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“Our Indignation Drives Me.” The Biopolitics of Abortion and Counterpublic in Poland¹

Abstract

This paper approaches the Women’s Strike (2020-2021) from the participants’ perspective. First, the author outlines the political and cultural context, emphasizing the contemporary debate about abortion in Poland. Then, the analysis of the protests, conducted in line with Butler, Czarnacka, Graff, Korolczuk, and Majewska, is combined with the author’s research outcomes based on the multi-sited participant observation and semi-structured qualitative interviews with participants of the protests. The main argument is that re-evaluating the outcomes of a social movement that did not achieve its goal necessitates expanding the meaning of social change beyond the completion of said goal.

Keywords

Abortion, Biopolitics, Counterpublic, Postsocialism, Reproductive Rights, Social Movements

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Over the last few years, every Fall, attempts have been made to tighten abortion law in Poland. Therefore, I was not surprised by this decision, and going out to protest was a natural step to take, not an emotional outburst. But my emotional investment in this struggle is fluctuating. Sometimes I am enraged, sometimes touched, and sometimes it seems like I feel nothing.

The above assertion comes from one of the interviews I conducted between February and April 2021 during the Women's Strike (OSK).² On October 22, 2020, the Polish Constitutional Court issued its decision regarding the constitutionality of one of the premises ensuring legal abortion in Poland. The decision itself (the law authorizing abortions for fatal or severe fetal impairment was declared unconstitutional) was not unanticipated, as most of the judges were appointed by the governing right-wing Law and Justice (PiS) party. However, the size of the social reaction evoked by this decision could not have been foreseen. On the next day, massive protests took place all over the country, and in following months, despite the COVID-19 pandemic, they continued, amounting to what appears to be the most extensive protest action in Poland since 1989. Despite the mass mobilization of activists, pro-abortion protesters, and anti-government sympathizers, the ruling was published in the Journal of Laws on January 27, 2021, effectively banning most of the small number of legal abortions. Consequently, Poland has the most restrictive abortion legislation in the region.

The opening quote highlights two critical issues. Firstly, although unprecedented in scale, the Strike is an integral part of a complicated history of abortion legislation in postsocialist Poland. Secondly, the role of emotions is vital in understanding this history. In the article, I approach the Strike from the perspective of the movement's participants. The emotions they expressed when recounting and evaluating the events are of particular focus. My argument is that re-evaluating the outcomes of a social movement that did not achieve its goal necessitates expanding the meaning of social change

² OSK stands for Ogólnopolski Strajk Kobiet (the All-Poland Women's 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. Although the organization and the council were generally supported by the protesters, many of their statements and decisions remained controversial. Throughout the text, I will employ the terms OSK as well as the (Women) Strike to relate to the discussed social movement.

beyond the completion of said goal. As I argue, a social movement can not only change a ruling but also the surrounding discourse and a way of understanding the issue at stake. It can delineate a new interest group or create a new sociopolitical coalition. First, I draw a political and cultural context and explore the contemporary debate on abortion that originated in the late 1980s. Then, the interviewees' assessments are presented against the theoretical framework located at the intersection of biopolitics and social movement studies.

History of Abortion in Poland: Politicization and Resistance

Post-war Poland had a liberal approach to abortion, with the most progressive legislation in the region after 1956 (Zielińska 2000, 25). Since 1989, however, in most former Eastern Bloc countries, regulations ensuring access to abortion during that period have been challenged on the highest parliamentary levels (Gal 1994, 258). According to Katherine Verdery, partial socialization of reproduction, access to abortion, and the degendering of the workforce under socialism after its collapse resulted in blaming women³ and the system for destroying traditional values. This often led to abortion bans: 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 abor-

³ OSK engendered a vibrant discussion about abortion-related language. Specifically, different ways of narrating the subjects of the conflict created divisions as well as alliances within the protesting group. Although cis-women comprise the group most affected by the ban, the right to an abortion is a human right, and it concerns a wider range of people. It must be acknowledged that trans people, intersex people, and 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 the term "women" might seem 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 and suggested using terms like "people who need abortions." Others claimed that terms like "persons with uteruses" reduces subjects to their reproductive capabilities and ignores the feminist legacy. The context of transphobic backlash in Poland made the discussion quite charged. During my interviews, all the above notions were used interchangeably. Throughout the text, I tend to use the term "women." My choice is motivated by brevity and because this term is commonly used in the Polish context. 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 I write about all people who might need abortions.

tion" (Verdery 1994, 250). Thus, it is not paradoxical that anti-abortion attitudes accompanied democratization (Holc 2004, 758). Janine Holc interprets anxiety around reproductive freedom as expressing anxiety about the transformation itself (2004, 775, 777). The shift from state socialism to parliamentary democracy and the free-market economy was an abrupt transition that had profoundly gendered effects (Gal 1994, 256). As Susan Gal noted during the transformation, gender, reproduction, and ethnicity were discussed as "moral and natural categories rather than social ones" (1994, 257), becoming sides of the biopolitical struggle between different actors of the sovereign republics proclaimed as reemerging nation-states.

