under the auspices of the Roman Catholic Church even before the first free elections in June of 1989, triggering the eruption of protests and street demonstrations as well as petition campaigns to halt the proposal, yet efforts were to little avail.<sup>12</sup> Incremental changes were made to legislation imposing further restrictions on abortion rights until finally, on February 15<sup>th</sup> 1993, the charismatic figurehead of the pro-democracy movement Solidarity (Solidarność) and then-President Lech Wałęsa signed the Anti-Abortion Act into law, enacting a near-total ban on abortion and igniting what would be a long-standing battle over women's right to abortion Poland.<sup>13</sup>

The debate over abortion served as the impetus for women to mobilise and carve out new spaces for themselves in both national and international spheres, and women's

(October 8, 2023): 1278, https://doi.org/10.3390/rel14101271.

<sup>&</sup>lt;sup>8</sup> Magdalena Grabowska, "Bringing the Second World In: Conservative Revolution(s), Socialist Legacies, and Transnational Silences in the Trajectories of Polish Feminism," *Signs* 37, no. 2 (January 2012): 396, https://doi.org/10.1086/661728; Anika Keinz, "European Desires and National Bedrooms? Negotiating 'Normalcy' in Postsocialist Poland," *Central European History* 44, no. 1 (March 2011): 98–100, https://doi.org/10.1017/s0008938910001196; Andrzej Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland," *Religions* 14, no. 10

<sup>&</sup>lt;sup>9</sup> Dorota Szelewa, "Killing 'Unborn Children'? The Catholic Church and Abortion Law in Poland Since 1989," *Social & Legal Studies* 25, no. 6 (December 2016): 741–42,

https://doi.org/10.1177/0964663916668247; Elżbieta Matynia, "Polish Feminism Between the Local and the Global: A Task of Translation," in *Women's Movements in the Global Era*, ed. Amrita Basu, 1st ed. (Westview Press, 2010), 199.

<sup>&</sup>lt;sup>10</sup> Małgorzata Fuszara, "Legal Regulation of Abortion in Poland," *Signs* 17, no. 1 (Autumn 1991): 120–22, https://doi.org/10.1086/494716; Marta Bucholc, "Abortion Law and Human Rights in Poland: The Closing of the Jurisprudential Horizon," *Hague Journal on the Rule of Law* 14, no. 1 (February 16, 2022): 80–81, https://doi.org/10.1007/s40803-022-00167-9.

<sup>&</sup>lt;sup>11</sup> Lower house of the Polish parliament.

<sup>&</sup>lt;sup>12</sup> Joanna Mishtal, *The Politics of Morality: The Church, the State, and Reproductive Rights in Postsocialist Poland* (Ohio: Ohio University Press, 2015), Ch. 1, pg. 1; Fuszara, "Legal Regulation of Abortion in Poland" 123–25; Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland," 1278.

<sup>&</sup>lt;sup>13</sup> Wanda Nowicka, "Two Steps Back: Poland's New Abortion Law," *Journal of Women's History* 5, no. 3 (January 1, 1994): 151–55, https://doi.org/10.1353/jowh.2010.0176.

rights non-governmental associations (NGOs) proliferated in the aftermath of 1989. The most prominent NGO to emerge as a force to counter the increasing restrictions on abortion rights was the Federation<sup>14</sup> for Women and Family Planning (*Federacja na rzecz Kobiet i Planowania Rodziny*, FEDERA) in 1991.<sup>15</sup> FEDERA was formed as the result of collaboration between five organisations seeking to liberalise the law on abortion, and has since functioned as the main advocacy body dedicated towards fighting for the right to abortion as well as access to contraception, sexual health education, and improved women's health services.<sup>16</sup> Operating within a political climate which increasingly connected feminism and women's rights to the former socialist system, FEDERA was faced with the challenge of disassociating abortion with the dominant conservative rhetoric which connected it with the legacy of foreign occupation and anti-Polish sentiment.<sup>17</sup> Occurring simultaneously was the acceleration of globalisation and transnational feminisms brought on by the end of the Cold War, which saw a rapid evolution in the global normative framework for women's rights that culminated with a series of United Nations (UN) global conferences that took place over the course of the 1990s.<sup>18</sup> This period thus serves to illustrate the zenith at which liberal international values of women's rights came to conflict with the values shaping Poland's fledgling state, and poses the question as to how FEDERA was able to navigate a highly tested political climate to advocate for the right to abortion.<sup>19</sup>

<sup>&</sup>lt;sup>14</sup> Currently known as the *Fundacja*, or Foundation, but will be referred to in this paper by the former name which had been in use for the period of time under analysis.

<sup>&</sup>lt;sup>15</sup> Ibid., 90; For a concise historical overview of the main NGOs involved in the right to abortion see Agata Chełstowska and Agata Ignaciuk, "Criminalization, Medicalization, and Stigmatization: Genealogies of Abortion Activism in Poland," *Signs* 48, no. 2 (Winter 2023): 423–53, https://doi.org/10.1086/722897.
<sup>16</sup> FEDERA's members consist of the League of Polish Women<sup>16</sup>, the Polish Feminist Association, the Pro Femina Association, the Association for an Ideologically Neutral State "Neutrum", and the Women and Girls Christian Association YWCA Poland. See the appendix for a brief overview of each of the individual organisations; FEDERA, "About Us – FEDERA Foundation for Women and Family Planning," accessed March 11, 2024, https://en.federa.org.pl/about-us/.

<sup>&</sup>lt;sup>17</sup> Anika Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," *Focaal - Journal of Global and Historical Anthropology*, no. 53 (2009): 38–40, https://doi.org/10.3167/fcl.2009.530103.
<sup>18</sup> Valentine M. Moghadam, "Transnational Feminist Networks: Collective Action in an Era of Globalization," *International Sociology* 15, no. 1 (March 2000): 61,

https://doi.org/10.1177/0268580900015001004; Celia Donert, "Women's Rights as Human Rights After the End of History," *Gender & History* 35, no. 3 (September 10, 2023): 862–80,

https://doi.org/10.1111/1468-0424.12729; Wanda Nowicka, "Sexual and Reproductive Rights and the Human Rights Agenda: Controversial and Contested," *Reproductive Health Matters* 19, no. 38 (November 24, 2011): 119–28, https://doi.org/10.1016/s0968-8080(11)38574-6.

<sup>&</sup>lt;sup>19</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 41; Keinz, "European Desires and National Bedrooms? Negotiating 'Normalcy' in Postsocialist Poland," 100–102.

Accordingly, the question that this paper shall investigate is the following: How did the Polish organisation FEDERA attempt to securitise abortion rights during Poland's transition to democracy in 1989 – 2003?<sup>20</sup>

Analysis of the methods employed by FEDERA sought to render abortion rights as a matter of security shall be conducted through the use of securitisation theory. Developed by the Copenhagen School<sup>21</sup> in the 1990s, securitisation is the process by which a securitising actor presents a politicised issue as an existential threat towards a referent object, thus necessitating extraordinary measures beyond the "normal" bounds of political procedure.<sup>22</sup> By conceptualising lack of abortion rights in security terms, this paper places security in reference to the human subject, therefore acknowledging the inextricable link between gender and identity.<sup>23</sup> Such an approach aligns itself with Critical Security Studies (CSS) by challenging the parochial state-centricity ontology of traditional security studies and adopting a constructivist view of security as derived from "the way in which we see the world and we think politics works … and hence how we define security".<sup>24</sup>

A critical application of securitisation theory shall be used that accounts for its marked absence of gender which scholar Lene Hansen has identified as manifesting in primarily two forms. Firstly, the securitising process itself is predicated upon a "speech act", forming several presumptions which are challenged under a gendered critical analysis. In what Hansen termed the "security as silence" dilemma, (in)securities cannot

<sup>23</sup> Ken Booth, "Security and Self: Reflections of a Fallen Realist," in *Critical Security Studies: Concepts And Strategies*, ed. Keith Krause and Michael Williams, 1st ed. (1997; repr., Routledge, 2002), 88,

https://doi.org/10.4324/9780203501764; Gunhild Hoogensen and Svein Vigeland Rottem, "Gender Identity and the Subject of Security," *Security Dialogue* 35, no. 2 (June, 2004): 155–156,

<sup>&</sup>lt;sup>20</sup> This paper employs explicit usage of the term "abortion rights" as opposed to the broader notion of "reproductive rights", thus adhering to Jennifer Thomson and Claire Pierson's justification in avoiding the more ambiguous and potentially depoliticised nature of the latter term which obscures the more controversial aspect of abortion, see Jennifer Thomson and Claire Pierson, "Can abortion rights be integrated into the Women, Peace and Security agenda?," *International Feminist Journal of Politics* 20, no. 3 (February 15, 2018): 352, https://doi.org/10.1080/14616742.2017.1413583.

<sup>&</sup>lt;sup>21</sup> The "Copenhagen School" refers to a number of scholars coming from a project at the Conflict and Peace Research Institute (COPRI) in Denmark that have produced a rich body of work possessing a high degree of coherence and continuity.

<sup>&</sup>lt;sup>22</sup> Barry Buzan, Ole Wæver, and Jaap De Wilde, *Security: A New Framework for Analysis* (Lynne Rienner Publishers, 1998), 23–24.

https://doi.org/10.1177/0967010604044974; Heidi Hudson, "Doing' Security as Though Humans Matter: A Feminist Perspective on Gender and the Politics of Human Security," *Security Dialogue* 36, no. 2 (June 2005): 156, https://doi.org/10.1177/0967010605054642.

<sup>&</sup>lt;sup>24</sup> Columba Peoples and Nick Vaughan-Williams, "Chapter 1," in *Critical Security Studies: An Introduction*, 1st ed. (New York: Routledge, 2010), 21–26.

be voiced due to potential threat or risk of violence, or even as a result of physical constraint.<sup>25</sup> It can also manifest in less conspicuous ways such as through structural exclusionary mechanisms which prevent women from gaining access to political platforms.<sup>26</sup> Premising the securitisation process upon the verbal act of speech excludes the various other forms that the identification of security can take such as written communication, performative acts such as protests, or in visual representations through art and media.<sup>27</sup> Exploration of FEDERA's securitisation attempts will therefore be inclusive of a wide range of strategies employed to draw attention to the issue of abortion rights as a threat to women. Secondly, the formation of the "referent object" generates the "subsuming problem" whereby gender subsumes other identities such race, nationality, religion, socio-economic status, thus rendering other crucial aspects of identity obsolete in order for women to form a singular collective.<sup>28</sup> The variable of identity becomes crucial to the analysis of FEDERA's securitising attempts in the international arena through the erasure of the so-called "Second World"<sup>29</sup> following the end of the Cold War. The Post-Cold War terminology of "Global North" and "Global South" created a dichotomous framework which left the former socialist states straddling a somewhat ambiguous geopolitical territory, thus posing an inherent challenge to their ability to form a referent entity in international discourse. Consequently, this paper shall adhere to the anachronistic terms of "First World", "Second World", and "Third World" to reflect the post-World War II theoretical socio-economic classifications of global regions.30

Hence, this investigation will be aided by the use of three sub-topics to guide analysis of FEDERA's attempts to securitise abortion rights: Firstly, by situating the topic of abortion within the context of the political changes in Poland of 1989 and religious-

<sup>&</sup>lt;sup>25</sup> Lene Hansen, "The Little Mermaid's Silent Security Dilemma and the Absence of Gender in the Copenhagen School," *Millennium* 29, no. 2 (June, 2000): 294–299,

https://doi.org/10.1177/03058298000290020501.

<sup>&</sup>lt;sup>26</sup> Ibid., 297; Natalie Florea Hudson, "Securitizing Women's Rights and Gender Equality," *Journal of Human Rights* 8, no. 1 (March 12, 2009): 57–58, https://doi.org/10.1080/14754830802686526.

<sup>&</sup>lt;sup>27</sup> Hansen, "The Little Mermaid's Silent Security Dilemma and the Absence of Gender in the Copenhagen School," 300.

<sup>&</sup>lt;sup>28</sup> Ibid., 298–299.

<sup>&</sup>lt;sup>29</sup> The term shall be used in this paper to denote the Central and Eastern European (CEE) and post-Soviet region in Central Asia, as well as the Caucasus and Balkans.

<sup>&</sup>lt;sup>30</sup> For further discussion regarding global geopolitical classifications see Themrise Khan et al., "How We Classify Countries and People—and Why It Matters," *BMJ Global Health* 7, no. e009704 (June 2022): 1–6, https://doi.org/10.1136/bmjgh-2022-009704.

nationalist discourse; secondly, by exploring FEDERA's activism in international fora against the backdrop of international norms for women's rights; and lastly, through its process of "subsuming" as a securitising actor by forming transnational advocacy networks. The chosen period for study is illustrative of how globalisation intersected with three localised cultural processes in Poland: the systemic transformation of 1989, the revival of nationalist elements, and the transformation of women's activism, concluding up until the point of Poland's accession to the EU in 2004, the breadth of which lies beyond the scope of this paper. The analysis of this period possesses inherent value for better understanding the challenges many post-socialist and authoritarian societies hold today in relation to gender rights and equality.<sup>31</sup>

The topic of abortion holds significant contemporary relevance due to its frequent instrumentalization in right-wing populism and nationalism, constituting a central component to discussions over an "authentic" population which women are tasked with producing and preserving.<sup>32</sup> In addition to the reinforcement of gendered hierarchies through assigning the role of "reproducer" to women, the state's exercise of control over women's bodies through restricting access to abortion takes on an even more critical dimension in cases of conflict. The imposition of further restrictions upon abortion in Poland by the far-right populist government *Prawo i Sprawiedliwość* (PiS) in 2020 has deprived victims of sexual violence fleeing the war in Ukraine of vital health services, thus illustrating how conservative governance perpetuates gendered insecurities.<sup>33</sup>

# Historiography

Following the political changes of 1989, the socio-political status of women in Poland appeared to deteriorate rapidly. The institutionalised campaign for women's emancipation was wholeheartedly abandoned; women were primarily affected by the dismantling of the welfare state, pushed out of the labour market, and their political

<sup>&</sup>lt;sup>31</sup> Matynia, "Polish Feminism Between the Local and the Global: A Task of Translation," 212.

 <sup>&</sup>lt;sup>32</sup> Julie Mostov, "Populism Is Always Gendered and Dangerous," *Frontiers in Sociology* 5 (January 11, 2021): 1–3, https://doi.org/10.3389/fsoc.2020.625385; Nira Yuval-Davis, "Gender and Nation," *Ethnic and Racial Studies* 16, no. 4 (1993): 628, https://doi.org/10.1080/01419870.1993.9993800.
 <sup>33</sup> Letta Tayler, "Two Years on, Poland's Abortion Crackdowns and the Rule of Law," *Human Rights Watch*, October 22, 2022, https://www.hrw.org/news/2022/10/22/two-years-polands-abortion-crackdowns-and-rule-law; Míla O'Sullivan and Kateřina Krulišová, "Women, Peace and Security in Central Europe: In Between the Western Agenda and Russian Imperialism," *International Affairs* 99, no. 2 (March 6, 2023): 625–27, https://doi.org/10.1093/ia/iiad021.

representation fell significantly.<sup>34</sup> Despite women having spearheaded the underground pro-democracy movement Solidarity over the course of the 1980s, only one woman was even seated at the infamous Round Table discussions that took place in early 1989.<sup>35</sup> Consequently, many scholars at the time sought to analyse the various factors which impeded the women's movement, with a significant part of scholarship revolving around questions such as "Why is there no Feminism after Communism?" and "The Feminist Movement in Poland: Why So Slow?".<sup>36</sup> Several scholars pointed to the system of state socialism as responsible for the "passivity of women, and their inability to organise and defend their collective interest."<sup>37</sup> Polish writer and activist Agnieszka Graff claimed in 1996, alongside other Polish feminists, that "no feminist consciousness ... could be detected in our [Polish] culture",<sup>38</sup> identifying the period of totalitarian rule under state socialism as having created an aversion to politics and culture even vaguely associated with Marxism.<sup>39</sup>

The vast majority of available literature has therefore been preoccupied with situating post-1989 Polish feminisms in the context of socio-political and cultural developments which have hampered its relative success. Elżbieta Matynia and Małgorzata Fuszara have emphasised the role of the Catholic Church, the re-emergence of nationalism, and the absence of a liberal tradition as factors which impeded the Polish feminist movement, thus contributing to the narrative which has construed feminism in

<sup>&</sup>lt;sup>34</sup> Georgina Waylen, *Engendering Transitions: Women's Mobilization, Institutions and Gender Outcomes* (Oxford University Press, 2007), 172; Agnieszka Kościańska, *Gender, Pleasure, and Violence: The Construction of Expert Knowledge of Sexuality in Poland* (Bloomington: Indiana University Press, 2022), 2–5, https://search-ebscohost-

com.proxy.library.uu.nl/login.aspx?direct=true&db=nlebk&AN=2720556&site=ehost-live.

<sup>&</sup>lt;sup>35</sup> Elżbieta Matynia, "Provincializing Global Feminism: The Polish Case," *Social Research* 70, no. 2 (Summer 2003): 516–518, http://www.jstor.org/stable/40971624.

