

INTRODUCTION:

Poland and Ireland each have some of the world's most restrictive abortion legislation, with abortion being nearly if not entirely criminalized in both countries. Their respective histories and political contexts provided an ideological vacuum in which the Catholic Church filled a nationalist role, setting the stage for each country to become a modern theocracy. The Church in Poland and Ireland historically served as a source of stability and nation-building in times of conflict, which now enables Irish and Polish people to understand their citizenship through the lens of Catholicism. Both countries have a strong tendency to equate nationalism with Catholicism, and further, with traditional gender roles; this emphasis on gendered nationalism becomes a mechanism through which the male, Catholic nation-state maintains control over women. The influence of the church-state strips women of their physical, intellectual, and political agency. Restrictive abortion legislation in Ireland and Poland is an embodiment of Catholic influence and biopolitics; I argue that the nationalist, religious rhetoric employed by the unofficial theocracy in both states coupled with a historical legacy of conservative understandings of gender enable Ireland and Poland to implicitly and explicitly deprive women of their fundamental rights. Both states thereby institutionalize policies and ideologies that systemically oppress women and hierarchize fetal life over women's lives.

POLISH HISTORY:

Poland's history is one punctuated by conflicts, wars, and uprisings since its struggle for independence began in the early 1700s. In the twentieth century, after years of working towards independence, Poland finally overthrew their communist oppressors (Nowicka, 2000: 168). However, when Poland ended communist control in 1989, they started a new era of deeply conservative and reactionary policies that eradicated women's reproductive rights. The Catholic

Church's power is the defining factor in Poland's intensely restrictive abortion legislation; Poland is effectively a theocracy due to the close ties between Catholicism and nationalism, thereby institutionalizing the power of the Church within the state. In order to fully understand the abortion debate in Poland, one must understand the political, cultural, and religious context for the discussion.

In 1956, under Communist rule, Poland passed the Law on the Termination of Pregnancy, which allowed women to receive a legal abortion at any stage of pregnancy for any variety of reasons (Leslie, 1994: 453). A 1959 executive order by the Minister of Health further expanded abortion rights, now dictating that physicians had to accept with no questions asked a woman's justification for an abortion (Leslie, 1994: 457). This effectively made abortion affordable, accessible, and available on demand.

Early Independence in Poland

In 1989, Poland overthrew the communist regime. In an effort to move away from communist policies, the new government—an explicitly Catholic and nationalist one—quickly and drastically changed many of their social programs. The government banned oral contraceptives, eradicated sex education in schools, and made alternative forms of birth control nearly inaccessible. In 1990, they passed the first legal restriction on abortion. Women who sought an abortion in a state-financed hospital needed a certificate from a psychologist and two doctors; she also had to pay an \$80 fee (Leslie, 1994: 459). Abortion was further restricted in the following years. In 1992, Parliament passed the Doctor's Code of Ethics. This limited abortion to cases where the mother's life was in danger or where the pregnancy was the result of rape or incest and introduced a "conscience clause" that would come to be vitally important in the abortion debate in Poland (Leslie, 1994: 460). Another bill, the Act on Family Planning, Human

Embryo Protection, and Conditions of Permissibility of Abortion, was passed the following year and made abortion completely illegal for any reason other than the mother's safety (Nowicka, 2000: 170). These policies are still in place today.

Poland as a Catholic Nation-State

Poland has a deep and long-lasting relationship with the Catholic Church, and it is inextricably tied to Polish nationalism. During Poland's tumultuous political history, the equation "Polish = Catholic" was introduced and still holds true (Heinen and Portet 2010: 1007). The Church was the only center of stability and resistance against various groups invading Poland; the Catholic Church was the Polish nation. During the socialist regime, there were underlying tensions between visions of secular modernity and Catholic traditionalism. The Church and the state had a relationship categorized as "antagonistic interdependency," meaning that while there was a separation of Church and state, the state recognized the Church's national importance and the church understood its dependence on the state for survival (Mishtal 2009: 162).

In the post-socialist period, Poland was heavily influenced by Catholic nationalism. The Church, as demonstrated, had long since been an actor in politics but stepped to the forefront in the interim after the socialist regime collapsed. Many members of the anti-communist opposition in the 1970s and 1980s became actively involved in the anti-abortion campaign in the beginning of Poland's statehood (Kirazoglu 2013: 42). The Church has "succeeded in filling the ideological vacuum left after the overthrow of the communist regime" (Kirazoglu 2013: 49).

The Polish Constitution interacts with abortion policy in a very complex way—there is an implied right to privacy in the Constitution and an enumerated right to free healthcare (Leslie 1994: 466). The abortion ban explicitly violates both of these rights, but the Constitutional Court

of Poland refuses to hear cases regarding abortion on the grounds that they only handle legal matters, not social or moral ones (Leslie 1994: 461). Additionally, women's rights are not explicitly outlined in the Polish Constitution (David and Titkow 1994: 240). Since there is no space for women's rights in a Constitutional framework, abortion policy is even more difficult to combat from a legal standpoint. Additionally, while the Constitution calls for a separation of Church and state, it also allows for "the principles of the relationship between the Church and state [to] be defined by law" (Fuszara 1991: 462). This clause creates a purely nominal distinction between the two institutions and allows for leeway that empowers the Church to be involved in governmental affairs.

