

genuine increase in the proportion (and number) of divorces initiated by women. (The number of divorces initiated by men in 1963 was 9,064 and in 1983, 9,482, while those initiated by women increased from 9,290 in 1963 to 19,855 in 1983.) Figures from Erika Rév, *Válóperek krónikája* (Budapest: MNOT-Kossuth Könyvkiadó, 1986), p. 176.

42. See my "The Anti-Politics of Anti-Feminism."
43. This may not be a fully conscious process, and may draw on reservoirs of low self-esteem or self-hatred, themselves in part a product of the state-socialist configuration I've been describing. I thank Anna Szemere for raising this point.
44. One small, embattled explicitly feminist group does exist: the Feminista Hálózat (Feminist Network), established in June 1990. Many members of the former official women's organization established a new organization (Magyar Nők Szövetsége [Hungarian Women's Association]), whose official slogan is "For the advancement of the nation, for equal opportunity, for our children, and for our families." Its leaders have explicitly rejected both feminism and politics.

23

Abortion and the Formation of the Public Sphere in Poland

Małgorzata Fuszara

The draft of a new abortion law submitted to the Sejm (Poland's lower house of Parliament), shortly before the June 1989 parliamentary elections, ignited a fiery and emotional debate about abortion that pervaded the preelection campaign. No recent debate in Poland has been comparable in emotional intensity, pervasiveness of discussions, or the depth of divisions it provoked. There were even attempts to stop the debates for fear they might harm the candidates. The draft, however, proved so controversial that discussions could hardly be stopped. The issue became a difficult problem for political candidates for the June 1989 elections and the presidential campaign in 1990. Candidates were repeatedly asked how they would vote if the draft were examined by the new Parliament. This draft, submitted by seventy-four deputies, was explicitly entitled, "On the protection of a conceived child." It proposed an absolute ban on abortion and criminal penalties for both the woman and doctor. Groups and circles that otherwise shared opinions split sharply on the abortion issue.

These debates must be understood in the context of the formation of a public sphere and new political processes in Poland. Under communism, there were no parliamentary debates, only support for party-sponsored bills. The parliamentary debates on abortion in August and September 1990 and May 16, 1991, with their rhetorical maneuvers, are among the best examples of the recovery of democratic processes, parliamentary life, and the public sphere.

I. The Legal Regulation of Abortion in Poland

In Poland as in many other countries, discussions about abortion developed in the 1920s. New codes were then prepared to replace the legislation still in force in Poland during its first years of independence. The penal code eventually passed in 1932 banned abortion except when pregnancy endangered a woman's health, or if it was a result of a criminal act such as rape, incest, or seduction of a minor.

Discussion about conditions for abortion was resumed almost immediately after World War II, when the voice of antiabortionists prevailed. Their arguments were mainly demographic: the country had suffered a great loss of population which now had to be made up for.

The discussions that developed during the political "thaw" following Stalin's death in the mid-fifties were entirely different in tone. In 1956, a commission was created by the Ministry of Health to examine abortion provisions. The commission was for liberalization of provisions and an extension of the right to abortion. New regulation was proposed and the new act, passed in 1956, was still in force in Poland in 1992.

The aim of the 1956 law is stated clearly in its preamble: to protect women's health from abortions in unsuitable conditions by nonphysicians. Abortion is permitted if there are medical reasons, if the pregnant woman has "difficult living conditions," or if the pregnancy resulted from an offence. The act does not provide for the woman's right to decide but, as stressed in present discussions, in practice it is the woman who decides because of the broad interpretation given to the "difficult living conditions" clause. Physicians base their decision about whether the conditions are "difficult" on the woman's own assessment.

