Biopolitics of Abortion and Counterpublic in Poland: The Women's Strike (2020-21)

By

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Abstract

This thesis presents an in-depth description of the Women's Strike, a social movement that ensued after the Polish Constitutional Tribunal declared abortions for fatal or severe fetal impairment unconstitutional *de facto* banning abortion in Poland. The mobilization originated on October 22, 2020, and continued till early March 2021. During this period, despite the COVID-19 pandemic and related lockdowns protests continued to take place in numerous Polish cities amounting to what appears to be the biggest protest action since the revolution of 1989. The thesis is based on the multi-sited participant observation in Poland and Austria as well as semi-structured qualitative interviews I conducted with ten persons who participated in the protests. The main goal is to understand how the protesters perceived changes happening in the discourse on abortion and positioned themselves in the counterpublic.

After introducing the overview of the applied methods, I draw a political and cultural context and explore the Polish debate on abortion which originated in the late 1980s. Subsequently, I explore how the debate on abortion prompted popular movement and how in the following years, abortion activism flourished in the country. I explain how those events enabled the emergence of a new counterpublic that attempted to oppose the recent Tribunal's decision. The theoretical framework of this thesis locates itself on the intersection of biopolitics (Foucault) and social movements research (Korolczuk, Majewska, Bennet and Segerberg). To buttress two key notions I employ – biopower and counterpublic – I engage with the theory of nationalism (McClintock), agency (Butler, McNay), and emotions (Gould).

By supporting such theoretical analysis with the field observations and interviews, I wish to give justice to the popular actors of this struggle and their intimate sense of agency. I see this thesis as a record of the experiences and emotions that have changed over time and an attempt to voice the experiences of the "ordinary" protesters who, along with persons undergoing and providing abortions, constitute the political body of this struggle. As I argue, despite being unsuccessful, this mobilization created new strong alliances, had a lasting impact on many lives, and might influence the future of abortion legislation in Poland. My research shows that the recent attack on reproductive freedom engendered mobilization of diverse counterpublic comprising various agents who, despite often far-reaching differences between them, were able to solidarize with one another and uphold mobilization for a substantial period of time. During the protests, biopolitics of abortion made it possible to

reformulate the discourse, create new coalitions, shift the horizon of what is politically possible, and empower many individuals.

Keywords

abortion, biopolitics, counterpublic, Poland, reproductive rights, social movements

Declaration

I hereby declare that this thesis is the result of original research; it contains no materials accepted for any other degree in any other institution and no materials previously written and/ or published by another person, except where appropriate acknowledgment is made in the form of bibliographical reference.

I further declare that the following word count for this thesis are accurate:
Body of thesis (all chapters excluding notes, references, appendices, etc.): 26,022 words.
Entire manuscript: 32,642 words.

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Signed _____ Teresa Fazan

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Lastly, I wanted to thank my family and friends who supported me during this queer period of studying and writing amidst the global pandemic.

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For vast and detailed documentation of the protests organized by the Women's Strike as well as different instances of social activism opposing breaches of democratic norms in Poland, I recommend researching the project called The Archive of Public Protests (APP): https://archiwumprotestow.pl/en/home-page/. Retrieved June 1, 2020.

1. Introduction

On October 21, 2020, I have participated in a small protest organized by Ciocia Wienia, a Viennese collective committed to providing abortions for Polish people in Austria. The picket, assembled on Karlsplatz during a warm Fall evening gathered around 20-30 people, mostly members of pro-choice organizations, few Poles, and some Vienna-based supporters. The event was entitled "Decriminalize abortion now! Vienna in solidarity with the fight for reproductive rights in Poland" and its date was far from accidental. On the next day, October 22, Constitutional Tribunal was supposed to issue its decision regarding the constitutionality of one of the premises ensuring legal abortion in Poland. The decision itself – the legislation allowing abortions for fatal or severe fetal impairment was declared unconstitutional – did not surprise many as most of the judges were illegally appointed by the governing right-wing PiS [Law and Justice] party. On the other hand, the scale of social reaction evoked by this decision could not have been foreseen. On the same day, massive protests took place in Warsaw and all over the country. Over the next months, despite the COVID-19 pandemic and related lockdowns protests continued to take place in numerous cities amounting to what appears to be the biggest protest action since the revolution of 1989 and the end of the Polish People's Republic.[1] The state's attempt to limit access to abortion was met with a mass mobilization of a counterpublic comprising varying actors: professional activists, pro-abortion protesters, and anti-government sympathizers. Despite that, the ruling of the Tribunal was published in the Journal of Laws on January 27, 2021, "effectively banning most of the small number of official abortions carried out in Poland."[2]

In this thesis, I create an in-depth description of the Women's Strike i.e. the mobilization which ensued after the Tribunal's decision and continued till early March 2021. In order to achieve that, I talked to ten protesters who shared the narratives of their experiences of participation and located them in a broader context of pro-abortion movement in Poland. During the interviews, I have striven to understand how those actors perceived changes happening in the discourse on abortion and how they positioned themselves in the

[1] Magdziarz, Anatol. Santora, Marc. 2020. "Women Converge on Warsaw, Heightening Poland's Largest Protests in Decades" published on October 30, 2020 in *The New York Times*: https://www.nytimes.com/2020/10/30/world/europe/poland-abortion-women-protests.html. Retrieved June 1, 2020. Cf. "2020–2021 women's strike protests in Poland," Wikipedia, last modified May 8, 2021, https://en.wikipedia.org/wiki/2020%E2%80%932021_women%27s_strike_protests_in_Poland. Retrieved June 16, 2021.

[2] Cf. "Abortion in Poland," Wikipedia, last modified June 12, 2021, https://en.wikipedia.org//wiki/Abortion_in_Poland?cv=1. Retrieved June 16, 2021.

movement. It is worthwhile to understand the experiences of people taking part in such a substantial mobilization. From a social movement research perspective, it matters to recognize what motivates people and sustains their engagement over time as it might shed a light on how social movements work and how they interact with the discourse, politics, and the broader society. Thus, I asked the informants why they participate, what gives meaning to protesting, how they believe it influences the reality around them and in turn grants them a sense of agency. To better understand the current struggle I present it against the background of an ongoing fight for liberalization of abortion law in Poland which continues since the end of the 1980s. For years, in Poland abortion has been referred to as a "surrogate topic" or "female issue" and repeated attempts to legalize it have been either ignored or suppressed, not only by the conservative politicians but also liberal ones pursuing their political goals. At the same time, abortion continues to be a fertile ground for popular resistance. In accordance with the existing scholarship on the feminist movement in Poland, I suggest that the struggle for liberal access to abortion produces the discourse upholding popular mobilization over time and grants its agents a common identity in-difference. Additionally, I hold that this is only possible due to the participation of the "ordinary" protesters who comprise the counterpublic.

In the initial part of the thesis, after introducing the overview of the applied methods, I draw a political and cultural context and explore the Polish debate on abortion which originated in the late 1980s. Subsequently, I explore how the debate on abortion prompted popular movement during the Black Protests (2016-2018) and how in the following years, abortion activism flourished in the country. Then, I explain how those events enabled the emergence of a new counterpublic that attempted to oppose the recent Tribunal's decision. In the following chapter, I present the theoretical framework which locates itself on the intersection of biopolitics and social movements research. Finally, in chapters four and five, I introduce the materials I gathered that highlight people's experiences and my own understanding of the events. By supporting the theoretical analysis with field observations and interviews, I wish to give justice to the popular actors of this struggle and their intimate sense of biopolitical agency which embodied when they joined the counterpublic. I see this thesis as a record of the experiences and emotions that changed over time as mobilization went through different stages. This matters because often little attention is given to the anonymous protesters, while the emphasis is put on the activists' and experts' narratives. Similarly, much

is written about the aftermath of the movements, little about affects that make them possible in the first place. This thesis attempts to make up for that and voice the experiences of the "ordinary" protesters. In a way, them, along with persons undergoing and providing abortions, constitute the political body of this struggle.

1.1 Overview of the applied methods

In order to create a comprehensive account of the Women's Strike I based my research on "multi-sited" participant observation and qualitative semi-structured interviews, supported by the existing research on the topic and analysis of the selected online data. As noted, at the center of my research are the reports of the people who actively participated in the mobilization. In my analysis, I focused both on the recurring themes and exceptional realizations presented by the informants. I divided my findings into two topical chapters which scrutinize the most important issues appearing in our conversations. In chapter four, I look at how the interviewees saw the protests in a broader context of the abortion debate and how they evaluated the changes in the discourse. In chapter five, I evaluate the personal motivations and attitudes of the informants. In both chapters, I demonstrate how they recognized the role and importance of the protests: first as a biopolitical event that influenced and keeps forming the discourse on abortion and then as something that granted them a sense of agency and belonging to the counterpublic.

1.1.1 Participant observation

I did not participate in the protests organized by the Women's Strike between October 2020 and March 2021. During that time, I was living in Vienna where I joined several solidarity protests: on October 21, 23, 27, 30. I visited Warsaw in late December and early January and later again in April and May but did not participate in the protests. Considering my shifting locality, this research could be defined as multi-sited. As noted by Falzon, multi-sitedness breaks with traditional single-sided approach and is often justified while engaging in a complex qualitative research (2009, 1). As he defines it, multi-sitedness "involves a spatially dispersed field through which the ethnographer moves – actually, via sojourns in two or more places, or conceptually, by means of techniques of juxtaposition of data" (ibid, 2). Admitting to multi-sitedness is in line with acknowledging that as a researcher I co-produced the "site"

of my research (ibid, 2;4) which was not reduced to the geographical space but compounded a specific perspective. Although writing about the Women's Strike from a single perspective would be possible, I could not do that at the time of my research. The fact that I was living in a different country and could not easily cross the borders due to COVID-19 pandemic-related restrictions marked the organization of the research and my perception of the movement. Not being able to participate in the protests affected the data I was able to collect and the way I analyzed it; probably some important issues remained beyond my perception. On the other hand, the distance granted me positionality that allowed for a fresh look at the participants' accounts, illuminating issues otherwise I could have taken for granted. Arguably, social movements do not have specific sites but are dispersed mobilizations that unfold for a limited time and on shifting locations. While participating in solidarity protests abroad, I could observe how important issue of abortion is for the local Polish diaspora and how international abortion solidarity becomes visible on the streets and in the activism of local organizations. Informal conversations with activists made me realize that mobilization happening in Poland evoked a discussion about the Austrian abortion law and helped me understand how abortion services are provided for foreigners. Although my dispersed fieldwork had no direct link to the interviews I conducted it helped me understand the sense of agency protests are offering, the way the city becomes a site of the protests during the pandemic, how slogans travel across the borders, and similar grievances and hopes are expressed by Poles advocating for free access to abortion in the country and abroad. Additionally, in the case of the Women's Strike, as in other instances of connective action (Bennett & Segerberg, 2012) and especially during the pandemic, social media played a crucial role in organizing the movement and discussing its principles. Thus, even when abroad, I was able to access a lot of information about the movement and get a grasp of its logic.

My multi-sited fieldwork created a nuanced and unique background for the encounters with my informants. During our conversations as well as when walking around Warsaw, mobilization crystallized as something material, marking the city's pavements, walls, and billboards. Even so, this tangibility felt very differently during my two visits to Warsaw. In the winter, amidst the protests, the traces of mobilization stroke me as numerous and recent. In the spring, when the protests ceased to be organized, "the paint faded" and the remains of the movement seemed more like memorials. These impressions resonated with the timing of my

research: when I decided to write about this topic in late December, the mobilization was at its peak; when I was finishing it in June, it was already over. In order to "pin down" the shifts in my impressions, I have been collecting field notes and taking pictures of the city. As noted by Emerson et al. (1995), working with the field notes might help to make sense of the observations no matter how raw they might seem. In a way, by relating to my personal experiences, I have attempted to engage in what Geertz calls "deep hanging out" (1988): a research practice based on immersing oneself in a social or cultural experience and spending time – physically and virtually – in a specific site for an extended period(s) of time. This was possible because issue of abortion has been part of my life for the recent years: Black Protests marked my growing up as an active citizen and shaped my understanding of both abortion and social movements. Thus, although I did not participate in the exact same protests as my informants, I have been marching the same streets with exact same postulates. Thanks to that, when attempting to create a "thick description" of the mobilization i.e. an account narrating the events in their socio-political context along with the interpretations of the persons involved and myself, I did not start "empty-handed" (Geertz, 1973, 27). I was not only equipped with data and existing scholarship but also with personal experiences. Thus, although at the center of my research are the reports of people who participated in the mobilization, inevitably I am also relating to my own experiences. Arguably, by talking with my informants and "hanging out" in Warsaw I was able to grasp the relationship between their lives, protests, and the city as the site of the movement.[3]

1.1.2 Participants selection and interviews

For my research, I interviewed ten people whom I reached through the snowball method: I have been asking my friends in Warsaw for contacts to people who actively participated in the movement. The informants were approached through Instagram or Facebook. Considering the scope of my research, I have decided to focus on a specific demographic: persons between 23 and 30 years old, living in the capital, most of them politically active but currently not engaged in any structure related to organizing the Women's

[3] For clarity, I want to point out that I did not engage in the "deep hanging out" in the exact way Geertz describes it but I was rather following the principles of his concept. This is due both to my specific positionality and the short period of research. Still, my background and knowledge, some of which I gained before knowing I will write this thesis thus not exactly for research purposes, did amount to my understanding of the events I describe. Considering the fact that I am not positioning myself at the center of the research makes concepts of "deep hanging out" and "thick description" more accurate than any form of auto-ethnography.

Strike. All interviewees were women and all but one, Anna, represented a progressive approach to abortion[4] which is also typical of this demographic: according to the polls, young Polish women have the most leftist views in the last 20 years.[5] Additionally, young women are the demographic most starkly affected by the limited access to abortion. Considering that for years the debate on abortion in Poland was dominated by the persons who are not directly affected by the legislation i.e. male politicians and clergy, voicing approaches of people who are affected by it matters. Additionally, while activists often have access to platforms and media with wider scope, "ordinary" protesters remain represented solely by anonymous polls. Thus, giving space to people who devote their time and energy to exert pressure on public opinion and legislators seemed significant from the perspective of the feminist research ethics (Stacey, 1998; Lather, 2001).

On average, each interview lasted between 40 and 60 minutes with the shortest lasting ca. 30 minutes and the longest more than 90; all of them were conducted via online call on Skype, Zoom, or Messenger. With the consent of the participants, I recorded our conversations and transcribed them. Subsequently, I extracted the relevant information and translated it to English. All but two informants agreed to use their names. In two instances, I interviewed two persons at once which means I conducted eight semi-structured interviews (O'Reilly, 2009, 126) with ten persons between February and April 2021. During the conversations, I used an interview guide that indicated the sequence of questions but I often ended up looking past it in order to follow the flow of the discussion.

In my interviewing practice, which developed over time as I met my interlocutors, I was inspired by Weiss's remarks (1994). First, since I was interested in the narratives on the past experiences, I made sure to ask about specific events and use the past tense in order to avoid generalizations. Second, I tried not to include any presupposition in my questions or imply any interpretations of the events. Third, I made sure to use "markers" as proposed by Weiss and be attentive to any cues introduced by the interviewees; I was sensitive both to the similarities and differences between their accounts. In the two instances when I was talking

[4] In this case, the term "progressive" indicates believing that abortion should be legal and easily accessible in all or almost all cases. Such views were shared by both leftist and liberal interviewees.

[5] "Młodzi Polacy coraz bardziej lewicowi. Takie poglądy ma co trzeci z nich." ("Young Poles more and more leftist. Every third of them has such views."), published on February 9, 2021 on *F5.pl*: https://www.f5.pl/spoleczenstwo/mlodzi-polacy-coraz-bardziej-lewicowi-takie-poglady-ma-co-trzeci-z-nich. Retrieved May 4, 2021.

simultaneously with two persons, I made sure to observe the dynamic between them and pay attention to the vocabulary they employed. I was able to extract some markers: while relating to concrete moments and trying to reconstruct the events, my informants used specific words describing places or persons e.g.“tajniak” (an undercover cop), “naziol” (a nationalist), “libki” (the liberals).

As far as I am aware, my research posed no concerns about causing harm and I followed guidelines to ensure avoiding ethical problems by openly discussing the purposes and methodology of my study. The interviewees knew they can withdraw from participation at any point and I made sure to have their consent to publishing their narratives. Our positionally at the time of the study was similar: with my informants I shared nationality, age, and class, as well as, in most instances, educational background. The fact that I was not able to engage with their lives did not seem problematic: what I was researching related to their participation in public events. In accordance with the fundamental feminist principle, the interviews revealed it is impossible to separate personal from the political: engagement in the movement affected informants’ private lives immensely. Interviewing might be a sufficient method of collecting such sensitive materials. As indicated by O’Reilly, as ethnographic practice, interviewing helps to reach towards participants’ emotions, personal reactions, and individual perspectives usually allowing for access to information that would not be shared under different circumstances (ibid, 125-126; after Gutowska, 2020, 22). The participants were not reluctant to share their experiences: they often related personally to the topic of abortion, reproductive rights, and activism, shared experiences that were emotionally demanding and expressed personal thoughts. In my analysis, in line with the feminist research ethics, I have tried to give justice to the personal character of their reports.

1.2 Note on terminology: women vs. persons with uteruses

The Women’s Strike engendered a vibrant discussion about biopolitics of the abortion-related language. Specifically, the way of naming people who need abortions evidenced to be crucial: different ways of narrating the subjects of this conflict created divisions as well as alliances within the counterpublic. As already noted, cis-women comprise a group most

affected by the ban on abortion. At the same time, the right to abortion is a human right[6] and it concerns a wider range of people. It must be acknowledged that trans people, intersex people, non-binary people also get pregnant, and advocating for access to legal and safe abortions for them is equally important. Additionally, as Preciado notes, "not all women have uteruses and not all uteruses are reproductive" (2020, 5) thus using word "women" might come out as too broad. During the protests, some activists noted that the movement's narrative should not only focus on women as this leads to exclusion of other people who need abortions. They suggested using more specific terms like "people who need abortions" and creating more inclusive language around the reproductive rights.[7] Others have suggested that using terms like "persons with uteruses" might imply reducing subjects to their reproductive capabilities and that term "women" is more accurate considering the legacy of the feminist struggle.[8] The discussion got quite emotionally charged especially in the context of the transphobic backlash in Poland and worldwide. During my conversations with the informants, all the above notions were used interchangeably with the term "women" appearing most frequently. Throughout this text, I will mostly use the term "women" and sometimes "people needing abortions". My choice is motivated by brevity and because the term "women" is most commonly used in the Polish context, especially within the narrative framework of the Women's Strike. By employing both terms, I wish to make justice to the current debate on abortion rights in Poland. At no point do I want to ignore the demand to make the discourse on reproductive rights inclusive and I encourage the reader to bear in mind that when I write about "women" I relate to all people who might need abortions.

[6] Cf. "UN Human Rights Committee Asserts that Access to Abortion and Prevention of Maternal Mortality are Human Rights," published on October 31, 2018: https://reproductiverights.org/un-human-rights-committee-asserts-that-access-to-abortion-and-prevention-of-maternal-mortality-are-human-rights/. Retrieved May 10, 2021.

[7] E.g. Staśko, Maja. Kuta, Nina. 2021. "Transpłciowa aktywistka: Nie jesteśmy zagrożeniem dla feminizmu, to wspólna walka" published on January 25, 2021 in *Oko.press*: https://oko.press/transplciowa-aktywistka-nie-jestesmy-zagrozeniem-dla-feminizmu-to-wspolna-walka-rozmowa/. Retrieved May 10, 2021.