Catholic Influence in Polish Society

It is also important to consider the Church's traditionalizing effect on Poland's culture. Through their deep ties to the government, the Church influences societal norms. They do this firstly by instituting ideologies, particularly about women and their social roles. There is a governing belief about women's position in Poland referred to as *Matka Polka*, or Polish mother. She is the mother of God and of the nation, the silent protector of the family and guardian of Poland (Kirazoglu 2013: 44). This has created a deep sentiment for the family and for women's role as mother and wife in Poland. Polish (i.e. Catholic) women are to embody sacrifice, motherhood, and life centered on family duty (Leslie 1994: 455). This ideology has created a toxic environment for women in which their rights are considered a relic of the communist system and are consistently mocked in mass media (Jankowska 1991: 174). Additionally, the family—which relies on the woman as its center—is another symbol of Polish identity, associated with the creation and continuation of customs and language, therefore reinforcing women's importance as wives and mothers.

Women's quality of life is significantly less under the Church's influence. Full participation in the workforce regardless of gender was a key tenet of the socialist regime, but the contemporary conservative moral rule pushed women back into the home. Women are twice as likely to fall under the poverty line than men; they constitute the majority of unemployed because of gender discrimination in the workplace; they have dwindling financial resources as a result of neoliberal transformations to the market economy because of harsh reductions in maternity and social services provisions (Mishtal, 2009: 163). Thus, the abortion debate spurred by the Catholic Church has directly damaged women's quality of life in the public sphere.

The Catholic Church acts as a de facto parastate in Poland. As Hanna Jankowska states, it seems that Poland is going to be converted into a model Catholic state, implementing all Vatican teachings which concern human reproduction" (1991: 178). Reproduction and sexuality are sites of moral governance.

IRISH HISTORY:

In Ireland, understandings of gender, religion, and sexuality begin in the 5th century, when Saint Patrick and other missionaries famously colonized Ireland, expelled the indigenous pagan religions, and introduced Catholicism to the people (Larkin 1987: 12). In the 1600s, Ireland was subject to the harsh regimes of penal laws instituted by England. The purpose of these bills was explicit: to disempower Catholics (by denying them land ownership, outlawing the Catholic Clergy, and banning Catholics from serving as public leaders) and subsequently enforce the Protestant Church as the Church of Ireland (Beale 1987: 45). By 1778, Catholics held only 5% of the land in Ireland and were treated as second-class citizens by the British Protestant majority (Larkin 1987: 22). Evidently, religious affiliation was deeply related to ideas of the Irish nation. These laws posited Irish Catholics as "other" in comparison to the British Protestant

colonizers, and created a nationalist vacuum in which the Catholic Church was equated to “real” Irish citizenship.

In 1829, Daniel O’Connell and other Irish Catholics worked to pass the Act of Catholic Emancipation, which lifted the total ban on voting by Catholics and allowed them to become Members of Parliament in London. Bolstered by their newfound power, Irish Catholics experienced a Devotional Revolution—a time when rapid religious change linked to economic and political changes also manifested itself in educational reforms, giving the clergy direct control over the national school curriculum and hiring of teachers (Martin 2012: 66). These levels of influence increased the Catholic Church’s ability to explicitly and implicitly regulate marriage, sexual practices, and the construction of gender identities in local communities on a more official, structural level than they previously had.

These changes set the stage for Catholic unification in the face of Protestant imposition of values and laws, but momentum was quickly suppressed with the Great Famine. Beginning in 1845, Irish farmers were subject to an extreme crop blight that eradicated produce and profits. Irish people were forced to send any harvests abroad due to British trade agreements that the government refused to negotiate. Over the course of six years, Ireland lost over 2 million citizens to the famine or mass emigration (Larkin 2012: 40). Irish people still carry resentment for the British government’s lack of intervention or assistance during the Famine, and this further deepened divides between Irish Catholics and British Protestants.

Irish Catholic Political Activism

In the late 1800s, Irish Catholic citizens began organizing in a more explicitly political sense with the goal of critiquing—even separating from—the British government. The Irish Parliamentary Party led the fight for Ireland’s self-governance within the United Kingdom; Irish

Members of Parliament brought a Home Rule bill to vote, and it was enacted but quickly suspended due to World War I in 1914. Two years later, armed rebels (Irish volunteers and an Irish citizen army) seized key locations in Dublin and declared Ireland an independent republic, an event now known as the Easter Rising. After six days of fighting, the rebels surrendered to British forces, a move that most Irish citizens supported—until the British executed leaders and participants in the rebellion. This shifted public opinion in favor of the Sinn Féin party, whose policy was to “establish in Ireland’s capital a national legislature endowed with the moral authority of the Irish nation” (Larkin 1987: 161). Thus begins the explicit conflation of the state with Catholic virtues, and the independence of the nation with its moral wellbeing.