It is uncertain how many abortions are performed in Poland each year, since those performed in private surgeries are probably never disclosed in order to avoid taxes. Such abortions are legal but not registered, and available statistics refer only to registered abortions. In the 1980s about 130,000 or 140,000 abortions a year were registered in Poland—that is, 13.2 per 1000 women aged 15–49, and 18.2 per 100 live births (still birth excluded).¹ Estimates of unregistered abortions vary greatly, ranging between 55,000 and 85,000 per year.² Opponents of the draft abortion act estimates the number of women liable to punishment, those who have had an abortion, at 300,000 per year. Church groups quote the highest figure, estimating 600,000 or even a million abortions per year.³

II. The Church and the History of Abortion Law

Proposals to restrict abortion in post-1945 Poland have arisen whenever there has been a period of "thaw" and relative freedom, as in 1956 and 1980, years characterized by a greater freedom of speech. In spite of the liberal abortion laws in effect since 1956, there have always been some who wanted that legislation changed. The recent expansion of the public sphere has made possible the articulation of these demands. The 1956 act was repeatedly and fiercely criticized in Catholic circles on the grounds that human life is sacrosanct and should be protected from the moment of conception, that the act's broader impact would be to undermine sexual morality, lead to a cynical attitude toward love, and to hasten overall the physical and moral degradation of the nation.

In 1958, the PAX Catholic Association appealed to the Sejm for annulment of the act and to the faithful, physicians and medical staff in particular, for its

sabotage. Discussions grew more heated again in the years 1980–1981 and after 1989, when Catholic groups made another appeal to annul the act.

The Catholic church strongly affects the political process and antiabortion attitudes. Candidates in the presidential and electoral campaigns feared losing the support of the church and often strive to win it. For the same reason, other groups and the press prefer to keep silent on the issue. Such silence suggests disagreement with the bill accompanied by a fear of criticizing it openly.

However, the Church's impact on Polish attitudes and the social backing for the church's standpoint, though very significant, should not be overrated.⁴ Admittedly, 95 percent of Poles call themselves Catholics and believers and have a religious upbringing, but sociological investigations reveal that Poles allow for many exceptions to the observance of religious dictates. In one study as many as 57 percent believed one should not keep to those religious dictates which one considers to be wrong.⁵ In a nationwide survey taken at the beginning of February 1992, only 11 percent supported the absolute ban on abortion supplemented with penalties, while 22 percent thought abortion should be allowed in strictly specified circumstances, as when the woman's health is endangered or the pregnancy results from rape; 35 percent think that abortion should be allowed but with some restrictions; and as many as 25 percent think that abortion should be offered whenever the woman requests it.⁶

III. The Parliamentary Draft

As stressed by its advocates, the 1989 draft's penal provisions and bans are not its essential part but a consequence of its basic assumptions of the inviolability of human life and the existence of a human life from the very moment of conception. The bill grants legal status to the fetus from the moment of conception.

The bill begins with a declaration of the extensive assistance and care a pregnant woman is to receive. However, as stressed by the bill's opponents, these are general homilies, unrealistic in the present economic situation.

A ban is proposed on all experiments and medical intervention affecting an unborn child, other than those that serve the protection of its life and health. There is a risk that this could be interpreted to prohibit prenatal testing. It contains an absolute, unconditional provision that "Whoever causes the death of an unborn child shall be subject to deprivation of liberty for up to three years." The penalty may be increased if threats or deceit were used toward the mother, or the court may renounce the infliction of punishment if it finds that warranted. The draft also includes penalties for the woman having the abortion, in one of the most criticized sections of the bill. The bill under discussion in the Senate in August 1990, the so-called "Senate draft," no longer provided for the punishment of the woman, but the issue reappeared during the September 1990 discussions. An

analysis of the discourse in the August 1990 and September 1990 Senate debates is revealing.

IV. The Senate Debate

The Senate debate started with a one-day debate on August 3, 1990,⁷ which senators in favor of an absolute ban on abortion tried to make the sole discussion, hoping to submit the bill immediately to the Sejm. Opponents of the bill, demanding that further discussion was necessary, succeeded in postponing the decision. Further debate was held after the Senate's holidays, on September 28, and 29, 1990.⁸ Let us analyze the rhetorical techniques and arguments in the discourse of that first debate.

It is amazing that although only ten persons—seven men and three women—had taken the floor in this first debate on such a highly contested issue, supporters tried to end discussion, revealing little respect for a democratic process. Significantly, no men spoke against the bill, although all the women stated their intention to vote against it. One woman, however, wanted an even stronger bill that would punish the woman as well. One man stressed the harmful effects of creating such a serious split between the many women who had abortions and the rest of society, but not even that senator spoke against the actual bill. Every participant emphatically stated that they were against abortion, but differed fundamentally on the appropriate legal regulations.