[8] Romanowska, Krystyna. 2020. "Mam wątpliwości, czy zamiana 'kobiet' na 'osoby z macicami' to postawa lewicowa" published on December 12, 2020 in *Wysokie Obcasy*: https://www.wysokieobcasy.pl/wysokie-obcasy/7,163229,26597103,kobiety-w-polsce-jeszcze-nie-zajely-miejsca-na-scenie.html?disableRedirects=true. Retrieved May 10, 2021.

2. Political and cultural background

During my research, I was often asked how it is possible that in a EU-member country that already had the most restricted access to abortion in the region it was decided to restrict it even further? According to Wężyk, four main factors are responsible for the ban: the Catholic Church, patriarchy, the lack of the 2nd wave of feminism, and anti-communism (2021, 289). Arguably, those are the marking elements of Polish democracy as it was conceptualised during the transformation: the Republic of Poland, in contrast to the Polish People's Republic, although aspiring to the Western democratic values, was to be based on the idea of Polish nation. As noted by Greenfeld, "nationalism is a cultural phenomenon, a form of consciousness, or a way of seeing and therefore constructing reality" and "religion may be regarded as a national characteristic and cherished and celebrated as such" (2012, 1). According to Korolczuk and Graff, restricted abortion legislation was a result of an agreement between anti-socialist political opposition and the Catholic Church and was narrated as a pronouncement of Polish nationalist morality against the background of the socialist legacy (2018, 263). The subsequent attempts to tighten the law in the 21st century were part of the right-wing agenda to channel the grievances against injustice and exploitation in the globalized world into the war on gender, which in Poland centered on abortion (ibid, 275). In both instances, the attempts to limit access to abortion expressed the desired gender order alined with the vision of the traditional nation-state. Additionally, as in other contemporary states engulfed in demographic panic, they were framed as efforts to raise the birthrates (Goldberg, 2009, 185) and defend the "unborn" children (Holc, 2004, 768). Goldberg argues that in the developed countries limiting reproductive freedom often becomes the reason for birth rates' collapse: "The first-world fertility crisis has been caused by women reacting to the constraints on their lives with a kind of birth strike. Further restricting their choices isn't just morally wrong – it's demographically counterproductive" (Goldberg, 2009, 356). She writes specifically about Poland where birthrates "has been on a fairly sustained decline since the end of communism" (ibid, 362). Apparently, at the turn of the century, Poland's obsession with the anti-abortion biopolitical regime has taken it nowhere regarding the proliferation of life and created tensions between the new-democracy and the neoliberal Europe it was aspiring to (ibid, 359).

Years later, when the access to abortion is further restricted, the effectiveness of religious fundamentalists seem to outweigh the influence of the international human rights institutions; the impotency of the EU institutions – alongside the nationalist sentiments, Polish state's entanglements with the Catholic Church and fierceness of pro-life organizations – compounds to the unfavourable circumstances hindering the attempts of pro-choice activism. The radicalisation of national and religious fundamentalists is not exceptional for Poland. Both Goldberg and Majewska notice that modernization and liberation of women are often blamed for the worrisome phenomena prompted by globalization i.e. the shift of traditional social arrangements, urbanization, migration (Goldberg, 2009, 12-16; Majewska, 2018, 247). Although as Greenfeld notes, globalization and nationalist sentiments do not exclude one another (2012, 1), in its religious version, nationalism produces certain tensions in the globalized world: although the nation-state participates in the transnational capitalist market, it defines its boundaries through the reproduction of nation. As Goldberg puts it, "The specific religious dynamics differ in other parts of the planet, but the conflation of women's rights with globalization or Westernization, and the concomitant desire to limit them in the name of national or cultural integrity, is nearly universal" (2009, 14).[9] Preciado describes the current global conflict on reproductive rights as "Hot War" with a few flashing points: "thirty-two states, including the United States, Brazil, Egypt, Poland, and Hungary, affirmed their political desire to restrict current laws regarding the right to abortion with the signature of the Geneva Consensus Declaration" (2005, 1). What emerged is "a new techno-patriarchal bloc" forged by the new instances of authoritarian nationalist neoliberalism. In what follows, I describe the specific Polish context, embedding it in the recent history of abortion legislation and the social movements which emerged in order to defend liberal access to abortion.

2.1 The Polish "Hot War"

In the case of Poland, blaming religious fundamentalism seems accurate but does not exhaustively explicate the current situation. It might be surprising that political and economic transformation was not accompanied by the liberalization of reproductive rights especially considering Poland had a traditionally liberal approach to abortion (Zielińska, 2000, 25)

[9] Interestingly, abortion seems to be one of the few aspects uniting otherwise conflicted fundamentalist orders of different denominations. As Preciado notes, "(...) theological-political countries, both Catholic and Muslim, fighting amongst themselves in other respects, are finding a common ground in the expropriation of women's reproductive work, misogyny, homophobia, and transphobia" (2020, 5).

which continued under communism: in years 1956-1989 Poland had the most liberal abortion law in the region.[10] In 1989 a proposal to delegalize and criminalize abortion was issued and backed by the Polish Episcopate. In 1993 a still binding act was ruled: "The Family Planning, Human Embryo Protection and Conditions of Permissibility of Abortion"[11] that restricted abortion to three cases: of serious threat to the life or health of the pregnant person, of rape or incest, of serious and irreversible damage of the fetus. This was not exceptional for the region; as Gal notes, since 1989 in most post-socialist countries regulations from the socialist period assuring access to abortion have been challenged on the highest parliamentary levels (1994, 258). According to Verdery, partial socialization of reproduction, access to abortion, and the degendering of the workforce under socialism after its collapse resulted in accusing both women and the system of destroying traditional values propagated within the nationalist narratives. This often led to banning abortion: the commonality between different countries of the socialist bloc after its collapse was "increasingly visible ethno-nationalism, coupled with anti-feminist and pro-natalist politicking. Much of it centers on the issue of abortion" (1994, 250). Thus, it is not paradoxical that, as Holz notes, anti-abortion attitudes were connected to the process of democratization (2004, 758). The author interprets anxiety around reproductive freedom as the expression of anxiety about transformation itself (ibid, 775; 777). The shift from state socialism to parliamentary democracy and free-market economy was a moment of an abrupt transition which had profoundly gendered effects with women being usually more negatively affected by the changes (Gal, 1994, 256). As Gal writes, commenting on the transition from state socialism to democracy in Eastern Europe, "(…) gender and reproduction, like ethnicity, are being discussed as moral and natural categories rather than social ones" (ibid, 257). Both gender/reproduction and ethnicity became sides of biopolitical struggles between different actors of the sovereign republics proclaimed as reemerging nation-states.

At the same time, researchers tackling abortion on different grounds, be it socio-political (Gal, 1994; Goldberg, 2009) or medical ones (Foster, 2020), underline that from the

[10] Since 1956 abortion was legal in cases the woman was experiencing "difficult living conditions" which was interpreted in different ways but often as abortion on request. In fact, in the 1960s and 1970s people from countries where access to abortions was more restricted traveled to Poland to perform abortions.

[11] The full act is accessible on the official site of the Polish government: https://isap.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU19930170078. English translation of the act: https://www.reproductiverights.org/sites/default/files/documents/Polish%20abortion%20act--English%20translation.pdf. Both retrieved May 18, 2021.

perspective of person needing abortion, its accessibly is not a political or ideological issue, but problem of basic health care. In this context, it is important to underline, that the 1993 legislation had little to do with the well-being of the women. Instead of being a matter of healthcare and reproductive justice, abortion became a political issue and moral controversy. Desperak argues that abortion was strongly politicized in Poland already in the 1980s and at the time, became the basis of division of the political scene (2003, 193). The dividing line ran across various groups of interests: it divided union activists, politicians, public opinion, medical circles and nascent NGOs. This can be observed in the complex history of the bill. In 1989, upon the initiative of the Polish Catholic-Social Union, a proposal for the law was submitted, prepared in cooperation with experts from the Polish Episcopate, which not only prohibited but also penalized abortion (Kramer, 2009, 85). A year later, the Ministry of Health started requiring a certificate from four doctors to perform abortion (ibid) and a conscience clause was introduced which *de facto* exempted from the obligation to perform abortion. The Solidarity, contrary to the views of many members, adopted a resolution to "defend conceived life." The new medical ethics code from 1992 provided for the procedure to be allowed only if the life of a pregnant person was at risk. At the same time, over a million signatures were collected on the initiative of a referendum on the issue (Desperak, 2003, 194). Kościelniak grants this debate a crucial meaning in the transformation process: in order to fulfill its political goals, democratic opposition worked out an agreement with Catholic Church while ignoring the popular demands for accessible abortion. While often this fact is treated as a side effect of the democratization, he argues that denying reproductive rights was in fact a necessary element of Polish transformation (2020, 28): it allowed the opposition to win the full support of the Church and base the narrative of the new Poland on the Catholic-nationalist interpretation of its pre-socialist history. Similarly, Kligman and Gal argue that "it was through the restriction of abortion (...) that politicians attempted to signal the new Solidarity-dominated government's morality, opposition to communism, and alliance with the Catholic Church" (2000, 204). According Wężyk, the 1993 legislation was in line with a specific approach to morality typical for the period: "it combined neoliberal thinking in terms of individual entrepreneurship and resourcefulness with the official monopoly of the Church on morality (…). [In fact it was a mixture of] a sick cult of ennobling suffering with systemic hypocrisy" (2021, 423).

The legislation from 1993 was and by some to this day is referred to as "abortion compromise". For years, it was narrated as a rational solution balancing the interests of "all sides" and became a hallmark of Polish morality shaped by Catholic tradition and nationalist sentiments, against the background of socialist past and secular Western standards. In reality, the compromise ignored the interest of the most important "side": substantial counterpublic opposing such restricted access to abortion that repeatedly attempted to change it. As noted by Kościelniak, the adoption of the law was preceded by a stormy media debate, series of demonstrations and a large-scale campaign to hold a referendum on the issue (2020, 2).[12] According to Wężyk, the "compromise" was a deal between far-right and moderate right, "An agreement negotiated over the heads of Poles, especially women, ignoring the results of polls and 1,700,000 votes calling for a referendum on this matter. It was the dictatorship of minorities – bishops and conservative politicians, mostly men. Finally, it was a result of an ideological war that was won by the right-wing and the Church for over a quarter of a century." (2021, 290) Despite its persistent presence in parliamentary debates and the existence of the robust pro-life and pro-choice activism in the pre- and post-transformation periods, abortion was repeatedly denied significance. First, as pointed out by Zielińska, as the debate on abortion provokes emotional responses, "(…) it is viewed as a surrogate topic by which attention can be drawn away from the enduring socioeconomic problems generated by the transition" (2000, 24). Second, as Czarnacka notes, in accordance with an unwritten consensus, abortion was seen as a "typically female" topic that should be discussed by women, who in a patriarchal Poland are given limited space in public debate (2017, 10). At the same time, an analysis of social movements in contemporary Polish history makes it impossible to uphold such a perspective: recent years provided evidence for abortion being a central political issue and the most fertile ground for popular resistance. The latter part of the 2010s was marked by the massive mobilization of a pro-choice movement, and as it seems the 2020s might be as well.

[12] Also earlier, feminists opposed the introduction of the legislation: in 1989 protests were organised against limiting access to abortion and feminist organizations from different cities published letters defending the right to abortion (Kościelniak, 2020, 28).

2.2 The Black Protests (2016-2018)

Abortion has been granted substantial attention in research on social movements in Poland. In most of those analyses, it stands out as a primary reason for mobilization, especially in the 21st century. Desperak emphasizes that although the opposition to restrictive regulation has been present since the 1990s and several civic initiatives have been taken to liberalize abortion law, 2016 was the beginning of a mass mobilization that led thousands of people to the streets (Czarnacka, 2017, 15). The Black Protests[13] were thoroughly analyzed by numerous Polish scholars. Here I will employ mainly two reports which summarize this research: one from 2016, edited by Czarnacka and one from 2018, edited by Korolczuk et al. According to those reports, the Black Protests' outcome, besides preventing tightening of the abortion law, was the transformation of the discourse and shift of the social horizon: in the abortion debate, women gained more subjectivity and realized they could claim their rights in a more uncompromising manner (Korolczuk et al., 2018, 19). Finally, the so-called "abortion compromise" was undermined and the social approach to abortion liberalized significantly (ibid, 22-23; Czarnacka, 2016, 27;32). This happened due to mass mobilization but also thanks to the possibility to debate abortion more freely online (Korolczuk et al., 2018; 20, Majewska, 2018, 235). What linked different and dispersed agents of the mobilization was fear of tightening of the abortion law: the "Stop Abortion" bill issued by the Catholic fundamentalist organization Ordo Iuris[14] was debated in Sejm, the lower house of the Polish parliament (Majewska, 2018, 236). The bill, submitted to parliament in 2016, would have tightened the 1993 legislation: unless the woman's life was in danger, it called for abortions to be punishable with prison. Although mobilization from the years 2016-2018 was a reaction to this specific project, its size, which surprised everyone from politicians to feminists (Czarnacka, 2016, 31) is often explained by the achievement of the critical mass: although

[13] The naming of the events comes from the fact that black clothes were chosen as an easy way of identifying people who decided to take part in the protests, not only on the streets but also on social media. On October 3, 2016, thousands went on strike to oppose the bill to ban abortion which was voted down on October 6. Due to rainy weather on the day of the strike the black umbrella became the symbol of the protests. See: "Abortion in Poland," Wikipedia, last modified June 12, 2021, https://en.wikipedia.org//wiki/Abortion_in_Poland?cv=1. Retrieved June 16, 2021.

[14] As noted by Kurasinska, over the past years, "Ordo Iuris has rapidly infiltrated Polish state, on a seemingly relentless quest to ban abortion under all circumstances. It has also lobbied against anti-discrimination education in schools. Several Ordo luris proposals have been picked up by public offices, and at least three of its board members have held political positions in Poland." See: Kurasinska, Lidia. 2018. "This ultra-conservative institute has infiltrated the Polish state, on a relentless quest to ban abortion" published on *opendemocracy.net* on July 30, 2018: https://www.opendemocracy.net/en/5050/ultra-conservative-institute-has-infiltrated-polish-state-to-ban-abortion/. Retrieved May 18, 2021.

before the attempts were made to change the law, in 2016 the actual importance of the liberal access to abortion and the universality of this issue have been realized for the first time (Majewska, 2018, 227; Korolczuk et al., 2018, 22).

Although compared to the Solidarity movement from the 1980s (Korolczuk, 2016; Majewska, 2018), the Black Protests were unprecedented within the history of Polish social movements for several reasons. For one, the mobilization developed within the logic of the new social movements: organization was based on the usage of social media and movement formed within the framework of the "connective action" and not "collective action" (Korolczuk et al., 2018, 20). At the same time, the usage of social media did not undermine the local aspect of the mobilization. As Majewska highlights, the local Facebook groups played an important role in the mobilization outside the biggest Polish cities (2018, 228). Majewska stresses how powerful the strength of the weak[15] evidenced to be: the protesters shifted the discourse and politicized the private with the usage of minor tools and small gestures i.e. going for walk (an euphemism for protesting), posting photos on social media (re-appropriation of commercial tools), wearing black and symbols of the protests i.e. black umbrella, coat hanger (ibid, 230-235). Importantly, all actions were undertaken in a grass-root manner without any institutional or state support which differentiates pro-choice activism from pro-life one (Czarnacka, 2016, 28-29). This unprecedented mobilization soon became a part of the international feminist struggle for reproductive rights. The strikes, inspired by the Strikes in Iceland from 1975, became the leaven of mobilization in other countries (Majewska, 2018, 243; Fraser et al., 2019, 6). Additionally, the scale of the protests led to the extension of the scope of postulates. Korolczuk noticed that after initial focus on the pro-choice argument, the protests became more concentrated on fighting against the ruling PiS party than stating pro-abortion postulates (ibid, 35-41). The activists from the Women's Strike got engaged in other issues e.g. changes in the judiciary system and education, defending the rights of the guardians of persons with disabilities and LGBT rights (Korolczuk et al., 2018, 22). The above issues are connected to abortion as equally biopolitical: they relate to the

[15] Majewska develops the notion of "weak resistance" in many of her writings. In one of the definitions she proposes that it is a "caring process of maintaining oneself and others, rather than opening a heroic fight, (…) embedded in the majority of contemporary forms of resistance to fascism. This weak resistance, practised at the core of neoliberalism (speedily transforming into a state of exception that revives and updates elements of the fascist state doctrine), is what we witness in women's protests globally (…) where masculine models of agency as charismatic leadership are replaced by the non-heroic, ordinary politics of the common." (Majewska, 2019, 411).

(bodily) self-determination in most primary sense and are fruitful in prompting counterpublic in its struggles against the state's authoritarian regulations. In consequence, in Poland, abortion is seen as a ground mobilizing actors arguing for other social and political goals (Nawojski & Pluta, 2018; Korolczuk et al., 2018, 143).

According to Majewska, the Black Protests mark the unprecedented moment for Polish feminism: the beginning of feminism as a grassroots mass movement (2018, 244-45). While describing how the movement reclaimed the language on abortion[16], Korolczuk recounts a mechanism of a feedback loop which organically emerged between different agents of the counterpublic – activists, politicians, protesters, online commentators – often across boundaries of class, geography, age. According to her, alongside its massive character, diversity was one of its strongest features. The change of the discourse, which took place thanks to the speeches, radio and TV statements, posts on social media and private conversations was accompanied by the production of a huge amount of knowledge (Czarnacka, 2017, 32). More feminist experts (lawyers, researchers, doctors) became present in the media. Thanks to their work, outlets gained more interest in the medical aspects of abortion and discussed the issue in a more multifaceted manner (Korolczuk et al., 2018, 139-140). The work of activists and protesters contributed to building new coalitions, gaining more support for the pro-choice argument, and helped the counterpublic to realize that change is necessary and possible. The long-term effect of the Black Protests was the politicization of a large group of citizens. At the time, the political enthusiasm and commitment to the fight for liberalization of the abortion law were diagnosed as something lasting (Korolczuk et al., 2018, 22). This might be the biggest achievement of the movement: the politicization of the masses, liberalization of the approach to abortion, and emergence of a communication network. All this produced a strong base for the upcoming mobilization: the movement granted participants a sense of agency and solidarity they never experienced before. This was articulated during the protests by some of them as well as afterward, in retrospect (Nawojski & Pluta, 2018, 127-128). The counterpublic that emerged during the Black Protests was expanding even when the protests ceased to be organized: over past years the activist networks strengthened and, as the recent mobilization proved, the number of protesters increased. In what follows,

[16] As noted by Korolczuk, before the Black Protests the debate was still dominated by the pro-life discourse dehumanizing women and focusing on the rights of the fetus (Korolczuk, 2018, 121). Only recently, the shift of the discourse, related to the strengthening and clarification of the framework of the abortion discourse resulted in partial delegitimization of the arguments of the pro-life groups (Czarnacka, 2017, 34).

I discuss abortion activism expansion which was one of the results of the aforementioned movement.