<sup>&</sup>lt;sup>36</sup> Commonly cited works from this period include Jeffrey C. Goldfarb, "Why Is There No Feminism After Communism?," *Social Research*, no. 2 (Summer 1997): 235–57, https://www.jstor.org/stable/40971184; Jill M. Bystydzienski, "The Feminist Movement in Poland: Why So Slow?," *Women's Studies International Forum* 24, no. 5 (2001): 501–11, https://doi.org/10.1016/s0277-5395(01)00197-2; Ann Graham and Joanna Regulska, "Expanding Political Space for Women in Poland: An Analysis of Three Communities," *Communist and Post-Communist Studies* 30, no. 1 (March 1997): 65–82, https://doi.org/10.1016/s0967-067x(96)00024-4; Małgorzata Fuszara, "Between Feminism and the Catholic Church: The Women's Movement in Poland," *Sociologický Časopis* 41, no. 6 (December 2005): 1072, https://doi.org/10.13060/00380288.2005.41.6.06.

<sup>&</sup>lt;sup>37</sup> Quote from Sławomira Walczewska in Grabowska, "Bits of Freedom: Demystifying Women's Activism Under State Socialism in Poland and Georgia," 142.

 <sup>&</sup>lt;sup>38</sup> Agnieszka Graff, "Lost Between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland," *Journal of International Women's Studies* 4, no. 2 (April 2003): 100, https://vc.bridgew.edu/cgi/viewcontent.cgi?article=1575&context=jiws.
 <sup>39</sup> Ibid., 107–108.

Poland as well as the wider post-socialist region as being "delayed" or "underdeveloped" in comparison to the West.<sup>40</sup> This perception has continued to permeate academic and social discourse as observed by Bogumila Hall in her analysis of mass protests against increasing abortion restrictions in Poland, 2016,<sup>41</sup> during which Hall noted young Polish interviewees echoing the narrative of the apparent absence of feminism in Poland.<sup>42</sup> In recent years however, historians and gender scholars have sought to counter the claim of the apparent "newness" of Polish feminism. Subject to what historian Francisca de Haan has termed "Cold War paradigms", the employment of feminist and postcolonial theory has shed light on Second World women's activism which has long been neglected and dismissed as lacking real autonomy or "forgotten" both socially and academically.<sup>43</sup> This phenomenon has contributed to what prominent Polish scholar Magdalena Grabowska has described as the homogenisation of women in CEE in scholarship that denies women of the Second World their agency and past contribution to women's rights, the legacy of which has arguably persisted in the contemporary rendering of the region's feminism as undeveloped.<sup>44</sup>

Grabowska's extensive ethnographic and historical research into the Polish women's movement since the 19<sup>th</sup> century has been considerably influential in informing the debate on Polish women's activism. Indeed, Grabowska has postulated that the 1990s abortion debate served as the momentum for feminist organisation in Poland, contrary to the vast amount of literature which portrayed the rapid enactment of the anti-abortion

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https://doi.org/10.1080/09612025.2010.502399.
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<sup>&</sup>lt;sup>40</sup> Matynia, "Provincializing Global Feminism: The Polish Case," 520–31; For a concise overview of the women's movement in Poland see Fuszara, "Between Feminism and the Catholic Church: The Women's Movement in Poland."

<sup>&</sup>lt;sup>41</sup> A wave of mass protests erupted in Poland following the submission of a proposal for a total ban on abortion, see for example Elżbieta Korolczuk, "Explaining Mass Protests Against Abortion Ban in Poland: The Power of Connective Action," *Zoon Politikon* 7, no. 7 (2016): 91–113, https://civitas.edu.pl/wp-content/uploads/2015/03/Zoon\_Politikon\_07\_2016\_091\_113.pdf.

<sup>&</sup>lt;sup>42</sup> Bogumila Hall, "Gendering Resistance to Right-Wing Populism: Black Protest and a New Wave of Feminist Activism in Poland?," *American Behavioral Scientist* 63, no. 10 (September 1, 2019): 1509, https://doi.org/10.1177/0002764219831731.

<sup>&</sup>lt;sup>43</sup> Critical to the work surrounding women's activism during the Cold War has been de Haan's investigation into the Women's International Democratic Federation (WIDF) which triggered the momentum for investigation into women's transnational activism under state-socialism during the Cold War, see Francisca de Haan, "Continuing Cold War Paradigms in Western Historiography of Transnational Women's Organisations: The Case of the Women's International Democratic Federation (WIDF)," *Women's History Review* 19, no. 4 (September 13, 2010): 548,

<sup>&</sup>lt;sup>44</sup> Magdalena Grabowska, "Bits of Freedom: Demystifying Women's Activism Under State Socialism in Poland and Georgia," *Feminist Studies* 43, no. 1 (2017): 145–48, https://doi.org/10.15767/feministstudies.43.1.0141.

law and subsequent failure to liberalise as a result of the impotence of the women's movement in Poland.<sup>45</sup> Anika Keinz has identified the abortion debate during Poland's transition as embodying a conflict over values of democracy, identity, and visions of "normalcy", adding further nuance to the positionality of Polish feminisms and how gender and sexuality politics became a way for the emerging political regime to construct "specific visions of Poland's present and future as well as claim hegemonic interpretations of its past".<sup>46</sup> Keinz has stressed how the debate over abortion formed the crux at which Christian values intersected with the liberal values and international law increasingly being employed by Polish women's NGOs as they underwent a periof of "professionalisation" throughout the 1990s.<sup>47</sup> Thus far, no research has been conducted into how these dynamics have manifested in the activities of an NGO, and consequently this paper aims to remedy this lacuna by bridging the existing scholarship with a historical analysis of FEDERA's activities during this period.

In her doctoral dissertation, Grabowska drew attention to the "non-regionality" of CEE and the wider post-socialist region, a phenomenon which materialised distinctly during the Fourth UN World Conference in Beijing.<sup>48</sup> Exploring this dynamic through a theoretical lens, gender scholar Jennifer Suchland identified one dynamic contributing to the eradication of the Second world as being the racialised meaning of the term "global" in international studies as well as women's studies in the United States.<sup>49</sup> Suchland also reiterated the role of Cold War in filtering out women's voices from the former socialist region during the evolutionary processes of transnational feminisms at the UN level, leading her to pose the question "can the postsocialist speak?".<sup>50</sup> Within the framework of securitisation, this line of inquiry warrants this paper's investigation of the silencing mechanism through FEDERA's attempts to securitise abortion rights in international fora. Jennifer Ramme has located the Beijing Conference as being the locus where conflicting

<sup>&</sup>lt;sup>45</sup> Magdalena Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity" (PhD dissertation, The State University of New Jersey (Rutgers), Jersey City, 2009), 42–43, https://rucore.libraries.rutgers.edu/rutgers-lib/26287/PDF/1/play/.

<sup>&</sup>lt;sup>46</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 38; Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 49.

<sup>&</sup>lt;sup>47</sup> Ibid., 45.

<sup>&</sup>lt;sup>48</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 83–84.

<sup>&</sup>lt;sup>49</sup> Jennifer Suchland, "Is Postsocialism Transnational?," *Signs* 36, no. 4 (Summer 2011): 837–42, https://doi.org/10.1086/658899.

<sup>&</sup>lt;sup>50</sup> Ibid., 842; Grabowska, "Bringing the Second World In: Conservative Revolution(s), Socialist Legacies, and Transnational Silences in the Trajectories of Polish Feminism," 401.

Polish gender regimes of belonging played out on an international scale between feminists opting for a gender democracy and religious conservatives favouring a familistic social order. Writing from a sociological perspective, Ramme has identified Beijing as the point at which Polish women's rights actors formed coalitions and performed group identities in order to gain representation at the UN.<sup>51</sup> Accordingly, this research lends itself to the exploration of subsuming identity for FEDERA's securitising abortion rights through the formation of transnational networks, which in the post-Cold War era of globalisation Valentina Moghadam has argued has functioned as a key form of collective action for women that incorporates a "conscious crossing of national boundaries and a superseding of nationalist orientations".<sup>52</sup>

This research aims primarily to address the distinct absence of Polish women's activism from IR and provide a new perspective on the fight for abortion rights through its employment of securitisation theory. By weaving together the historical and sociological components of existing literature to conduct an in-depth analysis of one prominent Polish women's rights NGO during Poland's transition to democracy, this paper seeks to provide a holistic and more nuanced understanding of how abortion rights came to feature at the crux of the debate over national identity as well as the unique specificities of Polish feminism in the aftermath of 1989.

# **Theoretical Framework**

Broadly, this paper employs a feminist constructivist theory of IR. Such an approach is "an act of political commitment to understanding the world from the perspective of the socially subjugated".<sup>53</sup> Through framing abortion rights as a matter of security, this paper contributes to the growing body of Feminist Security Studies (FSS), which builds on early

 <sup>52</sup> Moghadam, "Transnational Feminist Networks: Collective Action in an Era of Globalization," 60–61; One example of analysis conducted on a post-socialist transnational network can read in Ioana Cîrstocea, "Challenges and Pitfalls of Feminist Sisterhood in the Aftermath of the Cold War: The Case of the Network of East-West Women," *Aspasia* 14, no. 1 (2020): 1–19, https://doi.org/10.3167/asp.2020.140103.
 <sup>53</sup> J. Ann Tickner, *Gender in International Relations: Feminist Perspectives on Achieving Global Security* (New York: Columbia University Press, 1992), 17; S Laura Sjoberg, "What, and Where, Is Feminist Security Studies?," *Journal of Regional Security* 11, no. 2 (2016): 152, https://doi.org/10.11643/issn.2217-995x162sps66; Tickner published the first explicitly "Feminist IR" book and is significant contributor to the body of work alongside Carol Cohn, Cynthia Enloe, Marysia Zalewski, Annick Wibben, and Laura Sjoberg, to name a few.

<sup>&</sup>lt;sup>51</sup> Jennifer Ramme, "Exclusion Through Inclusion. Struggles Over the Scalar Regimes of Belonging Europe and the Family at the 1995 Fourth UN World Conference on Women and the Agency of (Polish) Women," *Frontiers in Sociology* 4 (July 2019): 1–16, https://doi.org/10.3389/fsoc.2019.00055.

feminist IR in its challenge to the "masculine" central concepts of classic IR such as power, sovereignty, and security, as well as the socio-political and economic realities of the neoliberal international world order.<sup>54</sup> What distinguishes feminist constructivism from traditional constructivism in IR is that despite the shared commitment to a subjective and internally constructed epistemological basis, constructivists fail to account for how gender and power reproduce certain patterned social constructs. A crucial empirical reality of international politics is thus left unexplained, which feminist constructivism assumes as a central premise in arguing that "gender is pervasive in an international world that is socially constructed."55 While debate is ongoing regarding what FSS necessarily entails, this paper adheres to its main philosophy of focusing on "lived experience, positionality, reflexivity, and emancipation of marginalised subjects"<sup>56</sup> and paying attention to the gendered power structures and hierarchies that are inherent to (in)security and that are systematically ignored in the traditional field.<sup>57</sup> As argued by prominent CSS scholar Ken Booth, "to talk about security without thinking about gender is simply to account for the surface reflections without examining what is happening deep below the surface,"58 a gaping lacuna which FSS seeks to address by locating oppressive gendered hierarchies yet not take them as a given.<sup>59</sup>

Consequently, this paper views "gender is intrinsic to the subject matter and politics of security"<sup>60</sup> and employs an expanded notion of security that goes beyond Barry Buzan, Ole Wæver, and Jaap De Wilde's proposed five sectors of military, environmental, economic, political and societal security to include the separate parameter of "identity".<sup>61</sup> Including identity allows for exploration into the intersectionalities between gender and other factors such as race, religion, or class, all of which can reflect an individual's status in society and thus provide nuance to understanding systematic (in)securities in local and

<sup>&</sup>lt;sup>54</sup> Annick T. R. Wibben, *Feminist Security Studies: A Narrative Approach* (Oxford: Taylor & Francis Group, 2010), 16–18.

<sup>&</sup>lt;sup>55</sup> Birgit Locher and Elisabeth Prügl, "Feminism and Constructivism: Worlds Apart or Sharing the Middle Ground?," *International Studies Quarterly* 45, no. 1 (2001): 112–16, https://doi.org/10.1111/0020-8833.00184.

<sup>&</sup>lt;sup>56</sup> Kateřina Krulišová and Míla O'Sullivan, "Feminist Security Studies in Europe: Beyond

WesternAcademics' Club," in *Feminist IR in Europe: Knowledge Production in Academic Institutions*, ed. Maria Stern and Ann E. Towns (Palgrave Macmillan, 2022), 35, https://doi.org/10.1007/978-3-030-91999-3\_3.

<sup>&</sup>lt;sup>57</sup> Ibid.

<sup>&</sup>lt;sup>58</sup> Booth, "Security and Self: Reflections of a Fallen Realist," 101.

<sup>&</sup>lt;sup>59</sup> Ibid., 106.

<sup>60</sup> Ibid., 156.

<sup>&</sup>lt;sup>61</sup> Buzan, Wæver, and De Wilde, *Security: A New Framework for Analysis*, 7–8.

international contexts. In Poland, following the collapse of state socialism in 1989 various notions of identity came to the forefront of political debate.<sup>62</sup> Defining the new Polish nation required re-constructing a gendered national identity based on Catholic and traditional family values within the issue of abortion became central, thus illustrating how security of the individual and the nation conflicted and intersected. By including identity as a separate parameter, however, critics argue that security can be defined as "anything and everything" and essentially renders the concept meaningless. Such claims obfuscate the crucial fact that the notion of security holds significant political weight; if security isn't primarily concerned with issues such as human rights and socio-economic justice, then who ultimately is the beneficiary of security?<sup>63</sup> Appealing to such normative and teleological claims arguably helps to justify security's re-conceptualisation away from traditional state-centrism to *people* as the primary referent of security.

Securitisation theory as a tool serves to illustrate the intersubjective and socially constructed process by which a referent subject is deemed as under existential threat and worth protecting; generated through a discursive practice by the securitising actor, the securitising act "succeeds" once support has been mobilised. Various criticisms have been raised against securitisation theory for its unwavering commitment to simply observing "security" without consideration of normative evaluation and its acceptance of power structures through orientating upon state elites as the securitising actors.<sup>64</sup> Through a critical application of securitisation theory, however, these implications can be overcome by identifying marginalised securitising moves or claims and thereby locate alternative approaches to security expressed by civil society.<sup>65</sup> Increasingly, women's rights and gender-equality concerns have also been actively located within security agenda and thus obtain a specific goal.<sup>66</sup> While human security discourse has served as a valuable strategy for marginalised groups to voice their concerns, as previously stated, Hansen has

<sup>&</sup>lt;sup>62</sup> Victoria E. Bonnell, ed., *Identities in Transition: Eastern Europe and Russia After the Collapse of Communism* (University of California, Berkeley. International and Area Studies, 1996), 1–4, https://escholarship.org/content/qt22g1z9nw/qt22g1z9nw.pdf?t=leys6i.

<sup>&</sup>lt;sup>63</sup> Booth, "Security and Self: Reflections of a Fallen Realist," 110–111.

<sup>&</sup>lt;sup>64</sup> Catherine Charrett, "A Critical Application of Securitization Theory: Overcoming the Normative Dilemma of Writing Security," *International Catalan Institute for Peace*, December 2009, 13–15, https://doi.org/10.2139/ssrn.1884149.

<sup>65</sup> Ibid., 23-26.

<sup>&</sup>lt;sup>66</sup> Hudson, "Securitizing Women's Rights and Gender Equality," 54–58.

argued that securitisation theory is absent a gender perspective in two cardinal ways: through the "security as silence" dilemma, and the "subsuming problem".