From 1919 to 1921, the Irish Republican Army waged a guerrilla war against British forces. This was a result of the December 1918 election, in which Sinn Féin won a landslide victory, formed a breakaway government, and declared independence from Britain (Dinah 105). Over the course of three years, the war grew increasingly violent; the British army killed over 2,000 Irish citizens, most of whom were Catholic (Beale 1987: 114). In 1921, both sides agreed to a truce and signed a treaty that created the Irish Free State, a decision supported by Catholic republicans in the south and opposed by Protestant loyalists in the north. The divisions were so stark that in 1922, the Irish Civil War began. The war saw the creation of the two major political parties in Ireland, the deaths of many thousands of Irish citizens, extreme economic repercussions, and even deeper divisions between Catholics and Protestants in Ireland. In 1937, the new Constitution officially established the Republic of Ireland.

Though officially over in 1923, the Civil War’s legacy reached far beyond that. The 20s and 30s in Ireland saw the censorship of films and publications aimed at depictions of sexuality and preventing the spread of communism—again, equating nationality and religion (Speed 1992:

87). In the 1960s, Catholics were subject to violence from the Protestant majority in Northern Ireland, a time known as “the Troubles.” British forces were dispatched to protect the Catholic minority, but the army ended up being a tool for the Protestants, and Ireland once again experienced a Bloody Sunday in 1972 when British forces killed 13 Irish Catholic citizens in a peaceful civil rights march. The conflict legally ended in 1998 with the signing of the Belfast Agreement, but nationalistic religious rhetoric still divides the Irish on an ideological and practical level.

Ireland as a Catholic Nation-State

Ireland’s complicated history, riddled with violence, colonialism, and death is deeply and inextricably tied to the Catholic Church. The Church is synonymous with Irish national identity and with the construction of an Irish state. In Irish society, the Church serves as a civilizing force and a state-building one. Amidst various tragedies and wars, the Catholic Church was the only symbol of stability for Irish citizens; Catholicism also became the mark of a “true” Irish citizen, especially when presented against oppressive and abusive British Protestantism.

Further, the Church’s positions on social and moral issues become the policy of the state, on a theoretical plane and a legislative level. Nationalist constructions of the Irish nation are rooted in Irish Catholic morality; specifically, the Church specifically correlates the female body and the nation-state. This is visible in symbolism of the nation’s purity and tradition, between “Mother Ireland” and iconography of the Virgin Mary as the cornerstone of the Irish state. The modern Irish state formed at a time when men wanted to establish a nationalist masculine identity against the colonial feminization under British rule, so Ireland became another virtuous woman they were required to protect (Martin 2012: 67).

Consequently, these ethical judgments are embodied in legislation, education, and culture, moving from the symbolic to the lived effects of a Catholic nation-state. The first Irish Constitution served a three-piece purpose: to embody the patriarchal nuclear family as the foundation of the new state, to conflate women, the home, and motherhood as a single unity, and to legally restrict married women to the domestic sphere (Martin 2012: 67). There became evident an enumerated connection between the welfare of the nation-state and the “appropriate” behavior of women. It is visible on an educational level, as the Catholic Church manages 3,400 of the 3,500 schools in Ireland, regularly shows an anti-abortion propaganda film called *The Silent Scream* in classes, and enforces religious, abstinence-only sex education (Hadley 1996: 17). The Church’s control extends even to culture—*Our Bodies, Ourselves* and *Cosmopolitan Magazine* were both banned in Ireland for their discussion of sex, sexuality, and contraception (Hadley 1996: 22). In these legislative actions and exercise of cultural control, the labor of representation faced by women (to embody the piety and stability of the Irish Catholic nation-state) moved from the abstract and symbolic to the lived and practical, impacting women on an everyday level.

The influence of the Catholic Church extends beyond the image of women and in fact explicitly prescribes their behavior and actions, specifically relating to sex, sexuality, and reproduction. As Ruth Fletcher writes, Irishness is directly tied to moral values, specifically being “pro-life” (Fletcher 2001: 569). The Church equates procreation with the nuclear family, which represents social stability and political identity in Ireland. In Ireland, abortion is both sinful and non-Irish. This is largely due to how “Catholic social teaching and church values were woven into the political fabric of the nation as part of the Constitution, forming the basis for the

prohibition of contraception, divorce, and abortion, and enshrining legal rights for the family as an institution” (Allison 2010: 5).

Early Abortion Legislation in Ireland

Perhaps the most explicit way the Church controls discourses on female bodies is through the lens of abortion. In 1861, Ireland passed the Offenses Against the Person Act, which criminalized women who “procure a miscarriage” or anyone who assisted them—the punishment was life in prison. (This was the basis of criminal law on abortion in Ireland until 2013, with the passage of the Protection of Life During Pregnancy Act.) Irish people were vastly in favor of the Offenses Act; the only visible pushback was in the 1970s, when the Irish women’s movement took the offensive front, marked by the Contraceptive Train in 1971. The Irish Women’s Liberation Movement brought groups of women from Dublin to Belfast by train—when they crossed the border into Northern Ireland, the women purchased condoms, contraceptive jellies, packets of the Pill, and spermicides to flaunt an Irish custom officials on the journey south (Barry 1992: 108). Irish government officials refused to acknowledge the Contraceptive Train, which was indicative of their suspension of authority in areas of moral conflict. Their (lack of) position created a weakened sense of legitimacy in the state and instead bolstered the legitimacy of the Church. The decade of progress closed in 1979, with the passage of an act legalizing the importation and sale of contraceptives (although they were only available on medical prescription for married couples’ family planning purposes, and there was no distinction between condoms, spermicides, and the Pill) (Barry 1992: 112). In this activism and legislation, we can see a clear divergence between social practices and social laws, and an obvious representation of the ways in which reproductive care policy reflects Ireland’s state of flux and uncertainty.