2.3 The birth of abortion activism

In 2018 on the cover of one of the February issues of the weekly magazine *Wysokie Obcasy* (*High Heels*), a photograph of three women was presented. Clothed casually in white T-shirts and jeans they stood confidently against a light pink background, next to the caption: "I had an Abortion. Abortion Dream Team". Immediately, the cover – or rather women's T-shirts – provoked a scandal. On each of them, the comic book lips said: "Abortion is Okay". In the article, three abortion activists – Natalia Broniarczyk, Karolina Więckiewicz, Justyna Wydrzyńska – talked about their work and attempts to normalize discourse on abortion in Poland. The language they used was not widespread at the time: "Abortion is normal. I am pro-abortion. Everyone of us loves someone who had an abortion." From today's perspective, what the activists said does not seem shocking but I remember that three years ago the slogan "Abortion is Okay" spurred much controversy, also among feminists. The cover was regarded as controversial by some liberal journalists e.g. Katarzyna Kolenda-Zaleska or Agnieszka Gozdyra who held that saying that "abortion is okay" makes pro-choice activists seem too radical and discourages people from supporting the liberalization of the law.[17] The magazine itself is representing the perspective of liberal middle-class feminism and polemics condemning the ADT's narrative appeared on its pages. Today, this very cover is used by the pro-life organization "Pro Foundation – the right to life"[18] as one of the images printed on the pro-life vans traveling around Poland. Within this narrative, the three women are depicted as villains selling abortion pills; but for many Polish women, especially those seeking abortions, activists from ADT are heros. After the Tribunal's decision to declare abortions for fatal or

[17] Jolanta Korucu, "'Wysokie Obcasy' mocno krytykowane za hasło 'Aborcja jest OK'." Published in *press.pl* on February 17, 2018: https://www.press.pl/tresc/52186,_wysokie-obcasy_-mocno-krytykowane-za-haslo-_aborcja-jest-ok_. Retrieved May 18, 2021. See also: Wiśniewska, Agnieszka. 2018 "Głośno i wprost mówimy, że mamy prawo do wyboru. #aborcjajestok" published in *KrytykaPolityczna.pl* on February 22, 2018: https://krytykapolityczna.pl/felietony/agnieszka-wisniewska/aborcja-jest-ok-komentarz/. Retrieved June 1, 2021. The "controversial" cover is showed in both articles.

[18] Fundacja Pro – prawo do życia [Pro Foundation – the right to life]. Official website: https://stronazycia.pl/. Retrieved May 18, 2021.

severe fetal impairment unconstitutional, the importance of their role became unquestionable: for many Poles their work is the only way of accessing abortions.[19]

As one can read on the website[20], Abortion Without Borders is a transnational initiative of six organizations[21] working to help Poles access abortions and was launched on December 11, 2019. Practically, those organizations offer two ways of providing abortions: supplementing persons in need with pills to perform at-home abortions and/or assisting them while they pursue surgical abortions abroad. In reality, the scope of their work is much broader. Besides practically opposing the anti-democratic limitation of access to reproductive services, they fulfill a propaganda role by changing the social understanding of abortion and educating public opinion about reproductive justice. For example, Women on Web is an open forum which has been providing pregnancy options counseling and information on abortion since 2006. Most of the organizations active in Poland emerged around the Black Protests. Importantly, all those organizations advocate for the empowerment of pregnant people: even if their role is to organize abortion for Polish women abroad, they promote pharmacological abortions at home as the surgical ones are more expensive and give women less control over the process of terminating the pregnancy. Pharmacologically induced abortion is the easiest and most common way to abort a fetus up to twelve-week of pregnancy. Focusing on the at-home abortion and employing a normalizing narrative is a powerful tool of opposing the over-dramatic narrative of the pro-life movement "portraying abortion as murder and women undergoing abortion as cruel and deviant. During demonstrations and online, the [Stop Abortion] activists routinely promulgated photos of dismembered fetuses covered in blood with captions such as 'Abortion kills unborn children' and 'Hitler legalised abortion for Poles

[19] Organization is increasingly popular among Polish women who reach toward its services and often articulate gratitude to the activists. See e.g. Brzeska, Anna. 2019. "'Aborcja bez granic' – prawo do wyboru trochę bardziej dostępne dla Polek" published in *Krytyka Polityczna* on December 18, 2019: https://krytykapolityczna.pl/kraj/inicjatywa-aborcja-bez-granic/ and Chrzczonowicz, Magdalena. 2021. "Po wyroku TK z pomocy inicjatywy Aborcja Bez Granic skorzystało 17 tys. osób" published in oko.press.pl on April 24, 2021: https://oko.press/od-wyroku-tk-z-pomocy-aborcyjnego-dream-teamu-skorzystalo-17-tys-osob/. Both retrieved May 18, 2021.

[20] Aborcja Bez Granic [Abortion Without Borders]. Official website: https://abortion.eu/. Retrieved May 18, 2021.

[21] The initiative unites the following organizational bodies: Abortion Dream Team, Abortion Support Network, Women on Web (Kobiety W Sieci), Cocia Basia based in Berlin and its local branches (Ciocia Wienia in Vienna and Ciocia Czesia in Prague), Women Help Women, and Abortion Network Amsterdam.

in March 1943'" (Cullen & Korolczuk, 2019, 12).[22] As I argue, the role of activists normalising abortions and providing reproductive services for Poles is pivotal. Their activism in the years following Black Protests made possible the Women's Strike from 2020-2021 becoming the biggest mass mobilization in contemporary Polish history. Observing the pro-choice activism – in Poland and Vienna – made me realize how important legal abortion is and that access to reproductive rights is not a "female" problem but a reproductive issue concerning the entire society. It is true that abortion became an issue mobilizing people for political and social aims different than the accessibility of abortion or, to be more precise, it proved most effective in organizing popular movements in contemporary Poland. The prospect of mobilizing people beyond the singular demand might seem promising however, some of my interviewees expressed concern about this being a sign or reason for treating abortion not as urgently as it should be and relegating it to the realm of "women's issues" or "surrogate topics". As they put it, using the mobilization for different ends might obscure the initial claim and trouble its completion. Following the media statements of activists, it is clear that ensuring access to abortion constitutes a political goal of the protests, and other issues, even those closely related to abortion e.g. sexual education, might be dealt with in the future.

2.4 October 22, 2020: A new counterpublic emerges

After the Tribunal's decision to practically delegalize abortion in Poland on October 22, 2020, despite the COVID-19 pandemic, massive protests took place in the country in what appears to be the biggest strike action in the modern Polish history. The protests took place again on the next day and again on October 24. On Sunday, October 25 some of the protesters performed sit-ins in Catholic Churches, disrupting masses in some Polish cities (eg. Katowice and Poznań).[23] On October 30 about a thousand people took to the streets of Warsaw in

[22] While anti-abortion groups use drastic and manipulative photographs allegedly depicting fetuses, compare abortions to the Holocaust (using Hitler's photographs), the pro-choice organizations seek to present abortion as an inevitable element of the everyday life of people who may become pregnant and something that should accessible safely as a medical at-home procedure. See e.g.: "Plakat z Hitlerem już w prokuraturze" published on March 10, 2010 on https://tvn24.pl: https://tvn24.pl/wiadomosci-z-kraju,3/plakat-z-hitlerem-juz-w-prokuraturze,128005.html?h=195c and "Martwe płody w plamie krwi. Co możesz zrobić, by nie oglądać drastycznych plakatów?" published in *Newsweek* on March 28, 2017: https://www.newsweek.pl/polska/spoleczenstwo/plakaty-aborcyjne-organizacji-pro-life-nie-musisz-ich-ogladac-razem/jwkpssr. Both retrieved May 18, 2021.

[23] Cf. "2020–2021 women's strike protests in Poland," Wikipedia, last modified May 8, 2021,https://en.wikipedia.org/wiki/2020%E2%80%932021_women%27s_strike_protests_in_Poland. Retrieved June 16, 2021.

a protest against the new ruling. Over the next months, despite the pandemic and related lockdowns protests continued to take place in numerous Polish cities. Additionally, the UN independent human rights experts criticized the ruling for an almost complete ban on abortion and called Polish authorities to respect the rights of protesters opposing judges' decision especially considering the rise in police brutality.[24] Some commentators argue that although Tribunal's decision was a direct reason for the mobilization, it was not the only one and that the protests were in fact triggered by the accumulated sentiments related to the perpetuating patriarchy and exploitation of women's reproductive labor (Czapliński, 2021, 8). This attitude was also visible in the names the events were given: the mobilization was related to as "October Revolution of Dignity" (Sutowski, 2020), "October Insurrection" (Słowiński, 2020), or "the Polish revolution" (Gissen, 2020). In these narratives, the protests from the Fall and Winter finally articulated the disagreement with the ban on abortion, which in the years 2016-2018 was much more subtle and based on a desire to uphold "the compromise" rather than fully liberalize access to abortion. As I will show in Chapter four, my informants were not fully convinced that the society radicalized that much: according to them, most Poles would still prefer going back to "the compromise".

As noted, the Black Protests were similarly triggered by a specific decision but resulted from the accumulation of frustration over years. Within this logic, the outburst from 2020 could be interpreted as a reaction to what was articulated in 2016 and has been accumulating since the 1990s. The surrounding situation namely, the global pandemic created a specific context for the protests. Strategically, the mobilization was based on the structures which emerged in 2016 and referred to the sentiments that were first articulated at that time. In consequence, the group of participants protesting in 2020 was similar to one from the years 2016-2018. Both cases were similar in a biopolitical sense: on the one side of the conflict there was states's apparatus controlling reproductive rights and defining the limits of citizenship (mothers as citizens vs. abortionists as non-citizens) and on the other the counterpublic which by protesting, preparing projects of legislations and organizing reproductive services for persons seeking abortions reclaimed the means of reproduction and redefined the meaning of citizenship. Here, the notion of counterpublic, as discussed in the following chapter, relates to the organically emerging group of people standing in opposition

[24] Cf. "Poland 'slammed the door shut' on legal and safe abortions: Human rights experts" published on *UN News* on October 27, 2020: https://news.un.org/en/story/2020/10/1076332. Retrieved June 7, 2021.

to the dominant narrative (Fattal, 2018, 1) and subverting the execution of the undermined legislation. Obviously, the fluctuations between the two occurred: the pro-life and pro-abortion division was not clear cut; the state does not own the monopoly on the pro-life advocacy and conversely, there are institutionalized actors advocating for the liberalization of the law. The involvement in both sides of the conflict is of a biopolitical nature: regarding one's own sexuality and reproductive capacities as site of self-determination and ground for politicization of the "private" is biopolitical. While the pro-life side probelmatizes the negation of the right to abortion as the expression of religious and nationalistic morality, the counterpublic employs pro-abortion narrative to redefine the idea of contemporary citizenship.

All of my interlocutors participated in the Black Protests and I asked them to juxtapose them with the recent mobilization which they also participated in. Clearly, it was still too early to compare those two events however, most did differentiate them. Some, like Ada, created a direct link between the mobilizations from 2016-2018 and 2020-2021. When asked whether she was protesting since October she denied saying "No, I started protesting back in 2016. But yes, in this series of protests I did start on October 22." Her reaction is symptomatic of a sense of continuity between the mobilizations which shared some of the postulates and many of the participants as well as the strategic platform and networks: both were organised by the OSK. Additionally, the struggles were similar in length – Black Protests lasted around six months (Czarnacka, 2017, 27) while the recent protest action lasted for four months. Without a doubt, the Women's Strike was bigger than Black Protests which took place in 118 Polish cities with 100.000 people participating (Chmielewska et al., 2017). According to the calculations of the Police – which tend to underestimate the number of participants – 430.000 people took to the streets after the Tribunal's decision with demonstrations happening in 410 Polish cities.[25] The most important difference between two movements is that mobilization from 2016 was momentarily successful: it led to the rejection of the anti-abortion bill. Despite being so massive, the Women's Strike was not successful in terms of meeting its political goal: on January 27, 2021 the ruling of the Tribunal was published in the Journal of Laws banning most of the already small number of legal abortions performed in Poland. Currently, the means of abortion are almost entirely taken over by grass-

[25] Information published soon after the first mobilizations on October 30, 2020: https://warszawa.naszemiasto.pl/strajk-kobiet-w-calej-polsce-protestowalo-430-tys-osob/ar/c1-7972125. Retrieved April 24, 2021.

root organizations. Taking into account the government's statistics, Abortion Without Borders stated that it "took over almost all 'statutory' abortion procedures, which were previously performed in public hospitals." Additionally, it keeps providing abortions for Poles in the second trimester of pregnancy.[26] On May 23, Kaczyński, the president of the PiS party and the main political authority of the current government gave an interview where he said "According to the Constitution, the actual meaning of the judgment is different than many people state. It is nonsense to say that abortion is prohibited. It is still permissible if the pregnancy is a result of a crime and if it endangers the woman's life or health. I know there are ads in the press that every ordinary person understands and can arrange an abortion abroad, cheaply or expensively."[27] Many were shocked by this statement's cynicism but it only evidences what activists were repeating for a while: that the means of abortion have been taken back by the people and fully privatized.

Although my informants recognized the importance of Abortion Without Borders' activity, they regarded the reclaiming of the means of reproduction by the grassroots organization as not sufficient. While discussing their privilege, they were convinced the accessibility should be universal and unconditional and felt it is important to change the legislation to make Poland "a normal country". The adjective "normal" was used at least by some of them and referred to the European standards as opposed to the Polish "pathological" ones. The map of transnational reproductive order is accessible at the website of the Center of Reproductive Rights.[28] Here, "pathological" Poland stands out as a yellow spot in the middle of "blue" Europe where abortion is accessible on broad social/economic grounds or on request. The notion of "normality" came to be quite significant during the Polish

[26] *Pół roku od wyroku – Aborcja Bez Granic pomogła tysiącom osób z Polski w aborcji*. [*Half a year after the judgment - Abortion Without Borders has helped thousands of people from Poland to have abortions.*] published on April 22, 2021: http://aborcyjnydreamteam.pl/2021/04/pol-roku-od-wyroku-aborcja-bez-granic-pomogla-tysiacom-osob-z-polski-w-aborcji/?fbclid=IwAR1ODADU48k9JJNy8IewQQpnwHs88bfWMVPayrWfKZQMyDyipr8CvIcyAF0. Retrieved April 26, 2021.

[27] Olczyk, Eliza. Miziołek, Joanna. 2021. "Jarosław Kaczyński dla 'Wprost': Każdy średnio rozgarnięty człowiek może załatwić aborcję za granicą" published in *Wprost.pl* on May 23, 2021: https://www.wprost.pl/kraj/10449780/jaroslaw-kaczynski-dla-wprost-kazdy-moze-zalatwic-aborcje-za-granica.html. Retrieved May 25, 2021.

[28] The World's Abortion Laws, Center of Reproductive Rights: https://maps.reproductiverights.org/worldabortionlaws. Retrieved May 20, 2021.

transformation. In the nationalist narrative, the socialist times are perceived as "abnormal"[29] and transformation is seen as a moment of returning to normality, to the actual Polish history. At the same time, from the perspective of reproductive rights, the reverse happened: from a fairly "normal" regulation Poland shifted to the "pathological" one. Thus, "normalization" meant democratization and restoring of the rights that were understood selectively: reproductive and social rights were not really included rendering women and the dispossessed workers some of the disadvantaged whose voices, although raised were ignored or shunned. This is why geography matters: despite its "pathological" abortion law Poland is surrounded by numerous havens where procedures can be accessed. It is not an accident that the umbrella organization providing pregnancy terminations for Poles is called "Abortion without Borders": contrary to Polish nationalism, pro-abortion feminism produces and calls for a transnational community. At the same time, it must be stressed that although the counterpublic that reclaims the means of reproduction is transnational, the borders remain valid for those who can not afford to transcend them. All this marks the very much embodied and biopolitical dimension of the struggle for liberalization of access to abortion. Thus, in the following chapter, I present the theories I chose to narrate the protesters' accounts and explain how they relate to the historic and cultural background.

[29] This is reinforced by the way Polish People's Republic is discussed in mainstream Polish historiography. Often it was debated whether this period should not be understood as totalitarian (e.g. Friszke, 2002) which would render it an aberration of the democratic norm.

3. Theoretical Framework

The theoretical framework locates itself on the intersection of biopolitics and social movements research. First, I am using Michel Foucault's notion of biopower in order to understand how access to abortion is negotiated between different political agents i.e. Polish conservative state and its popular counterpublic. In the context of the biopolitics of abortion, I reconstruct recent Polish discussion on "gender ideology". By drawing on Majewska's research, I explore the notion of counterpublic to delineate the group of agents engaged in the mobilization and explore some of the fundamental implications of their engagements. In this context, I explore the notion of agency: with Foucault's and Butler's theorizing, I define agency consistent with notions of biopower and counterpublic as well as "sense of agency" expressed by my informants. Additionally, after Butler and Certeau, I explore the role of the city in the making of this agency and the relationship between agency, emotions, and social movements (Gould). The above concepts and theories compound an analytical framework that helps to understand the process of politicization of the individuals as part of the dynamic counterpublic within which they attempt to fight for self-determination in biopolitical terms. The juxtaposition of these theories and their contextualization in the socio-political background created in the previous chapter sheds a light on the complexity of the biopolitical struggle of the movement which attempts to create the possibility of meeting the reproductive needs here and now and at the same time liberalize access to abortion in the future.

3.1 Biopower and abortion: annexation of wombs

Foucault defines biopower as a way of (self)disciplining and regulating the life of individuals in society with the means of "numerous and diverse techniques for achieving the subjugation of bodies and the control of populations" (1978, 140). It is realized through different regulatory means such as collecting and utilizing demographic data, adjusting legal regulations to political ends, enabling and denying access to specific rights, spaces, services, or controlling the distribution of goods and privileges. The sites of the functioning of biopower are ambiguous: at first sight, the state and its apparatus appear as dominant one; in opposition, the populous subjected to state's control emerges. This, however, would obscure the Foucauldian understanding of power as dispersed, decentralized, both intentional and "nonsubjective," performed not only by the state's regulatory means but also numerous

disciplines by which people exert control upon themselves. As Foucault puts it, "power is exercised from innumerable points, in the interplay of non-egalitarian and mobile relations [and] (...) there is no binary and all-encompassing opposition between rulers and ruled" (1978, 94). Thus, the sphere of intimate relations can be the realm of exercising biopower as much as school, hospital, the law, or the state's apparatus. According to Foucault, biopower is dynamic and dissident: the plurality of its points of exercise generates the plurality of points of resistances (ibid, 96). Later on, I will discuss notions of counterpublic and agency in more detail but they already should be conceptualized in the context of biopower. The public, as a self-organized yet ideal "social totality (…), the people organized as the nation" (Warner, 2005, 65) is always already confronted by the counterpublic, "a subset of publics that stand in conscientious opposition to a dominant ideology and strategically subvert that ideology's construction in public discourse" (Fattal, 2018, 1). As long as public and counterpublic are not regarded as strictly distinct – the resistance is always a part of power (Foucault, 1978, 95) – such understanding of the public sphere is in line with the way power functions in society. Both notions – biopower and counterpublic – allow for a nuanced understanding of agency: the relationship between the dominant power and individual agency is dynamic, reciprocal, and ever-changing. As McNay puts it, the "existing structures are reproduced by human agents who modify and change these structures to differing degrees as they are shaped by them" (1992, 60).

Another important aspect of biopower is its focus on the "natural" character of bodies and reproduction: biopower is "the set of mechanisms through which the basic biological features of the human species became the object of a political strategy, of a general strategy of power" (Foucault, 2004, 1). Such understanding allows for the politicization of biological aspects of the individual's life in society and reveals that control over reproduction is a form of technology manifesting itself in both legal regulations and socio-medical practices. The mechanisms of biopower as the modern form of politics, define new population goals and manipulate the reproductive potential of individuals. According to Lemke, in its biopolitical struggle to control the society, disciplinary power oscillates between ensuring economic productivity of the bodies and weakening of their political subjection and potential. As he puts it "It is exactly this coupling of economic and political imperatives that define discipline and establish its status as a technology" (2011, 36-37). In contemporary highly medicalized

societies, biological existence is subjected to regulatory power represented, among others, by the control of reproduction (Foucault, 2003, 246-247). In nationalist narratives, "technology of biopower" serves to increase the proliferation of the nation by the means of maximization and extraction of forces. The subjectivity of (potentially) pregnant persons might be undermined as their bodies become the state's resource serving its ideological purposes. The ways of exercising "technologies of biopower" are not only top-down but often internalized and practiced through self-regulatory measures. As already noted, declaratively these purposes comprise increasing the fertility rate, strengthening the nation's potential, and increase economic growth.