Various rhetorical techniques were used, including characterizing one's own position, e.g., that the fetus is a human being from the moment of conception, as "indubitable" or "incontrovertible," or using binary oppositions to describe one's own standpoint and that of one's opponents, e.g., "honest/dishonest," "responsible/irresponsible," "moral/immoral."

Another rhetorical device was the use of temporal and historic signifiers. Those for the bill stressed that the debate concerned the future ("it is the future of Polish civilization," "the debate is a step forward," "it is of fundamental importance for the future"). The "future" was not defined, whether a demographic issue or one of morality. The main point was to associate the draft with a concern for the "future," counting on the favorable associations of any mention of change, the future, and building a new order.

Advocates also appealed to "science," objectivity, and authority. They usually did not quote specific scientific statements, but merely defined their own standpoint as consistent with the latest scientific research, suggesting that their opponents were unscientific. They tried to mask a moral choice as a scientific issue.

Political rhetoric was also used, referring to the duty of parliamentarians, as spokespersons for democracy, to introduce democracy in Poland, which meant the duty to recognize the equal rights and lives of all persons. This was aided by the rhetorical maneuver of calling the fetus a "nasciturus,"⁹ first done during the August debate. The concept "nasciturus" suggests that it is a human being from

the moment of conception. Jointly, it was argued that this required an absolute ban on abortion.

The opponents of the bill did not generally use such rhetorical devices, although there was one senator who stressed that abortion involves human tears, tragedy, and blood and is a question of moral choice, which those for the bill tried to disguise. He denied that the Senate and Parliament had the right to decide this issue and thereby impose its own moral opinions upon forty million people.

Appeals to authority included those of a senator who introduced herself as "the only specialist in penal law" and another who spoke of himself as being in the natural sciences, implying that he was not influenced by political or ideological concerns. Two senators spoke in the name of a Senate commission, while another said he was taking the floor as both "a citizen" and "a doctor," suggesting that he was speaking not just for himself, but for a specific group. And one senator used the phrase "the right to life" thirty-eight times in her twelve-minute speech.

Let us look at the substantive arguments used by the two parties in the August and September 1990 debates, looking first at the arguments used by advocates of the new act.

These arguments, which appeal to distinct sorts of premises, can be divided accordingly into moral, empirical, and political arguments. Among the *moral arguments* are those that rest on moral claims: that human life is the supreme value and starts at conception, and thus must be protected; that the human being is autonomous from the moment of conception, that it is not part of the mother's body, and that the mother thus does not have the right to decide on its future; and that abortion is immoral, the slaughter of innocent human beings, comparable to killing old or disabled people.

The empirical arguments include *sociological and legal arguments* such as: that the incidence of abortion in Poland is very high, persuasion is not sufficient to control abortion, and legal bans are thus necessary; that legal regulations aim at educating society and changing social consciousness; *demographic arguments* that regions of Poland, especially rural ones, are underpopulated, many people emigrate, so who will work in the future to pay for old-age and disability pensions. One senator stated that Poland could contribute to Europe a value it lacks: a commitment to large families. These arguments reflect the particular concerns of Poland, as is evident in one *historical argument* that Poland would not have conquered the Red Army in the famous battle of 1920 had the Polish women aborted; the 1980 revolution would not have occurred had there been no demographic explosion in the 1950s.

An "*Argument from authority*" refers to an argument containing an empirical premise invoking or endorsing the views of an irrelevant authority. In this debate, they appealed to church doctrines to protect life given by God; to the American Founding Fathers and President Reagan, complete with quotations from his speeches; to the Second Solidarity Congress in 1990, which backed the bill; and to the Hippocratic Oath, the Human Rights Covenants, and other international

covenants that oblige the state to protect life, including the life of the unborn fetus.

The *political arguments* included an appeal to democracy, i.e., that the electorate demanded that Parliament should vote for the bill, indicating that the debate on abortion in Poland, in the appeals to democracy, has dimensions not found in the Western abortion debates.