Consequently, the employment of this gender-critical framework of securitisation theory will allow for the exploration of these mechanisms in the case of FEDERA and elucidate how they manifested in the specific context of a nascent post-socialist democracy in the era of globalisation. Against the evolving normative backdrop of women's rights being framed in terms of human security towards the end of the twentieth century, the employment of securitisation theory allows for a more nuanced analysis of how women's rights organisations in Poland increasingly adopted the language of a rights-based security approach, therefore arguably bestowing upon activists a form of legitimacy in the eyes of both domestic and international audiences.<sup>67</sup>

# Methodology

Analysis of FEDERA's securitisation attempts will be primarily sourced from FEDERA's online publications, which include extensive interview material with one of its founders and former president, Wanda Nowicka, as well as with founding member Aleksandra Solik and current president Krystyna Kacpura.<sup>68</sup> Notably one publication, *"Zawsze Po Stronie Kobiet"*, provides a detailed chronological account of FEDERA's activities and has largely contributed to the structuring of this research, alongside publications of video conferences on the history of FEDERA and it's fight for abortion rights.<sup>69</sup> Publications from the Karat Coalition, a regional transnational advocacy network for CEE and Central Asia, to which FEDERA belongs, will be drawn upon extensively to inform the paper of its

<sup>69</sup> Wanda Nowicka and Agnieszka Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 lat Federacji na rzecz Kobiet i Planowania Rodziny," *Federacja Na Rzecz Kobiet I Planowania Rodziny*, 2011, https://federa.org.pl/wp-content/uploads/2017/07/Zawsze\_po\_stronie\_Kobiet.pdf; "SPOTKANIE ONLINE: 30 lat Federacji na rzecz Kobiet i Planowania Rodziny... i co dalej?," interview by Kazimiera Szczuka, Aleksandra Solik, and Krystyna Kacpura, June 8, 2021, accessed May 23, 2024, https://unuu facebook.com/watch/live/2ref=watch\_parmelink&v=5005740077529217. Fundacia Pzecr

<sup>&</sup>lt;sup>67</sup> Anika Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," *Focaal - Journal of Global and Historical Anthropology*, no. 53 (2009): 38–55, https://doi.org/10.3167/fcl.2009.530103.
<sup>68</sup> Federacja na rzecz Kobiet i Planowania Rodziny, Fundacja Kobiety na Falach, and Komitetu STER – Kobiety Decydują, "Solidarność Kobiet Ponad Granicami," *FEDERA* (Warszawa: Federacja na rzecz Kobiet i Planowania Rodziny, August 25, 2003), accessed May 15, 2024, https://federa.org.pl/wp-content/uploads/2017/06/ponad-granicami.pdf;

https://www.facebook.com/watch/live/?ref=watch\_permalink&v=500574087758817; Fundacja Rzecz Kobiet i Planowania Rodziny and Ponton, "25 lat przemocy instytucjonalnej wobec kobiet – walka o prawa reprodukcyjne trwa!," interview by Karolina Domagalska, X Kongres Kobiet, *FEDERA* (Łódź, Poland, May 7, 2018), https://federa.org.pl/kongres-kobiet-2018/.

securitisation strategies as well as the socio-cultural context of Poland in the 1990s.<sup>70</sup> One publication from 1997, "Same o Sobie", contains detailed accounts from Polish women activists and feminists describing their reason for engaging in the women's movement, their experiences in activism, as well as what the term "feminism" means to them.<sup>71</sup> Several of FEDERA's founding members are contributing authors and the publication provides considerable insight and nuance to the challenges they faced as securitising actors in Poland's nascent democracy. Additionally, interviews sourced from the Poland site page of the University of Michigan's Global Feminisms Project have been used to assist in the chronologising of the early events of the abortion debate and situating FEDERA's collaboration with other prominent Polish feminists.<sup>72</sup> Locating FEDERA within the international political sphere will be conducted by combining analysis of its securitising attempts at the NGO forums that ran parallel to the UN world conferences with the official UN conference reports. Publications from the forums have been made available online by the Center for Women's Leadership,<sup>73</sup> while documents pertaining to UN conferences, resolutions, conventions and meetings have been sourced from the UN's official online document archives.

<sup>70</sup> KARAT Coalition for Regional Action, "Regional Report on Institutional Mechanisms for the Advancement of Women in the Countries of Central and Eastern Europe: 43rd session of the United Nations Commission on the Status of Women," ed. Pavlina Filipova et al., *Karat Coalition*, 1999, accessed March 10, 2024, https://www.karat.org/wp-content/uploads/2012/09/Regional-Report-on-Institutional-Mechanisms.pdf; Karat Koalicja, "Stowarzyszenie Kobiet na rzecz Równego Statusu Płci – Pekin 1995," Karat, accessed March 10, 2024, https://www.karat.org/pl/stowarzyszenie-kobiet-pekin-95/; Społeczny Komitet Organizacji Pozarządowych - Pekin 1995, "Sytuacja Kobiet w Polsce: Raport organizacji pozarządowych," *Karat Coalicja*, March 1995, accessed February 10, 2024, https://www.karat.org/pliki/wp-content/uploads/2016/06/Sytuacja\_kobiet\_w\_Polsce\_1995.pdf. <sup>71</sup>Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami."

<sup>&</sup>lt;sup>72</sup> Agnieszka Graff, "Global Feminisms Comparative Case Studies of Women's Activism and Scholarship: Site: Poland," interview by Sławomira Walczewska and Beata Kozak, *The Global Feminisms Project*, https://sites.lsa.umich.edu/globalfeminisms/wp-

content/uploads/sites/787/2020/05/Graff\_P\_P\_102806.pdf; Barbara Labuda, "Global Feminisms Comparative Case Studies of Women's Activism and Scholarship," interview by Sławomira Walczewska, *Global Feminisms Project*, November, 2003, https://sites.lsa.umich.edu/globalfeminisms/wpcontent/uploads/sites/787/2020/05/Labuda\_P\_P\_102806.pdf.

<sup>&</sup>lt;sup>73</sup> Charlotte Bunch and Niamh Reilly, eds., *Demanding Accountability: The Global Campaign and Vienna Tribunal for Women's Human Rights, Choice/Choice Reviews* (New Brunswick: Center for Women's Global Leadership; New York: United Nations Development Fund for Women, 1994),

https://cwgl.rutgers.edu/docman/coalition-building-publications/283-demand-accountability/file; Center for Women's Global Leadership et al., eds., *from Vienna to Beijing: the Cairo Hearing on reproductive health and human rights, NGO Forum Series on Human Rights Dimensions of Reproductive Health* (Center for Women's Clobal Leadership, 1995), https://www.cwgl.rutgers.edu/docman/cwglpublications-video/303-cairo/file.

The greatest limitation of this research is the lack of archival material that has been made available from this period, as very few of FEDERA's documents before 2016 have been made publicly available. The undertaking of this project coincided with the first term of a new coalition government of parties in Poland that ousted the former rightwing government PiS. Two of these parties, the centrist Civic Coalition (Koalicja *Obywatelska*) and the Left (*Lewica*), included a pledge to legalise abortion in their campaign, while the third more conservative party – Third Way (*Trzecia Droga*) – firmly oppose the policy and instead wish to hold a referendum on the decision to legalise the procedure.74 Consequently, FEDERA has been involved in heavy campaigning and advocacy that have prevented the organisation from providing timely access to archival documents. Additionally, Polish state archives do not contain any information about FEDERA from the period of the 1990s due to the political nature of the post-communist regime, as disclosed by a state archival specialist:

Despite the volatility of political conjunctures, women's rights, including reproductive freedom, were opposed by the conservative – still numerous – part of society. This resulted in the marginalisation of these issues in public life and a chronic crisis of confidence between the governmental administration and the feminist movement. That is why, we know nothing about FEDERA.75

Regardless of the challenges in the primary source material, the author incontrovertibly sees value in this period of study in order to challenge the prevalent view of Polish feminisms as "lacking" and provide critical analysis of the effects that the legacy of Cold War dichotomies, neoliberal institutions, and nationalist tendencies had on Polish women's ability to mobilise.

All translations are the author's own.

## **Structure**

The paper shall be structured broadly in a chronological manner and divided according to the nature of FEDERA's securitisation. Composed of three chapters, the first chapter shall account for FEDERA's capacity to securitise abortion in the national setting,

<sup>&</sup>lt;sup>74</sup> Marta Kasztelan, "Abortion in Poland: Will the New Government Legalize the Procedure?," *Foreign* Policy, February 12, 2024, accessed May 6, 2024, https://foreignpolicy.com/2024/02/12/polandabortion-rights-pro-choice-election-coalition-pis-law-ban/.

contextually and historically situating the topic of abortion and feminism in relation to the legacy of communism as well as the crucial role of the Church and history of occupation in Poland's past. Consequently, this chapter will illustrate the effects that the revival of nationalism had on gender issues in combination with intensifying religious influence in the political sphere, and how these served as the trigger for feminist mobilisations and the creation of FEDERA.

The second chapter will focus on delineating FEDERA's securitisation attempts in the international political arena, providing a brief historical account of the global normative paradigm of women's rights as human rights that evolved throughout the latter half of the twentieth century. Analysis of FEDERA's strategies to securitise abortion will therefore be conducted in parallel to how the topic of abortion was portrayed in international discourse and how it featured as the pinnacle of conflict in the debate over liberal human rights versus traditional conservative interpretations of rights.

The final chapter will be dedicated to the analysis of FEDRA's activism within a transnational context; operating outside the realm of "official" politics, this chapter will aim to elucidate the process through which FEDERA sought to actively carve out its shape in transnational feminisms and how this affected the nature of their attempts to securitise the issue of abortion.

# I. The Origins of FEDERA

The fight for abortion rights has been enmeshed within a complex set of debates over Polish identity which emerged following its independence in 1989. Poland was previously the second country in the world after the Soviet Union to legalise abortion in cases of danger to the life or health of the women, incest or rape in 1932, the legislation for which then expanded in 1956 to include medical and social reasons in 1956 under the Communist regime.<sup>76</sup> Women were able to cite "difficult living conditions" as justification to seek abortion, and essentially were able to acquire access to the service on demand, through public or private facilities.<sup>77</sup> The Anti-Abortion Act of 1993 almost entirely reversed this policy, allowing for pregnancies to be terminated only in the rarer cases of rape, incest, foetal abnormalities or threats to a woman's life, resulting in a de facto blanket ban on abortion that carried with it major public health threats in terms of reproductive health and rights.<sup>78</sup> The first chapter will initially situate the topic of abortion within its cultural and historical context, delineating the pivotal role played by the Church and the legacy of communism in shaping contemporary debate, before turning to analysis of how these dynamics led to the creation of FEDERA and how they affected the organisation's ability to securitise the right to abortion.

#### The Church and Abortion

Poland differed from other Eastern bloc states in that the Catholic Church had retained much of its autonomy despite the staunch atheistic principles of the Soviet ideology, and as such the institution of the Church was able to continue to exert influence due to its strong national connotations and associations with Polish identity. This powerfully symbolic relationship between Roman Catholicism and Poles dates back to Poland's

<sup>&</sup>lt;sup>76</sup> The 1932 penal code allowed for the termination of pregnancy at any stage if it resulted from a criminal act (rape or incest) or endangered a woman's health or life. During the Nazi occupation of Poland, Nazi law allowed abortions on request for Polish women from 1942 to 1945, the only period in Polish history when it was officially legal to do so. For a detailed historical and socio-political chronology of Poland's abortion law, see Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland."

<sup>&</sup>lt;sup>77</sup> Julia Hussein et al., "Abortion in Poland: Politics, Progression and Regression," *Reproductive Health Matters* 26, no. 52 (2018): 11–14, https://doi.org/10.1080/09688080.2018.1467361.

<sup>&</sup>lt;sup>78</sup> Ibid.; Kancelaria Sejm, "Planowanie rodziny, ochrona płodu ludzkiego i warunki dopuszczalności przerywania ciąży," report, Internetowy System Aktów Prawnych (Sejm, January 7, 1993), accessed March 25, 2024,

https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19930170078/U/D19930078Lj.pdf.

conversion to Catholicism in 966 CE by King Mieszko I, and the unique role of the Church in Polish culture as the bearer of Polish national identity subsequently evolved most drastically under periods of foreign occupation. The partitioning of Poland by Prussia, Russia, and Austria between 1795 and 1918 served to intensify patriotic and religious discourse, and its independence in 1918 resulted in a heightened sense of religious fervour and identification with the Church portrayed as a symbolic beacon of freedom.<sup>79</sup> As a consequence, "[t]he Church was historically well woven into the nation's fabric, had suffered with the people and contributed to their resistance in World War II".<sup>80</sup> Within this paradigm the role of woman is prescribed to the traditional figure of *Matka* Polka, whose inherent value lies in her ability of martyrish self-sacrifice and to bear children. Closely resembling the ideals of the Madonna, upon which Polish religiosity centres somewhat heavily, the suffering Polish woman is tasked with the preservation of Poland's national identity while the men fight for its survival against foreign invaders.<sup>81</sup> Consequently, traditional patriarchal gender roles in Poland are heavily implicated with the country's historical struggle for independence, a feature that Polish and Western scholars alike have considered an impediment to the development of a strong feminist movement in Poland.<sup>82</sup>

The view of the Polish Church as the defender of rights thus carried on into the struggle against Soviet rule in the period of state socialism from 1947 to 1989. In the post-war years during Stalin's rule the authorities attempted to restrict the influence of the Church, arresting hundreds and even killing some priests and activists.<sup>83</sup> As stressed by anthropologist Joanna Mishtal, however, under state socialist rule the Church coexisted with the Communist regime. Poles' strong connection with Roman Catholicism led to a strategic adaptation on the state's part to allow its existence in order to maintain a sense of stability in the post-war climate, and conversely, the Church relied on the state

<sup>81</sup> Matynia, "Polish Feminism Between the Local and the Global: A Task of Translation," 199;

<sup>&</sup>lt;sup>79</sup> Mishtal, *The Politics of Morality: The Church, the State, and Reproductive Rights in Postsocialist Poland*, Ch1., pg. 2–3.

<sup>&</sup>lt;sup>80</sup> Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland," 1277.

Bystydzienski, "The Feminist Movement in Poland: Why So Slow?," 501–502.

<sup>&</sup>lt;sup>82</sup> Graff, "Lost Between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland," 104; Bystydzienski, "The Feminist Movement in Poland: Why So Slow?," 501–502.

<sup>&</sup>lt;sup>83</sup> Wanda Nowicka, "Roman Catholic Fundamentalism Against Women's Reproductive Rights in Poland," *Reproductive Health Matters* 4, no. 8 (November 1996): 21–29, https://www.jstor.org/stable/25066112.

for its survival under socialism.<sup>84</sup> The Church therefore maintained its role as the symbolic beacon of hope and freedom for the Polish people, strengthening its position of legitimacy in Polish society.<sup>85</sup> Religious piety and the authority of the Church was further consolidated upon the election of Polish archbishop Karol Wojtyła as Pope John Paul II (1978–2005), who became a vital figure of national pride for Poles.<sup>86</sup> Fourteen months after the Pope's extended visit to Poland, during which he espoused the "Christian character" of Poles and the inviolability of human rights to vast audiences, the 1980 shipyard worker strikes broke out in Gdańsk.<sup>87</sup> A curious development in alliances thus emerged in 1980 as trade unionists, workers, the intelligentsia, and the Catholic Church came together to form the most long-standing and organisation opposition to the authoritarian regime, demanding higher wages, the retraction of price hikes, and the right to create a truly independent trade union – Solidarity.<sup>88</sup> A new seam was woven into the historical fabric of the Church, reinforcing its position as the guardian of Polish freedom through its partnership with the Solidarity movement.

Taking advantage of the political turmoil crescendoing throughout the 1980s, the Church embarked upon a campaign for the "moral and societal renewal of the nation", which included labelling the so-called "communist law" on abortion as "ungodly" and advocating for the legal protection of foetal life.<sup>89</sup> In this manner, the communist authorities were depicted as enemies of the Polish nation and abortion was framed as an "act of anti-Polish communist biopolitics".<sup>90</sup> As elucidated by anthropologist Anika Keinz, throughout 1990s a dual framing of the past went underway, with the "good past" being Poland's pre-war independence movements, and the "bad past" being its socialist period;

<sup>&</sup>lt;sup>84</sup> Mishtal, *The Politics of Morality: The Church, the State, and Reproductive Rights in Postsocialist Poland*, Ch1., pg. 3–5; Robert E. Alvis, *White Eagle, Black Madonna: One Thousand Years of the Polish Catholic Tradition* (New York: Fordham University Press, 2016), 220–221. See Alvis' Ch. 9 "From Stalinism to Solidarity" for a rich account of the political position held by the Church during state socialism in Poland.
<sup>85</sup> Alvis, *White Eagle, Black Madonna: One Thousand Years of the Polish Catholic Tradition*, 230–235.
<sup>86</sup> Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland," 1277; Nowicka, "Roman Catholic Fundamentalism Against Women's Reproductive Rights in Poland," 21.

<sup>&</sup>lt;sup>87</sup> Sparked by the firing of Anna Walentynowicz, workers at the Gdańsk shipyard went on strike following an increase in food prises authorised by the Polish Communist Regime in response to a major economic crisis.

 <sup>&</sup>lt;sup>88</sup> Alvis, *White Eagle, Black Madonna: One Thousand Years of the Polish Catholic Tradition*, 235–238.
 <sup>89</sup> Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland." 1277.

<sup>&</sup>lt;sup>90</sup> Bucholc, "Abortion Law and Human Rights in Poland: The Closing of the Jurisprudential Horizon," 73– 99.

the "communist" abortion law crystallised as the crux over which these histories and values conflicted. One of FEDERA's founding members, Ewa Dabrowska-Szulc, surmised that "Polish celebrity feminists don't talk about the fact that in the PRL<sup>91</sup> women gave birth when they wanted to, and not when they had to, because speaking well of the past political system is badly seen."92 Those seeking the liberalisation of abortion laws were termed "post-communist" and perceived as anti-Polish.93 Such charged sentiment also holds separate historical connotations dating back to the Nazi occupation of Poland during World War II, during which the Nazi regime legalised abortion on demand with the intent of limiting the fertility of Poles.<sup>94</sup> Consequently, the concept of abortion is steeped in negative sentiment associated with foreign occupation, oppression, and physical elimination, serving as a metaphor for the fundamental threat to the existence of the Polish nation. The woman was therefore identified as the "preserver of the nation", associating the subject of her reproductive rights with Poland's renewed national identity as a nascent democracy and functioning as a way for conservatives to bridge individual rights with the nation's moral (religious) values.<sup>95</sup> The debate over abortion thus transgressed into a battle of values in which the issue of abortion became its frontline.

#### "Feminism" and Communism?

When the first free elections were held in Poland in June 1989, head of Solidarity and devout Catholic Lech Wałęsa bowed to pressure from the Church and gave his endorsement for the advancement of legislation to de-legalise abortion.<sup>96</sup> As elucidated by FEDERA's founder, Polish politician and activist Wanda Nowicka, at the time, "[a] completely paradoxical situation has arisen - democracy in Poland, instead of enabling women to achieve real equality, has brought a threat to certain rights that women have

<sup>&</sup>lt;sup>91</sup> *Polska Rzeczpospolita Ludowa*, or Polish People's Republic, was the name of the former socialist state from 1947 to 1989.