Although dispersed, the power is inequality distributed (Foucault, 1978, 94-95). Thus, the opportunities to oppose certain technologies of biopower once they are sanctioned by the state are limited. Deutscher noticed that in the international history of reproductive justice, legislations on abortion repeatedly produce "women's bodies as reproductive biopolitical targets" (2009, 64). Alike, Preciado writes about "an act of annexation of wombs as territories over which nation-states claim full sovereignty, 'living spaces' over which they deploy a strategy of occupation" (2020, 3). The author describes how patriarchal capitalist state extends its power over land into biopower to "infiltrate the interiority of the body, and designate certain organs as its 'vital space'." Here, the tautological definitions – of women as reproductive human and uteruses as parts of the female reproductive system – render "bodies with potentially reproductive uteruses" the political territories to be conquered and exploited (ibid, 5). In more practical terms, Czapliński writes about anti-abortion legislation as an expression of the Polish patriarchal state's perception of woman as a "worse kind of person" in a position of "half-citizenship" and servitude towards higher objectives of the country i.e. reducing her role to the reproductive function as well as extracting labor power (2021, 8-9). According to Majewska, the Polish state's simultaneous affirmation of the "prenatal" life and its ignorance towards women's lives could be interpreted in terms of Mbembe's necropolitics (2018, 245). By focusing on the "unborn" and saving their "lives," anti-abortion politics are a way of reducing women to the "living space," and putting their actual(ized) life in danger. In Poland, anti-abortion technologies of biopower are carried out against the background of the ideological "war on gender" unleashed almost a decade ago. The parties of this imaginary conflict with real consequences are the Polish nation-state and the supporters of the "gender

ideology". Both "sides" are produced by a divisive right-wing narrative and uphold by the people opposing it; thus, the counterpublic opposing ban on abortion is subjected to fluctuation, influenced by the impact of given narratives – pro-abortion and pro-life – as well as the sense of agency assured by the two. In what follows, I reach towards research on gender and nationalism in an attempt to understand this local biopolitical conflict.

3.2 Gender ideology, nationalism and robbing of fertility

As famously noted by McClintock, "all nationalisms are gendered, all are invented, and all are dangerous (…)" (1993, 61). Of crucial importance is the constructed character of the modern nation-states, often mystified by historic genealogies, unchanged geographies, and naturalized or racialized essences. The contrived character of the nations should not, as McClintock (ibid, 61) and Sharp (1996, 98) point out, obscure how they produce real institutions and repeatable practices which construct and perform social and gender differences. Within national unity, each gender performs a specific socio-cultural role and serves the nation's biopolitical interests on different terms. Those, in reverse, grant men and women quite different rights and accesses to the resources. According to Yuval-Davis and Anthias (1989, 7; after McClintock, 1993, 62), women are included in a nation primarily as biological reproducers, reproducers of the boundaries of nation, transmitters and producers of the culture, symbolic signifiers of national difference, and participants in national struggles. From the perspective of biopower, the first function comes to the fore. Considering the primary role of biological reproduction, the importance of well-aimed regulation of conception and births seems of utmost importance for any nation-state. Reproductive rights are most certainly gendered, both in terms of scope of application and the source of the inception and establishment. As Sharp puts it, "Nowhere is the nation more directly embodied as female than in debates over abortion. In many places, including the re-emerging nation-states of Eastern Europe and the post-Soviet Union, women's bodies and the symbolic body of the nation become significantly enmeshed both discursively and materially in hegemonic nationalist discourse. The safeguarding of life of/in women is consistently written in terms of the security of the nation." (1996, 100). Accordingly, in postsocialist Poland, the protection of the (conceived) life was repeatedly evoked in nationalistic terms. The period of transformation produced a specific gendered idea of a society based on traditional Catholic

values but still aspiring to the neoliberal democratic West. At the time, Poland strived to produce its national exceptionality and the gendered role of the female bearers of the nation influenced the way abortion was narrated. This discourse was produced by the Catholic Church, pro-life organizations, nationalists defending the "lives of the unborn" which soon became normalized and dominated the whole debate. As noted by Wężyk, within this narrative, the "fetus" was called a "child," "pregnant woman" "a mother," and abortion, an ordinary medical procedure was defined as a crime: "In the People's Republic of Poland, this language was heard from the Church pulpits. In 1989, politicians began to use it, followed by the media." (2021, 296-7). Accordingly, in the legislation from 1993, the phrase "conceived child" appears repeatedly and at one point is granted a "legal capacity".[30] At the same time, all this was obscured by narrating "abortion compromise" as a supposedly neutral solution.

According to Korolczuk and Graff, for the Polish democracy in its postsocialist version, grounded on the tripartite system and free market, the problem of gender and reproductive justice became an uncomfortable excess (2018, 250). The transformation was supposed to happen despite gender inequality and in ignorance of the care work performed by women who merged two models of femininity: the Polish mother archetype and the emancipated woman "who has it all". Consequently, when the new democratic order came to a crisis, the issues of gender inequality and care work reemerged as basic social problems. Abortion, positioned at the intersection of gender and economic inequality and reproductive labor, came to play a crucial role; it became a center of the Polish war on gender that originated in 2012 when for the first time the government tried to pull out of the Istanbul Convention (ibid, 252). Within the right-wing narrative, the convention became a symbol and carrier of the gender ideology which stood for everything contrary to the Polish tradition: gender equality, the rights of sexual and national minorities, sexual education (called "sexualization of children"), reproductive justice, and gender studies (ibid, 253-4). In the following years, the concept was further demonized as ideology threatening everything understood as "Polish." "The Polish nation" has been successfully identified with the traditional patriarchal family and culture of the Catholic Church. The reactionary approach to

[30] "The Family Planning, Human Embryo Protection and Conditions of Permissibility of Abortion", https://www.reproductiverights.org/sites/default/files/documents/Polish%20abortion%20act--English%20translation.pdf, page 3/5, retrieved May 18, 2021.

gender theory allowed the right-wing to earn powerful political capital by awakening imaginary fears and proposing immediate conservative remedies (ibid, 257-8).

The war on gender helped the channeling of the economic fears by identifying the violence of the capital with the EU and feminism which were blamed for spreading "harmful individualism" and building an "easily manipulated society without qualities" (ibid, 263-5). In this narrative, without contradiction, it was possible to define abortion as both a postsocialist relic and a harmful Western import. For one, it was a part of the socialist legacy, understood as a fight against the Catholic Church and traditional patriarchal family (ibid, 263). And for two, liberal abortion legislation was identified as one of the instruments of the Western project of colonization, which aim was to secularize Poland and rob it of its fertility, tradition, and family. The opposition to the liberal access to abortion has thus become synonymous with resistance to the attacks on the Polish nation. The term "nation" was successfully annexed by the right-wing and it no longer functions in any neutral way. Tellingly, during the conversations with my informants, no one used it. Instead, they would speak of "the government" and "the state," always referring to something with what they did not identify and what was taking their rights away. Nevertheless, they admitted "liking" Poland and wanting to stay in the country. In such instances, Poland was synonymous with the geography shared with their close ones, the language and culture they identified with, and the democratic structures currently taken over by PiS.[31] The fact that pro-life organizations are able to effectively put pressure on the state and use it to implement their biopolitical demands, leads to a partial identification of the state (or at least the current government) with the pro-life agenda. In turn, it is difficult to differentiate between those narratives on abortion: the government's, pro-lifers', and the Church's.

I could observe this identification during my trips to Poland. When I was walking around the cities, the message of the pro-life organizations visualized on numerous billboards

[31] In the context in Polish nationalist sentiments, this distinction between two different ideas of the country could reflect the division between ethnocultural illiberal nationalism as and liberal civic nationalism. According to Brown, this division "is based partly on the distinction between irrational and rational attachments, partly on the allegedly liberalising impact of the middle classes, and partly on a distinction between reactive and self-generated identities" (2005, 49-50).

advertising the "perinatal hospices"[32]. They functioned in several forms: on some, there was a drawing of a heart-shaped womb with a fetus inside; others there occupied by a realistic human-alike embryo. The over-representation of such images in the country where recently abortion in case of the congenital disorders of the fetus was delegalized seemed quite brutal. It provoked reactions of subtle vandalism: destroying the banners, painting them over, adding pro-choice captions [Figure 1]. Some commentators believed the amount of banners was a sign of the distress of the pro-lifers and that pro-abortionists' reactions to it were more organic and thus authentic.[33] This interpretation evokes the main context in which Foucault discusses abortion. According to Deutscher, in his theory abortion "arises as part of his discussion of the relationship between power and resistance" as the instances in which the state's apparatus interfere with the private and bodily inspire counter-reactions (2009, 56). The state's efforts to control access to abortion provoke resistance and an attempt to reclaim the means of reproduction. The already quoted Preciado's manifesto was inspired by pro-choice protests in Poland and urges to oppose the anti-democratic and anti-abortion attempts. Although the women's bodies are the sites of the conflict, they are not doomed to remain the victims of the "planetary conflict." The prospect of subversion and an attempt to reclaim the means of reproduction is a possibility. Alike, Majewska contradicts Polish and global reactionary conservatism with the women's liberation arguing for the potentiality of subversion contained by the latter (2018, 247). This revolutionary potential represented by the pro-choice protesters, employs contemporary means of organizing and argues for reproductive justice against social inequality (ibid, 262). In accordance with that, in the next part of this chapter, I explore the notion of counterpublic and agency in the context of the current mobilization.

[32] The perinatal hospices are dedicated to people who received a prenatal diagnosis indicating the fetus's development will lead to miscarriage or an immediate death of the child after birth. By some, they are understood as an alternative to abortion due to embryopathological indications. The idea was first developed by Heather Whitfield in 1982 as PPC (perinatal palliative care). In the winter of 2020, the protests of the Women's Strike coincided with the expensive and nationwide advertising campaign of one of the hospices. Allegedly, the action had nothing to do with pro-life propaganda but was perceived as such by most of the society.

[33] Such interpretation was articulated by Katarzyna Wężyk during "Nigdy nie będziesz szła sama" ("You will never walk alone") debate, organised by the TR Warszawa and took place online on April 26, 2021. Link to the series of events: https://trwarszawa.pl/program/nigdy-nie-bedziesz-szla-sama-aborstorie/. Retrieved April 26, 2021. In fact, according to a poll from May, 2021, the pro-life billboards had the opposite effect: almost 7% interviewees changed views to more liberal while less that 3% became more conservative. The majority of the respondents were not affected by the campaign at all. Details: https://federa.org.pl/antyaborcyjne-billboardy-nieskuteczne/. Retrieved May 7, 2021.

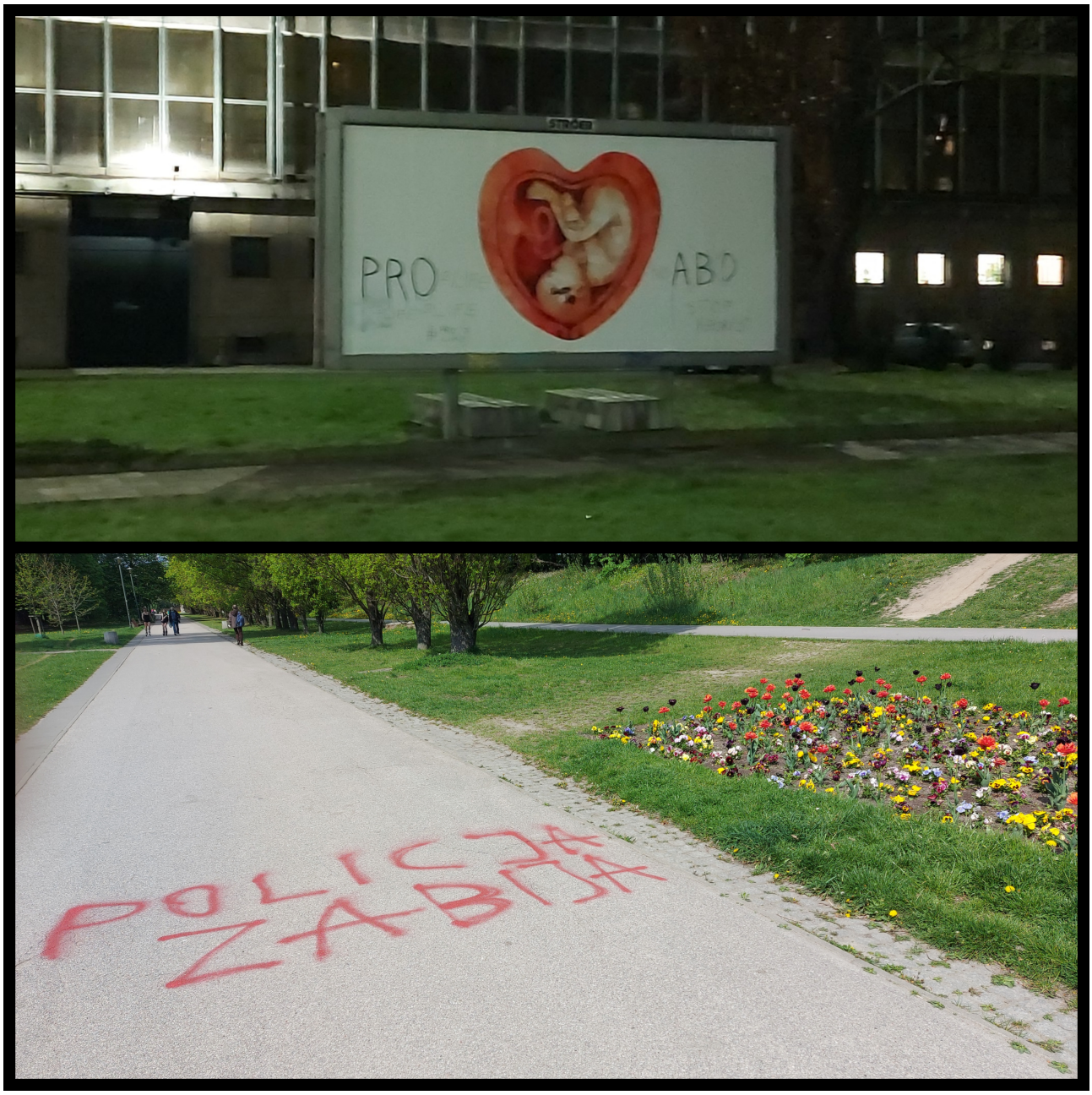

Figure 1. Kraków, January 2021: a billboard promoting perinatal hospices painted over with pro-abortion slogan; Warsaw, April 2021: "policja zbija" ("the police kill") sprayed on a pavement in Pole Mokotowskie.

3.3 Counterpublic and the "ordinary people"

In her analysis of the feminist movement in Poland, Majewska employs the notion of "counterpublic" (after Kluge & Negt, 2016; Fraser, 1990) in order to investigate mobilization from the years 2016-2018. She defines counterpublic as group of resistance which opposes both the state apparatus and the cultural/economic elites; a public sphere created by those who are always already marginalized (Majewska, 2019). In the context of the aforementioned war on gender, such understanding helps to position progressive counterpublic in opposition to the conservative state but also outside of the neoliberal elites. Additionally, it allows to outline a group that is non-homogenous, determined by exclusion from access to power rather than any identity characteristics and fluctuating, generated for a concrete political struggle. Specifically, Majewska talks about the activation of the "regular men and women" highlighting that movement comprised a group of very diverse agents many of which were previously politically inactive (2018, 248). The mass character of the movement, relates not only to the amount of the participants but also to its popular character. Here Majewska argues against the theories of political agency which exclude such actors (like Habermas's) and for more inclusive conceptualisations proposed by Gramsci and Spivak (ibid, 49). Majewska refers to their term "subaltern," referring to those who do not give orders but only receive them and a more local formulation of a similar idea: Václav Havel's concept of the power of the powerless (ibid, 262). Against this background Majewska defines the counterpublic of Black Protests as one spotlighting the economic side of the ban on abortion which *de facto* limits access to the reproductive services only for the disadvantaged. Hence, what emerged was a feminist counterpublic that criticized the conservative state's power focused on controlling women's bodies and the neoliberal technocratic elites treating reproductive rights purely instrumentally (ibid, 263). To quote Majewska, "The demonstrations, their mass character, and rapid mobilization clearly prove that problem of termination of pregnancy and, more broadly, reproductive rights, as well as women's rights in general, has a huge power of political mobilization in Poland. Once again, in a spectacular way, but also devoid of heroism, the women and their allies declared their opposition to the tightening of the law. Street politics – disagreement articulated not so much in the debate, but in a series of dispersed discussions, demonstrations and decision-making processes throughout the country and dozens of countries abroad, again proved to be an effective counterpublic" (ibid, 243).

Despite being very specific in its demand, the counterpublic remained inclusive (ibid, 256). As noted by Ramme and Snochowska-Gonzalez, in the case of Black Protests, the protesters were often referred to as "ordinary women" not only by the media but also by themselves (2018, 76). As their research found, the "ordinary women" denoted something different than in the traditional right-wing populist usage[34] namely, "not being active before; diversity; acting above divisions; having a common goal; all women; the majority; a big group" (ibid, 82). Importantly, among the responses "uniting for a common goal despite differences and diversity" was frequently mentioned (ibid, 83). Ramme and Snochowska-Gonzalez recognize the understanding of "ordinary women" as persons who were not "socially and politically active before October 2016" (ibid, 84) as significant. According to them, this might indicate activation and radicalization of the broader society especially that till now activism was perceived as exclusive and majority of women felt excluded from the politics (ibid, 84). Researchers argue that the counterpublic's diversity amounted to its effectiveness; in fact, this massive movement became the first successful popular action in Poland in years. As they noted, "the term 'ordinary women', as applied by the OSK[35] should rather be understood as akin to the emancipatory category of 'the people', embodying a version of the intersectional practice. Such an understanding of the subject of OSK is at odds with the understanding of the (ordinary) 'people' the party Law and Justice and far-right claim to represent. Contrary to OSK, the ordinary 'people' within the right-wing discourses are defined through homogeneity" (ibid, 93).

In their analysis, Bennett and Segerberg propose to narrate contemporary social movements in terms of the "connective action" instead of classic "collective action." Here, "communication becomes an integral part of the organizational structure, not just a way to

[34] According to Mudde and Kaltwasser, in the populist narratives, the usage of notions of the "common" or "ordinary" people often implicates the "critique of the dominant culture, which views the judgments, tastes, and values of ordinary citizens with suspicion. In contrast to this elitist view, the notion of 'the common people' vindicates the dignity and knowledge of groups who objectively or subjectively are being excluded from power due to their sociocultural and socioeconomic status" (2017, 10). Similarly, in the usage of the Polish right-wing politicians, the "ordinary" people are usually opposed to the mainstream neoliberal or leftists "elites". Paradoxically, of course, those "common" people are represented by the elite of the well-off educated class of right-wing politicians.