Irish Abortion Policy and the Eighth Amendment

In the 1980s, Ireland's reproductive policies took an even more restrictive turn. After *Roe v Wade* occurred in the United States, Catholic groups predicted a similar "right to privacy" question coming up in Ireland—so they created a group called the Pro-Life Amendment Campaign (PLAC) whose purpose was to pass, via referendum, a Constitutional amendment prohibiting abortion.

Dr. Julia Vaughan, the PLAC chairperson, outlined their ideology: "the principle of inviolability of innocent human life is central to our campaign, so that even in the case of anencephaly it is our deeply held conviction that the direct taking of such life, however malformed, can never be justified" (Fletcher 2001: 575). The ensuing public debate was intense and deeply divided along religious lines; all of the main Protestant churches and non-Christian religious institutions in Ireland issued official statements opposing the pro-life amendment (Fletcher 2001: 575). Philosophers and politicians pointed out the ways in which the amendment was unnecessary from a legal standpoint: the 1861 law still stood, and the Irish Supreme Court had twice outlined the right to life of the unborn—first in a 1974 case, the decision read, "to limit family size by endangering or destroying human life is necessarily an offense against the common good but also against the guaranteed personal rights of the human life in question" (Maher 1985: 10). A 1979 case also said, "the right to life necessarily implies the right to be born... the child's natural right to life and all that flows from that right are independent of any right of the parent as such" (Maher 1985: 10).

Despite this, the PLAC was more heavy-handed in its advertising campaign: their subgroup, the Society for the Protection of the Unborn Child, circulated publications throughout hospitals that outlines the "thoughts of a fetus" from conception to abortion, and the group had door-to-door canvassers distribute literature to every home "showing horror pictures of abortion"

(Maher 1985: 11). The scope of the Church's teachings on the female body, abortion, and sexuality was too deeply formed, however, and in 1983 the amendment passed by a majority of almost 2:1, effectively positioning the Irish people as the protectors of unborn life. It is now Article 40.3.3 of the Eighth Amendment of the Irish Constitution, and reads: "the State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and as far as practicable, by its laws to defend and vindicate that right."

The passage of the pro-life amendment solidified Irish Catholic nationalism, and enshrined Catholic teaching on the issues of abortion, gender roles, illegitimacy, rape, marriage, sexuality, and the female body.

THEORY:

Violence and the State

Restricting and controlling women's bodies is a form of state-instituted violence. In his book *Politics as a Vocation*, Max Weber argues that the state is an institution that "claims the monopoly of the legitimate use of physical force within a given territory" (1965: 2). This explicit definition of the state's purpose is complicated by the realities of such a definition. The state is the only one who can condemn violence, but it is simultaneously the only one who can execute it. The constant negotiating and renegotiating of authority creates a condition of flux, a stable instability. Not only is the state of instability visible on a theoretical plane, but it has also been institutionalized on a practical level in the lives of citizens. Weber asserts that organized violence and domination—the responsibility of the state—requires total control in the form of collective power through the relinquishing of individual rights (1956: 4). In order to be a citizen, the state mandates that individuals give up their personal autonomy. This unspoken (but tangible) contract

between the state and its citizens further solidifies the role of the state as the instrument of justice and of domination, the actor of violence and the protector of citizens, the implementer of rules and a member of local worlds—making it inherently illegible and incredibly fragile. This is visible in the case of Poland and Ireland, where the church-state creates and perpetuates the oppression of women through its restrictive policies on sexuality and reproduction. Women are forced to relinquish their rights in the name of the authority of the state.

Biopolitics and Abortion

The church-state is deeply tied to biopolitics, a theory coined by Michel Foucault. Biopower is the state exercising control and power over the bodies of its citizens. Commonly phrased as make live, let die, biopolitics is the government's concern with the fostering of the life of the population, navigating between poles of regulatory, normative controls and embodied discipline. This ideology stands in contrast to traditional modes of power, which are based on the threat of death from a sovereign. Biopower is centered around the protection of life, not the imminent possibility of murder. Foucault explains it as “an explosion of numerous and diverse techniques for achieving the subjugations of bodies and the control of populations” (Foucault 1977: 4). In this scenario, the state's use of power is constructed as essential to life. The state is both the protector of life (deemed sacred) and the executor of death (of those deemed unnecessary or unproductive). Biopower rationalizes regimes of authority over knowledge and information, generates objective discourses about life, and constructs dialogues between the sense of self and the collective. In their control of reproductive discourses and abortion law, the state decides who is worth life, and how and when people live or die.