<sup>&</sup>lt;sup>92</sup> Ewa Dąbrowska-Szulc and Agnieszka Mrozik, "Poland: 'To Regain the Right to Decide for Ourselves,'" Europe Solidaire Sans Frontières, January 12, 2021, accessed April 5, 2024, https://www.europesolidaire.org/spip.php?article56450.

<sup>&</sup>lt;sup>93</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 41–42.

 <sup>&</sup>lt;sup>94</sup> Szelewa, "Killing 'Unborn Children'? The Catholic Church and Abortion Law in Poland Since 1989," 745.
 <sup>95</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 41.

<sup>&</sup>lt;sup>96</sup> Kulczycki, "Between a Rock and a Hard Place: Abortion, Catholicism, the Populist Right and Public Health Threats in Poland," 1278.

already managed to gain".<sup>97</sup> Yet an unintentional consequence of these conservative curtailments was that they served as the trigger for feminist mobilisations. The concept of "feminism" however, has complex associations within Polish culture. To provide a more nuanced understanding of the challenges FEDERA faced as a securitising actor, the following section shall briefly historically situate the notion of feminism and its relationship with civil society and the state socialist system.

Civil society had been repressed under communist rule to varying degrees under state socialism, which Fuszara argues constrained the women's movement during the twentieth century and continued to frustrate women's rights activists post-1991.<sup>98</sup> In Poland, women's organisations had flourished in the interwar period, with over eighty established that varied considerably in both their goals and structure. The end of World War II drastically changed the trajectory of these feminist movements, as the communist authorities abolished many of the NGOs, and grassroots movements were substituted for institution-approved organisations.<sup>99</sup> The primary women's organisation operating under the state's mandate was the Women's League<sup>100</sup>, a founding member of FEDERA, and formerly known as the *Społeczno-Obywatelska Liga Kobiet* (Social-Civic League of Women).<sup>101</sup> There is contention with regards to the organisation's origins, as some consider it to have been a separate organisation established under the Communist regime while others locate it in the pre-war women's independence movement.<sup>102</sup> As stated on the League's history page:

The organisation entered independent, post-war Poland in August 1945, initially under the name Socio-Civic Women's League, thus referring to the patriotic women's organisation established in 1913 ... The political changes of the 40s and

<sup>&</sup>lt;sup>97</sup> Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami," 71.

<sup>&</sup>lt;sup>98</sup> Matynia, "Provincializing Global Feminism: The Polish Case," 522–523.

<sup>&</sup>lt;sup>99</sup> Fuszara, "Between Feminism and the Catholic Church: The Women's Movement in Poland," 1063. <sup>100</sup> The League of Polish Women is commonly referred to both as "Women's League", or "League of Women" and thus the terms are used interchangeably within this paper.

<sup>&</sup>lt;sup>101</sup> Małgorzata Dajnowicz, "Działalność Ligi Kobiet W Latach 1945–1989. Obszary Aktywności Na Przykładzie Struktur Gdańskich I Łódzkich," *Czasopismo Naukowe Instytutu Studiów Kobiecych* 2, no. 15 (2023): 91–92, https://doi.org/10.15290/cnisk.2023.02.15.05.

<sup>&</sup>lt;sup>102</sup> See a detailed account of the points of contention regarding the organisation's origins in Barbara A. Nowak, "Serving Women and the State: The League of Women in Communist Poland" (PhD dissertation, The Ohio State University, Columbus, 2004), 21–30,

 $https://etd.ohiolink.edu/acprod/odb\_etd/ws/send\_file/send?accession=osu1091553624\&disposition=in\ line.$ 

50s in the 20<sup>th</sup> century left their mark on the Women's League through the ideologization of the organisation and manipulation of women.<sup>103</sup>

The self-portrayal of the Women's League as entirely under the ideological control of the past regime is illustrative of Keinz's dual framing mechanism, depicting all that is associated with state socialism as negative and actively denying any form of autonomy for the members of the organisation. A significant consequence is the eradication of the contributions that women had made to women's welfare under state socialism from social history. The predominant narrative of most historical studies depicts the socialist state as a monolithic and totalitarian entity with little to no autonomy for its citizens to act on their own behalf, with women's organisations frequently portrayed negatively in the role of "state agents".<sup>104</sup> More recently efforts have been made by scholars seeking to provide a more nuanced and complex account of women's activism under state socialism, and Polish scholars such as Barbara Nowak and Małgorzata Dajnowicz have demonstrated that despite the Women's League's direct connections to the Polish communist party, it did retain some degree of autonomy and act on behalf of women.<sup>105</sup> The League's past activities included the establishment of childcare facilities, assistance in finding employment, and protective labour legislation, policies which feminists in the west were fighting for in the mid-twentieth century.<sup>106</sup> Irrespective of the benefits such policies may have had however, the perception holds that these were formulated primarily to satisfy the socialist pledge to women and serve the regime's own interests. The resultant effect has been characterised by Graff as an inherent mistrust of "official" politics due to the communist regime's monopoly over politics and degradation of the open political sphere that persisted well into the years following its demise.<sup>107</sup> The marked separation between civil society and the state left by state socialism thus arguably pose an inherent barrier for women seeking to politically mobilise in its aftermath.

<sup>&</sup>lt;sup>103</sup> "Historia – Liga Kobiet Polskich," Liga Kobiet Polskich, accessed April 5, 2024, https://ligakobietpolskich.pl/historia-lkp/.

<sup>&</sup>lt;sup>104</sup> Barbara A. Nowak, "Serving Women and the State: The League of Women in Communist Poland", 2.
<sup>105</sup> Ibid.; See Nowak's "Serving Women and the State: The League of Women in Communist Poland" for a comprehensive overview of the functioning of the League of Women between 1945 and 1989; See, for example Dajnowicz, "Działalność Ligi Kobiet W Latach 1945–1989. Obszary Aktywności Na Przykładzie Struktur Gdańskich I Łódzkich".

 <sup>&</sup>lt;sup>106</sup> Nowak, "Serving Women and the State: The League of Women in Communist Poland," 31–32.
 <sup>107</sup> Graff, "Lost Between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland," 108.

The state socialist system has been considered a significant impeding factor to the feminist movement in Poland by several scholars. The "artificial commitment to social justice" imposed by what many Poles regarded as a form of foreign occupation under Soviet rule has meant that the form of Marxist Feminism being espoused was also rejected by a significant number of women post-1989.<sup>108</sup> However, what complicated matters was that Western liberal feminism similarly held a bad reputation. Particularly as the CEE region began opening up to the West in the 1980s, "antifeminism became one of the most eagerly imported goods".<sup>109</sup> Paradoxically, feminism became stigmatised by being both a foreign "bourgeoisie ideology" and a "communist legacy", and the pejorative connotations held by the word "feminism" meant that many women engaged in a political career or in public life, which was very much male-dominated, actively distanced themselves from the term for fear that it would harm their career and status.<sup>110</sup> Consequently, in the Polish post-state socialist context the available ideological paradigms for women's equality failed to capture women's specific positionality, with both liberal and Marxist traditions appearing as "foreign" and thus creating an intellectual barrier for post-socialist women's movements.<sup>111</sup> The legacy of communism, disillusionment with public politics, as well as the constraints of religious and cultural social norms, constituted factors preventing women from freely associating with feminist movements and being able to voice their insecurities, thus creating an inherent "security as silence" dilemma for women in Poland.

#### **First Stages of the Campaign**

Notwithstanding the challenging political environment, the changes of 1989 presented new opportunities for political engagement in civil society and indeed, in their aftermath, over 300 women's rights NGOs and informal associations blossomed into existence in

<sup>&</sup>lt;sup>108</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 42–49.

<sup>&</sup>lt;sup>109</sup> Graff, "Lost Between the Waves? The Paradoxes of Feminist Chronology and Activism in Contemporary Poland," 105.

<sup>&</sup>lt;sup>110</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 44; Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami," 78.

<sup>&</sup>lt;sup>111</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 45.

Poland.<sup>112</sup> For FEDERA founder Wanda Nowicka, "[t]he desire to act was born out of dissatisfaction. I actively supported the democratic transformations in our country, but unfortunately, it quickly turned out that they had some negative consequences for women - this motivated me to act."113 Alongside Aleksandra Solik, Nowicka initially founded the association "Neutrum", an organisation advocating for a secular state. However, once criminalising abortion became a priority in political debate and the first set of legislation restricting the procedure was enacted in 1990,<sup>114</sup> the impetus grew to establish a common platform to fight for women's right to abortion, and five different organisations coalesced to form FEDERA in 1991.<sup>115</sup> These organisations varied significantly, however, as some of them "described themselves as feminist, which was perceived as something very radical at the time", "others were not even women's organisations", and one was a women's Christian association.<sup>116</sup> The League of Women, as previously stated, had ties to the former communist regime and thus created distrust in the eyes of many women's groups that often refused to form alliances where the League was included.<sup>117</sup> However, as stated by Nowicka, the common point of reference was "the relationship between the state and the Church. They saw the Church's interference in women's private lives as a violation of the separation of Church and State."<sup>118</sup> Despite the differences in the functions and aims of the individual groups, the indubital uniting factor "was the conviction that only the woman, and not the state, should decide about herself and the fate of her pregnancy",<sup>119</sup> serving as the impetus for the organisations to coalesce "across the divide" and form one of the first coalition-style associations.<sup>120</sup> The process of subsuming for FEDERA in the national context was thus largely beneficial in forming a united collective to fight for the right to abortion.

<sup>115</sup> See appendix for description of constituent members of FEDERA.

<sup>&</sup>lt;sup>112</sup> Fuszara, "Between Feminism and the Catholic Church: The Women's Movement in Poland," 1064–1065.

<sup>&</sup>lt;sup>113</sup> Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami," 71.

<sup>&</sup>lt;sup>114</sup> A Ministerial Executive Order passed in 1990 introduced a stricter procedure for the legal termination of pregnancy. By December 1991, the Supreme Chamber of Medicine determined abortion to be legal only on medical grounds or if the pregnancy was the result of a crime, see Dorota Szelewa, "Killing 'Unborn Children'? The Catholic Church and Abortion Law in Poland Since 1989," 741–64.

<sup>&</sup>lt;sup>116</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 4–5; See appendix for description of FEDERA's members.

<sup>&</sup>lt;sup>117</sup> Bystydzienski, "The Feminist Movement in Poland: Why So Slow?," 504.

<sup>&</sup>lt;sup>118</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 5.

<sup>&</sup>lt;sup>119</sup> Ibid.

<sup>120</sup> Ibid.

The chief task of the young FEDERA was the prevention of the introduction of a restrictive abortion law which was being visibly and aggressively campaigned for by the Catholic Church.<sup>121</sup> They did so primarily through protest actions in the form of demonstrations, petitions, and street protests, though not without reprisal.<sup>122</sup> In one instance during a demonstration, protesting women were subject to verbal abuse by people coming out of a Church calling them "Stalinist bitches", serving as a clear illustration of the inability for women to voice their insecurities for fear of physical or verbal threat.<sup>123</sup> The explicit choice of a derogatory gendered term paired with the former communist dictator signals illustrates the political connotations being associated with the pro-abortion stance that made FEDERA's mission inherently more challenging. It is worthwhile to note that in 1992, 47% of Poles supported the right to abortion if the woman was facing difficult financial conditions, and the vast majority supported it in cases of risk to the woman's life or health, as a result of rape or incest, or in cases of severe disabilities of the child.<sup>124</sup> In this same year FEDERA became involved in the Bujak Committees (Komitety Bujaka), social committees that were set up to counter the proposal submitted to the Sejm to ban abortion by seeking a nationwide referendum on the criminalisation of abortion.<sup>125</sup> There was great enthusiasm for the action; people collected signatures in the streets, at shops, at work, and these efforts resulted in over 1.7 million signatories – a notable feat. Many of these individuals expressed their opposition to the blatant disregard for public opinion by the government that appeared to abrogate its apparent staunch commitment to democratic values. Unfortunately, as lamented by Nowicka, "what appeared to be the seed of a real social movement, resulted in being its apogee."<sup>126</sup> Lech Wałęsa said he would not support a referendum, the Sejm rejected the request, and following several debates over wording, the 1993 Anti-Abortion Act was passed.127

<sup>127</sup> Ibid.

<sup>&</sup>lt;sup>121</sup> "SPOTKANIE ONLINE: 30 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny... i Co Dalej?"

<sup>&</sup>lt;sup>122</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 18.

<sup>&</sup>lt;sup>123</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 42.

<sup>&</sup>lt;sup>124</sup> Marta Bożewicz, "Stosunek Polaków do aborcji," *Centrum Badania Opinii Społecznej* (Centrum Badania Opinii Społecznej, April 2023), accessed March 28, 2024, 4–5,

https://www.cbos.pl/SPISKOM.POL/2023/K\_047\_23.PDF.

<sup>&</sup>lt;sup>125</sup> Fundacja Rzecz Kobiet i Planowania Rodziny and Ponton, "25 lat przemocy instytucjonalnej wobec kobiet – walka o prawa reprodukcyjne trwa!"

<sup>&</sup>lt;sup>126</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 6.

#### **Right to Abortion**

The passing of the 1993 Act marked a transformation of the character of FEDERA's advocacy; the organisation's mission remained the same – the fight for women's right to legal abortion – nevertheless, it was no longer working to prevent an abortion ban, but rather fighting for the law's liberalisation. The severity of the circumstances had drastically increased, as it became apparent that the enforcement of the 1993 Act would be undertaken in a much more restrictive manner than its provisions implied, creating the phenomenon of the so-called "chilling effect" which caused doctors to be fearful of performing abortions even in cases where it was legal.<sup>128</sup> Women who should have therefore been legally entitled to abortion were virtually unable to access the procedure, posing a significant risk to their health and lives. Yet a stark challenge at the time of FEDERA's initial conception was no such overarching concept as "reproductive rights" existed which would have formed the basis for advocating for the right to abortion. Discourse was framed in terms of the right to abortion, contraceptives, and sexual education, and there was no appeal to the rights of women or notions of human security. For securitisation theory's requisite of the "speech act" to occur in voicing insecurity, the lack of any normative or linguistic framework to appeal to posed an inherent challenge for FEDERA in attempting to securitise the right to abortion. Wanda Nowicka stated the following in an interview in 2011:

... it was a major novelty in political and public discourse, because until then, abortion was not a political issue, but a medical and social one. The issue was practically non-existent in the public consciousness, and even in church circles it was a marginal issue ... Suddenly, it turned out that for some social groups, the protection of the foetus was a matter of the utmost importance for the new statehood.<sup>129</sup>

A highly problematic situation had emerged with the Church embarking upon a campaign to establish Catholicism within the fabric of the new state; general language and official discourse began to shift under the influence of the Church as exemplified by the replacement of the word "foetus" by "conceived child" or "unborn child", presenting

<sup>&</sup>lt;sup>128</sup> Ibid., 4–7; Szelewa, "Killing 'Unborn Children'? The Catholic Church and Abortion Law in Poland Since
1989," 755.
<sup>129</sup> Ibid.

abortion as tantamount to the killing of a child.<sup>130</sup> FEDERA was therefore tasked with disassociating the right to abortion from the emerging socio-religious narrative that connected it with anti-nationalism. Within the context of a nation that viewed itself as the victim of nearly 150 years of foreign occupation, such socio-cultural circumstances indubitably hindered FEDERA's ability to securitise the right to abortion. Indeed, FEDERA's work for legal abortion – the most contentious and visible part of their advocacy – made the organisation vulnerable to personal attacks in the form of abusive phone calls or threatening letters. The risk of speaking security for its members was high, with Nowicka stating in an interview that "[t]here were times when we felt very threatened."<sup>131</sup> These threats would occasionally materialise, as they did in November 1994, when following a threatening call to Nowicka FEDERA's offices were broken into and robbed. The message was clear, however, as the robbers "didn't just unplug the phones and take them – they cut the wires, as if they would disconnect us from the world"<sup>132</sup>, signalling the intent to silence the work of FEDERA and its activists, and presenting a clear manifestation of the security as silence dilemma.

FEDERA's members were not fully aware of the difficulty that they would have in overturning the new law at the time. In 1994, the organisation supported work on drafting an amendment that would allow social grounds as a reason for terminating pregnancy which was then submitted to the Sejm and voted through largely because it was a majority left in the parliament. This first attempt fell through upon then-President Wałęsa's veto of the bill.<sup>133</sup> The second attempt was made in 1996 in close collaboration with the Labour Union (*Unia Pracy*) and some members of the Freedom Union (*Unia Wolności*). Once again, following a heated debate, the Sejm passed the amendment permitting termination of pregnancy for social reasons. This time left-leaning incumbent President Aleksander Kwaśniewski, who had been voted in by a narrow margin in 1995, signed the amendment to law. The success was fleeting, however, as shortly after the law was passed Solidarity challenged it before the Constitutional Court. The law was in place

<sup>&</sup>lt;sup>130</sup> Dorota Szelewa, "Killing 'Unborn Children'? The Catholic Church and Abortion Law in Poland Since 1989," 741.

<sup>&</sup>lt;sup>131</sup> Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami," 75.

<sup>&</sup>lt;sup>132</sup> Peggy Simpson, "Poland's Morning After," *On The Issues Magazine* (blog), April 17, 1995, accessed April 10, 2024, https://ontheissuesmagazine.com/gender/polands-morning-after/.