[35] OSK stands for Ogólnopolski Strajk Kobiet i.e. All-Poland Women Strike, a social movement and an organization established in September 2016 to oppose the right-wing proposal to make abortion law even harsher by banning abortion also in cases of fetal damage. In November 2020, in response to the demands of the all-Poland protests, OSK established the Consultative Council inspired by the Belarusian Coordination Council that had been created during the 2020 Belarusian protests. The most prominent leaders of the movement are Marta Lempart and Krystyna Suchanow. Although the organization and the council are generally supported by the counterpublic, many of their statements and decisions remain controversial.

exchange information" (Gutowska, 2020, 17). What seems important in the context of "participation despite the differences," in case of connective action the identity cohesion is less important, and civil activities' organization goes beyond the centralized decision-making process (Bennett and Segerberg, 2012; after: Korolczuk, 2018, 20). Similarly, employing the notion of counterpublic aims at surpassing the limitations of reading the mobilization in terms of identity politics. What Butler describes as a political feminist postulate i.e. that "(...) gender politics must make alliances with other populations broadly characterized as precarious", appears in Majewska's description of the mobilization; Butler highlights the necessity "to realize that we are but one population who has been and can be exposed to conditions of precarity and disenfranchisement" (2015, 66) which was articulated by many protesters, both in the conversations we had and in the social media. Solidarity and alliance between different groups are evoked as the only feasible tactic, especially when protesters face the power of "the other side:" the dynamic of the protests – Black Protests and the current ones – evidence the state's role to be essential. The shaping of popular feminist counterpublic was in both cases prompted by the government's attempts to control access to abortion. Again, Foucault's notion of biopower appears functional: the state uses biopower to discipline citizens and suppresses the manifestations of resistance but the sovereign – the counterpublic formed in the process – articulates a reaction by employing the means of biopower (by protesting, breaking the "illegal" law, organizing in ways that practically and rhetorically focus on bodies). During both mobilizations, the power exchange between the state and the counterpublic was a productive one: the discourse on abortion changed significantly and many new actors got engaged. This was often raised in my discussions with informants while we tried to identify the main actors of the discourse change.

3.4 Agency and the city

Foucault attempted to sustain the agency of the self without disregarding the individual's entanglement in the social nexus and the environments it embodies and is supported by. In fact, a degree of freedom is essential considering that circulating power, expressed by the disciplinary and regulatory mechanisms, can only be sustained throughout the acts of the individuals. As McNay puts it, "Foucault's conception of the self represents an attempt to attribute a degree of agency and self-determination to the individual without

jettisoning his anti-essentialist view of the subject (1992, 62); (...) he attributes a degree of agency or self-determination to the individual who is free to determine, within certain constraints, his own stylistics of existence" (ibid, 73). According to McNay, this attempt is further developed by Butler whose "concept of the performative highlights how constraint is constitutive but not fully determining of gender subjectivity; in other words, a space for agency is outlined. Butler's account of agency relies on Foucault's idea of 'subjectivation' which denotes the dialectical aspect of identity formation" (2000, 34). Thus, resonating with the way power operates, the constitution of the self occurs through practices of both subjection and liberation. According to McNay, adding gender to the picture, as post-structuralist feminists have done, helps to further embody the self: "Butler argues (...) that Beauvoir's notion of 'becoming' a gender does not mean a movement from a disembodied freedom to cultural embodiment, but rather a move from the natural to the acculturated body" (1992, 71). The notions of embodiment and gender are crucial in the context of social movements: the gendering of the self might become the very source of agency. As noted by Korolczuk et al., "Citizenship, recognized through the prism of gender, unites the private with the public and manifests itself in everyday experience and practices that allow for regaining a sense of dignity and agency" (2018, 23).

The gendering of the political agency allows for surpassing the private/political divide and disrupts the classical model of a disengaged political actor. The merging of the personal and political was a source of anxiety in the 19th and for the most part of the 20th century. According to Gould, at the time protests were not perceived as legitimate political action. Any instances of political collective action were seen as "nothing more than unthinking, impulsive, irrational, destructive group behavior" (2010, 20). Only when the social movement studies emerged in the 1970s protests started to be "understood as normal political behavior" and protesters as "rational actors in the sense that they engage in reasonable, thoughtful, strategic behavior designed to achieve their sensible political goals" (ibid, 22). The rational-actor model still assumed the irrationality of emotions and only in the late 1990s attempts were made to "posit emotion as a ubiquitous feature of social life" (ibid, 23). As our conversations indicated, for the informants, emotions – both positive and negative – were an inherent element of the motivations for protesting and the experience of participation. Most of them did not differentiate their rational reasonings from emotions, grievances, desires but described

them as a complex unity experienced personally, in connections with other agents and throughout the persistent occupation of public spaces i.e. streets of Warsaw which supported their mobilization. In what follows, I present protesters' agency as gendered, intimate, and specifically situated embodiment.

In a recent article Majewska noticed that "'You will never walk alone' – the slogan first used after the vicious attacks on LGBTQI+ people[36], is now one of the most popular in the Women's Strike of October" (2021, 16). This slogan tells a lot about the kind of agency at least part of the counterpublic experienced or called upon. In the original version – "Nigdy nie będziesz szła sama" – the phrase is addressing a singular feminine "you", a lone protester who marches to manifest on the streets; at the same time, it assures her that she is not alone. The slogan is primarily a statement of support and reassurance but it could be read alternatively, as a reminder that she *can not* be alone: if she were, her walk would be a mere stroll, not a protest action. According to Butler, "No one body establishes the space of appearance, but this action, this performative exercise, happens only 'between' bodies (…); my body does not act alone when it acts politically." (2015, 77). For the protester, that she is a singularity among different subjects becomes the source of agency. Solidarity and alliance mentioned in the context of the counterpublic become the base or the condition of possibility for experiencing political agency. According to Butler, the "anarchist moment" which emerges when the legitimacy of the existing rule is undermined but no new order appears, "is one in which the assembled bodies articulate a new time and space for the popular will, not a single identical will, not a unitary will, but one that is characterized as an alliance of distinct and adjacent bodies whose action and whose inaction demand a different future." (ibid, 75). In this context, the counterpublic is a multitude of subjects who meet to act together in a motion towards a common goal; their singular agency is inseparable from the shared one. Respectively, in a kind of a loop, the counterpublic is formed as new subjects join in the march. Their agency is embedded and embodied: after Arendt, Butler notes that social mobilization is always

[36] Here, Majewska refers to a recent escalation of the hostile attitudes towards LGBT people. On June 13, 2020, during one of his election campaign speeches, president Andrzej Duda from the ruling PiS party stated as follows: "They [LGBT people] are trying to convince us that they are people, but it is just an ideology". This provoked reactions of solidarity with the queer community but also gave legitimacy to the already existing homophobic attitudes. On August 7, queer activist Margot vandalized a homophobic van parked in front of a squat in Warsaw. The authorities issued an arrest warrant, which was carried out in a demonstrative manner. The demonstration which ensued was brutally pacified by the police and 48 protesters were taken into custody. For a more detailed description of the recent homophobic backlash see: Daniel Tilles, "Poland's anti-LGBT campaign explained: 10 questions and answers", *Notes from Poland*, June 17, 2020, https://notesfrompoland.com/2020/06/17/polands-anti-lgbt-campaign-explained-ten-questions-and-answers/. Retrieved May 13, 2021.

already supported and bodily, even in its virtual forms (ibid, 73; 76). Similarly, Bennett and Segerberg argue that both offline and online mobilizations are "in important ways embodied and enacted by people on the ground" (2012, 768). This embodiment, as well as oppositionally reproductive agency, is what makes this counterpublic a biopolitical one: not only the aim of the struggle is biopolitical self-determination, also the means of participation are biopolitically determined and enacted.

What supports social movements are not only bodies but also the site itself. In the case of the Women's Strike, although much organizing was done online, the actual mobilization took place on the streets of Polish cities and most prominently, in Warsaw. Even when protests were not happening, the city remained a site of activism related to mobilization: people were hanging posters, stickers, writing slogans on the walls and pavements. In consequence, that the capital became the site of massive movement was clear to me even when no protests were taking place: the city was materially marked by the events [Figures 1, 2, 3]. Butler notices that public spaces which momentarily become sites of mobilizations are not so much given as shaped by the presence of protesters who (re)claim them. The bodies occupying them or just hanging out in them shift their meanings (2015, 70). On the other hand, there is no protest without the protesters in as much as there is no protest without the city: "In the case of public assemblies, we see quite clearly the struggle over what will be public space, but also an equally fundamental struggle over how bodies will be supported in the world." (ibid, 72). My informants recognized the specific agency of the streets of Warsaw which changed character depending on how a protest was unfolding. When police was chasing or enclosing the protesters, they reported feeling like "in a maze" or "inside a kettle"; when they felt empowered by spreading on the streets in a mass they experienced city as big, open, unfolding; on occasions they engaged in spraying the slogans on the walls, sticking stickers, or shouting and dancing, they would refer to city as a space of political utterance and communal hanging out. Much of their language related to a sense of possessing the city by the protesters: they used phrases like "we took over the streets," or "we felt like the city was ours". The symbolic gesture of taking the city over by the counterpublic was the informal renaming of the roundabout which became one of the most important mobilization sites. On November 28, in celebration of the 102nd anniversary of gaining electoral rights by Polish

women, hundreds of people gathered at the Dmowski[37] roundabout. During the demonstration, Klementyna Suchanow (one of the OSK's leaders) sealed the plaque commemorating the right-wing politician with the sign "Roundabout of the Women's Rights". Many of my informants recounted this moment and when relating to this place, they always used its new "inaccurate" name.

In his analysis of the repetitious everyday practices of the citizens, Certeau traces the way hanging out in the public spaces might sustain or resist existing regimes of power and introduce elements of the new ones, even if unconsciously (1984). It is worthwhile to come back to the "You will never walk alone" slogan in this context. The verb itself is indicative as during months of the protests, verbs like "walking" and "strolling" gained political dimension: they became euphemisms of going out to protest, of flaunting political grievances and demands during "casual" walks. According to Certeau, the way "practitioners" are "writing" the city – "writing" as making use and sense of, spending lives, creating history – is neither comprehensible nor fully intentional but primarily always already known, simply done (ibid, 93). The division between private and political dissolves, especially considering the blurred distinction between consumer and producer. Tactics, practiced by the prosumers hanging out and walking through the city are opposed to the strategies of the institutionalized or corporate power and are the "art of the weak" (ibid, 37). Here I am not discussing employing implicit tactics of resistance in the everyday life[38] but rather developing new measures of protesting in reaction to specific conditions created by the city, amount of people, pandemic regime, weather, and by the violent strategies of the police. Certeau wrote of "the art of 'pulling tricks'" which involves "a sense of the opportunities afforded by a particular occasion" (ibid, 37). In the descriptions of my informants, both individuals and the protesting mass could outwit the police following rigid protocols thanks to the quick exchange of information (life-posts on Telegram about the whereabouts of the police[39]), good knowledge

[37] Roman Dmowski (1864-1939) was a Polish politician, the co-founder and chief ideologue of the National Democracy, a nationalistic movement from the late 19th and early 20th century.

[38] Although it can be argued that when protesting expands over four months it becomes kind of a new norm especially that after all, counterpublic is nothing but shifting part of the general public and resistance inherent part of the power

[39] On October 28, 2020 an account called "gdzie_co_wwa" ("where_what_warsaw") was created on Telegram and became a space where information about current protest actions in Warsaw is shared along with any information regarding safety and cooperation during the mobilization e.g. details of the whereabouts of the police or announcements about persons detained by the police. The account is actively functioning to the day I am submitting this thesis.

of the city, solidarity practices, and even by ridiculing the seriousness and "stupid stiffness" (Zosia) of the police. Monika even compared the moving mass of the protesters to the swarm of birds and shoaling fishes: "it was like an entity that simply knows how to move, avoid obstacles and keep itself safe. More experienced and courageous people moved to the front, and less confident participants could safely remain inside the crowd. We were one body at all times."

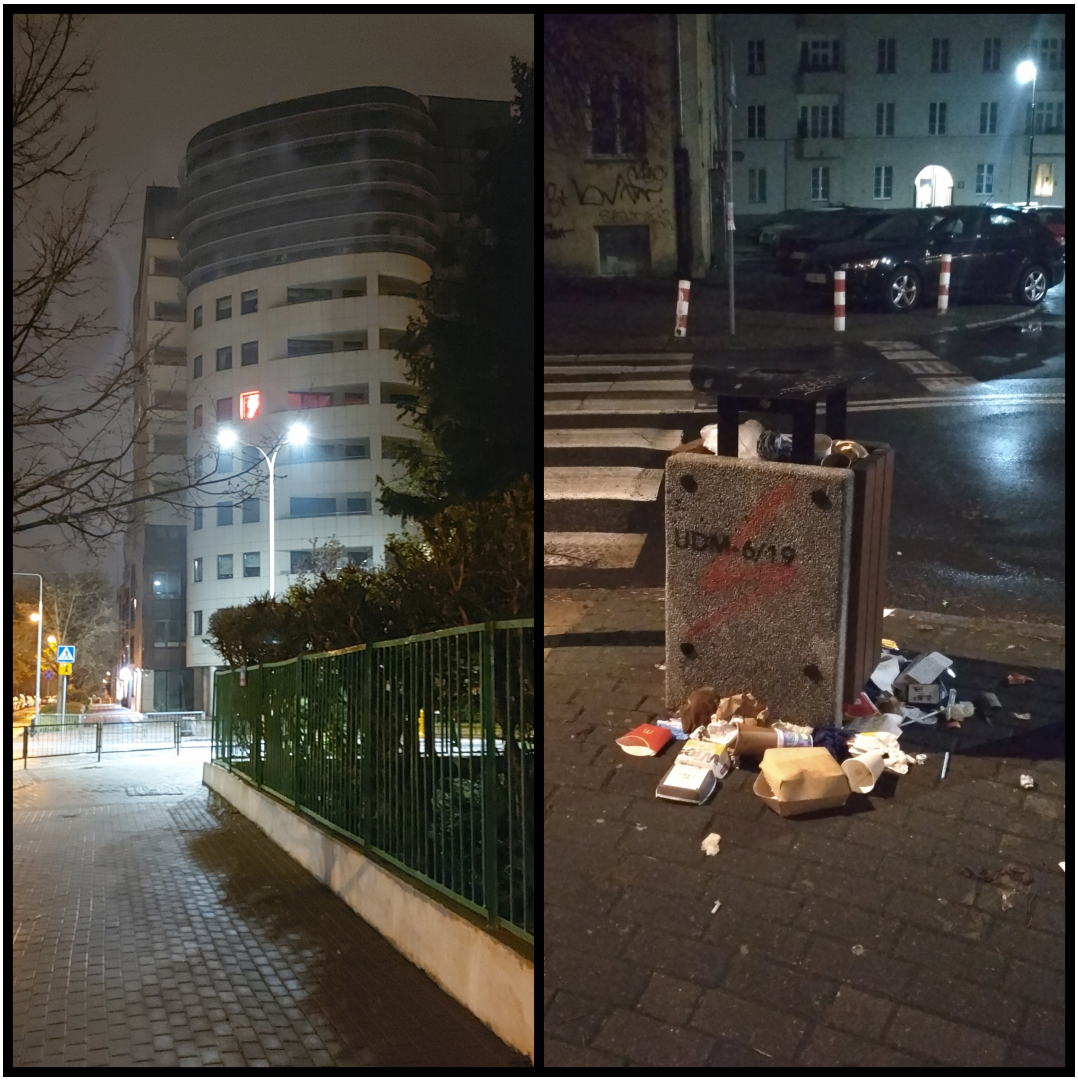

Figure 2. Warsaw, December 2020: the symbol of the Women's Strike displayed in a window of an apartment and sprayed on a rubbish bin.

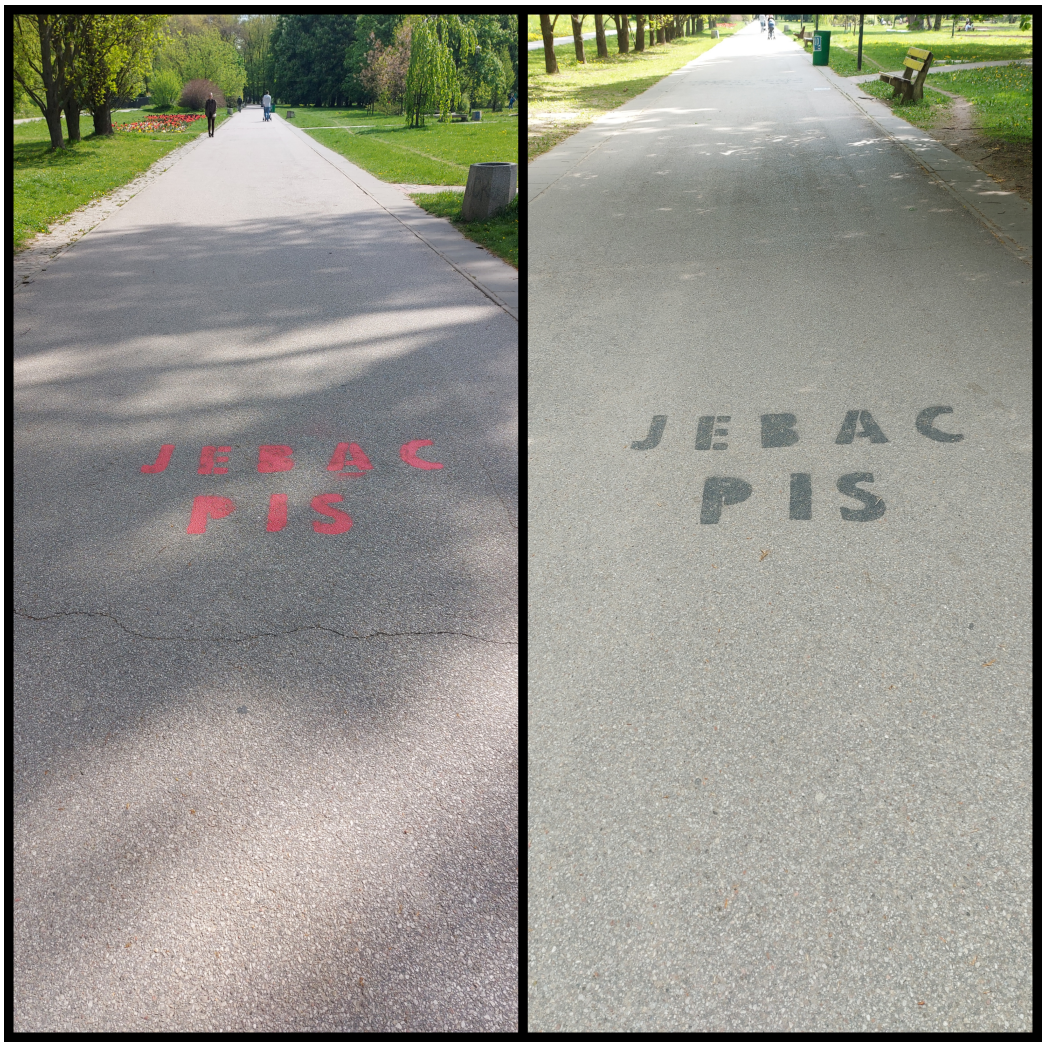

Figure 3. Warsaw, May 2021: “jebać PiS” (“fuck PiS”) sprayed on a pavement in Pole Mokotowskie.