Reproduction is effected through the cultural production of personhood. Personhood “is a process conferred, attenuated, contested, and withheld by the collective. It does not reside in the

physical or cognitive attributes of individuals” (Kaufman and Morgan 2005: 321). Further, when reproduction is narrowly constructed as procreation, abortion, and/or childbirth, the church-state diverts attention from the real locus of their control—the power to determine who lives and dies. As Mbembe writes, “to exercise sovereignty is to exercise control over mortality and to define life as the deployment and manifestation of power” (2003: 12).

Women as *Homo Sacer*

The abortion debate in Poland and Ireland in the context of the Catholic Church relates to the theory of necropower and bare life. Bare life, or *homo sacer*, is a term created by Giorgio Agamben. Agamben defines bare life as “the bearer of the link between violence and law” (1998: 42). This theory is based off of the state’s dual role as protector and executor of violence, and posits that there exists a *homo sacer* whose killing does not constitute as homicide, because the state designates them as a sacrificial life (Agamben 1998: 62). Bare life is defined by its precariousness—it exists under the constant threat of attack, and is continually produced by the state’s biopolitical structure. This further perpetuates the need for and justification of exceptional forms of rule over lives—for example, extreme control over reproduction—and creates a liminal space in which the law is simultaneously rigorously enforced and easily broken. In the case of Poland and Ireland, the state designates pregnant women seeking abortions as *homo sacer*, because the state almost ubiquitously prioritizes fetal life over the lives of women. In this hierarchy, women seeking abortion are on the bottom—and therefore the state tacitly devalues women’s lives to the point of their death, because a woman who doesn’t align with Catholic nationalist values is useless to the state. Violence inflicted on citizens (i.e. banning abortion) by the state “opens a zone of indistinction between law and nature, outside and inside, violence and law” (Agamben 1998: 41).

Both Ireland and Poland designate women seeking abortion as *homo sacer*. They are stripped of their autonomy, both literally and figuratively, and prioritized far below fetal life, which the state protects at any cost. As Agamben writes,

Along with the emergence of biopolitics, we can observe a displacement and gradual expansion beyond the limits of the decision on bare life, in the state of exception, in which sovereignty consisted. If there is a line in every modern state marking the point at which the decision on life becomes a decision on death, and biopolitics can turn into thanatopolitics, this line no longer appears today as a stable border dividing two clearly distinct zones. This line is now in motion and gradually moving into areas other than that of political life, areas in which the sovereign is entering into an ever more intimate symbiosis not only with the jurist but also with the doctor, the scientist the expert, and the priest.
(1998: 72)

The Irish and Polish Catholic nation-states are both drifting into an area of liminality, in which their scope of power is unspoken yet amplified on a structural and practical level. As Rhoda Ann Kanaaneh writes,

this modern reproductive discursive regime does not define altogether stable structures. It vacillates between the debased primitive and the noble traditionalist, between modern enlightenment and modern poverty and anomie. But despite variations, oscillations, and exceptions, it can be argued that this regime has something of a coherence of effects.
(2002: 166)

By passing restrictive abortion laws, both countries effectively establish themselves as theocracies and as determiners of life and death, of morality and immorality, of every absolute. Only those deemed worthy of protection from the state (men and women who ascribe to traditional gender roles, the unborn, children, Catholics) receive it, but every citizen, regardless of their worth in the eyes of the nation-state, is impacted by its policies and behaviors.

Gendered Nationalism

The peripheral existence of women seeking abortion is further complicated by the ways in which both countries equate the nation-state with womanhood. In both Poland and Ireland, society exalts the “mother of the nation” and identifies the nation-state as a woman; at the same

time, they treat women (specifically, pregnant women seeking abortions) as bare life. While men are seen as active members of the nation who have agency and an overarching sense of duty to protect and defend the state, women are perceived as “creatures of passion to be kept under control within carefully guarded domains, wherein they [are] allowed the role of protector and keeper of tradition” (Williams 1996: 6). In other words, men write history, and women sustain it within the home. Women and their bodies are no longer independent agents; they are “seen as vessels... that must be controlled” (Kanaaneh 2002: 27).

Reproduction and abortion are not isolated themes; they interact with, depend on, and create ideology surrounding femininity, masculinity, the nation, progress, colonialism, the home, politics, and much more.

In Poland and Ireland, nationalism is inextricably tied to notions of gender. The nation-state depends on feminine women and masculine men in order to sustain a well-ordered society. The state strictly enforces these gender dynamics by creating a traditionalist vacuum in which men are protectors of women—and therefore protectors of the nation-state—and this is enacted through legislation, theology, and everyday encounters that empower men to maintain their control over women. Women are seen as vessels for reproduction—and therefore, vessels through which men assert their agency and dominance, and vessels through which the Catholic nation-state is reproduced.