<sup>&</sup>lt;sup>133</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 7.

for one year before the Court ruled that aborting pregnancies on social grounds was unconstitutional and repealed it, leaving in place the 1993 Anti-Abortion Act for the next two decades.<sup>134</sup>

## Summary of Findings

The Church's vigorous campaign to illegalise abortion in Poland's budding democracy acted as the trigger for women to galvanise and counter its expanding influence. FEDERA's national campaign for the right to abortion was marked by a challenging political environment which demonised feminism as a foreign ideology and associated abortion with an act of anti-Polish biopolitics. Unequipped with the appropriate normative framework to draw upon for "speaking" security, FEDERA was largely unable to securitise the right to abortion, instead channelling efforts into seeking an overturn or liberalisation of the 1993 Anti-Abortion Act. Yet the prevailing strength of the new conservative regime countered its efforts; despite widespread public support for retaining the right to abortion, the unmaneuverability that FEDERA had in seeking to effect change through channels within the realm of the "normal" political procedure illustrates the difficulty that women's rights groups have when seeking to effect change in a masculinised political regime.

<sup>&</sup>lt;sup>134</sup> Ibid.

# II. International Norms & Conferences

The end of the Cold War brought with it fresh optimism for the future of international norms and cooperation, and nowhere was this more evident than in the realm of women's rights. Throughout the 1990s a series of global conferences was hosted by the UN which led to the paradigm of "women's rights as human rights" being formally enshrined in international politics. The World Conference on Human Rights in Vienna, 1993, the International Conference on Population and Development (ICPD) in Cairo, 1994, and the Fourth World Conference on Women (FWCW) in Beijing, 1995, each held women's rights issues as the explicit focus or forming a significant part of the discussions and key outcomes and brought together a rich variety of women's rights activists from all over the world. The following chapter shall delineate the evolution of the international normative framework of women's rights and "reproductive rights", and consequently FEDERA's attempts to utilise the platforms of international conferences to employ the newly established language of women's rights to securitise Polish women's right to abortion.

#### **Elimination of Discrimination Against Women**

The watershed development for women's rights in the international arena was the culmination of decades of efforts made by women activists throughout the latter half of the twentieth century that drew significantly upon socialist and anti-colonial interpretations of equality and the right to self-determination.<sup>135</sup> To provide a more nuanced understanding of the human rights framework that became instrumental to FEDERA's advocacy, the subsequent section shall briefly outline its origins. In 1979 the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) was adopted by the UN General Assembly. Often described as the international bill of rights for women, the CEDAW was the first treaty of its kind to define what constitutes discrimination against women and establish requirements for countries to achieve its elimination.<sup>136</sup> It is imperative to note that the origins of CEDAW were the result of the

<sup>&</sup>lt;sup>135</sup> Donert, "Women's Rights as Human Rights After the End of History," 862.

<sup>&</sup>lt;sup>136</sup> UN General Assembly, "Convention on the Elimination of All Forms of Discrimination Against Women" (United Nations, Treaty Series, vol. 1249, p. 13, December 18, 1978), accessed April 8, 2024,

https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women.

initiative and collaboration of Third World and Second World countries. On the 5th of December 1963, eighteen Third World countries, three former socialist countries, and a neutral Austria submitted a resolution to the General Assembly requesting the ECOSOC to invite the Commission on the Status of Women (CSW) to prepare a draft declaration on the elimination of discrimination against women – what would subsequently become to be known as the Declaration on the Elimination of Discrimination Against Women (DEDAW).<sup>137</sup> At the eighteenth session of the CSW in Tehran, 1965, following the General Assembly's resolution, female delegates from various countries and NGOs discussed the draft declaration submitted by Poland's delegate Zofia Dembińska.<sup>138</sup> Incorporating an original text produced by Ghanaian lawyer and CSW rapporteur Annie Jiagge and two working papers based on Poland's proposal provided by the CSW Chairman, María Lavalle Urbina of Mexico, the three women were largely credited with the creation of DEDAW, which was then adopted at the UN General Assembly in 1967 to later evolve as CEDAW.<sup>139</sup> Zofia Dembińska, a member of the CSW and part of the Polish delegation to the 1963 General Assembly, was also on the board of the Polish Women's League.<sup>140</sup> A vocal left-wing advocate for women's rights, despite Dembińska's pivotal role in crafting what would become the primary instrument for conventions and monitoring of human rights, her existence has largely been neglected as a consequence of the eradication of women's activism associated with the communist past.<sup>141</sup>

 <sup>&</sup>lt;sup>137</sup> Francisca De Haan, "The Global Left-Feminist 1960s: From Copenhagen to Moscow and New York," in *The Routledge Book of the Global Sixties*, ed. Chen Jian et al., 1st ed. (Abingdon: Routledge, 2018), 234.
 <sup>138</sup> UN Economic and Social Council, "COMMISSION ON THE STATUS ON WOMEN, 18TH SESSION : SUMMARY RECORD OF THE 417TH MEETING, HELD AT ROYAL HILTON HOTEL, TEHERAN ON WEDNESDAY, 3 MARCH 1965" (UN Official Document System, August 5, 1965), accessed April 8, 2024, https://documents.un.org/api/symbol/access?j=N6511913&t=pdf.

<sup>&</sup>lt;sup>139</sup> UN Commission on the Status of Women, "Commission on the Status of Women : report on the 18th Session, 1 to 20 March 1965," May 1965, accessed April 8, 2024, 23,

https://digitallibrary.un.org/record/766888/files/E\_4025\_E\_CN.6\_442-EN.pdf?ln=en; For a more comprehensive overview of Jiagge's contribution to the CEDAW and role in CSW see Ellen Chesler, "Who Wrote CEDAW?," in *Women and the UN: A New History of Women's International Human Rights*, ed. Rebecca Adami and Dan Plesch (London: Routledge, 2021), 104–24,

https://www.taylorfrancis.com/books/9781003036708; To see a broad historical overview of women's rights see the seminal work by Arvonne S. Fraser, "Becoming Human: The Origins and Development of Women's Human Rights," *Human Rights Quarterly* 21, no. 4 (November 1999): 853–906, https://doi.org/10.1353/hrq.1999.0050.

<sup>&</sup>lt;sup>140</sup> De Haan, "The Global Left-Feminist 1960s: From Copenhagen to Moscow and New York," 235; Małgorzata Dajnowicz, "The League of Women (Liga Kobiet) – the Conditions for Functioning of the Women's Organisation in the Communist System of the Polish People's Republic (in the First Period of the Organisation's Activity From 1945 to 1975)," *Czasopismo Naukowe Instytutu Studiów Kobiecych* 2, no. 9 (2020): 187–200, https://doi.org/10.15290/cnisk.2020.02.09.10.

<sup>&</sup>lt;sup>141</sup> In Agnieszka Mrozik's biography of Dembińska, she recounts how Dembińska lobbed the UN and World Health Organisation to intervene in the practice of female genital mutilation in some African countries, see Agnieszka Mrozik, "Zofia Dembińska - Zapomniana "Architektka PRL-u". Krytyczny

#### Women's Rights as Human Rights

Consequently, the CEDAW formed the cornerstone of many of the landmark declarations and conventions for women's rights and continues to be an important instrument today. The World Conference on Human Rights held in Vienna between the 14<sup>th</sup> and 25<sup>th</sup> of June 1993, significantly expanded the agenda of human rights to explicitly include genderspecific violations and called for the integration of women's human rights in international law. The Vienna Declaration and Programme of Action (VDPA) was adopted by the 171 states attending the conference and was subsequently endorsed by the UN General Assembly on the 20<sup>th</sup> of December, in which it was stated that "the human rights of women and of the girl-child are inalienable, integral and indivisible part of universal human rights".<sup>142</sup> The VDPA invoked many of the principles outlined by the 1979 CEDAW and called for the Convention's universal ratification by the year 2000.<sup>143</sup> Arguably, the efforts of Second World and Third World women contributed substantially to the evolution and near-universal acceptance of the assertion that women's rights are human rights.<sup>144</sup>

While the VDPA had endorsed the eradication of all forms of discrimination against women, it came under heavy criticism from women's rights activists and NGOs for failing to comprehensively address the widespread issue of violence against women. Several crucial themes had emerged at this point which drew urgent attention to the need to address the fundamental rights of women, including the systematic use of rape and sexual violence during the conflict in former Yugoslavia, an increase in human sex trafficking and sexual exploitation with the fall of the Iron Curtain, and the denial of women's reproductive rights in the name of cultural or religious practices. After years of lobbying, the Centre for Women's Global Leadership, founded by American feminist activist Charlotte Bunch, was able to bring together a consortium of women's rights groups and individuals to hold the Global Tribunal on Violations of Women's Human

Przyczynek Do Feministycznej Teorii I Praktyki Biograficznej W Polsce," *Teksty Drugie* 3 (2019): 262–65, https://doi.org/10.18318/td.2019.3.15.

<sup>&</sup>lt;sup>142</sup> The World Conference on Human Rights, "Vienna Declaration and Programme of Action" (UN Official Document System, July 12, 1993), para. 18, accessed April 8, 2024, https://documents.un.org/symbol-explorer?s=A/CONF.157/23&i=A/CONF.157/23\_1560235.

<sup>&</sup>lt;sup>143</sup> Ibid., para. 39.

<sup>&</sup>lt;sup>144</sup> Celia Donert, "Women's Rights and Global Socialism: Gendering Socialist Internationalism During the Cold War," *International Review of Social History* 67, no. S30 (March 10, 2022): 3, https://doi.org/10.1017/s0020859022000050.

Rights at the Vienna Conference. The Tribunal formed part of the wider Global Campaign for Women's Human Rights that intended to bring mainstream attention to female human rights abuses in an international forum and did so by providing testimonies from 33 women from 25 countries over the globe who had been subject to human rights violations.<sup>145</sup>

The Tribunal "gave vivid expression to the life and death consequences of women's human rights violations. It provided a graphic demonstration of how being female can be life-threatening, subjecting some women to torture, terrorism and slavery daily."146 With over 1,000 attendees at the day-long Tribunal, women of a variety of backgrounds were able to form a referent collective and securitise women's right issues by highlighting the abuse that they were experiencing in front of a significant audience. The theoretical implications of this, however, is that the requisite for securitising women's rights came to be located in the existence of gendered systematic violence. engaging in what feminist critics have termed the "militarisation" of human rights. Defining women's rights as a security matter ascribes it to the inherently patriarchal system and, correctly or not, associates it with violence and militarisms.<sup>147</sup> Nevertheless, the impact of the Tribunal was significant, and subsequent world conferences were heavily influenced by the work of these activists at Vienna. The wider Campaign continued throughout the 1990s, and it was through this medium that FEDERA was first able to gain access to international forums and establish connections with international women's organisations.

#### Securitising the Right to Abortion

The period of the 1990s also marked a shift away from earlier neo-Malthusian discourses of population control and towards a recognition of women's decision-making in reproductive health and sexual determination as a basic need and human right.<sup>148</sup> The ICPD in 1994 symbolised a landmark in the perception of sexual and reproductive health

<sup>&</sup>lt;sup>145</sup> Donert, "Women's Rights as Human Rights After the End of History," 871; Charlotte Bunch and Niamh Reilly, eds., *Demanding Accountability: The Global Campaign and Vienna Tribunal for Women's Human Rights, Choice/Choice Reviews* (New Brunswick: Center for Women's Global Leadership; New York: United Nations Development Fund for Women, 1994), 1–16, https://cwgl.rutgers.edu/docman/coalitionbuilding-publications/283-demand-accountability/file.

<sup>&</sup>lt;sup>146</sup> Ibid., 8.

<sup>&</sup>lt;sup>147</sup> Sjoberg, "What, and Where, Is Feminist Security Studies?," 144.

<sup>&</sup>lt;sup>148</sup> Donert, "Women's Rights as Human Rights After the End of History," 872.

after years of efforts of women's health and rights movements, formally introducing the concept of "sexual and reproductive health and rights" (SRHR) into the lexicon of international norms.<sup>149</sup> The recognition of reproductive rights as a fundamental human rights was formally recognised, defined by the ICPD Programme of Action as embracing "certain human rights that are already recognized in . . . international human rights documents and other consensus documents",150 implicitly referring to the VDPA alongside other core UN human rights treaties. It also outlined states' obligation to guarantee these rights, though not without significant controversy.<sup>151</sup> Within the Cairo Programme of Action, abortion was listed as part of the requirements for countries to make reproductive health accessible, and it was this topic which provoked the most contention at the conference. Echoing the sentiments of several Islamic and Catholic Latin American countries, the Holy See stated that "the Holy See affirms that human life begins at the moment of conception. That life must be defended and protected. The Holy See can therefore never condone abortion or policies which favour abortion."<sup>152</sup> The language of human security was therefore employed by actors from vastly conflicting standpoints, illustrating on a much larger scale the debate that was being held in Poland over principles of individual liberal rights against those of religious and cultural values. The result was that the ICPD failed to provide language demanding the universal right to legal abortion, instead resolving to require states that provided abortions to ensure that they were conducted safely and iterating that it should not be used as a method of fertility regulation.153

The Global Campaign for Women's Human Rights continued at the ICPD, this time hosting the Cairo Hearing on Reproductive Health and Human Rights. "I would like to testify in front of you on behalf of many Polish women who have suffered as a result of the anti-abortion law. I am sorry that none of them could come here to testify personally

https://digitallibrary.un.org/record/206701/files/A\_CONF-171\_13\_Rev-1-EN.pdf; Lucia Berro Pizzarossa, "Here to Stay: The Evolution of Sexual and Reproductive Health and Rights in International Human Rights Law," *Laws* 7, no. 3 (August 7, 2018), 1–6, https://doi.org/10.3390/laws7030029. <sup>150</sup> United Nations Population Fund (UNFPA), "Report of the International Conference on Population and Development, Cairo, 5-13 September 1994," 40 (para. 7.2)

<sup>&</sup>lt;sup>149</sup> United Nations Population Fund (UNFPA), "Report of the International Conference on Population and Development, Cairo, 5-13 September 1994," 1995, accessed April 10, 2024, 22–30,

<sup>&</sup>lt;sup>151</sup> Ibid.

<sup>&</sup>lt;sup>152</sup> Ibid., 143 (para. 27); See Ch. V for all reservations submitted by countries, 132–148.

<sup>&</sup>lt;sup>153</sup> Ibid., 42 (para.7.10); 46 (para.7.24); 57; Pizzarossa, "Here to Stay: The Evolution of Sexual and Reproductive Health and Rights in International Human Rights Law," 9.

in front of you."<sup>154</sup> This was the opening testimony made by Wanda Nowicka, representing the Polish Federation for Women and Family Planning at the NGO Forum on September 6<sup>th</sup>, 1994. Nowicka went on to describe the influence of the Roman Catholic Church in effecting the Anti-Abortion Law before turning to provide personal accounts of women who had been denied abortions after being raped or who had experienced psychological suffering as a result of their unwanted pregnancy, including at least six women who had committed suicide. She listed some of the methods women resort to self-induce an abortion, in which "women inject themselves with soap or iodine or perform irrigation using vinegar. Others, without medical advice, swallow various pills after having been told by someone that it might work. Women who have taken advantage of non-professional services often end up in the hospital for the 'cleaning up operation'."<sup>155</sup> Nowicka was thus able to portray the issue of lack of abortion rights in a manner which explicitly demonstrated its threat to women's lives and safety, as well as the national political climate which prevented activists from effecting any change locally.<sup>156</sup>

Alongside five other testimonies from women from Mexico, Nigeria, India, Egypt, and the United States, these speeches intended to highlight the severity of the issues at stake at the UN conference. The testimonies were deeply personal and emotionally evocative, recounting graphic details of the experiences that these women, or those that they were representing, had endured.<sup>157</sup> Securitising the issue of abortion and reproductive rights thus formed a continuation of the Vienna Tribunal, with an explicit focus on sexual violence and violation of bodily integrity that placed women's rights in a paradigm which "circumscribed women's access to affirmative rights ... and made them eligible for aid only through their experience of victimization".<sup>158</sup> It is worthy to note that except for Wanda Nowicka, all of the women speaking at the forum were Third World women<sup>159</sup> citing the stories of their suffering as a result of systemic neglect and abuse as

<sup>&</sup>lt;sup>154</sup> Center for Women's Global Leadership et al., *From Vienna to Beijing: The Cairo Hearing on Reproductive Health and Human Rights*, 13.

<sup>&</sup>lt;sup>155</sup> Ibid., 14.

<sup>&</sup>lt;sup>156</sup> Nowicka spoke of first legal attempt to amend the law which Wałęsa had vetoed the previous Friday to the forum at Cairo.

<sup>&</sup>lt;sup>157</sup> Ibid., 18.

<sup>&</sup>lt;sup>158</sup> Donert, "Women's Rights as Human Rights After the End of History," 872, as quoted from Zain Lakhani, "Becoming Sexual Subjects: Rape and the Political Meaning of Violence in the Age of Human Rights" (PhDdissertation, University of Pennsylvania, 2014), 9.

<sup>&</sup>lt;sup>159</sup> The woman that spoke from the United States, Loretta Ross, was a political activist of Jamaican descent.

a result of their country's institutions or of racial discrimination through a platform provided by white Western activists. Such a construction alludes to older colonial discourses which present "native subjects" of backward civilisations in need of protection and moral reform and which Suchland argues has shaped the contemporary First World-Third World relationship as one between "benevolent patron" and a "needy recipient".<sup>160</sup> The absence of the Second World in this dichotomous framework thus resulted in Nowicka being involuntarily circumscribed and "subsuming" to the Third World postcolonial paradigm when securitising the issue of abortion rights, thereby arguably distorting the positionality of Polish women and the unique socio-political circumstances of the region.