4. Contextualizing the protests

The main slogan of the Women's Strike became "Wypierdalać!", which means "Get the Fuck Out!" and does not carry any concrete political meaning. Instead, it expresses indignation with the Tribunal's ruling and is a rather straightforward suggestion to leave directed to the current government. During our conversation about the protests, Anna said she had no idea whether it was a grass-root slogan, articulated by the people and brought to the fore of mobilization, or whether it was proposed by the leaders and subsequently picked up by the protesters. As she put it, "I do not know whether the street is directly influencing the debate and public opinion. Even though I was there on the streets, the relationship between the movement and the discourse is unclear to me." Supposedly, the author of the slogan is Marta Lempart, one of the movement's leaders. This, however, does not matter anymore, as the phrase started life on its own on the protesters' banners, posters, stickers, and on their mouths. Anna was not the only one losing a grip of what is the relationship between the movement and the discourse – together with my informants, we repeatedly tried to understand this dynamic. Especially that understanding this helps to assess the effectiveness of social movements and the role of protests in shaping public discourse and peoples' attitudes. In what follows, I examine how interviewees positioned the protests in a broader context of abortion activism and discourse on reproductive rights in Poland. First, by following their narratives, I present two types of protests which emerged during the mobilization and examine which actors were attracted by those distinct types of events. Then, I observe how those protests' characteristics reflected the differences in approach to abortion persistent in the counterpublic and how the informants perceived those differences in the context of the movement's effectiveness. Basing on their assessments, I introduce the "mobilization despite the differences" strategy often evaluated as successful in the social movements studies (Scott, 2001; Korolczuk, 2018; Nardini et al., 2021). I compare the informants' narratives with the existing research on abortion activism in Poland. The aim is to examine how the protesters evaluated events they participated in and whether they felt part of the social movement, which, as they admitted, consisted of many different actors with a not necessarily coherent worldview. The discussion on differences and similarities between pro-abortion and pro-compromise parts of the counterpublic reveal shared biopolitical assumptions on abortion which might influence the direction of legislation in the future. As I argue, despite being

unsuccessful, the mobilization did generate a strong counterpublic that managed to unify for a common cause despite quite significant differences among the members.

4.1 Two types of protests

While describing their experiences, most of the interviewees divided the protests into two types: massive ones, which were reactions to specific events such as the Tribunal's decision from October 22, 2020, or the publication of this decision on January 27, 2021, and smaller ones, comprising persons engaged in pro-abortion activism who organized daily blockades or expressed solidarity with people arrested during mobilization. The first type comprised a diverse crowd which was, as noted by the informants, more anti-PiS (anti-government) than pro-abortion. During my conversation with Matylda and Maja, two cousins who participated in almost all the protests and helped me reach their friends and co-protestors, this tension reappeared quite a few times. As Matylda remarked with frustration, during such massive protests it was difficult to break through with pro-abortion slogans as the crowd was more eager to shout "Fuck you PiS!" She was repeatedly unsuccessfully trying to overcome the general anti-government narrative with pro-abo slogans. The smaller protests, as she found, were more focused on the abortion issue. In a similar spirit, her friend Ola mentioned that bigger protests were more "party-like" with people consuming alcohol, playing music, dancing and that smaller had more "quality" i.e. the pro-abortion demands were articulated clearly and overall narrative was more inclusive. Ada, another friend of Matylda, noted that although she agreed with the anti-government postulates, she worried they started overshadowing pro-choice arguments. Likewise, Natalia whom I interviewed with Ola, wondered whether in case protests were less massive they would convey more pro-abortion content and be more effective. In her view, the mass character started blurring the main postulates of the movement.

In general, dissatisfaction with the Tribunal's decision and support for the protests were widespread. According to the polls, around 70% of Poles were against the Tribunal's decision and around 60% were supporting protests organized by the Women's Strike. Considering this, it is not surprising that protests attracted a large group of people with different views. This caused mixed feelings among the informants. Most of them participated chiefly in the massive protests with those more engaged, like Matylda, Maja, Zuza, Ada,

Natalia, Ola taking to the streets on both occasions. Overall, large protests, despite being exciting as massive and diverse, aroused ambivalence and feeling that movement's basic message is drowned out by more general, or even abstract, postulates. The smaller protests gave the informants sense that they knew what they were fighting for and engendered a specific temporary community. From the above statements, it can be concluded that the sense of convergence of views with the rest of the protesters was important and affected the sense of agency: participants felt more empowered when surrounded by people sharing their views and had more trust in the overall success of the mobilization. On the other hand, it did not necessarily matter when deciding whether one should participate in a protest: the informants protested regardless of the dislike of the protests' character. Many of them believed that a successful counterpublic should be massive and inevitably will comprise agents with various views. Ada admitted that although she was annoyed by the anti-government postulates, the presence of different people strengthened the protests: "some of them may not even support free abortion, but they support our fight and it matters". Similarly, Nana was happy to see different people engaged: "the bottom line is that protests can be for anyone and we all have our reasons. I have the impression that there is a lot of acceptance for the pro-choice argument beyond political divisions" Although she worried that differences among the protesters could be damaging for the movement, she believed many participants are radicalizing and will fight for liberalization of the law when the government changes. Ola noticed that massive protests were more eagerly covered by the media and although she felt better on the smaller ones, she found the outreach of the massive ones important for the movement. What remains unclear is how persistent is the belief in the sense of involving in a movement with the nature of which the participants do not fully identify. As noted by Matylda during our conversation in late April, in her mind the disappointment with OSK's decisions and a sense that movement is inconsistent was one of the reasons the protests ceased to be organized.

Such statements of the informants, ambiguous in assessing the internal diversity of the counterpublic, were quite common. According to Bennett and Segerberg, upholding a coherent identity narrative is not necessary when organizing a "sustainable and effective" mobilization: "helping [populations] shape identities in common is not necessarily the most successful or effective logic for organizing collective action" (2012, 751-752). As they argue,

it is even less so within logics of connective action having digital media as organizing agents. Here, it is easier for the individuals to engage for a common purpose without a necessary coherent identity in-common. However, the insignificance of differences might not be a sufficient condition for the emergence of solidarity. As Butler puts it, "something has to hold such a group together, some demand, some felt sense of injustice and unlivability, some shared intimation of the possibility of change, and that change has to be fuelled by a resistance to, minimally, existing and expanding inequalities, ever-increasing conditions of precarity for many populations both locally and globally, forms of authoritarian and securitarian control that seek to suppress democratic processes and movements" (2012, 166). According to Ramme and Snochowska-Gonzalez, "uniting for a common goal (despite differences) and diversity" was very important during the Black Protests and contributed to the success of the mobilization (2018, 83): "protesting people were not a homogeneous group, from queers, anarchist feminists, and feminists who opt for abortion on demand all the way to Catholic women who support the existing law that allows abortion just in three limited cases," which helped to overcome the populist division between the populous and the elites and brought about the success (ibid, 93). While evaluating mobilization from 2016, they observed that "the emergence of a new social movement which mobilizes actors across a broad range of social groups and partly people who – as our research has shown – were not socio-politically engaged in terms of women's rights and gender issues before 2016" (ibid). According to my informants' reports and my own observations, all this could be applied to the current mobilization. Interestingly, the assessment of the visibility of the differences among the protesters and their impact on the strength of the movement depended on the point of view: it was evaluated differently by people commenting on it from the perspective of the "street," i.e. participation in the protests and differently by persons who commented on the presence of the OSK in the media and discussions in social media.

For example, according to Maja, the differences between the views of the protesters were more visible online, in the discussions in social media, and in the media discourse than on the streets where protesting people created one political body and participants could experience a sense of unity. Anna said she felt on the streets differences were not that important, mostly because it was not a space for a nuanced debate but rather a place of expressing grievances and demands. Those statements point out differences between online

and offline sites of the mobilization: online people are more eager to argue about particularities and debate the differences whereas on the streets they tend to create a unity easier. This matters also from the perspective of the narrating and archiving the mobilization: offline is more difficult to record and to give justice to while online remains "out there". Similarly, Monika described the powerful feeling of unity while simultaneously she worried it was superficial: "you feel you are occupying the whole city together, you are forming a large group which gives you a sense of community and strength. But that's not entirely true: there are differences among the protesters and some of them matter significantly." Monika's statement reminded me of how Jaffe wrote about the emotions of political alliances: "Solidarity is a process of love blended with power and directed (...). The utopian spaces we create in our protests and our strikes may be temporary; solidarity does not mean you have to like every person you are alongside. But in those moments where you stand shoulder to shoulder, you do love one another" (2021, 212).

The term "love" might seem radical in this context, but without doubt divisions among protesters were less important when on the streets where solidarity materialized in decision to march together. The fact that OSK was able to mobilize such substantial counterpublic amidst the global pandemic, provides evidence that the "mobilization despite the differences" strategy was not only effective on an *ad hoc* basis but also in long terms, despite the fact that it did not and does not offer any unifying identity narrative. In the absence of shared views, shared grievances and emotions matter: they facilitate or even create conditions of possibility for acting together. Even reflex emotions like anger, fear or joy are not necessarily irrational and might be recognised as strategic tools for organizing (Goodwin, Jasper, Polletta, 2004, 417-416). As compared to reflex emotions, affective ones persist over a longer period of time and are "positive and negative commitments or investments (...) that we have toward people, places, ideas, and things" (ibid, 418). Although reflex emotions are crucial when on the protests, affective ones might be more important in upholding the counterpublic overtime. Actually, they even might "play the role" of the missing shared identity: "Collective identities, in fact, are nothing more or less than affective loyalties" (ibid, 418-19). At the same time, as noted by Monika and Zuza, understanding the differences inside the counterpublic, even if not crucial during the mobilization when shared emotions dominate the masses, matters in long

terms: without diagnosing the differences it is impossible to persuade more people to support the pro-abortion postulate.

4.2 Pro-abortion or pro-compromise?

The division among the protesters reflects a difference in approach to abortion persistent in the counterpublic. Nana recounted that initially OSK demanded full access to abortion but later weakened the demand to attract more participants. As she put it, "it was good that there was room for both groups in the movement". By saying "both groups" she referred to the pro-abortion part of the counterpublic and the other one which did not advocate for full liberalization but supported going back to the "compromise" i.e. legislation from 1993 that restricted abortion to the three cases (of serious threat to the life or health of the pregnant person, of rape or incest, of serious and irreversible damage of the fetus) and was binding before the Tribunal's decision. The same was observed by Zuza who believed most of the protesters were not advocating for liberalization of abortion law but for going back to the "compromise". As a sociologist engaged in the feminist movement (she used to be active in organizing Women's Marches and Marches for Safe Abortion) she was happy about the massive turnout; at the same time, she worried people were outraged by the decision to further limit the legislation and they did not perceive it wrong in the first place hence the counterpublic *en masse* was not pro-abortion. For her, such strong opposition against recognizing this particular premise unconstitutional was a sign of the ableism of Polish society not the pro-abortion attitudes: "Everyone thinks that embryopathological premise[40] needs to be defended because our society holds it's better not to exist than be a person with a disability i.e. a burden for themselves, family, and the society." The ableism of Polish society is a complex phenomenon related to the exclusion of people with disabilities from the public life and the lack of proper education. On the one hand, the nationalist pro-life discourse produces its citizens by excluding the internal others (LGBT people, ethnic minorities) and including the "unborn children" and people with disabilities while offering them little or no state support. The more liberal part of society finds a delusory compromise in accepting some abortions as justified. According to Anna, both narratives stigmatize women who feel guilty about their choices: "as a society, we simply cannot allow the termination of the pregnancy as

[40] Here she meant the one which was recognized as unconstitutional by the Tribunal's decision from October 22, 2020, i.e. premise allowing for abortion in case of fatal and severe fetal impairment.

something normal, it always must be justifiable. It is cognitively easier to accept removing a disabled fetus than making a choice not to carry the pregnancy to term." In her opinion, although for some protesters the justifiable premise for abortion is the fact that a pregnant person does not want to be pregnant, Polish society as a whole is not ready to recognize that. In effect, pregnant persons are denied agency: the right to choose is transferred to collective morality shaped either by Catholic-nationalist radicalism or by an allegedly neutral, liberal ableism disguised as progressive.

In accordance with that, most of my informants hold that currently, the majority of Poles would prefer going back to the "compromise" or do a referendum on the issue. One of my informants, Anna, was such a person. Conversation with her undermined the common assumption I shared that mobilization comprised many anti-government protesters who did not care about abortion or could join anti-government protests while not being pro-choice. As Anna recounted, "I have conservative friends who do not support PiS and the Tribunal but still do not protest because they do not agree with the OSK's narrative. I also disagree with OSK on abortion but I believe this is also my protest. Whether this internal diversity of the movement is seen as positive depends on whether one recognizes previous legislation as a compromise or as a 'compromise'. From a pro-abortion perspective, this can be seen as a threat but from my perspective, it is an advantage." Alike Zuza, Anna referred to the lack of state support when it comes to helping families of people with disabilities. In her case, however, this was brought up to argue against liberalization. She said that if not for the persistent "contempt for life" and lack of state support she would be able to accept the ban on abortion. In current circumstances, however, she believed it cruel to expect women to give birth to stillbirths or disabled infants. The contradictory attitudes of the two interviewees, Anna and Zuza, expose that differences between views on abortion can be really extreme and impossible to reconcile in a specific legal act. Despite opposing views on abortion, both of them found themselves in one movement and both recognized the hypocrisy of the Polish state that delegalizes abortion without providing any support for pregnant people. This provides evidence that the counterpublic was created in opposition to a specific decision and not around the postulates shared by the participants which might have an impact on the persistence and effectiveness of the movement.

In general, the interviewees' impressions were quite accurate: according to the polls, the majority of Poles are more pro-compromise than pro-abortion but, at the same time, the attitudes are changing and much of this change might be triggered by the mobilization. According to the polls from November 2020, the majority of the surveyed (36.4%) was in favor of returning to the "compromise"; more than one in five (23.1%) was in favor of a referendum but around the same amount (22.3%) was advocating for the liberalization of the law.[41] It is unclear what are the opinions of persons in favor of the referendum. Significantly, the answers depended on the way the question was posed and when it was asked. In the poll from February 2021, more than 40% of respondents reported they would like access to abortion to be made easier in more cases than it was before the Tribunal's decision (which equals advocating for the liberalization of the law) and only more than 30% would be in favor of going back to the "compromise" with less than 4% being in favor of restricting the access to abortion.[42] The inconsistencies between the surveys' outcomes might result from the uncertainty of many Poles, whose views on abortion are changing The tension between the pro-compromise and pro-abortion parts of the counterpublic, referred to by the informants, is a significant one and marks the moment of a change in the approach to abortion which originated in 2016 when the first massive protests took place. In order to understand this change, I talked with the interviewees about how they perceive what happened since the first abortion-related mobilization from 2016 and who influenced these changes most starkly.

4.3 What has changed since the first big mobilization in 2016?

Remarkably, many of the informants admitted that the general public's knowledge on abortion raised significantly since the Black Protests. Natalia held that the current discourse on abortion is much more mature and people are better informed than back in 2016. Nana believed that before that year many people did not even know what kind of abortion legislation Poland had. Today, as she noted, almost everyone knows, and many have an opinion on it. As she put it, "the legislations are simply there, and there is no need nor

[41] Artur Bartkiewicz, "Sondaż: 6,4 proc. Polaków chce realizacji wyroku TK ws. aborcji", rp.pl, 8 November, 2020, https://www.rp.pl/Spor-o-aborcje/201109517-Sondaz-64-proc-Polakow-chce-realizacji-wyroku-TK-ws-aborcji.html?fbclid=IwAR3WXtcgpXU7GUCnmr422hyCD743rP_p7cslWogGjy7d5g0rkge2meVNYIo. Retrieved April 25, 2021.

[42] Maciej Nycz, "Sondaż: Polacy chcą ułatwienia dostępu do aborcji," rmf24.pl, February 11, 2021. https://www.rmf24.pl/fakty/polska/news-sondaz-polacy-chca-ulatwienia-dostepu-do-aborcji,nId,5039379 Retrieved April 25, 2021.

tendency to be critical of them until someone directly addresses it. It was the same with the abortion 'compromise,' it was a shock for many people to question it, the topic, unless it touched them personally, was not raised at all. The protests changed that and it had consequences in the public debate." Ola mentioned the rising popularity of social media accounts promoting knowledge about abortion and striving to normalize it. Nana mentioned the increasing understanding of abortion not only as a legal issue but also as a procedure that could be performed at home despite the ban: "There are many groups in social media where exchange of information on safe abortion is very dynamic." She added that prior to Black Protests, she had no idea about pharmacological abortion. For her, at the time "underground abortion" meant a trip to the Czech Republic or an off-record visit to a private doctor. As she added, "Certainly, I learned more when it comes to technicalities. I became more interested in how reproductive justice looks like around the world and in which direction Poland is heading." Likewise, Zuza noted that earlier "underground abortion" meant traveling to clinics abroad and today it is more about the distribution of mifepristone and misoprostol i.e. drugs used for the induction of an artificial miscarriage. She observed a shift in the approach to pharmacological abortion: she said that within the medical environment – her partner is a doctor – there was always a tendency to perceive at-home medically induced abortion as hazardous for women's health. Currently, when it is the only option for many Poles it is more often recognized as safe and normal. Zuza identified this shift as an opportunity to de-medicalize abortion and grant more agency to pregnant persons.

Apart from observing the shift in the awareness – both their own and of the broader society – several informants noticed the changes in language. As Matylda noted, "In 2018 it was controversial to say that 'abortion is okay' and today masses of people are shouting this very sentence on the streets of Poland. Back then, during protests slogans were quite different, more subtle like 'I can think therefore I can decide' and today there are more like 'abortion on demand!' and 'get the fuck out!'." A similar observation was made by Zuza who recognized the significance of ADT's number becoming a protest slogan. She remembered that before 2016 it was common to say – and she would say that as well – that abortion should be as rare as possible because it is always something wrong. She added that although most of her friends are liberal and leftist, she doubts any of them was brought up thinking that abortion was something normal. Now, as she sees it, it is more common to say that abortion should be done

as often as it is needed. She perceived linguistic change as emblematic of a broader shift in approach to abortion in Poland. The shift in language observed by the informants is backed by the research. As Korolczuk reported, before Black Protest the debate on abortion was dominated by the pro-life discourse focused on the rights of the fetus while the woman was not regarded as a subject but as a womb (2018, 121-122). According to her, the observed change was brought about by the activists and protesters who are reclaiming the language and changing the narrative (ibid, 123-125). Additionally, more feminist experts became vocal in the media, and thanks to their work, outlets gained more interest in the medical aspect of abortion and discussed the issue in a more multifaceted manner (ibid, 139-140).

While recognising that, Zuza was cautious when interpreting these changes:

> In Poland, abortion has always been politicized and despite all those changes, it still is. Even when we talk about choice, we discuss it in political terms. That is, we are not talking about people's experiences but about political views; we are never talking about health but always about morality and religion. Maybe a change is happening in some circles, but I have the impression there is no significant shift at the level of public debate. There is no discussion about the mental and physical well-being of persons in an unwanted pregnancy but people still ask 'what if the fetus is a human being?'

Zuza, as other informants, was torn between positive examples from her own surrounding and the negative evaluation of the attitudes of "the rest of society". For example, Matylda noticed that the society is slowly radicalizing, "even the liberals". Still, she based this evaluation on her near surrounding: she noticed it among the members of her family. Likewise, Ada referred to her family when she said that she is observing a change in the attitudes of her mother's generation: "People aged 50-60 say that even if they would not decide to do an abortion themselves, they still support our cause. This has changed." Nana gave an example of her highly positioned mother working in a large corporation, who would never publicly display her views and did not to participate in the protests. After Tribunal's decision, she did her political "coming out" and started sharing her views openly on social media. Some interviewees based the sense of change on their personal experience. For example, Ada said her personal approach to abortion changed since 2016; initially, she was not advocating for abortion on demand due to her Catholic upbringing. Anna admitted her approach to abortion changed significantly over the years. She was the most conservative of my interlocutors and the only one who did not advocate for full liberalization. When we talked, her views on abortion were not fully clarified but she was sure she was against the tendency to limit access. She noted she started recognizing abortion as a human right and a social problem and from my informants she someone whose attitude changed most starkly.