DATA:

Significance

This data is the manifestation of the legislative and bureaucratic side of abortion policy. It is clear that abortion interacts with Catholicism, gendered nationalism, and politics, but this data makes clear the ways in which these ideologies circulate, both in a metaphorical and physical

sense. The data is a representation of publicly circulated discourse and local perspectives regarding abortion in Poland and Ireland. We can consider this information as the tangible, lived effects of abortion legislation and beliefs in Poland and Ireland.

I. Poland

Institutions

In Poland, the scope of the Church's power is visible in most every cultural channel. The Catholic Church essentially runs Poland's political environment; the Christian-National Union—a group that explicitly identifies itself with Church practices and ideologies—forms the largest parliamentary caucus and the majority of cabinet seats (Leslie 1994: 457). The clergy holds positions in the Ministry of Health and facilitates the introduction and passage of bills regarding abortion (Mishtal 2009: 162). Around election times, priests distribute leaflets reminding voters that the “fate of Catholic Poland” hangs in the balance, and bishops issue letters urging the public to vote for candidates who advocate Christian values and oppose abortion; both tactics are always successful in maintaining a conservative, Catholic majority party (Leslie 1994: 456). Thus, the Catholic Church is an institutionalized part of Poland's political climate.

The other way the Church has imbued itself in Polish society is through the education system. In a Concordat established in 1998 between the Catholic Church and the state, Poland agreed to give every schoolchild religious education and activities, therefore acknowledging the Church as an essential entity to Polish society and history (Jankowska 1991: 1009). For example, students are given higher grades if they regularly attend Mass, and they are shown propaganda films that show embryos during abortion procedures; these factors have shifted the public opinion of abortion to be even more unfavorable (Heinen and Portet 2010: 1015). Thus, “since the state is obliged to finance all levels of education with pro-life oriented teachings, Poland is

financially obligated to enter into a form of morally tainted dependence” (Kirazoglu 2013: 51). The Catholic Church is institutionalized in the Polish state and can influence social norms and practices. It is reinforced through its official presence in schools and through cultural channels.

The Conscience Clause

The following ethnographic research comes from Joanna Mishtal’s anthropological study in the implementation of the “conscience clause” in Poland’s abortion law. She conducted fieldwork and interviewed various women, doctors, and politicians in Poland. The conscience clause in the 1992 Doctor’s Code of Ethics states that “a physician can withhold healthcare services which are not in agreement with his conscience.” This ultimately facilitated the withholding of reproductive medical services, specifically abortion, on a systemic scale. As Wanda Nowicka states,

The problem with the conscience clause is that it’s practiced by the entire hospital, not by individual doctors, which, of course, goes against the individually based nature of the clause. If the head of a hospital is against abortion, he or she declares on behalf of the whole personnel that abortions are not performed in this hospital. Period. End of conversation. Individual doctors who have opposing opinions never speak up in favor of abortions because they risk losing their jobs.
(Mishtal 2009: 170)

Doctors interpret the clause as encouraging providers to let their religiosity play a significant role in the provision of care, and this is only supplemented by the strict legal regulations on abortion.

Mishtal also found significant evidence from individual doctors that proves the reach of the Catholic Church’s influence on reproductive health. The Church promotes abstaining from sex unless it is for reproduction and refers to this as the “calendar method;” it is also called “natural contraception” or “observing fertility” (Mistal 2009: 172). The Catholic Church holds that all contraceptives act as abortifacients and are a grave sin (as is sex for non-procreative purposes), hence the lack of contraceptives or sex education in Poland. The Church also

perpetuates a discourse that hormonal birth control, in the words of a Polish doctor, “completely upsets the woman’s hormonal system” and leads to a greater frequency of breast cancer, cancer of the reproductive system, epileptic attacks, joint pain, migraines, water retention and weight gain, mood disturbances, agitation, aggression, hunger, and sadness (Mishtal 2009: 274). The same is true, according to both the Catholic Church and Polish doctors interviewed by Mishtal, about IUDs and barrier methods. One doctor went so far as to say that

All contraception solidifies the fear of the child in spouses because people start using contraceptives to avoid pregnancy. They fear the pregnancy and that it will destroy their well-arranged lives. This fear gets transferred to the child. Throughout the long period of time when they use contraception, this mechanism solidifies in their subconscious minds. We know from statistics that people who use contraception are more likely to decide to get an abortion because in their subconscious, the association is child-enemy. (Mishtal 2009: 173)

Institutionalized Catholic Ideologies

It is clear that the Church was legitimized through—and now continues to perpetuate—religious understandings of absolute morality. These policies were then written into law, causing extremely detrimental effects on women’s access to reproductive care.

The Catholic Church is an institutional regime in Poland, and the conscience clause was a crucial political tool to expand its centralized power. The Church now incorporates subtle forms of regulation, thereby decreasing the visibility of their ubiquity of power; it has become a political constellation from which there is a formulation of ideologies, tactics, and strategies that expand the Church’s power in the state apparatus. Mechanisms of authority are situated at the level of reproductive healthcare and abortion. The Church’s influence is institutionalized to the extent that it impacts social norms, education, and the law.