Notwithstanding, the NGO Forum provided a valuable opportunity and platform for Nowicka to engage in a speech act in front of an audience and securitise the issue of abortion rights. Following her appearance at the ICPD Wanda Nowicka was launched into the public realm, previously having been known primarily in national circles, and the presence of FEDERA on the international stage significantly augmented.<sup>161</sup> FEDERA was therefore able to connect itself with the international social movement for women's health rights, gain access to a major platform with an international audience, and also actively partake in shaping the discourse on abortion rights. As a result of FEDERA's vocalisation of the accomplishments of the ICPD back in Poland, the terms "reproductive rights and health" and "unsafe abortion" were introduced into Polish public debate that previously had no formally translated equivalence, thus demonstrating the ability to effect change on national politics through securitising as a collective on the international stage.<sup>162</sup>

## The Fourth World Conference on Women

The FWCW held in Beijing, in 1995, was at the time the largest gathering of government and NGO representatives ever held. The Conference had an estimated 17,000 participants with representatives from over 189 governments, yet it was the parallel NGO Forum that

<sup>&</sup>lt;sup>160</sup> Suchland, "Is Postsocialism Transnational?," 844; Donert, "Women's Rights as Human Rights After the End of History," 872.

<sup>&</sup>lt;sup>161</sup> Simpson, "Poland's Morning After."

<sup>&</sup>lt;sup>162</sup> Grabowska et al., *Fifteen Years After Beijing: Platform for Action at the Crossroads*, 26.

broke all records and brought the combined number of participants to over 47,000.<sup>163</sup> The Chinese government employed a variety of techniques to exclude unwanted individuals and groups by rejecting visas, cancelling housing arrangements on short notice, and denying certain NGOs UN recognition. One tactic was the relocation of the NGO Forum; the Forum and Conference were intended to have been in the same city yet claiming to have found structural problems with the original site in the city centre, the Chinese authorities relocated it to Huairou, a city 70km north of Beijing. Naturally, this was expected to disrupt the interaction between the two meetings, yet some NGO observers and UN delegates still made the effort to travel to each other's sites.<sup>164</sup>

Where the paradigm "women's rights as human rights" became formally integrated into international discourse for the first time at the VDPA, it was not until Beijing that the term "gender" entered the language of international documents, thus shifting the debate over women's rights into new territory. The recognition of gender's complex relationship with dynamics of power and inequality had been slowly incorporated into the UN's framework, and with Vienna as a launching pad, these efforts culminated with the Beijing Platform for Action (BPfA).<sup>165</sup> The BPfA declared itself as "an agenda for women's empowerment",<sup>166</sup> reaffirming the principle of women's rights as human rights outlined in Vienna as well as upholding the CEDAW.<sup>167</sup> The document defined twelve "critical areas of concern" which contained references to two "megastrategies" for achieving gender equality: gender-balanced decision-making, requiring the active and equal participation of women in policy-making, and gender mainstreaming, the need for incorporating a gender perspective in all phases of policymaking.<sup>168</sup> It also crucially recognised the active engagement of national governments as

<sup>&</sup>lt;sup>163</sup> United Nations Department of Public Information, "The Four Global Womens' Conferences 1975 - 1995: Historical Perspective," UN Women, May 2000, accessed April 11, 2024,

https://www.un.org/womenwatch/daw/followup/session/presskit/hist.htm#:~:text=The%20Beijing% 20Conference%20was%20considered,including%20representatives%20of%20189%20governments. <sup>164</sup> Ruth P. Dawson, "When Women Gather: The NGO Forum of the Fourth World Conference on Women, Beijing 1995," *International Journal of Politics, Culture, and Society* 10, no. 1 (September 1996): 4–9, https://doi.org/10.1007/bf02765566.

<sup>&</sup>lt;sup>165</sup> Grabowska et al., *Fifteen Years After Beijing: Platform for Action at the Crossroads*, 5.

<sup>&</sup>lt;sup>166</sup> United Nations Specialised Conferences, *Beijing Declaration and Platform for Action, adopted at the Fourth World Conference on Women* (United Nations, 1995), accessed April 9, 2024, (para. 1), https://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf. <sup>167</sup> Ibid., 8 (para. 7).

<sup>&</sup>lt;sup>168</sup> Ibid., 16; Mona Lena Krook and Jacqui True, "Rethinking the Life Cycles of International Norms: The United Nations and the Global Promotion of Gender Equality," *European Journal of International Relations* 18, no. 1 (November 18, 2010): 112, https://doi.org/10.1177/1354066110380963.

well as local and global women's initiatives as an essential condition for the achievement of these goals.<sup>169</sup>

Various NGOs and civil society actors were involved in the creation of the BPfA following months of preparation with various regional forums and meetings being hosted all over the globe. For the European region, the High-Level Regional Preparatory Meeting for Beijing was held in Vienna in 1994, for which FEDERA was listed for accreditation by the Economic Commission for Europe (ECE) alongside the Women's League.<sup>170</sup> Given that the accreditation proposal occurred just two weeks after Wanda Nowicka's speech at the NGO Forum in Cairo, it is highly probable that the act was instrumental in FEDERA's achievement of recognition by the ECE and thus illustrates the extent of the utility that securitising as part of a larger collective had in bestowing upon FEDERA a form of legitimacy and influence in international politics.

# **National Cooperation**

FEDERA's incorporation into the Beijing process alongside several other Polish NGOs triggered the real momentum for what Grabowska termed the emergence of "professional feminism" in Poland.<sup>171</sup> Several weeks after the ECE accreditation, twelve national federations and organisations dedicated to women's rights formed the Polish Committee of NGOs – Beijing 1995 (*Społeczny Komitet Organizacji Pozarządowych*), dubbed SKOP–'95. The main motivation for this group was to address the failure of the Polish government to suitably address the needs of Polish women in its Report on the Status of Women at the 1994 Vienna Conference, which they argued excluded vital issues such as women's health, the role of women in the family, and the problem of violence against women.<sup>172</sup> Following months of preparation in the form of national conferences, meetings, and studies, the group published a sweeping alternative report titled "The Situation of Women in Poland" which presented a comprehensive overview detailing the

<sup>&</sup>lt;sup>169</sup> "Report of the Fourth World Conference on Women: Beijing, 4-15 September 1995," 16.

<sup>&</sup>lt;sup>170</sup> Economic Commission for Europe, "ECE'S CONTRIBUTION TO THE PREPARATORY WORK FOR THE FOURTH WORLD CONFERENCE ON WOMEN, BEIJING 1995," *Commission Decisions K (48) and J (49)* (United Nations, September 21, 1994), accessed April 9, 2024, 5, https://documents.un.org/symbolexplorer?s=E/ECE/1306/ADD.1\_3672685.

<sup>&</sup>lt;sup>171</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 4.

<sup>&</sup>lt;sup>172</sup> Społeczny Komitet Organizacji Pozarządowych - Pekin 1995, "Sytuacja Kobiet w Polsce: Raport Organizacji Pozarządowych," 7.

negative impact of gendered socio-cultural norms, economic policies, and legal institutions on Polish women.<sup>173</sup>

The SKOP-'95 report was structured thematically and covered ten topics that included "women's rights", "women and the economy", and "women's health", providing a detailed analysis of the impact that various policies had upon women's lives as well as the authors' demands for improvement. The report began with the identification of women's subordinate status enshrined in legislation in which the Constitution states that women are granted equal rights to men, thus taking "men as the point of departure".<sup>174</sup> Extensive constitutional provisions which date back to 1952 additionally attributed parental functions exclusively to women and thus were seen to "approach the problem of gender equality in a paternalistic way".<sup>175</sup> On the right whether to bear a child, the report argued that the 1993 Act "discriminates against women not only within the scope of the right to life and health protection and the right over one's personal life, but also adversely affects women's professional career prospects and the material conditions of women and their families, thus contributing to the deepening of social and economic inequalities."<sup>176</sup> The report thus presented issues such as the lack of abortion rights as embodying a broader and systemic phenomenon of gender inequality in Poland that drew significantly on newly established international norms. Securitising the issue of abortion rights was thus done in a manner that focused primarily on its socio-economic harms, in which Nowicka stated that "statistics from previous years show that the main reason for women's decision to have an abortion was social reasons", thus inferring that "the antiabortion law predominantly affects the poorest women and families".<sup>177</sup> However she also outlined the more severe consequences the law, with women either obtaining illegal services at extortionate fees, going abroad to obtain services or self-inducing miscarriages. An official government report also showed three deaths causally related to complications of early pregnancies, likely an underestimation given the political

- <sup>174</sup> Ibid., 9.
- <sup>175</sup> Ibid.
- 176 Ibid., 16.

<sup>&</sup>lt;sup>173</sup> Ibid.

<sup>&</sup>lt;sup>177</sup> Ibid., 41.

sensitivity of the procedure and served as an illustration of the Anti-Abortion Act as a threat to the health and safety of women.<sup>178</sup>

# **The Beijing Effect**

The process of subsuming at the national level arguably possesses significant utility for groups seeking to securitise women's rights issues and thus was beneficial for FEDERA as a securitising actor. Firstly, mobilising on a national scale allowed for the formation of larger networks. During the three months of the preparation of the report, people and institutions were connected that likely would not have had the chance to meet, and effected a form of cointegration of ideas and action that strengthened the national movement for women's rights and equality. The nature of this collaboration marked a turning point for many Polish activists becoming involved in feminism and professionalised advocacy, as delineated by Aleksandra Solik: "For a vast majority of our participants the involvement in the conference was a crash course introducing them into the international feminist debate concerning policies and solutions aimed at women's empowerment".<sup>179</sup> Secondly, what became critical at this point was the ability of local women's rights activists to draw upon the international norms of gender equality and non-discrimination to inform the debate on gender issues and feminism in Poland. Additionally observable during this period was the introduction of gender equality in mainstream discussion and what scholars have identified as the adoption of Western liberal feminism that allowed Polish activists to remove themselves from gender equality's historical associations with its socialist past.<sup>180</sup> It is also crucial to note that even the term "gender" in the Polish language, "płeć", is polysemous and denotes both gender and sex, but is traditionally deeply tied to biological sex and thus has contributed to the perception of gender roles as a "natural" phenomenon as opposed to a social construct.<sup>181</sup> Consequently, through access to a new discursive framework of gender equality that allowed for the separation of woman from her reproductive role, FEDERA

<sup>179</sup> Grabowska et al., *Fifteen Years After Beijing: Platform for Action at the Crossroads*, 24.

<sup>180</sup> Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 39; For SKOP-'95 coordinator and founder of Karat Coalition Kinga Lohmann, it was the first introduction to feminist culture and gender theory, in Społecznego Komitetu Organizacji Pozarządowych - Pekin 1995, "Same o Sobie: Rozmowy z 13 Członkiniami," 64.

<sup>&</sup>lt;sup>178</sup> Ibid., 42.

<sup>&</sup>lt;sup>181</sup> Natalia Krzyżanowska, "Polish Feminist Movement after 1989: Achievements, Challenges and Open Questions," *Kultura I Edukacja* 2, no. 108 (2015): 48, https://doi.org/10.15804/kie.2015.02.03.

was able to securitise the issue of abortion rights in a manner that presented it as part of the wider phenomenon of systemic inequality in Poland.

The publicity that surrounded the report had material political effects. The Prime Minister at the time, Józef Oleksy, filled a long-vacant position for a government plenipotentiary responsible for women's issues in May, 1995, which was assumed by Jolanta Banach.<sup>182</sup> Banach virtually led the Polish delegation during the conference in Beijing and prepared a new government report on the situation of Polish women in place of the inadequate former report that had inspired the initiation of SKOP-'95.<sup>183</sup> In response to a note verbale from the UN requesting information on the implementation of the FWCW directives, Banach presented Poland's National Action Programme for Women as "a response to the needs of, and barriers to, full equality of women and men" as outlined in the UN report, and stated the Polish government's take up of its "voluntary obligation" to implement the directives of the BPfA.<sup>184</sup> The Polish Action Programme covered ten topical areas pertaining to spheres of women's life in society, the second listed being "women's health" and including reproductive health within its scope.<sup>185</sup> Through FEDERA's subsuming at the national level, the organisation was arguably able to gain significant legitimacy and public visibility, thus achieving an effect upon national policy which recognised reproductive health as a matter of human rights and essential to gender equality.

# **Summary of Findings**

Through the series of world conferences held in the 1990s, the international normative framework for women's rights evolved substantially, enshrining the principle of

<sup>183</sup> Grabowska et al., *Fifteen Years After Beijing: Platform for Action at the Crossroads*. 24.

<sup>&</sup>lt;sup>182</sup> Bizarrely, Oleksy also renamed the organisation from "Office of Plenipotentiary for Women and Family" to "Office of Plenipotentiary for Family and Women," however it was later dissolved in 1997 after the coalition between conservatives Solidarity Electoral Action (AWS) and Freedom Union (UW) formed following elections.

<sup>&</sup>lt;sup>184</sup> Jolanta Banach, "Information on the Implementation in Poland of the Directives included in the Final Documents of the 1995 Fourth United Nations World Conference on Women: the Beijing Declaration - Platform for Action 2000" (United Nations, 1995), accessed May 28, 2024,

https://www.un.org/esa/gopher-data/conf/fwcw/natrep/NatActPlans/poland.txt.

<sup>&</sup>lt;sup>185</sup> Ibid.; The report triggered controversy with activists from Catholic and anti-abortion organisations claiming that it contained significant errors and rejected the report's bottom line that women were discriminated against in Poland, see Alexandra Gerber, "Being Polish/Becoming European: Gender and the Limits of Diffusion in Polish Accession to the European Union" (PhD Dissertation, The University of Michigan, 2011), 91, https://deepblue.lib.umich.edu/handle/2027.42/86261.

elimination of discrimination against women as a matter of human rights in doctrine. What they also provided was a vital platform for women activists to engage in the international political sphere from which they were excluded domestically, and through which FEDERA was first able to securitise the issue of abortion rights in Poland as well as actively participate in the shaping of international norms. Securitising the issue of abortion underwent a curious evolution throughout this period, initially being located within the existence of systematic violence against women as a precursor for the recognition of women's rights at the Vienna Conference which then formed the basis for FEDERA's securitising act at the NGO Forum in Cairo. The results of this were the introduction of crucial concepts such as "reproductive rights" into Polish national discourse, providing FEDERA with the linguistic and normative framework upon which to draw when securitising the right to abortion. Yet by the time of Beijing, the right to abortion became absorbed within the broader ideal of "gender equality", thus shifting discourse away from the notion of women's security and rather encompassing it within the issue of women's socio-economic equality.

# III. Transnational Networks

A remarkable feat of the Beijing Conference was the production of what Moghadam described as the culmination of "global feminism on the ground".<sup>186</sup> The series of international conferences held in the last decades of the 20<sup>th</sup> century not only produced a set of normative and linguistic frameworks for activists to leverage upon but also created an environment in which women's rights groups were able to connect with the transnational movement. At a time when electronic communication was relatively limited outside of the West, this process began for some activists one week before the FWCW, during the eight-day 9,174km train journey with the Beijing Express departing from Warsaw.<sup>187</sup> Over 200 women from 40 countries traversed through seven different time zones to prepare for the UN conference and NGO forum, the vast majority of whom were from CEE and the post-socialist region; for many, the FWCW would be the first opportunity to represent their newly independent nations. Along the half-kilometre line of coaches of the Beijing Express Train, women from the UK, USA, Canada, and Japan among others, conducted workshops and training on negotiation, conflict mediation and resolution, and economic policy development for women, as well as courses in English language, email networking and computer skills.<sup>188</sup> This one fragment of the large-scale mobilisation that took place among women's rights activists illustrates the extent to which the forces of globalisation also served as the basis for developing transnational social movements, as well as transnational identities.<sup>189</sup> This chapter will delineate FEDERA's engagement in transnational advocacy and how the process of subsuming affected the organisation's ability to securitise abortion rights.

<sup>186</sup> Moghadam, "Transnational Feminist Networks: Collective Action in an Era of Globalization," 62.
<sup>187</sup> Ibid. The Beijing Express Train was funded by the UN Development Programme (UNDP), architected by Senior Executive Leueen Miller to 250 women the opportunity to attend the conference that otherwise would not have been able to financially afford it. See ref. 187 for detailed account of the journey.
<sup>188</sup> Lesley Abdela, "Anniversary. 'The Beijing Express Declaration' (UNSCR 1325). Aboard the trans-Siberian Train to the 1995 Fourth UN Conference on Women," Lesley's World, August 27, 2020, accessed May 28, 2024, http://www.lesleysworld.com/2020/08/anniversary-beijing-express-declaration.html; The former Soviet Union had collapsed four years prior to the event.

<sup>189</sup> Moghadam, "Transnational Feminist Networks: Collective Action in an Era of Globalization," 58–59.