According to some informants, mobilization and the attempts to normalize abortion had another important consequence: a discussion about the materiality of abortion emerged. For example, both Matylda and Zuza noted that people talk more about the economics of abortion, admitting that it is a class issue and persons with less privilege have more problems with accessing it. Still, some felt it was mentioned but never addressed sufficiently. Monika noted that some postulates were too abstract, distracting from the materiality of abortion: "I think we should focus on material interests so that they are guaranteed and not talk about universals. This kind of discussion is barren: the other side says 'we defend life' and the other says 'we defend freedom'. This is a neoliberal narrative that recognizes freedom in a very specific way and ignores the materiality of abortion." Likewise, according to Ola, stronger emphasis should be put on the fact that abortion is a class problem and issue regarding the whole society, not only specific persons. She was disappointed that in Poland reproductive issues are highly personalized and as a result, people needing abortions feel afraid, isolated, alone. It is not surprising that the economics of abortion was a topic frequently raised by the informants. According to Korolczuk and Graff, this is one of the marking shifts ensuing from the Black Protest: the turning away from the narrative about the 'right to choose' to the discussion about accessibility, healthcare, and financial needs of people seeking abortions. The authors recognize this change in the discourse as a chance for the development of leftist populism i.e. popular version of feminism that would cease to be recognized as part of the neoliberal "identity politics" and would become the new left (2018, 276). Among my interviewees, the leftist sentiments were quite widespread (they referred to the part of the counterpublic they identified with as "anti-fascist"). Unlike the researchers, however, they were skeptical regarding the scope of this change and felt like the majority of society still regards abortion as a moral conflict not a matter of economic and social injustice.

Another observed change ensues from the fact that this time the law was changed. Although most of the informants felt they are privileged and with sufficient financial and social capital to access abortion, some still felt that the ban concerns them directly. The decisive factors were a sense of the irrevocability of the ban, a desire to live in a truly democratic country, and not having to fulfill one's reproductive needs privately or illegally. Ada remembered that during Black Protests she did not feel personally touched by the prospect of the ban; now, when the legislation changed, she realized she does not want to have

children anymore although she always wanted. Nana said the ban concerns her and does not at the same time: “I’m not affected by it at the moment, but it could potentially happen. Of course, I am one of those people who will have access to reproductive rights if necessary. On the other hand, I do not want to live in such a way, to be unable to fulfill my reproductive needs legally and safely. I am adamant that social and financial situation should not determine access to medical treatments.” Similarly, Anna said that although this issue does not concern her directly at the moment, it might at any time. She mentioned being aware of her privilege i.e. social and financial capital and concluded that from this perspective it is important to talk about the economic dimension of reproductive injustice.

4.4 Who shapes the discourse?

Although all agreed certain changes were observable, when asked who has the strongest influence on shaping the discourse on abortion in Poland, my informants gave different answers. Matylda said that ADT and other pro-abortion organizations comprising people with experience from the field play a crucial role in shaping the discourse. At the same time, she admitted that the influence of OSK is stronger because grass-root organizations are less visible and audible. Similarly, Ada felt the narration of pro-abortion organizations is sometimes overshadowed by the OSK’s narrative. Anna noted that although her perspective was limited to her social bubble, she still believed some elements of the protests have permanently entered the dictionary and started shaping public discourse. Nana was another to highlight the importance of the strong abortion self-help network, functioning online and based internationally. According to her, the protests spread awareness of its existence as well as of the illegitimacy of the Tribunal’s decision and the need to undermine the merit of the “compromise”. Likewise, Zuza, despite recognizing the importance of pro-abortion activism, said that without public protests scope of their influence would remain narrow: “Without social mobilization, they would not reach so many people through their networks which are limited to a radical left-wing bubble. The linguistic revolution they initiated would not happen without joint mobilization, without our shouting their number. Without people going out to the street there would be no change, at least not today but maybe in 5-10 years.” Generally, all informants held that grassroots organisations providing abortion created the narrative that

reflected their views on abortion but admitted that OSK and the protests played a key role in popularizing it and channelling into the public discourse.

Additionally, some informants felt that the Catholic Church's indoctrination and lack of sexual education have a strong influence on the discourse. Generally, they were not eager to discuss it: they were clearly tired of the tendency to regard the Church as a party to the debate on abortion. While recognizing it as a major agent responsible for the existing regulation, Zuza blamed politicians who did not care about women's rights and never stood up to the Church in this regard. As noted by Ada, lack of sexual education was a major problem: "people should have access to knowledge about reproduction at school because it is difficult to influence the opinions of conservative, catholic adults indoctrinated by the Church as kids". Despite observing the conservative backlash, Matylda reminded that pro-choice activism was never limited to the protests ensuing as reactions to proposals of limiting, delegalizing, or criminalizing abortion: Marches for Legal Abortion were organized simply to advocate for the liberalization of abortion. Zuza reminded that many Polish feminists and pro-choice organizations were advocating against the "compromise" since its conception in the 1990s. Importantly, the interviewees also noted the importance of the influence of the "ordinary" people's stories. For Nana, especially important were interviews with people rising children with disabilities as well as women who had abortions namely, persons who are personally engaged with the issue. As she noted, such statements not only educate people but help to normalize abortion. For many informants, the so-called Abortion Coming Outs were an important way of influencing the discourse as persons who experienced abortions provided evidence that they are something common and normal. Monika was happy to observe a gradual normalization of abortion and mentioned that the fact that protests were organized in smaller cities gave hope that discourse might be changing beyond the "Warsaw bubble". She found it important considering that access to abortion is more limited in smaller cities and in the countryside. Nevertheless, she found the "coming out" idiom a telling sign of abortion being still taboo: "What does it mean that someone who had an abortion has to 'come out'? It means that it is not something normal. But at least now this is clear: we are not happy about the 'compromise' and in fact, we never were. Now, we cannot go back."

According to many Polish commentators and feminists inspired by Ireland's case, where the legalization of abortion occurred despite the alleged deep-rooted Catholicism of the

society and the resistance of the politicians, the crucial step on the way towards liberalization is the normalization of abortion. As noted by the informants, Polish society as a whole is essentially in favor of the "compromise"; hence, the normalization of "ordinary abortion" is the primary political goal of the movement (Wężyk, 2021, 428). In order to achieve that, the discourse must change and this should happen on a broad scale, not only in the biggest cities. In the conversations with the informants, this issue was raised repeatedly. Most of them admitted that their pro-abortion approach represents a narrow part of the society and that current protests are not necessarily pro-abortion but targeted against the recent decision to delegalize abortions in case of fatal and severe fetal impairment. Nevertheless, they believed that change of the discourse is possible thanks to various actors, ranging from women who decide to have abortions and talk about it openly, through activists, media, to politicians and the clergy. As they observed, however slow, this change is happening and has been progressing since 2016. In accordance with that, Wężyk wrote that the protests from 2016 and 2020/21 showed that the "compromise" is no longer binding, at least not for the popular sovereign: "Women's rights are no longer a surrogate topic. It turned out that they are able to mobilize hundreds of thousands of people to take to the streets, endanger their health, spend their time and energy. Also, the moral monopoly of the Church has clearly ended, and its authority, judging by the avalanche decline in religiousness among young Polish women and men, is dying off. For the first time in thirty years, we have a real chance to change the language of abortion first, and the law along with it" (ibid, 424).

4.5 Conlusions

As shown above, my informants are well aware of the historic change being already in process, and despite their legitimate anger and frustration, they believed they will live to see the end of the "abortion compromise" – the one which will ensure easier access to abortion. Additionally, they accurately recognized the main actors shaping the discourse around abortion in Poland. The most important conclusion from this chapter is that the informants believed that liberalization of abortion is possible despite or thanks to the diversity of the counterpublic and because they see the change in the discourse is already in the process. This means that although they were disillusioned about the ineffectiveness of the recent protest and realized that the general public is still in favor of the "compromise", they believed it is only

a matter of time this will change. Significantly, they felt empowered by the participation and trusted that the engagement in the movement as well as its size had a direct influence on the change of the general public's attitude to abortion. Another crucial conclusion is how important the popularisation of knowledge about pharmacological abortion is. It was mentioned by almost all of my interviewees: the existence and education about pharmacological abortion, considering the recent ban, is life-saving because it is giving the means of reproduction to the hands of pregnant people. Especially that both the "compromise" and the recent limitation are relicts from before the conception of pharmacological abortion and as long as abortion is not criminalized, it can be performed despite the ban. Still, my informants were aware that pharmacological abortion is not sufficient in some cases e.g. termination of late pregnancies.

In this chapter, I strived to show how the experiences of my interlocutors fit into the broader plenum of abortion activism and debate in Poland. Although all informants were reluctant to claim that the movement was successful considering it did not meet its major goal, they all recognized how the protests influenced the common understanding of abortion. Their sense of change in the discourse being already in the process – the feeling that "we cannot go back to 'the compromise'" (Monika) – proves that they believe in the movement having an influence on society. Due to its size, the Women's Strike was represented and debated in all sorts of media, not only in Poland but also abroad; as a vast and diverse counterpublic, it was able to establish perhaps stronger and more effective solidarity which evidenced how Foucauldian dispersed and multiply-located power embodies in a social movement. Additionally, it resonated on a more individualized level and immensely influenced the protesters' lives. Thus, in the following chapter, I spend more time exploring the relationship between personal motivations, sense of agency, and trust in a prospect of change in accordance with personals views on abortion. I also refer to the "materialities" of the mobilization, the major elements shaping the protestors' experiences and to the "new normal" that emerged over time on the crossing of the prolonged mobilization and COVID-19 pandemic.

5. Protesting and sense of agency

According to my informants, the relationship between participation in the movement and sense of agency remained complex and ambiguous. The exchange between Matylda and Maja during our shared interview in January is quite elucidating. While she was describing the protest that happened on January 27, i.e. a massive mobilization that unfolded in reaction to the publication of the Tribunal's ruling, Maja recounted being enclosed in a kettle created by the police. She reported experiencing exhaustion increased by the cold weather, late hours (they were trapped till three in the morning), exhaust fumes (police cars were on all the time), and an overwhelming sense of nonsense. She said she felt completely powerless in face of the police having the access to legal coercive measures such as gas throwers or telescopic batons. To that Matylda replied that while police were pressuring the crowd, people also did pressure the police. She believed that the protesters' advantage was that despite the sense of nonsense, they had a political purpose to stand where they did. Thus, in her mind, regardless of the access to coercive measures and being more numerous, the police were powerless in this confrontation. According to Butler, collectives of bodies are politically potent exactly because they are vulnerable: "(…) struggle presumes that bodies are constrained and constrainable" (2012, 168). The very power of the protest action comes from the fact that singular embodied selves are fearless enough to be subjected to risks. The strength of a vulnerable body translates into a sense of agency: the "(...) collective bodily presence might be re-read as 'we are still here', meaning: 'we have not yet been disposed of'. Such bodies are precarious and persisting, which is why (…) we have always to link precarity with forms of social and political agency" (ibid, 190). According to many of my informants, facing the state's power made them feel powerless and powerful at the same time. This resonates with the overall sense of agency they felt during the mobilization: while most agreed that protests were not successful at the moment, they found reasons to participate and understand protesting as meaningful. Thus, I believe it matters to look at the personal motivations of the informants as well as motivations they ascribed to other participants. I asked them why they continued to protest even when movement failed to achieve its goal and we discussed the way police violence affected their experiences. To draw a background for their stories, I recount how often they participated, how protesting influenced their lives, and how was it to protest in a mass mobilization amidst the global pandemic. Addressing material characteristics of the

protests is a way of drawing the reality of experiences and understanding the sense of agency and affects shared by the informants.

5.1 The new normal amidst the pandemic

Significantly, when asked about how many times they went to protest in the period between October 2020 and January 2021, the informants did not have any straightforward answer. Most said they could not tell and that "it all blurred," especially the first two months of the protests that were most intense. Some, like Natalia, answered they went out "a lot," or like Ola calculated between two to three times per week. Others gave a round number like Nana who said she protested around four times in total or Anna who estimated between eight and ten times. Zuza said she went out to protest between three and four times per week which added up to something between thirty and forty times. That, as she admitted, would amount to her personal record even though she actively participated in protests "for as long as she could remember". Matylda and Maja, who were the most active, participated in almost all protests organised by the OSK in this period. In the narratives of my informants, the inability to give a specific number indicated that it was more than they have ever protested over such a condensed period of time and that at some point protesting became an integral part of their lives, something they did as events unfolded on a given day. Significantly, despite frequent participation, many felt like they did not protest enough and went on explaining why. This sense of "missing out" or not being engaged enough is telling: protesting related to many informants' sense of agency. The frequency of protesting correlated with the sense of impact they had: the decline in activity influenced the depletion of the feeling of influence, even if they realised that movement was unsuccessful.

Due to high frequency and intensity, protesting influenced lives of my interlocutors becoming their "new normality" between October and January. Anna admitted that protesting was central, especially initially: "because of how often they happened and how long they lasted, often up to five hours, protests became a big thing. We met up to protest, sent photos to friends who were not there, and even if we did not go, we still talked about them." Zuza usually went out with the same group that emerged in her neighborhood; it was convenient and strategic: after each protest co-protesters made sure to come back together. Like Anna, she admitted protesting organized her everyday life: "during this time, my life was paced from

protest to protest. The fact that there was a protest happening at a given time determined whether I would sit down to work or not, do a training or not, meet someone for a regular walk or to go ou to protest. It was the main element of any day during that time." Ola recounted that when she was abroad at the initial part of the mobilization, she could not focus on her everyday life; instead, she would constantly check the news and read about what was happening in Poland. Only after she returned to the country to join the movement, she stopped feeling inert. In a way, mobilization influenced her life even before she started protesting. I could say the same about myself: during my stay in Vienna my attention and emotional investment focused on what was going on in Poland. The protests becoming the "new normal" is an example of politics understood as a way of living: by transforming an ordinary afternoon walks into the protests, members of the public joined the counterpublic; for a moment, they exchanged being subjected to power for performing it by "forming bodily modes of obstruction to police and state authorities" (Butler, 2012, 167). Overall, no matter how often the informants protested, they all confirmed participation to have a significant impact on their lives. First, due to their political and emotional commitment; second, because of the specific context of the pandemic, which made the protests the most intense interpersonal experience of that time.

"Normality" is a normative concept, based on common assumptions on what is and is not "normal." It is also very much biopolitical. In regular circumstances, protesting itself is perceived as a surplus of day-to-day politics. Additionally, the pandemic changed the shared perception of what is normal when it comes to participating in social life and rendered massive events excessively risky. For most of the informants, the fact that mobilization happened amidst the pandemic influenced the way they experienced it. On the one hand, participating in collective action presented new risks and required greater responsibility. On the other, it gave the authorities justification for stricter control and new regulations. Few of the informants indicated that the fact that the Tribunal's decision was made in the middle of the pandemic was infuriating and added further motivation to continue protesting. Nana found it all the more unjust as it made people face a difficult choice: some were too cautious to go out on the street while still holding the cause worthy. As she recounted, her boyfriend got infected not long after the first protest which caused her to stop participating for a while. She said that during protests sometimes it was difficult to obey the sanitary regulations especially

while reacting to police's attempts to enclose people. As Anna put it: "it really pissed me off that the government was forcing us to do it during the pandemic. At the time when we should take care of ourselves, sit at home and not deal with matters of state importance, we are forced to protest on the streets. The protests are the ultimate forms of resistance and they are justified, even during pandemic." She found this particularly important as she noticed many people, also some of her friends, used the "pandemic argument" cynically against the protests, while the actual reason of their attitude was disagreeing with the OSK. According to her, using pandemic as a cover to oppose the protests was unfair especially that, the protesters took care to maintain safety by wearing masks, keeping the distance, or limiting other social contacts at the time.[43]

The pandemic made some of my informants more cautious. Zuza recounted that when she was most actively engaged, she avoided contact with her family, so as not to infect anyone. While protesting, she met with friends and family for walks only; before Christmas, she ceased to protest for ten days to make sure she was healthy upon meeting her family. Additionally, although until now she used to protest with her parents, she objected to their participation due to the risk of getting infected. Anna also limited her contacts with the family while Ola made a more general observation that because of the pandemic less elderly people were present as compared to other mobilizations she joined. As she estimated, the crowd was generally younger and she believed that for many young participants protesting was an excuse to go out and join in an event with other people which was rare during the pandemic: "Now protests are one of the few reasons to leave your home. Many people, who were not politically active before, decide to participate because there is a pandemic and otherwise they would have nowhere to go. To be honest, I am not sure they have political motivations in mind." Natalia agreed and added that this could be applied to her to a degree namely, although she was going out for the cause, thanks to the protests she had an occasion to meet friends she did not see for a while. The social context of the protests was one of many reasons for the participation. In what follows, I explore other motivations and try to understand why the informants continued to protests despite all odds.

[43] It is worth noting that, as it was discussed during the Black Live Matters protests earlier in 2020, mass protesting can be safely organized during the pandemic, and as long as all precautions are taken, there is no direct link between protests and rising spread of the disease. See e.g. "Is it safe to protest during a pandemic? Experts answer our questions" published in The Guardian on June 4, 2020, https://www.theguardian.com/world/2020/jun/04/is-it-safe-to-protest-during-a-pandemic-experts-answer-our-questions. Retrieved April 22, 2021.

5.2 What is protesting good for when it is not successful?

When it comes to the motivations, the difference should be made between overarching reasons for protesting and the *ad hoc*, practical ones. For example, when recounting October 22, all the informants confirmed they went out in a direct reaction to the ruling i.e. the reason was disagreement with the decision of the Tribunal. Similarly, during our conversation in February, when relating to her last protest on January 27, Maja affirmed the immediate reason was the publication of the ruling. The other, more general type of justifying participation was usually more complex and related to the approach to abortion each protestor had. All of the interviewees agreed that the general reason for mobilization was a fight for liberalization of abortion law. However, most of them pointed out that what protesters specifically advocated for varied dramatically and they differentiated between their own motivations and motivations of the "majority of the people". As Maja put it, "some of the people go out just to shout out anti-government slogans, and some, especially younger ones, seem to not even be aware what the protests are against or for". Still, most of the informants believed that the counterpublic "knew" that changing the abortion law was the premise behind the mobilization. Only, as noted in the previous chapter, while some would like to see it liberalized, others would prefer going back to "the compromise".

When asked why they thought abortion was so powerful in mobilizing the general public, the informants gave different answers most of which related to its biopolitical aspects. Ola noted that the primary reason was that abortion relates intimately to one's body, personal situation as well as the future. According to her, when compared to economic or political issues – freedom of speech, legal justice, income equality – abortion is more burning: damage done by the inability of accessing it has immediate and irreversible consequences for people's lives. Natalia and Nana pointed out that mobilization around the issue of abortion was bigger than one raising awareness of climate catastrophe because it is less distant. According to Nana, abortion mobilizes because it literally affects half of the population; she then corrected herself to say that in fact, "it affects everyone but physically only women". Like Ola, she pointed out that it is easier to mobilize people around material, bodily issues like abortion than more abstract ones: "When abortion is banned, it is a straightforwards attack on your personal freedom, on your body. You do not need to read the constitution to know that." Aside from advocating for liberalization of the law, additional reasons of my informants were

frustration with having to protest continuously for three months and feeling ineffective (Maja), being angry and feeling ignored by the authorities (Matylda). Ola explained she protested because she does not want anyone limiting her freedom to choose while Natalia noted that her protesting was a way of expressing disagreement with what is going on in the country.

All of the informants were tired of protesting at the moment we spoke, expressing disappointment with the current situation, and saying they were energetically drained after few months of going out on the street. As Nana put it:

> Sadly I am so fed up with the issue that it does not raise any emotions in me. I remember that during Black Protests I studied abroad and it outraged me so much that I could not sleep and came back to Poland to protests and even help organize. Now, years later, I still protest but there are no emotions left. I respect people who still are emotional but I think many of us experience some kind of burnout. And yet the problem is still as pressing, after all, nothing changed, even got worse.