Opponents of the bill rest their empirical arguments on beliefs of the ineffectiveness of penal measures to control abortion; the need to control the causes of abortion by changing women's living conditions, developing care and financial assistance for unmarried mothers; the need to propagate sex education and contraceptives; such unintended negative side effects as illegal abortions performed under unsanitary conditions; or social differentiation into wealthy women who will have abortions in good conditions and the poor doomed to back alleys.

Opponents argue further that the abortion issue is a moral issue and no person has the right to impose his or her moral opinion on others, or to use police to protect that opinion. They appeal to the woman's right to life, claiming that advocates of the bill falsely state that pregnancy poses no serious threats to a woman's life while demanding that she should sacrifice her life in a situation of threat, and that it infringes on her subjectivity to deprive her of the right to choice. They further argue that penalizing abortion is inconsistent with the practice of civilized societies; that the state cannot protect anything from a moment of conception of which it cannot have exact knowledge.

Opponents, too, used political arguments appealing to democracy, claiming that the electorate demanded that Parliament vote against the bill and that the discussion is a substitute for a political debate.

In contrast to the West, arguments for the absolute individual right to control over one's body were infrequent and mostly used in street debates, not in Parliament. This is not surprising in a culture in which the idea of individual rights was systematically censured by official collectivist ideologies. The Senate debaters' attitudes, if they did refer to the right to control over one's body, frequently become extremely patronizing toward women. One senator said, "It isn't classy to say that my stomach is my business, and real ladies never speak this way." At the same time he stated that it was a "confusing slogan, as the Parliament is entitled to debate and decide on that issue."¹⁰

It was very rare for men participating in the debate ever to mention that they were speaking of a matter that concerned women above all. One who noticed this problem stated that he would have felt better taking the floor on this issue if he had been "a young and attractive girl." Only one man in the Senate took this problem seriously, dramatically describing overburdened women of thirty who looked as old as their own grandmothers. He asked whether senators should become guardians of these women's conscience and judges of their personal tragedies.

Outside of the parliamentary debates, the arguments were more emotional,

comparing abortion to "Nazi and Stalinist genocide" and the slaughter of unborn children. There were mass demonstrations and collections of signatures for and against the bill. Opponents of the bill called their adversaries "murderers of women," while banners proclaimed the number of women who had died from illegal abortions.

Differences on abortion reflected general moral and lifestyle disagreements. Advocates of the ban introduced themselves as being for the traditional family, monogamy, sexual moderation, and morality. Significantly, opponents of the bill stressed that they were against abortion as well, but that they wanted to control it through a change of living conditions, better contraception, and sex education while protecting freedom of individual choice.

These pronouncements show that slogans about equal rights of women, unless supported by actions and by a woman's struggle to realize that equality, have little effect. The problem about who should decide about abortion has not been settled. Opponents of the abortion law, aware of public sentiment on abortion, asked for a popular referendum, but the Sejm rejected the motion, arguing, contradictorily, that moral problems cannot be settled by voting.

Several other methods were used by opponents of the draft on abortion, including use of the parliamentary procedure of submission of minority motions to submit a competitive draft, "On the right to parenthood, protection of the conceived human life and the conditions of admissibility of abortion." The Parliamentary Women's Club (headed by Barbara Labuda), in order to delay a vote to ban abortion, asked that a very long list of questions be answered before a vote could be taken, especially on the financial consequences if the draft were introduced. The Women's Club demanded that all these questions be answered before the Parliament proceeded to vote on the draft.

A somewhat modified version of the draft was submitted to the Sejm, which decided to refer it, without debate, to an Extraordinary Commission specially created to investigate the parliamentary draft. From the very beginning those who were for a legal ban on abortion outnumbered opponents on the commission by one vote. It was decided that the antiabortion act should provide for no exceptions; also, the plan to punish women for abortion was reincorporated. According to the commission's draft, the only condition under which a doctor trying to save a woman's life is not guilty of a crime is if a miscarriage takes place as an unintended effect of his actions.