II. Ireland

The following data was gathered from a number of primary and secondary sources in the National Library of Ireland in Dublin. When Ireland passed the Eighth Amendment, they effectively enshrined Catholic teaching on abortion, motherhood, family, rape, sex, and sexuality with no provisions for exceptions. The hierarchy of life shifted—a fetus is promoted to a baby, and women are demoted to the materially undervalued but socially and religiously meaningful condition of mother, losing their independent lives and civil status (Smyth 1992: 9). As Irish scholar Ailbhe Smyth writes,

The construction (destruction) of “woman” which emerges overwhelmingly from statements by both the male judiciary and the (even more male) Catholic Church leaders is of a subordinate being (hardly a citizen), morally irresponsible and intellectually unreliable, whose agency, insofar as she is allowed agency at all, requires to be controlled by the (patriarchal) state for the greater good. Women’s citizenship rights—to information, or to freedom of movement and of expression, for example—may be curtailed or withdrawn at the whim of theological argument, judicial interpretation, political protocol, or some other patriarchal strategy. Women are not persons (moral agents and/or citizens); they are reduced to reproductive or sexual functions. (1992: 16-17).

Constitutional Amendments and Legislative Action

Irish valuing of fetal life over women’s lives and rights was made clear in the 1992 case, *Attorney General v X*. In this case, a 14-year-old girl was pregnant from a rape and threatening suicide if she couldn’t terminate the pregnancy. The court ruled in her favor, establishing that abortion should be considered as a medical treatment when the risk to life of a pregnant woman arises on physical or mental health grounds. However, this caused moral uproar in Ireland, with anti-abortion groups claiming the decision was unconstitutional under the Eighth Amendment. The same year, Irish citizens voted on a constitutional referendum; commonly referred to as the “yes/yes/no amendments,” these referenda made legal the freedom to travel outside of Ireland for an abortion and the freedom to obtain or give out information on abortion services outside the state, and rejected removing suicide as a grounds for abortion. In 1995, Ireland passed the

Regulation of Information (Services Outside the State for the Termination of Pregnancies) Act, which allows doctors, advisory agencies, and individual counselors to give information on abortion services abroad if a woman requests it. However, it can only be provided alongside information on parenting and adoption in the context of one-to-one counseling, and service providers cannot make appointments on behalf of their client.

The Irish state refuses to address the needs of women; from 1983-1992, over 70,000 Irish women traveled to England for abortions (Smyth 1992: 20). The realities of what women need do not suit the image of Ireland preferred by legislators and the Catholic Church, so they effectively deny the existence of women seeking abortions—if they don't exist, their needs don't have to be met. As Smyth writes,

Women's sexuality and reproduction are confined by politico-legal linguistic formulae (i.e. by being referred to in restrictive or reductive ways in Constitutional amendments, protocols, and solemn declarations) or paradoxically defined as non-existent (i.e. by not being spoken about at all) – in a Parliamentary debate, Deputy Monica Barnes requested one minute of the House's time on behalf of the women of Ireland only to be ruled out of order by the Chair and invited to show respect for the rules of the House. (1992: 8).

In denying the realities of reproductive healthcare, the state establishes that women seeking abortion qualify as bare life—the Irish Catholic nation-state outright rejects their rights, needs, and safety.

Abortion and British Colonialism

Ireland's history of British colonialism and consequential Catholic oppression posits abortion as a specifically non-Irish sin. As Anne Speed writes, "Ireland was an occupied nation of colonized people, which prevented the emergence of secular social and independent political and economic institutions and structures" (1992: 85). This created a vacuum in which traditionalist conservative forces—embodied in the Catholic Church—became inextricably tied

to the nationalist movement. The Church specifically portrayed sexual liberty as “a form of peculiarly British godlessness and used it to harness legitimate anti-British feeling for the purposes of promoting Catholic ideology” (Speed 1992: 87). A graphic slogan of the PLAC was “the abortion mills of England grind Irish babies into blood that cries out to heaven for vengeance” (Allison 2010: 577). In this sense, Irish citizens view abortion as a wrong that the English did to the Irish in the same way that colonial conquest was a wrong that the English did to the Irish, and both require recognition and vengeance (i.e. political backlash). The “authentic” Irish position is indubitably pro-life and pro-nation. The abortion debate is often referred to as the “second partitioning of Ireland” (Fletcher 2001: 576). In the same way that the separation of the Protestant North was necessary for the Irish nation-state, anti-abortion sentiment is seen as a necessary measure for the maintenance of Irish national culture. Anti-abortion policy and sentiment operates as a symbol of Irish post-coloniality; abortion is painted as a violent colonial tool of population control; fetal life becomes a public interest dependent on the exclusion of women’s rights; and the state exercises control of individuals and bodies, whose lack of agency becomes a vehicle to maintain ubiquitous state power.

Institutionalized Catholic Ideology: Eliminating Women’s Agency

The following information comes from pamphlets and books distributed by the Catholic Church to Irish schools and citizens. One booklet spends pages describing how life begins at conception with descriptions of development at each stage; the Church says that

It is strongly advocated by some that the central issue of abortion is woman’s right to control her fertility and that she has the right to abortion if she so chooses. But the rights of the individual within society are not absolute; they are conditioned by the rights of others. Women certainly do have rights over their bodies, as men do over theirs. But so, also, do children, including unborn children enclosed in and sustained by their mothers’ bodies.