# The "Non-Region"

Our group of countries is a Non-Region, because there is no recognizable political or geographic definition for the region composed of countries in Central and Eastern Europe and the former Soviet Union.<sup>190</sup>

The apparent absence of the Second World in international for became evident during the FWCW. One of the leading contributors to SKOP-'95, Kinga Lohmann, observed that in the area for regional caucuses at the NGO Forum in Huairou, "there were tents for North America and Western Europe, tents for other geographical UN regions, but there was no tent for 'my' Europe."<sup>191</sup> The sentiment had been brewing among women from the former state-socialist countries that they had been intentionally excluded from the international discussion on women's rights which they proclaimed had been cast into a global North and South dichotomy within which they were not represented, and this conviction crystallised at the conference. During the "East-East Caucus", women from the "24 countries with economies in transition" coalesced to stage an intervention by delivering the "Statement from a Non-Region".<sup>192</sup> The highly-publicised statement, delivered by FEDERA's Wanda Nowicka, stressed the "consistent and drastic decline in the status of women" that the group of countries were facing and criticised the BPfA for its inaccurate description of the impact of the transition to democracy upon women.<sup>193</sup> Nowicka also stated: "We disagree ... with the analysis of reproductive health issues for the countries in transition in paragraph 98<sup>194</sup> and believe that the most pressing concern is the restriction or threatened restriction on the right to legal and accessible abortion."195 The issue of abortion was thus securitised in the largest international platform available for women's rights NGOs through FEDERA subsuming into a transnational regional identity that emphasised the pervasive threat faced by Second World women, thus

<sup>191</sup> Gisela Dütting et al., "Personal Feminist Journeys," in *The European Feminist Forum: A Herstory (2004-2008)* (Amsterdam: Aletta Institute for Women's History, 2009), 15,

<sup>&</sup>lt;sup>190</sup> Wanda Nowicka, "Statement from a Non-Region: 24 Countries with Economies in Transition in the ECE Region," *East-East Caucus at the IV World Conference on Women* (Beijing, China, 1995), 28 (Appendix IV), accessed April 15, 2024, https://pdf.usaid.gov/pdf\_docs/pdabp563.pdf.

https://dare.uva.nl/search?identifier=1cac3493-f646-479b-858c-35a4f928a5be. <sup>192</sup> Nowicka, "Statement from a Non-Region: 24 Countries with Economies in Transition in the ECE Region," 28 (Appendix IV).

<sup>&</sup>lt;sup>193</sup> Ibid.

<sup>&</sup>lt;sup>194</sup> Actually found in paragraph 97 of the final document, see United Nations Specialised Conferences, *Beijing Declaration and Platform for Action, Adopted at the Fourth World Conference on Women*.
<sup>195</sup> Nowicka, "Statement from a Non-Region: 24 Countries with Economies in Transition in the ECE Region," 28 (Appendix IV).

illustrating the material emergence of a social movement dedicated to advancing the status of an overarching transnational identity.

Underlying this neglect of the region is what Grabowska has identified as the preservation of the First World-Third World dichotomy that has framed mainstream transnational discourse.<sup>196</sup> Operating within this binary has led to a disregard for the Second World as a location of global troubles, and reproduces a homogenised image of the "Eastern" region within Europe and its periphery.<sup>197</sup> Alongside Grabowska, FSS scholars Kateřina Krulišová and Míla O'Sullivan have argued that with the collapse of the Soviet Union, the Second World "vanished" with it, and the shift of the new global political axis into North-South left the region ambiguously straddling its divide. The anachronism of the East-West distinction thus persisted beyond the Cold War to denote the lessdeveloped region of Europe that was experiencing a temporal "catching up with the West", constituting what postcolonial scholars have termed its "liminal Europeanness".<sup>198</sup> The process of subsuming at Beijing therefore allowed for, instead of its suppression, the *expression* of a particular identity which had thus far been absent in the prevalent discourse on women's rights. Using the UN forum as a platform to inaugurate the regional identity allowed for the issue of abortion rights to be securitised in a manner which reflected the specific socio-political circumstances of the transitioning Second World.<sup>199</sup>

## **Karat Coalition**

Following the events in Beijing, SKOP-'95 member Lohmann found herself drawn to the idea of cooperating with women from other European post-communist countries to carve out a platform for themselves in the international arena. Lohmann found "the point of view of only one country dominated by one culture and religion too narrow and oppressive, with a tendency to strong polarities".<sup>200</sup> Her background was a unique one,

<sup>&</sup>lt;sup>196</sup> Grabowska, "Bringing the Second World In: Conservative Revolution(s), Socialist Legacies, and Transnational Silences in the Trajectories of Polish Feminism," 406–407.

<sup>&</sup>lt;sup>197</sup> Suchland, "Is Postsocialism Transnational?," 853.

<sup>&</sup>lt;sup>198</sup> Ibid.; 837; Krulišová and O'Sullivan, "Women, Peace and Security in Central Europe: In Between the Western Agenda and Russian Imperialism," 629.

 <sup>&</sup>lt;sup>199</sup> Ramme, "Exclusion Through Inclusion. Struggles Over the Scalar Regimes of Belonging Europe and the Family at the 1995 Fourth UN World Conference on Women and the Agency of (Polish) Women," 2–9.
 <sup>200</sup> Dütting et al., "Personal Feminist Journeys,"14.

having returned to Poland in 1995 after 17 years of living abroad in various countries in West Africa and Turkey and finding herself "astonished … by the passing of the antiabortion law in Poland and the appearance of crucifixes hanging in almost all public spaces, including the Parliament",<sup>201</sup> and the domination of public and political discourse by the Church with no space for civil society – or for women.<sup>202</sup> Her initiation into the women's movement began that year, at the point when "Polish feminists were linking with the international women's movement, and their involvement in the UN processes helped to broaden the political debates in Poland".<sup>203</sup> Consequently, Lohmann established Karat Coalition (*Koalicja Karat*), a women's NGO network from CEE and the post-Soviet countries, at the beginning of 1997.<sup>204</sup> Describing itself as an association established to combine and represent the voice of NGOs from CEE and Central Asia, it carries out activities for gender equality and "builds and influences the shape of the feminist movement".<sup>205</sup>

Karat was one of the first inter-regional organisations of this kind to be established and marked the first instance of FEDERA's membership and collaboration within such a network. Prior collaborations with the Centre for Women's Global Leadership at the Tribunal, the Center for Reproductive Rights, and the International Women's Health Coalition during the previous international UN conferences had linked FEDERA to the international feminist movement yet had done so under the auspices of these three western organisations.<sup>206</sup> At its inception, Karat adopted the mission to develop and enforce gender equality within the region through the promotion of the BPfA and National Action Plans, to monitor their implementation and to increase the visibility of women's issues at the international level. It aimed to do so primarily through using the UN as a vehicle to engage women in participatory consultative and reporting processes, as well as conducting general advocacy for raising awareness of women from the region's

<sup>&</sup>lt;sup>201</sup> Ibid.

<sup>&</sup>lt;sup>202</sup> Ibid.

<sup>&</sup>lt;sup>203</sup> Ibid.

<sup>&</sup>lt;sup>204</sup> The name "Karat" refers to the hotel in Warsaw in which the participants of the first Karat Coalition meeting stayed.

<sup>&</sup>lt;sup>205</sup> Karat Coalition, "About Karat Coalition," Karat, accessed April 15, 2024, https://www.karat.org/about-us/about-karat-ngo-womens-rights/.

<sup>&</sup>lt;sup>206</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 16.

problems and perspectives at the UN level.<sup>207</sup> Following Beijing, Karat published national reports prepared by women's NGOs detailing the institutional mechanisms for the advancement of women operating in each country and their critical evaluation. The national reports were prepared for the 43rd session of the CSW held in New York, in March 1999, alongside a regional report which aggregated the key findings for each country.<sup>208</sup> The issue of abortion was briefly underscored in the Polish report which called upon the government to "observe reproductive rights and ensure women the right to legal and safe abortion".<sup>209</sup> Primarily, however, the report was concerned with the lack of institutional mechanisms for the advancement of women and the ruling right-wing coalition government's utter disregard and lack of awareness of international documents on gender equality and their ensuing obligations. The lack of access to abortion was thus encompassed within the broader ramifications of the conservative's party ascent to power, whose national policy local NGOs described as petrifying gender stereotypes whereby "a woman is perceived mainly as a mother and wife".<sup>210</sup> Through its membership in the transnational network Karat, FEDERA was able to actively contribute and participate in official UN processes on abortion rights while also forming part of a regional identity that gave further gravity to the specific needs of Second World women. At the same time, however, the issue of abortion rights ceased to be primarily identified with the framework of human security and became incorporated within the mainstream discourse on gender equality.

<sup>&</sup>lt;sup>207</sup> "The KARAT Coalition: Speech by Kinga Lohmann," *44th Regular Session of the CSW (Commission on the Status of Women)* (New York, United States of America, 2000),

https://www.womenaction.org/csw44/karat.html#1; More can be read about Karat as a transnational advocacy in network in Sabine Lang, "Assessing Advocacy: European Transnational Women's Networks and Gender Mainstreaming," *Social Politics* 16, no. 3 (October 1, 2009): 327–57, https://doi.org/10.1093/sp/jxp016.

<sup>&</sup>lt;sup>208</sup> For the regional report see: KARAT Coalition for Regional Action, "Regional Report on Institutional Mechanisms for the Advancement of Women in the Countries of Central and Eastern Europe: 43rd session of the United Nations Commission on the Status of Women," ed. Pavlina Filipova et al., *Karat Coalition*, 1999, accessed April 4, 2024, https://www.karat.org/wp-content/uploads/2012/09/Regional-Report-on-Institutional-Mechanisms.pdf.

<sup>&</sup>lt;sup>209</sup> Kinga Lohmann et al., "Instytucjonalne Mechanizmy Na Rzecz Awansu Kobiet W Polsce W Latach 1995-1998: opracowany na 43. Sesję Komisji ONZ ds. Statusu Kobiet," *Karat Coalition* (Stowarzyszenie Kobiet na rzecz Równego Statusu Płci - Pekin 1995, 1999), 34, accessed April 4, 2024, https://www.karat.org/pliki/wp-content/uploads/2016/06/Instytucjonalne\_mechanizmy\_95-99.pdf.

https://www.karat.org/pliki/wp-content/uploads/2016/06/Instytucjonalne\_mechanizmy\_95-99.pdf. <sup>210</sup> Ibid., 30.

### **ASTRA Network**

Two years after Karat's founding and nearly a decade after FEDERA's conception, FEDERA initiated the regional ASTRA Network in 1999, which it has since then coordinated. Formally known as the Central and Eastern European Network for Sexual and Reproductive Health and Rights, the decision to establish the informal regional network was inspired by the same motive as Lohmann to strive to make the perspective of CEE countries more visible in international fora. While it was only in Poland that such a restrictive anti-abortion law had been introduced, a general tendency had emerged throughout the region to introduce unfavourable policies regarding women's reproductive rights, thus serving as the impetus to connect the movement for regional visibility with the movement for reproductive rights.<sup>211</sup> According to its mission, "ASTRA aims at the prioritization of SRHR on international, regional and national agendas, in particular in the EU<sup>212</sup> and UN institutions", and does so through advocacy in international and regional fora, organising training and workshops for its members and representatives, preparing letters and statements to EU and UN officials, and publishing regular reports, bulletins, leaflets and various other advocacy materials.<sup>213</sup> Forming a referent collective through a transnational advocacy network thus allowed FEDERA to articulate the insecurities created by the lack of reproductive rights within the context of the wider socio-political circumstances of the region, as well as increase its capacity to securitise with the supranational organisations of the UN and EU.

Two distinct observations can be made regarding FEDERA's shift into professionalised transnational advocacy with ASTRA. Firstly, through its adoption of SRHR terminology, the network was able to draw upon the standardised legal normative framework that had evolved throughout the 1990s and invoke the language of human rights in its advocacy with institutional bodies. SRHR also allows for abortion to be interconnected to the broader spectrum of issues of equality, social justice, and health. However, as highlighted by Thomson and Pierson, the term can also equally be used in a depoliticised manner which deliberately omits reference to the more controversial

<sup>&</sup>lt;sup>211</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 16.

<sup>&</sup>lt;sup>212</sup> European Union.

<sup>&</sup>lt;sup>213</sup> "Mission – ASTRA," ASTRA Network, accessed April 10, 2024, https://astra.org.pl/mission/.

aspect of abortion.<sup>214</sup> Indeed, in the report following the 43<sup>rd</sup> session of the CSW, within the theme of sexual and reproductive health the topic of abortion was primarily discussed regarding the unsafety of the procedure, and reiterated that "efforts should be made to eliminate or decrease the need for abortion".<sup>215</sup> Scholar Lucía Pizzarossa has identified this phenomenon as characteristic of the "post-ICPD fragmentation era", in which SRHR featured in various formats such as its role in achieving gender equality, the adoption of tools to measure its progression, as well as its gradual curtailment in treaty-monitoring bodies to "sexual and reproductive health", thus excluding the mention of rights.<sup>216</sup> The right to abortion became obscured by a term that allowed for a high degree of equivocacy to appease more conservative states and actors. Therefore, despite FEDERA's leverage in international fora through ASTRA, securitising the right to abortion appeared to transition into a less central feature its of activities, with the network choosing to align itself with the more neutral language of the UN.

The second observation that can be made is the reference to the crucial institution of the EU which began to feature more prominently in feminist discourse in the postsocialist European region. During the process of EU expansion in the latter half of the 1990s to include some of the CEE states, the EU was viewed as a powerful force for strengthening values of democracy and tolerance, with the belief that incentive of membership would compel states to adjust their laws to the norms and standards of the EU.<sup>217</sup> The incorporation of Beijing's gender mainstreaming strategy as an official policy approach of the EU and its Member States in 1997 provided NGOs with a tool to reference EU gender norms and contributed towards their professionalisation.<sup>218</sup> Yet the appeal to "Europeanisation" served to exacerbate tensions in domestic discourse with claims to nationalist and "traditional" cultural values. Following the European Parliament passing

<sup>&</sup>lt;sup>214</sup> Thomson and Pierson, "Can Abortion Rights Be Integrated into the Women, Peace and Security Agenda?," 352.

<sup>&</sup>lt;sup>215</sup> Economic and Social Council, "Commission on the Status of Women: Report on the Forty-third Session," *UN Women* (United Nations, 1999), accessed April 21, 2024, 51,

https://www.un.org/womenwatch/daw/csw/csw99.pdf.

<sup>&</sup>lt;sup>216</sup> Pizzarossa, "Here to Stay: The Evolution of Sexual and Reproductive Health and Rights in International Human Rights Law," 10.

<sup>&</sup>lt;sup>217</sup> Matynia, "Provincializing Global Feminism: The Polish Case," 503; For timeline of EU state membership see Statistiches Bundesamt, "EU And Eurozone Over Time - German Federal Statistical Office," Destatis, 2023, accessed May 31, 2024, https://www.destatis.de/Europa/EN/Country/EU-Member-States/\_EU\_EZ\_Zeitverlauf\_en.html.

<sup>&</sup>lt;sup>218</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 45; Grabowska, "Polish Feminism Between East and West. The Formation of the Polish Women's Movement Identity," 89–94.

a resolution in 2002 which recommended that abortion be legal in candidate countries, the Polish Episcopate countered that they "do not need any instruction from Brussels in order to learn when one can kill a baby".<sup>219</sup> In her analysis of parliamentary debates from this period, Keinz has demonstrated how conservative politicians argued against the liberalisation of abortion by simultaneously drawing comparisons between the "barbarian law from Stalinist times" and the laws of Western Europe, which had thought up "more elegant and democratic methods in order to kill a child".<sup>220</sup> The EU thus evolved into being a central component of the debate over abortion in the 2000s and a tool used by multiple parties to contest various notions of democracy, rights, and forms of cultural identity. The adoption of a "European" identity to serve as the basis for local feminisms thus became inherently challenging as it was considered to be a new form of anti-nationalism and imposition of "foreign rule". Analysis of the impact of the EU upon CEE feminisms and the debate over abortion rights is unfortunately beyond the remit of this paper given the breadth of the topic, yet would undoubtedly merit further in-depth investigation.<sup>221</sup>

# Women's Solidarity Across Borders

At the turn of the new century, FEDERA began to embark upon international campaigns that took on a markedly different character from the conferences and professionalised advocacy they had engaged with thus far. One such major project was the visit of "Women on Waves" a non-profit organisation founded by Dr. Rebecca Gomperts in 1999. A Dutch doctor who used to work as a physician on board Greenpeace's ship, Dr. Gomperts came upon the idea to sail ships to countries where abortion and other reproductive services were illegal or unavailable and provide help to women facing unwanted pregnancies. By sailing out to extraterritorial waters, under maritime law the law of the country under whose flag the ship is sailing applies, thus allowing the ship's "floating clinic" to provide abortion services to women.<sup>222</sup> The Women on Waves project started to gain serious

<sup>220</sup> Keinz, "Negotiating Democracy's Gender Between Europe and the Nation," 41.

<sup>221</sup> On the topic of EU Accession and Gender in Poland see Gerber, "Being Polish/Becoming European: Gender and the Limits of Diffusion in Polish Accession to the European Union."