When no compromise whatsoever seemed possible, the Parliamentary Club of the Democratic Union made a new initiative, announcing its intention to move from a parliamentary resolution suggesting that neither drafts nor the proposal of the referendum should be investigated by the Sejm. This was an attempted compromise. It did stress the evil that results from abortion, the need to include a provision on the protection of life in the Constitution itself, including that life begins from the moment of conception, and the need to abolish the regulations that permit abortions in private surgeries. But it also stated that the government

should prepare a program of extended care for the mother, child, and family, and provide for sex education.

The final vote on this resolution took place the day after the debate of May 15, 1991; 208 deputies voted for the resolution, 145 against it, and 14 abstained. Thus, neither the drafts nor the proposal of the referendum was investigated by the Sejm.

This debate reveals the particular contours of the Polish situation: how the creation of a democratic society is reflected in the political arguments about abortion; the importance of stating one's opposition to abortion, whichever side of the debate one is on; the confusion, and even reluctance, to handle public discourse on such issues; and the relative unimportance of the individual rights of the woman, such a major issue in the West.

A further question arises whether positions on the abortion bill reflect divisions into left and right. To discuss this we have to look at the political situation in Poland.

V. The Public Sphere in Poland

The Polish parliamentary elections of June 1989 were the first free elections held in Central and Eastern Europe since 1939. Elections to the Sejm, the lower chamber, were not entirely free, since only 35 percent of the seats were filled in free elections, with the remaining 65 percent kept by the former ruling groups. But elections to the Senate, the superior chamber which was nonexistent under communist rule, were entirely free. When the Polish elections of 1989 were taking place, the political and social changes in the other Soviet bloc countries had not yet begun, and the future of the Polish transformation hardly seemed certain.

Under these conditions, the June 1989 elections presented not so much a choice of positive programs or individual candidates as a chance to vote against the Communists. It was "Walesa's team" who was elected; each member was photographed with Walesa to identify him or her to their constituents as a member of the "team." Opposition candidates had to form such a team to beat the Communists, since the long media monopoly and absence of freedom of expression made it impossible to get to know the candidates individually. The difficulty in creating a public sphere and civil society was enhanced by the lack of a political language to identify positions. The old usage of "left" and "right" was corrupted by the former system, whose abuses and misapplication made those terms lose their original meaning, such that negative connotations were attached to the former term. Communists were identified with a corrupt totalitarian system which the society rejected, rather than spokespersons for a progressive movement. Adam Michnik even stated that he was offended at having been identified with the "secular Left," and responded by calling the authors of the statement "pigs."¹¹ With the growing stabilization, the former "team" will need to divide according

to ideologies, philosophies, opinions, and standpoints. The language in which to accomplish this is in the process of being created.

It is thus difficult to characterize the abortion debate in terms of left and right. If one had to use those terms, one would say that the right and center predominated; voices from the left have been practically absent, except in the communist newspaper *Trybuna*.

The Catholic church plays an important political role, in part because of the past 40 years, the church was the only voice independent of the state and the spokesperson for national traditions and values professed by Poles themselves. It provided the possibility of a minimal civil society, of excluding a limited sphere of one's life from the state, and it supported and employed those who opposed the communist system and who hold power today. Abortion is an issue on which the Catholic church has been unyielding for many decades, aiming at a complete ban on abortion.¹² It is difficult to oppose the church on an issue it finds so important. In addition, the church is an influential power and candidates to political office strive for its backing.

A very interesting situation emerged during the electoral campaign of fall 1991. None of the parties or political groups were outspoken about abortion, its legal regulation, or possible further parliamentary debate. As Foucault has claimed, one method of controlling discourse, especially about politics and sex, is through exclusion of topics, which was precisely the mechanism used by the parties in the parliamentary electoral campaign of fall 1991, only a few months after the fierce discussion about abortion in Parliament. This was the case despite the fact that legal regulation of abortion was generally expected to recur in Parliament.

