

23 Mai 2016  
Université de Lausanne  
(Geopolis 2215)

*Workshop international*

**Abortion in Europe : rights, governance and protest  
L'avortement en Europe : droits, gouvernance et protestation**

9 h 00 *Accueil des participants*

9 h 15 Introduction **Irene Maffi** (Professeure, Laboratoire d'anthropologie culturelle et sociale, Université de Lausanne)

9 h 30 Introduction of research on abortion in social sciences in Europe and the forthcoming book : *A Fragmented Landscape: Abortion Governance and Associated Protest Logics in Europe*. Berghahn Books: Oxford and New York. Protest Culture & Society Series. Silvia De Zordo, Joanna Mishtal, and Lorena Anton, eds. Forthcoming in December 2016. **Silvia De Zordo** (Visiting Researcher at the Centre for Cultures of Reproduction, Technologies and Health, School of Global Studies, University of Sussex, UK); **Joanna Mishtal** (Associate Professor at the University of Central Florida, USA)

10 h 15 “From abortion rights to ‘foetal rights’? Changes in abortion governance and pro abortion rights protests in Italy and Spain”. **Silvia De Zordo** (Visiting Researcher at the Centre for Cultures of Reproduction, Technologies and Health, School of Global Studies, University of Sussex, UK)

11 h 00 *Pausé café*

11 h 15 “Quietly ‘Beating the System’: The Logics of Protest and Resistance under the Polish Abortion Ban”. **Joanna Mishtal** (Associate Professor at the University of Central Florida, USA)

12 h 00 Discussion. Ayse Dayi (Visiting scholar, Université de Lausanne)

12 h 30 *Pause de midi*

14 h 00 “La fabrication du cadre juridique suisse : un droit octroyé via la médicalisation de l'interruption de la grossesse”. **Thierry Delessert** (Chercheur SNF Senior, Centre en études genre, Université de Lausanne)

14 h 45 Discussion. **Marta Roca y Escoda** (Maître d'enseignement et de recherche au Centre en études genre, Université de Lausanne)

15 h 15 End

## Résumés des communications

*A Fragmented Landscape: Abortion Governance and Associated Protest Logics in Europe.* Berghahn Books: Oxford and New York. Protest Culture & Society Series. Silvia De Zordo, Joanna Mishtal, and Lorena Anton, eds. Forthcoming in December 2016.

This book examines the political and sociocultural struggles around the right to abortion in Europe since World War II. We consider how abortion is governed and how such politics, either to liberalize or to restrict abortion rights, are challenged by protests and resistance. Specifically, we explore strategies and discourses produced and deployed by social movements, political groups, as well as individuals, to enhance or to limit women's reproductive rights in different historical periods, political transitions, and geo-political contexts. We illuminate these themes and questions with studies from Italy, Spain, Norway, Poland, Romania, Russia, Sweden, Switzerland, United Kingdom, and the European Union, and offer anthropological, sociological, medical, and legal analyses. This collection is highly relevant to questions of how reproductive rights politics intersects with demographic anxieties, as well as pressing issues of rising nationalist and xenophobic fears related to austerity policies, mass migration and the recent terrorist attacks experienced in Europe.

### **Silvia De Zordo**

“From abortion rights to ‘foetal rights’? Changes in abortion governance and pro abortion rights protests in Italy and Spain”

This presentation discusses the debate on abortion rights and “foetal rights”, based on a research carried out between 2013-2015 on abortion, stigma and conscientious objection in Italy and Spain. The recent increase in conscientious objection to abortion care in Italy and the restrictive abortion law project discussed in Spain over the last two years may be considered as two main consequences of the political shift in reproductive governance occurred in these two countries, from the partial recognition of women as moral/political subjects to the recognition of the embryo/foetus as a bio-political subject entitled to “rights”. What is the impact of this shift on abortion provision and which factors influence physicians' attitudes towards abortion and conscientious objection? The two qualitative studies that I carried out in public maternity hospitals and clinics in Italy and Catalunya show that a medical/moral classification of abortions and women having abortions emerges in obstetricians-gynaecologists' discourses in both countries, regardless of physicians' religiosity, influencing their professional choices concerning abortion provision. I argue that this classification is based on gender norms concerning sexuality and motherhood and is the result of the increasing medicalization of reproduction, which has transformed the embryo/foetus into a “patient” and has made the termination of unwanted pregnancies less morally acceptable than in the past. However, my research also shows that abortion providers counteract the stigmatization of abortion in different ways, including by engaging with pro-abortion rights protests that are questioning the centrality of the foetus and highlighting the priority of physicians' duties towards women-patients.