Some, like Ada, said they lost trust in the success of the protest because "the other side is not listening. It is like a monologue." She expressed a belief that the actual change could only come "from the top". At the same time, she admitted that this impression is momentary as her emotions are fluctuating. Also Zuza admitted her emotional engagement was changing overtime. As she put it, "Over the last years, every Fall attempts have been made to tighten abortion law in Poland. Thus I was not surprised by this decision and going out on the streets was a natural step to take, not an emotional outburst." At the same time, she disclosed she had few emotional moments, especially when Abortion Coming Outs were performed during one of the protests. As Natalia put it, "There is a resignation, a feeling that it does not work. But that does not mean we are putting down the arms. We are not because there is no alternative. With this government, there will only be more reasons to protest." Similarly, Zosia said that protests had no real impact and that she doubts anyone believes they are changing anything. Nevertheless, she admitted people need to get the steam off, express how pissed they are, otherwise "they will sink into resentments and develop a sense of lack of political agency". Anna said she believed protests to be the simplest way of expressing one's emotions as well as a very democratic form of acting and communicating. She recognized the right to protest as a human right: "I may romanticize protests a bit, but I have a feeling that they always work somehow, always bring an effect, maybe not always the intended one, but still it's a powerful method of exercising democracy. Maybe the only one we have at the moment."

Many of the interviewees recounted a sense of agency granted by the participation. Maja noted that when her sister asked her whether she was not overwhelmed with protesting,

she answered that she would be overwhelmed if she would not protest. Similarly, Ola mentioned that under the circumstances, protesting was the only available way of demonstrating one's political views and she could not imagine not going out. Natalia mentioned that protesting was the only thing that gave her some – even if minimal – sense of agency. Ada admitted that of all things she could do at the moment, protesting was the most important: "It gave me a sense of strength and belonging when everything felt hopeless." Matylda admitted that despite being unsettled by the Tribunal's decision while protesting she felt she was not alone as a person who could need abortion and who thinks getting one is "okay". At the same time, she attempted to look beyond her personal gains and highlighted the importance of the symbolic and performative meaning of protesting: "People who sit at home see that we are on the streets and it touches them, I am sure it does. We are protesting since 2016, and now the attitudes among young people changed. According to the polls, 30% of youngsters are leftist and I do believe that voicing views on the streets influences that change. Protesting changes the reality." In an emotional utterance, she explained how mobilization changes people's awareness, strengthens citizenship, grants a sense of agency: "Staying at home would be exhausting. Doing nothing is a silent way of agreeing with the government. I don't want to judge others, I speak for myself. For me, protesting is a minimal form of political involvement same as voting. It is just a civic duty."

For many, even if ineffective, protesting remained a valid form of activism. Ada differentiated activism directed at helping women access abortion and one focused on changing the legislation, both equally important. Protests, as she mentioned, were part of the latter. Zuza claimed she would go out on the street again although she experienced a moment of doubt and wondered whether more constructive forms of activism like abortion assistance were not more important. Still, alike Ada she believed the law has to change which can not be achieved without going out on the street: "Being visible in the media – even if in a negative or critical context – gives a chance that more people, also from outside the biggest cities, will see and hear that abortion is ok. This is how we can change the attitude of different people. This circle must grow, we will not come out of the bubbles without public protest." For Nana, the motivation to protest did not come from the belief that things will change immediately and the value of protesting was not limited to the efficiency of mobilization. According to her, the existence of a group of people who organize and voice their views while waiting for the

moment when the change will be possible was valuable in itself: "Currently, the protests are a bit *pro forma*, we protest to contain the strength in anticipation for the time when the change will be possible." Noteworthy, the belief that protesting matters and influences reality despite being momentarily ineffective was also expressed by the polled supporters of the Women's Strike. According to a survey published in January 2021, 66% of those supportive of the mobilization believed in its success.[44] Both the massive size of the mobilization and the cultural resonance of the movement (Taylor & Van Dyke, 2004, 279) may play part in this. As already noted, not meeting the political goal, although discouraging, by many was understood as temporary rather than ultimate. The sense that participation in the movement was the only plausible way of political engagement was widespread; as Zosia had it: "even when protesting is not successful, it is still more successful than doing nothing."

5.3 Police brutality and sense of agency

Most of the interviewees mentioned this mobilization was the first time they encountered police violence. Tellingly, when asked about whether they were affected by it, most replied by saying "not directly, but…" and described how they or their friends were affected by some kind of police violence. Their reactions depended upon the definition of "violence" they used. Those denying being subjected to police brutality regarded it as direct physical violence. Only after further discussion, they agreed they had, in fact, faced some kind of police violence or at least unjustified exaggerated responses. For example, Ola said she did not experience any physical violence, just felt endangered. A moment later, Natalia, her friend and co-protester added that more than two times they were running away in order to avoid being sprayed with tear gas. She remembered that on January 28 they were kettled in cold for several hours and she regarded this as a form of physical violence. Ola agreed with her and added that witnessing violence performed on other protesters was a "hardcore experience". This was a recurring pattern during my research: denying being faced with violence, and then when describing specific experiences, admitting they could be framed in terms of police brutality.

In less dramatic terms, most of the informants regarded police conduct as "absurd". Maja expressed feeling frustrated and helpless in the face of police behavior and described it

[44] The raport is available on the Women's Strike's website: http://strajkkobiet.eu/2021/01/26/badania-opinii-o-strajku-kobiet/. Retrieved 24 April, 2021.

as unjustified or even illegal. Matylda doubted whether the singular police(wo)men knew what they were doing or were familiar with the regulations; she said at several instances she witnessed police being unable to justify their actions either legally or rationally. Although denying being exposed to direct violence, Zuza admitted psychological pressure to be very acute for example when she was separated from her boyfriend by the police. Despite being experienced in protesting, she said this was the first time she witnessed such violence and felt so absurd when faced with police action. Similarly, while describing one of the protests she attended, Zosia talked about "playing tag with the police" and about the omnipresent sense of absurdity. Another to use the word "absurd" was Anna. She mentioned a sense of uncertainty, as if something unexpected could happen at any moment but still felt relatively safe because "at least Polish police are not as dangerous as the US one: they do not have guns".[45] All this changed the way people prepared for the protests. Natalia said that at some point she was so unsure whether she would come back home from the protests she started giving her neighbors keys so they could walk and feed her dog. Zosia did the same and additionally, she started dressing warmer and carrying a thermal blanket in case she would end up in a kettle. Also, Ada described getting prepared for the protests, thinking of what to take with her and make sure to always go in bigger groups. When Zuza described seeking help for a gas-sprayed friend in the midst of police action, she recounted the solidarity they experienced when strangers invited them to their bathroom, shared water and sweets; she felt it was remarkable considering the pandemic. She also talked about preparing oneself before going out on a protest: grouping, taking water, and even saline in case of being gas-sprayed.[46] Anna mentioned that participants learned to record every instance of police misconduct.

Maja mentioned that the goal of the police was to intimidate the protesters and Natalia went on enumerating the different tactics they used: spreading disorientation, giving warnings and tickets, lining up to block the streets, kettling, gassing, and slapping with telescopic batons. Most of the informants recognized such actions as attempts to intimidate the counterpublic but their opinions regarding those strives' influence on their sense of agency

[45] Interestingly, when I mentioned her remark to my friend Agnieszka, she responded that she felt Polish police were radicalizing and slowly only the lack of guns differentiated them from the US cops.

[46] Remarkably, for Zuza this new awareness produced by police brutality resonated with how women are socialized to avoid public harassment and sexual violence i.e. they implicitly prepare for it. As she put it: "this violence occurs on a different level, the state is harassing us, not a singular man. Police brutality exposed systemic violence. Now we see the state for what it really is and in fact, always was."

differed. Most agreed that it could cause both demobilization and further mobilization adding they knew people who stopped protesting and others who were more eager to continue. Nana said that this could work both ways, breaking people or mobilizing them: "Police's conduct is partially effective: people who are not ready for such stress exposure will simply quit but others will show up even more frequently. Which is also not necessarily a good thing, because I guess in the end it's not about us jostling with the police." According to Anna, the police's actions were infuriating people hence motivating them to come out on the streets. Ola recounted that some smaller protests were organized solely in order to oppose police violence hence police's conduct had a direct influence on the enlargement and prolongation of the movement. Matylda noted that many people, after obtaining tickets realized there is nothing serious to worry about and continued protesting.

Yet some, like Zuza, Zosia, Matylda, and Maja indicated that the police's conduct discouraged those who were unwilling to have "problems with the law". Ada admitted that after getting a ticket, being interrogated and punished with a reprimand, she and her friend felt discouraged: "I do not want to get another ticket and go through this again. My brother also got a ticket after being locked in a kettle for hours. It is tiring and discouraging. Especially with all the absurdities that are happening in Poland, it is all adding up." Zosia said at some point she stopped participating: she was afraid of the police and being arrested. Matylda gave an example of her Ukrainian friends who decided not to participate afraid they would face legal or visa-related problems once captured. Zuza gave different reasons why people decided to stop participating. Apart from the anxieties about safety, both physical and sexual[47], she added frequent fear of becoming a "punished person": "For many of my friends, abortion is something available anyway, so the question is how much are you able to get involved in the fight for other people's rights. Will you give up your own health or career?"

The research on reflex emotions proves that they might play a strategic role in motivating people to participate in social movements. The emotions provoked by police brutality influence the immediate reactions of the protesters and shape long-term affects and attitudes towards participation: as the reports of my informants evidence, they can both

[47] She meant being molested by the police during searchings and interrogations. Although it is very difficult to prove, has been reported by some persons arrested during the protests. Overall, recent polls show a significant drop in social trust towards the police with more than 50 % of the respondents claiming they trusted less police than before the Women's Strike. See e.g. Danielewski, Michał. 2021. Ratunku, policja! Już nie państwowa, a partyjna. Dramatyczny spadek zaufania, published in okopress.pl on March 9, 2021: https://oko.press/ratunku-policja-dramatyczny-spadek-zaufania-do-mundurowych-sondaz/. Retrieved May 24, 2021.

mobilize and demobilize. Research shows that the presence of other people experiencing similar emotions and the possibility of organizing within the structures of the movement have an impact on the way such emotions are processed. According to Goodwin, Jasper, and Polletta, "in high-risk situations, fear may threaten to cripple collective action" but at the same time, "factors such as intimate social networks, mass meetings, strong collective identities, shaming (…) directly or indirectly helps mitigate fears of police repression" (2004, 417). In the case of connective action, the existence of a lively debate in social media where people exchange their experiences plays a crucial role in sorting out their emotions and reformulating negative ones into encouragement. According to Gould, emotions are "a motivational force and a crucial means by which human beings come to know and understand themselves, their interests, commitments, needs and options in securing those needs" (2010, 23). More complex affects that develop overtime are more difficult to assess and in the case of the Women's Strike, this will be only possible from a bigger perspective. As I am finishing this thesis, the emotions that fuelled the movement are not that apparent anymore. This, however, does not mean those emotions were not channeled into a movement that had a lasting impact on many lives and might influence the future of abortion legislation in Poland.

6. Final remarks: What abortion law do we want? No law

All the way through I believed in telling this story: a story of a movement that emerged in opposition to ban abortion in the country where it already has been starkly restricted and that continued to resist against all odds: people protested for four months despite the ongoing pandemic, escalation of police brutality, harsh winter, and most notably, despite no prospect of immediate success. But I only understood why it really matters to tell this story when I met with one of my informants by the end of April 2021 when mobilization was over. At the time, Matylda, who is a member of one of the councils established by the OSK to formulate its demands, felt demotivated and disappointed. She was upset with some of the decisions of the OSK's leaders, the failure of the mobilization, the current state of debate, and, above all, the fact that access to abortion in Poland was limited. We discussed what is possible in the future and as she was remembering the protests, she said: "nevertheless it was all very real". What she meant was that the importance of this mobilization, its ability to create a sense of agency and belonging to a larger counterpublic was and remains real and even the failure of the movement cannot change that. The movement marked the country and its people. A bodily proof of that persists behind her ear: the black lightning bolt, the symbol of the protests she had tattooed back in the Winter. Ada and Maja have similar tattoos [Figures 4. and 5]. Their bodies being marked by the ink are not metaphors of how the movement marked the protesters' lives but rather an inherent elements of the mobilization as an embodied, biopolitical experience. The ambivalence is part of many social movements: while they "fail" to achieve their goals, they are successful in some other, less obvious ways. No win can be declared when it comes to the "normalising" of the law but multiple changes occurred: people got empowered, their attitudes shifted, not only towards abortion but also towards the state, police, sense of agency. On a more political level, the Overton window shifted irreversibly when it comes to the narrative on abortion: the obsolete framework of the "compromise" is not satisfying anyone.

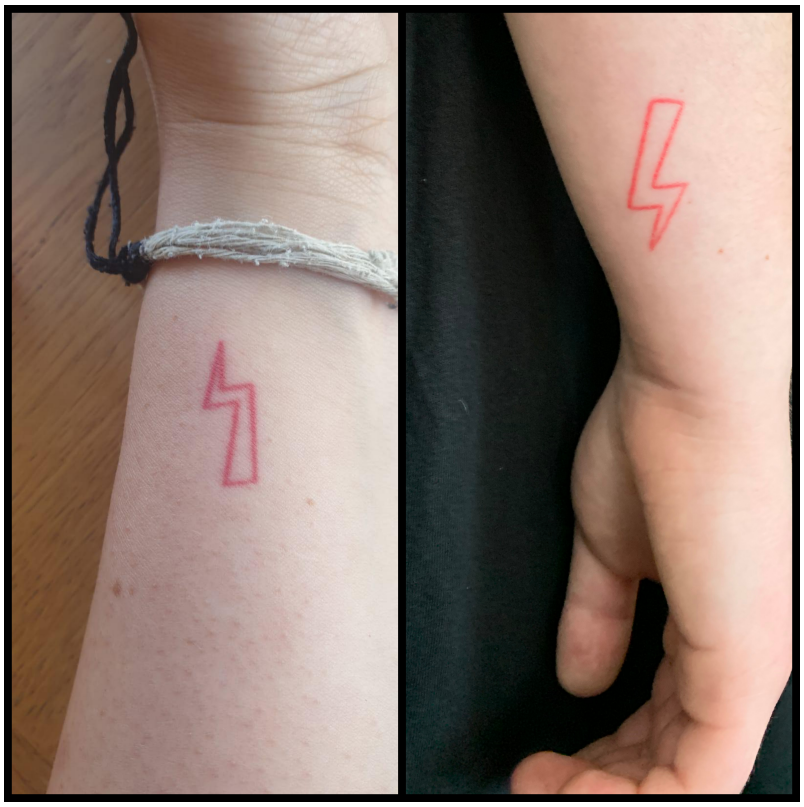

Figure 4. Maja's and Ada's tattoos.

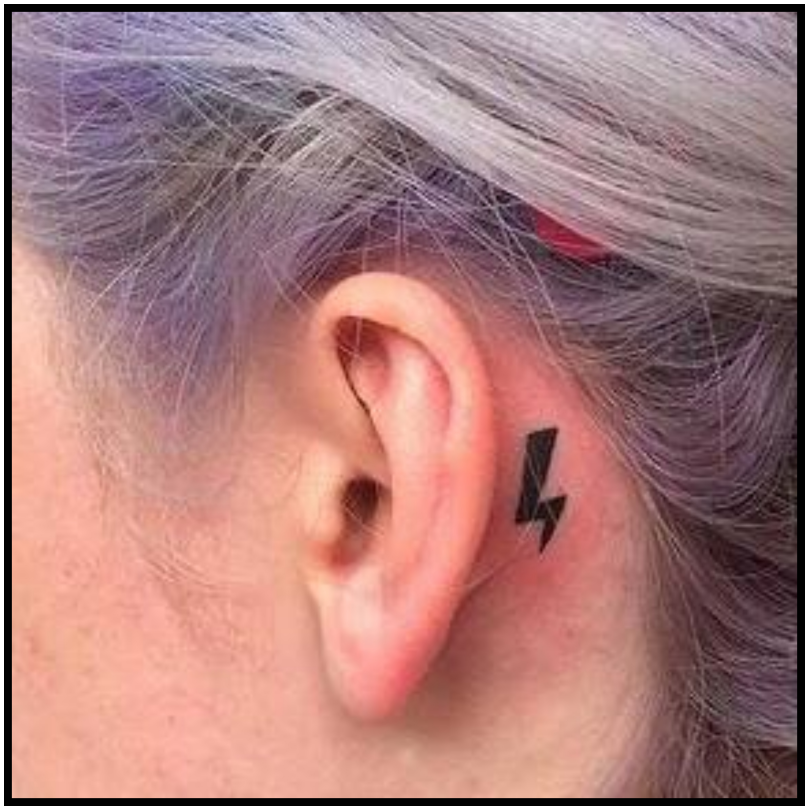

Figure 5. Matylda's tattoo.

Although their knowledge on abortion varied, most of my informants believed Canadian model should be introduced in Poland. In our conversations, it was frequently referred to as the "white sheet" and meant no regulations regarding abortion. According to Zuza, one of the proponents of the "white sheet," introducing it would require the abolition of the conscience clause which is still binding in Poland. She was against setting any time limit – for her, the twelve-week clause is arbitrary and trust towards pregnant people should be unconditional – and believed the desired no-law policy should be introduced at once. Ada hold a similar view: "we cannot stop halfway, we need to demand all at once otherwise we will lose. OSK cannot withdraw from the abortion on demand postulate." At the same time, she, as well as the rest of my informants, was disillusioned when it comes to what is currently possible. Matylda joked that the "Canadian model will be achievable in Poland… maybe in the next twenty years". Thus, as for now, the signatures are collected under the legislative initiative "Legal abortion. No compromises" prepared by the coalition of women's organizations and some members of the Left. The project does not propose the Canadian model but aims at decriminalizing abortion, ensuring the right to safe procedure up to the 12th week (in special cases also later), introducing an uniform procedure of dealing with persons wanting abortion, and repealing the conscience clause.[48] Despite this initiative not meeting most of my informants' expectations, they all signed it, planned to sign it, or even started collecting the signatures.[49] According to them, at the moment, this was a rational thing to do even if such initiative will not be backed by the current Parliament.

During our conversation in January, amidst the protests, Monika worried about who would tell the story of the mobilization, as usually such events are eagerly narrated for particular political goals. In fact, recent decisions of the OSK's leaders caused a lot of ambivalence among the popular participants. This is not surprising: the Women's Strike is an ambiguous political body. In one way, it is an organization with specific leaders. In another, it is a movement thus not a uniform unity but a counterpublic with porous borders which emerged during a specific time to advocate for a particular claim. Although the mobilization that originated in October 2020 is over, the social movement it (re)created is not "done:" its

[48] More details about the initiative can be found on the Razem party website: https://partiarazem.pl/2021/02/legalna-aborcja-bez-kompromisow/. Retrieved April 26, 2021.

[49] At the time we spoke, only Anna did not sign it or plan to sign it. She said she was not aware of it and would have to get to know more about it to say whether she will.

demands were not met and its participants still organize to advocate for the liberalization of the abortion legislation. It is likely that the make-up of this mobilization will change, some people will become inactive and leave, while others will feel urged to join. All my informants stated that although they were not surprised by the movement's "ineffectiveness," they worried about the consequences of its failure: the suffering of people who cannot safely terminate unwanted pregnancies. I and my interlocutors are aware that the Polish abortion law must change. Thus the struggle continues. It is primarily a battle of the "bodies with potentially reproductive uteruses" but in fact it is a struggle of the whole society: it concerns our reproduction, survival, ability to make free and informed choices of the utmost importance. This thesis is part of the history of this mobilization: a partial narrative of the events, it does not speak for everyone, not in any "objective" way. I tried to share and narrate few stories of the participants of this movement. Although I was not participating in the protests, I was most definitely moved by them: the accounts of my interviewees touched me and led me to believe that something really meaningful happened.

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