Those who wanted to ban abortion took other actions as well. One of the church's greatest successes was the passage on December 14, 1991, of a new "Physicians' Code of Ethics." The Chamber of Physicians appointed an extraordinary commission to prepare this new code. The original draft, submitted to the commission on December 14, 1991, permitted abortion by a specialist in the sole case of a threat to the woman's life. The medical community had no opportunity to acquaint themselves with the draft and no chance to express their opinions concerning it. The congress eventually adopted a version that permitted an abortion by a specialist if pregnancy threatened the woman's life or health or if it resulted from a criminal offense. According to this code, a doctor who performed an abortion for other reasons was liable to punishment by the disciplinary court of the Chamber of Physicians, whose penalties included the withdrawal of a medical license. This could have a chilling effect even on doctors' willingness to perform prenatal diagnoses.

In the last week of March 1992, a group of deputies submitted to the Sejm a draft bill almost identical to the previous one. The Women's Parliamentary Club submitted a counterproposal that was much more liberal. In June 1992 the Sejm investigated this draft.

This series of events brought about the unusual legal situation of 1991-92, in

which abortion was permitted by law in cases prohibited by this medical moral code. Although a doctor who performed an abortion because of the woman's "difficult living conditions" was not guilty of a legal offense, she or he was nevertheless liable to punishment by the disciplinary court of the Chamber of Physicians.

The function of such actions was also to prepare additional arguments for a limitation on the right to abortion. Should a new abortion act be discussed in Parliament, the antiabortion position was ready with a new argument: even doctors are banning abortion. Surveys have shown that fewer than 7 percent of physicians actually support such a ban,¹³ but the adoption of the moral code permits opponents of abortion to present a different interpretation of doctor's opinions.

VI. Women's Political Action

In Poland as in the other post-communist countries, women's movements are weak and poorly organized, and a public discourse about women's issues has to be created. This results from the loss of face of the official communist women's movements and the situation of women. In the years between the two World Wars, 1918–1939, the women's movement developed freely in Poland. Over eighty different women's organizations existed, from professional organizations in cities to women's clubs in towns and villages, church organizations, and the Women's Parliamentary Club.

The women's political situation changed diametrically after World War II, under communist rule. The grass-roots women's movements were replaced by the official Women's League. Like all other social movements and organizations under communism in Poland, independent women's organizations were banned, replaced by organizations established from above. These discredited organizations have made Polish women suspicious of any women's organizations, including those that the new women's movement is trying to organize. The very idea of a political party is discredited, owing to its degeneration and association with the one and only Party that exercised power against the will of society. Groups organizing now seldom call themselves parties, preferring the names "movement," "forum," or "group."

In the 1970s women constituted at least 20 percent of the Polish Parliament. But under communist rule, real power was exercised by the Central Committee of the Polish United Workers' Party (PUWP) and to some extent, by the government. Among these bodies there was only one woman at most. Whenever Parliament gained real power and there was more political freedom—after 1956, in 1989 and 1991—women always found it the most difficult to get elected, and their numbers declined. While women constituted 23 percent of members of the Sejm¹⁴ in 1980–85, they made up only 9 percent of the Sejm after the elections of fall

1991. The absence of grass-roots women's movements that could nominate and promote their leaders exacerbates this situation.

In this difficult context, influential women's groups remain absent. As in other post-communist countries, the lack of a broad representation of women in Parliament and local government is no accident. The official Communist Party women's organizations developed their own elites and are in no position to represent Polish women. At the same time, owing to long years of an absence of democratic process, a public sphere, and genuine social movements, groups representing women's interests could not develop. The discussion on the abortion bill changed this situation, and a number of small groups have been created that aim at defending women's rights: the Movement for Women's Self-Defense, the Association for the Dignity of Women. There are also grass-roots organizations such as the Feminist Association and Pro Femina. All in all there are more than twenty women's organizations in Poland today. Their discussions and activities focus on the abortion bill, but they can be expected to expand to incorporate other women's issues. Representatives of women's movements have no representation whatsoever in Parliament, although they have taken part in numerous street demonstrations and pickets against the bill. In Warsaw there were several street demonstrations in 1991, all ending up in front of the Parliament. Participants demanded that their arguments be heard by representatives in the Senate. If it were not for those insistent demands, nobody would try to learn their opinions on the issue, to say nothing of taking them into consideration. It is therefore clear that the movements representing the interests of women have only started their struggle for recognition, and they have started by entering the public discourse about abortion, demanding that it be part of the parliamentary and democratic discourse. What has so far been the problem of each individual woman will become a problem for society.