### **Joanna Mishtal**

“Quietly ‘Beating the System’: The Logics of Protest and Resistance under the Polish Abortion Ban”

This paper examines Polish women's use of the clandestine abortion underground and online networking as a form of resistance developed in response to severe restrictions on access to

abortion services in Poland since 1993. Since the abortion ban, the Polish feminist movement has been actively advocating for reinstating abortion rights, but with little success, as the medical community and the public at large have generally abstained from meaningful political participation in the controversies of this struggle. Because the ban allows limited exceptions, it is often depicted in political discourses as a “compromise” with the Church, while in reality Poland’s abortion law is one of the harshest in Europe. Rather than complying with the abortion ban, imposed unilaterally by postsocialist state and the Catholic church, Polish women’s response has been to develop their own coping strategies to control fertility, including circumventing the legislation by pursuing illegal abortions and sharing this knowledge on the Internet. I argue that this individualized and privatized form of resistance is a limited stopgap strategy for dealing with larger social and collective concerns about reproductive rights, health, and gender equality that should be addressed with collective policy solutions. I discuss the extent to which this form of resistance is historically and culturally contingent in Poland by examining women’s relationship to the state and discourses that stigmatize women’s rights activism. I finally argue that this form of individualized and privatized resistance poses challenges for abortion advocacy groups working to liberalize the current restrictive law via policy channels.

Some comparisons of the abortion politics situation will be made between Poland and Ireland, in particular along historical and political lines and the ways in which Polish and Irish abortion politics have been investigated by the European Courts.

### **Thierry Delessert**

“La fabrication du cadre juridique suisse : un droit octroyé via la médicalisation de l’interruption de la grossesse”

Le printemps 1971 voit surgir publiquement la revendication du droit à l’avortement portée par les mouvements féministes français et allemands. Ces manifestations trouvent écho en Suisse : en décembre 1971, une initiative populaire demande l’abrogation de toute disposition à l’encontre de l’avortement dans le code pénal suisse (CPS). En fait, les revendications helvétiques s’inscrivent dans un contexte pénal singulier puisque le CPS de 1942 distingue « l’avortement », pénalisé car clandestin, de « l’interruption de la grossesse », autorisée car médicalisée. L’étude de la genèse de ces normes nous montre que cette solution législative, adoptée en 1896 par des experts pour le projet de CPS, est vigoureusement débattue lors d’une succession de navettes entre les deux chambres fédérales au cours des années 1930. Les Suissesses n’obtenant le droit de vote qu’en février 1971, l’initiative féministe vise donc à corriger un droit jusqu’alors octroyé à des « non citoyennes » et une politique publique injuste et menant au « tourisme médical ». Sortant de l’arène parlementaire *stricto sensu*, la question prend des tournures passionnelles lors de campagnes référendaires réactualisant les oppositions de la première moitié du XXe siècle entre experts et parlementaires. Sur le plan législatif, un premier projet parlementaire est refusé en 1978 par la population, avant que ne soit acceptée l’actuelle solution des délais en 2002. A cela s’ajoutent trois votations sur des initiatives populaires des pro et anti avortement, toutes rejetées respectivement en 1977, 1985, 2002 et 2014. Les textes proposés au cours des ces trois décennies nous serviront de clé de lecture pour cerner les continuités et mutations plus contemporaines autour de la question de l’avortement.

Le workshop est organisé par le LACS en collaboration avec la PLAGE.  
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