(The Catholic Press and Information Office 1994: 8)

This makes clear the Church's position on women's physical and moral autonomy. By shifting their language from "woman" to "mother," the Church clearly positions the purpose of female citizens to be mothers. Throughout the rest of this text and others circulated by the Church, they only use the word "mother" or "unmarried mother" when discussing women in the context of abortion and reproductive rights. When women are made objects in a proprietorial patriarchal environment, the state and society asserts that the primary social identification of women is not in themselves, but in relation to the patriarchy. Women are assigned to a relative status both in a practical, lived level and in a legislative, systemic sense. The Irish Constitution makes three specific references to women: the Eighth Amendment, Article 41.2.1 ("in particular, the State recognizes that *by her life within the home*, woman gives to the State a support without which the common good cannot be achieved"), and Article 41.2.2 ("the State shall, therefore, endeavor to ensure that *mothers* shall not be obliged by economic necessity to engage in labor *to neglect their duties in the home*") (Irish Constitution; italics added). This emphasis on women as mothers reflects the ways in which womanhood is equated with motherhood and motherhood is equated with the nation-state. As Smyth writes, motherhood is "virtually the only secure source of canonized validation" for women in Ireland, and Catholic ideology operates within the education and health systems, law, political arena, family as an institution, and labor force to perpetuate the Church's claim that abortion is an absolute wrong on multiple levels (1992: 144). Abortion is not only about male ownership of women, it is also about women's position in Irish law and society. Women's right to choose "rests on the assumption that women are heirs to the tradition of political liberty and women are persons of moral authority," both of which the Church has made clear are untrue (Riddick 1990: 13).

In these publications, the Church also asserts its pervasive influence; one book, called *Life Must Go On: A Pro-Life Education Program for Post-Primary Schools* outlines various aims of the Catholic Church in education, namely, the proliferation of anti-abortion, pro-nation sentiment. Some of these aims include:

To deepen the pupils' sensitivity to the dignity of human life, which is the greatest of God's gifts and hence a cause for celebration

To explain to pupils that a baby's life and hence our responsibility towards that life begins at conception

To help pupils to understand that abortion is not an acceptable solution to the problem of unwanted pregnancies

To help pupils explore how human beings are called to become builders and protectors of life after the image of God

(Hynes 1982: 16, 20, 30, 42).

This publication also urges women to consider the ways in which "abortion does not solve the baby's problem" and in fact violates the rights and privileges of a human being (Hynes 1982: 5). The Church claims that an "unmarried mother" would have an abortion due to panic, undue social pressure, social isolation, and ignorance (Hynes 1982: 25).

Another publication on the Catholic Church's stance on abortion is more explicit in describing the relationship between the Church and state, claiming, "the right to life of the innocent cannot be bestowed or removed by the Government. But, the Government does have a duty to protect that life through its laws because human life is at its most defenseless in the womb" (The Catholic Press and Information Office 1994: 9). Once again, this position makes clear that women are not agents in any sense: the lives that matter are those of the unborn, and the actors who matter are the Church and the state.

The Catholic Church itself said, "a law which ignores basic human rights, such as the right to life, is a bad law" (Hynes 1982: 31). Yet they support the laws that ignore women's

rights to bodily autonomy, to travel, to privacy, to citizenship, to reproductive care, to life. The inherent contradictions of the Irish Catholic nation-state are made clear in their abortion policy.

CONCLUSION:

Though the manifestations may take different forms, it is imperative to use a comparative lens when considering abortion legislation in Poland and Ireland. Both utilize biopolitical frameworks, prescriptive notions of womanhood, and Catholic, gendered nationalism to strip women of fundamental rights. This research specifically interrogates policy and public opinion in the late twentieth century, but many of these questions are still relevant in both countries today; Polish women recently staged a successful protest against further restrictions on abortion, and the U.N. Court of Human Rights ruled that Ireland must compensate women who traveled to the United Kingdom for an abortion.

The state's management and control of reproduction are inseparable from how women's bodies and lives are managed and controlled. When women are defined solely as mothers, it strips them of their human rights. Reproduction becomes a means to an end for women—the prioritizing of fetal life “fulfills women's given natural and social role” according to the nation-state (Ingram 1992: 155). Women are subject to processes of regulation, discipline, and control carried out by the Irish/Polish Catholic nation-state. Both states are negligent in the deaths of thousands of women due to ideologies and policies that normalize the devaluing of female life.

The question of boundaries comes up when discussing abortion in the context of both Poland and Ireland—the boundaries of the state, of morality, of bodies. Restrictive abortion policy illuminates the materiality of the nation and the materiality of women's bodies, highlighting the way that national boundaries are projected onto Irish and Polish women's bodies, which is an attempt by the state to define the limits of a woman. Gendered notions of the

nation are manifested at the site of the female body vis-à-vis the state's policies, and abortion access thusly becomes explicitly linked to the moral and political boundaries of the nation.

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