Reconstruction of a genuine political sphere is bound to be prolonged.¹⁵ The most interesting effect of the submission of the draft to the Sejm has been the activation of women's groups, the attempt to formulate women's needs, and the establishment of women's organizations. These have been initiated from below, not imposed on women. It can be stated that, paradoxically, the antiabortion draft helped women to create women's organizations and a women's movement in defense of their rights.

Notes

1. E. Zielińska, *Oceny prawnokarne przerywania ciąży: Studium porównawcze* (Warsaw: Wydawnictwo Prawnicze, 1986).
2. S. Klonowicz, "Legalizacja sztucznych poronien a dynamika rozrodczości w Polsce," *Studia Demograficzne*, no. 36 (1974).
3. *Prymas Polski w obronie życia* (Warsaw, 1982).

4. F. Kissling, "The Church's Heavy Hand in Poland," *Conscience* (September/October, 1991).
5. J. Kurczewski, "Carnal Sins and Privatisation of the Body," in *Family, Gender and Body in Law and Society Today* eds. J. Kurczewski and A. Czynczyk (Warsaw: University of Warsaw, 1990).
6. "Aborcja tak, ale z ograniczeniami," *Gazeta Wyborcza*, March 16, 1992.
7. All dates and quotations from the August 3, 1990, debate are from the Senate's own shorthand report of that debate.
8. All data and quotations from the September debate are from the author's own recording, made during a TV digest of the Senate debate of September 29–30, 1990.
9. In Roman law, "nasciturus" denoted a fetus that had certain rights upon its birth, e.g., to inherit the property of its father (even if the father had died before it was born).
10. Recorded by myself.
11. A. Michnik, "Co zostało z komitetu," *Gazeta Wyborcza*, no. 146 (1990): 4.
12. On the Catholic church's standpoint on the abortion issue, see "Declaration on Abortion," Vatican 1974, the Holy Congregation on Faith, approved for publication by Pope Paul VI.
13. J. Supinska, unpublished manuscript.
14. From 1939 to 1989 Poland did not have a Senate at all. The upper chamber had been swallowed by the Communists, since it traditionally represented the upper classes in the Polish parliamentary tradition.
15. On the shaping of the system of power, see M. Fuszara and J. Kurczewski, "Rząd i parlament jako ośrodki władzy," *Prace* [journal connected with *Solidarność*], no. 2 (1990).

24

Political Change in Poland: Cause, Modifier, or Barrier to Gender Equality?¹

Anna Titkow

For more than 120 years, up to 1918, Poland did not appear on the map of Europe as a state. The period of lost independence and statehood created the model of the heroic Polish woman coping with all sorts of burdens. What was demanded from a woman was endurance and steadfastness in her duties; her importance in bringing up children was also stressed. Women were responsible for maintaining the national language, culture, and religious faith. They were accustomed to performing traditional male roles (keeping the home or running a business when the husband was imprisoned or died). All this created a "social genotype" of a woman coping discreetly with very difficult demands, in accordance with the spirit of self-sacrifice for the homeland and family, not expecting anything other than acknowledgment in return.

That traditional Polish image of woman as protector and preserver of heroic virtues², much like the image of woman promoted by the Catholic church, continues to this day. Women's entry into paid work under state socialism amounted to the *loss of a chance* for fundamental changes in the essential social and cultural identity of Polish women, the *loss of a chance* for full and permanent conversion from sex identity to gender identity.

Sociological research shows that under state socialism the main criteria for respect for women were still the proper performance of family responsibilities, effectively combined if possible, with paid work. Even in better-paid sectors, mainly industrial work, women are most often clerks and administrative workers at the lowest ranks or unskilled and semiskilled workers.³ Women do not make a career, even in the most feminized sectors of the labor market.

It is probably true, however, that coping with the demand of paid work, superimposed on the traditional roles of women, has bettered women's self-evaluation. It has served not only as a source of gratification but as a counterweight to the problems work caused to women's mental and physical health, and also as an asset to women's authority in the family. Having to do the shopping and carry