<sup>222</sup> "Who Are We?," Women on Waves, accessed May 27, 2024,

<sup>&</sup>lt;sup>219</sup> Matynia, "Provincializing Global Feminism: The Polish Case," 509.

https://www.womenonwaves.org/en/page/650/who-are-we; Federacja na rzecz Kobiet i Planowania Rodziny, Fundacja Kobiety na Falach, and Komitetu STER – Kobiety Decydują, "Solidarność Kobiet Ponad Granicami," 5.

media attention, prompting Wanda Nowicka to decide to reach out – but before she could do so Gomperts contacted her by telephone. In July of 2000, the initial stages of the project began to unfurl, and the first meeting between Gomperts, FEDERA, and a multitude of other Polish women's NGOs was arranged for the 18<sup>th</sup> December of that year. Women on Waves was scheduled to sail first to Ireland, which it did with the boat "Aurora" in June 2001, triggering significant media attention as well as calls from "desperate women" to FEDERA's offices enquiring about the possibility of using the ship's services in Poland.<sup>223</sup>

One month after Aurora's visit to Ireland, FEDERA organised the symbolic "Tribunal on Women's Right to Abortion" in Warsaw, inviting Dr. Gomperts as an honorary judge. The Tribunal modelled itself on the past tribunals held by the Global Campaign for Human Rights, one of which in the series was the hearing on reproductive rights at the ICPD that Nowicka gave her testimony for some seven years before. In Warsaw, women who had suffered as a result of the Anti-Abortion Act publicly gave their testimonies and the judges provided their comments from a human rights perspective.<sup>224</sup> Only two of the seven women were present to tell their stories, with one having died at the age of 21 after an unsafe abortion, another being legally blind after carrying her last pregnancy to term, and one other being in prison for infanticide.<sup>225</sup> Observable from this event is the culmination of the three components to FEDERA's evolution as a securitising actor; the mobilisation of national feminists and groups, the use of the human rights legal and normative framework, and the drawing upon transnational networks are illustrative of the age when globalisation was intersecting with and reciprocally shaping local feminisms. FEDERA was able to draw upon its previous decade of experience to securitise the right to abortion by presenting these women's testimonies to a significant national audience.

Arranging the visit of Women on Waves took over two years to coordinate. The organisations were faced with multiple setbacks, including the Dutch Ministry of Health's

 <sup>&</sup>lt;sup>223</sup> Federacja na rzecz Kobiet i Planowania Rodziny, Fundacja Kobiety na Falach, and Komitetu STER – Kobiety Decydują, "Solidarność Kobiet Ponad Granicami," 5–6.
 <sup>224</sup> Heide C

<sup>&</sup>lt;sup>224</sup> Ibid., 6.

<sup>&</sup>lt;sup>225</sup> Françoise Girard and Wanda Nowicka, "Clear and Compelling Evidence: The Polish Tribunal on Abortion Rights," *Reproductive Health Matters* 10, no. 19 (2002): 22, https://doi.org/10.1016/s0968-8080(02)00023-x; These testimonies were later published in the book *Piekło Kobiet Trwa*, "Women's Hell Continues", referring to the book *Piekło Kobiet* (Women's Hell) published in 1932 by doctor and abortion advocate Tadeusz Boy-Zelenski.

revocation of the permission to issue pills for the pharmacological termination of pregnancy on the ship which forced the project to be delayed by a year until 2003 and bureaucratic barriers which prevented docking the ship in the most convenient city ports of Gdańsk and Gdynia.<sup>226</sup> After extensive discussions by the Polish partner organisation of Women on Waves, "STER Committee – Women Decide"<sup>227</sup>, the city of Władysławowo was decided upon due to it being only 19km from high seas and thus being quicker and cheaper to reach international waters.<sup>228</sup> The STER Committee was established as an informal group of organisations and individuals to function as the Polish partner organisation of Women on Waves and held meetings at FEDERA's headquarters in Warsaw.<sup>229</sup> An excerpt from the STER mission states the following:

The Polish law is one of the most restrictive in Europe. The effects of this law are experienced by thousands of women in Poland, forced to give birth against their will (often at risk to their health) or to use the services of expensive and not always safe underground abortion services. The abortion ban was the cause of tragedy for many Polish women. Having to deal with so many human tragedies, we decided that the international Women on Waves project could help us draw public attention to the bad, unjust, and harmful law in Poland.<sup>230</sup>

The campaign was therefore intended to be provocative and highly publicised, symbolising FEDERA's first major attempt at securitising the issue of abortion rights by drawing upon its transnational network.

Even before the Women on Waves ship – the Langenort – had docked in Władysławowo, right-wing conservatives, nationalists, and religious groups had begun their assault. The name of the ship had been kept secret, the name of the Irish ship "Aurora" was referred to by media and bishops who connected the name to the Russian cruiser Aurora that signalled the start of the October Revolution, and was dubbed the

<sup>226</sup> Federacja na rzecz Kobiet i Planowania Rodziny, Fundacja Kobiety na Falach, and Komitetu STER – Kobiety Decydują, "Solidarność Kobiet Ponad Granicami," 9.

<sup>&</sup>lt;sup>227</sup> *Komitet STER – Kobiety decydują; STER* means rudder or helm.

<sup>&</sup>lt;sup>228</sup> Ibid., 7–10.

<sup>&</sup>lt;sup>229</sup> Ibid., 8.

<sup>&</sup>lt;sup>230</sup> Ibid., 11.

"hospital of death" by anti-abortion groups.<sup>231</sup> The Archbishop of Gdańsk, Tadeusz Gocłowski, went as far as to describe the boat's mission as an attempt to "kill Poles".<sup>232</sup>



The ship "Women on Waves" entering the Władysławowo port in Poland in June 2003. The banner states "legal abortion is a women's right".<sup>233</sup>

On the day of the Langenort's scheduled arrival on June 22<sup>nd</sup>, far-right nationalist groups lay awaiting the activists, pelting them with eggs and pouring red oil paint over some of the women.<sup>234</sup> Verbal and physical attacks continued throughout the Langenort's twoweek visit, with phrases such as "euthanasia for Nowicka" and "instead of leaves, let the feminists hang on trees" being shouted by All-Polish Youth members.<sup>235</sup> One staunchly right-wing politician, Robert Strąk, claimed on regional television that he would stop the ship, take the pills and pursue the women sailing the ship.<sup>236</sup> These occurrences serve to illustrate the "security as silence" dilemma in its most crude form, the direct threat of

<sup>236</sup> Ibid., 24.

<sup>&</sup>lt;sup>231</sup> Ibid., 14;

<sup>&</sup>lt;sup>232</sup> "Abortion ship enters Polish port," *BBC News*, June 22, 2003,

http://news.bbc.co.uk/2/hi/europe/3009692.stm.

<sup>&</sup>lt;sup>233</sup> Nowicka and Walko-Mazurek, "Zawsze Po Stronie Kobiet: 20 Lat Federacji Na Rzecz Kobiet i Planowania Rodziny," 20.

<sup>&</sup>lt;sup>234</sup> Federacja na rzecz Kobiet i Planowania Rodziny, Fundacja Kobiety na Falach, and Komitetu STER – Kobiety Decydują, "Solidarność Kobiet Ponad Granicami," 17.

<sup>&</sup>lt;sup>235</sup> Ibid., 21; *Młodzież Wszechpolska* is a Polish far-right nationalist youth organisations with a Catholicnationalist philosophy.

harm or prevention from securitising a gendered issue. Nevertheless, the project was overall regarded as a success. The Langenort was able to sail multiple times into extraterritorial waters to conduct educational workshops, hold individual medical consultations, and most importantly, attract widespread media attention. The topic of abortion was thus reintroduced into political debate, and overall, it appeared that the reception from the general public had been positive.<sup>237</sup> But while progress had been made in terms of social discourse, the campaigners remained realistic. A member of the anti-abortion group Human Life International said "We're not worried … The ship may give the abortionists some publicity, but that's as far as it goes. No government will dare to touch the law for the time being."<sup>238</sup> And the women's groups agreed – the aim had been to attract attention and generate discussion, and thus attempt to influence change on the societal level that would eventually result in the legalisation of abortion.

### **Summary of Findings**

The FWCW therefore became a critical juncture for how FEDERA came to define itself in international politics. Driven by the realisation that Polish women's needs, alongside women from the wider post-socialist region, were being inadequately addressed and excluded from the established discourse in the international arena, the organisation consolidated itself alongside other Second World women's NGOs to form a referent collective. The capacity to securitise the issue of abortion rights in Poland became identified as a part of a broader phenomenon affecting women from the Second World who were seeing a regression in their rights and status in their transitioning societies, while detracting attention from the singular issue of abortion rights, allowed FEDERA to mould itself into an important actor with institutions such as the EU and UN through its transnational network ASTRA. The emergence of a distinct social movement thus allowed FEDERA to securitise abortion in novel ways, utilising its visibility in the fight for abortion rights to conduct highly-publicised campaigns such as the floating abortion clinic, and stimulate debate on the societal level, away from formalised politics.

<sup>&</sup>lt;sup>237</sup> Ibid., 20; 29.

<sup>&</sup>lt;sup>238</sup> Clare Murphy, "Abortion ship makes waves in Poland," BBC News, July 1, 2003, accessed June 1, 2024, http://news.bbc.co.uk/2/hi/europe/3035540.stm.

# Conclusion

Poland's transition to a liberal democracy in 1989 brought with it diverse and somewhat contradictory changes, particularly in relation to gender and women's rights. The revival of conservative nationalist elements in society following the collapse of the former communist regime saw the former ideal of equality of the sexes abandoned, replaced instead with a traditional vision of women in the roles of mothers and wives which crystallised with the religious campaign to outlaw the right to abortion. The swift enactment of the 1993 Anti-Abortion Act alongside the deteriorating socio-economic status of Polish women led many to believe that there was no feminist consciousness to be found in the country, that the legacy of communism had resulted in apathy on the part of women towards politics and women's rights. In reality, the debate over abortion served as the impetus for rich and varied forms of women's mobilisations that sought to actively shape the new Polish state as well as their position in the international sphere. The Federation for Women and Family Planning, FEDERA, emerged as the principal organisation advocating for the right to abortion in 1991, navigating a domestic political battleground which associated the right to abortion with anti-Polish sentiment and the country's past under various forms of foreign occupation.

Securitising the right to abortion was an evolutionary process for FEDERA that took place during the critical period following the end of the Cold War marked by an acceleration in globalisation and a sweeping wave of systematic political change in the "Second World". Chapter one illustrated how as the newly-established post-socialist Poland was shaping its national identity upon the traditional conservative ideals of Catholicism, FEDERA was tasked with securitising abortion rights in a manner which disconnected it from the prevailing nationalist religious rhetoric, a significant challenge at its incipience in a political climate which viewed feminism as a relic of its shunned communist past. Wrought with contention, the national campaign for abortion posed significant risks for FEDERA, whose members were frequently threatened and subject to the mechanism of silencing when voicing a gendered security. Concurrently, this period intersected with watershed developments in the international normative framework for women's rights, during which the series of global conferences, most notably being the World Conference on Human Rights in Vienna, 1993, the International Conference on Population and Development in Cairo, 1994, and the Fourth World Conference on Women, 1995, enshrined in doctrine the paradigm of women's rights as human rights and crucially equipped FEDERA with the linguistic framework to advocate for the right to abortion.

The subject of abortion rights underwent its own transitions in international discourse which were reflected in FEDERA's strategy of securitisation. Serving as the first instance for FEDERA to gain access to international fora, chapter two demonstrated how the NGO Forum at Cairo predicated women's rights upon the existence of systematic violence against women, thus allowing FEDERA to directly securitise the issue of abortion in a manner which connected it directly to the health and livelihood of Polish women. However, following what Pizzarossa termed the "post-ICPD fragmentation era", the controversial aspect of abortion quietly transitioned to the margins of political discourse, substituted for the broader and more acceptable terminology of SRHR. At Beijing, the issue of abortion was encompassed within the wider ramifications of Poland's gendered transition to democracy, the process of which included relegating women to the private sphere and assigning them to the roles of mothers and wives. FEDERA subsumed into a national referent collective which securitised the subordinate status of Polish women in society, identifying the lack of abortion rights as a barrier to gender equality, the concept of which was formally introduced into international discourse with the BPfA. Securitising the right to abortion therefore shifted from being a violation of women's bodily integrity to instead embodying a form of discrimination that prevented the ideal of gender equality being achieved.

The world conferences also served as a vital entry point for many women activists from the former Second World who had previously never engaged with the feminist movement. Chapter three elucidated how their collective presence in international fora prompted the realisation among these women that the existing composition of transnational feminisms was formed by a distinct First World-Third World dichotomy, from which women of the Second World found themselves excluded and unable to voice the insecurities specific to their positionality within the region. Coining the term the "Non-Region" at Beijing, the conference marked a pivotal juncture in how FEDERA came to define itself in international politics; the organisation underwent its second subsuming process through which it came to identify the issue of abortion and gender inequality in Poland with the political processes underway in the vast majority of the Second World.

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Post-socialism thus appeared to entail a systematic gendered transition which was affecting the status of women throughout the region and being inadequately addressed in transnational feminist discourse. FEDERA began to expand its network, incorporating itself first within the regional network Karat before initiating its own transnational network specifically targeting SRHR in the wider post-socialist region. While continuing its advocacy with institutional and formal lobbying, FEDERA also drew upon its expanded presence in the movement for the right to abortion by securitising abortion directly in Poland. The Women on Waves project in 2003, conducted in partnership with the Dutch NGO of the same name, brought widespread media attention and initiated lively public debate over Polish women's right to abortion.

The right to abortion thus served as the zenith at which conflicting notions of national values and identity crystallised during Poland's transition to democracy, intersecting with a period in which international norms on gender and women's rights were evolving and being established. While FEDERA was ultimately unable to effect a change in the law, its securitisation efforts altered the political landscape on the topic of abortion in Poland and connected the Polish women's movement to transnational feminisms while actively carving out a space for the former Second World.

Significant limitations exist to the scope of this paper's analysis in terms of its sociological, theoretical, and historical breadth. The relationship between gender and nationalism is inherently complex and the manner through which the debate on abortion featured as a crystallisation of this dynamic during Poland's transition to democracy naturally was limited in this paper's coverage. An additional crucial factor worthy of inclusion would have been the socio-economic consequences of the dismantling of the state welfare system and its disproportionate effect on women, which arguably negatively impacted women's ability to engage in politics and activism and has thus far not been extensively covered in academic literature. Critical analysis of the constructivist assumption of norm diffusion would have been warranted in exploring the extent to which the paradigms of women's rights and gender equality were truly reflected within national debate and discourse, an aspect closely linked to the absence of the significant topic of the EU accession which became an essential element of women's activism in Poland and a high point of contention in the battle over abortion rights with the Church. Nevertheless, this study has formed as the bridging point between historical and

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sociological analyses of Polish women's activism, which not only contributes towards addressing the lacuna of Polish feminism in the aftermath of 1989 but also identifies the active role played by FEDERA and other Second World women's organisations in shaping international relations.

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# Appendix

Organisation (Name and Years	Description	
Active)		
	Established in 1945 under name of Społeczno-	
League of Polish Women (Liga	Obywatelska Liga Kobiet, name closely linked to	
Kobiet Polskich)	Women's League originally established in 1913 to	
1913 (or 1945) – present	rouse patriotism for Poland's struggle for	
	independence in WWI.	
Polish Feminist Association	An informal group of women made up primarily of	
(Polskiego Stowarzyszenia	academics and some activists that met regularly to	
Feministycznego)	discuss topics related to feminism and women's rights	
1989 - 1997	in Poland.	
The Pro Femina Association	Organisation founded following the broad social	
(Stowarzyszenia Pro Femina)	protest against the criminalisation of the termination	
1991 – Current	of pregnancy.	
The Association for Ideologically	Advocating for an ideologically neutral and secular	
Neutral State "Neutrum"	state following the introduction of Roman Catholicism	
(Stowarzyszenia na rzecz Państwa	into schools.	
Neutralnego Światopoglądowo)		
1990 – 1997		
Young Women's Christian	Holds its origins in the patriotic American Polish	
Association YWCA Poland	community who financed the social and sanitary	
(Stowarzyszenia Dziewcząt i Kobiet	training of female volunteers in 1922, the activities of	
Chrześcijańskich Polska Y.W.C.A.)	which were halted with the rise of the Communist	
1922 – current	party in 1948. It resumed its activities as of 1991.	



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Plagiarism is the copying of another person's documents, ideas or lines of thought and presenting it as one's own work. You must always accurately indicate from whom you obtained ideas and insights, and you must constantly be aware of the difference between citing, paraphrasing and plagiarising. Students and staff must be very careful in citing sources; this concerns not only printed sources, but also information obtained from the Internet.

The following issues will always be considered to be plagiarism:

- cutting and pasting text from digital sources, such as an encyclopaedia or digital periodicals, without quotation marks and footnotes;
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- copying printed materials, such as books, magazines or encyclopaedias, without quotation marks or footnotes;
- including a translation of one of the sources named above without quotation marks or footnotes;
- paraphrasing (parts of) the texts listed above without proper references: paraphrasing must be marked as such, by expressly mentioning the original author in the text or in a footnote, so that you do not give the impression that it is your own idea;
- copying sound, video or test materials from others without references, and presenting it as one's own work;
- submitting work done previously by the student without reference to the original paper, and presenting it as original work done in the context of the course, without the express permission of the course lecturer;
- copying the work of another student and presenting it as one's own work. If this is done
  with the consent of the other student, then he or she is also complicit in the plagiarism;
- when one of the authors of a group paper commits plagiarism, then the other co-authors are also complicit in plagiarism if they could or should have known that the person was committing plagiarism;
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Date and signature: 25/06/2024		

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