Iza Desperak argues that abortion was strongly politicized in Poland as early as the 1980s, rupturing the political scene (2003, 193). The dividing line ran across various groups of interests: unions, political parties, public opinion, medical circles, and nascent NGOs. In 1989, the Polish Catholic-Social Union, with experts from the Episcopate, submitted a proposal not only prohibiting but also penalizing abortion. A year later, the Ministry of Health required a certificate from four doctors to allow abortion, and a conscience clause was introduced, *de facto* exempting from the obligation to perform abortion. In 1993, an even more narrow bill was passed. It restricts abortion to three cases: a severe threat to the life or health of the pregnant person, rape or incest, and fatal or severe fetal impairment.

Marcin Kościelniak grants the abortion debate a crucial meaning in the transformation process. As he notices, the opposition negotiated an agreement with the Catholic Church to fulfill its political goals while ignoring the popular demand for accessible abortion. While this fact is often treated as a side effect of democratization, Kościelniak argues that denying reproductive rights was necessary (2020, 28): it allowed the opposition to win the Church's support and base the narrative of new Poland on the Catholic-nationalist interpretation of its pre-socialist history. Similarly, Gail 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). The 1993 bill was in line with a principled approach of the time: as Katarzyna Wężyk notes, "it combined neoliberal thinking in terms of individual entrepreneurship and resourcefulness with the official monopoly of the Church on morality" (2021, 423).

During the transformation, the government's stand on abortion was part of an attempt to produce national exceptionality. It was influenced by the discourse promoted by the Church and pro-life organizations. Thus, refer-

ences to, for example, the "lives of the unborn," "child" (rather than "fetus"), and "mother" (rather than a pregnant person) dominated the public debate. In the 1993 bill, the phrase "conceived child" appears repeatedly and at one point is even attributed "legal capacity."⁴ This ideological discursive shift enabled the so-called "abortion compromise" to become a supposedly neutral solution to the "abortion issue." An interesting analysis of this process is proposed by Elżbieta Korolczuk and Agnieszka Graff, who write that, at the time, the problem of gender and reproductive justice became an uncomfortable excess (2018, 250). During the transformation, gender inequality was ignored, while women's care work was taken for granted. Women performed their roles in new Poland by merging two models of femininity: the Polish mother and the emancipated woman "who has it all." As a result, when the new democratic order came to a crisis, the issues of gender inequality and care work reemerged as fundamental social concerns. Additionally, as noted by Korolczuk and Graff, abortion became central in the Polish "war on gender," which originated when the government tried to pull out of the Istanbul Convention in 2012 (2018, 252). Within the right-wing narrative, the convention became a symbol of the gender ideology that stood for everything contrary to the Polish tradition: gender equality, rights of sexual and ethnic minorities, sexual education ("sexualization of children"), reproductive justice, gender studies (2018, 253-254), and, obviously, the right to abortion.

In the following years, the concept was further demonized as ideology, threatening everything that was Polish. "The Polish nation" has been identified with the traditional patriarchal family and culture of the Catholic Church. The reactionary approach to gender theory allowed right-wing politicians to earn powerful political capital by awakening imaginary fears and proposing immediate remedies (2018, 257-258). The "war on gender" helped to channel economic fears by identifying the violence of the capital with the EU, LGBT+ rights, and feminism, which were blamed for spreading "harmful individualism" and building an "easily manipulated society without qualities" (2018, 263-265). In this narrative, it was possible to provide a coherent characterization of abortion as both a postsocialist relic and a Western import. Firstly, it was a part of the socialist legacy, understood as a fight against the Church and traditional family (2018, 263). Secondly, liberal abortion legislation was identified as one of the instruments of the Western colo-

⁴ "The Family Planning, Human Embryo Protection and Conditions of Permissibility of Abortion", [online] <https://www.reproductiverights.org/sites/default/files/documents/Polish%20abortion%20act-English%20translation.pdf> [accessed: 07.12.2022], pp. 3-5.

nization project, aimed at secularizing Poland and robbing it of its fertility, tradition, and family. The opposition to accessible abortion became synonymous with resistance to the attacks on Poland. The term “nation” was successfully annexed by right-wing parties, and it no longer functioned in any neutral way. The fact that pro-life organizations effectively pressured the state to implement their biopolitical demands on a legislative level led to a partial identification of the state (at least the PiS government) with pro-life agenda.

The 1993 bill was, and by some still is referred to as an “abortion compromise.” For years, it was narrated as a 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 the socialist past and secular Western standards (Korolczuk & Graff 2018, 263). In reality, it ignored the interest of the most essential “side:” a substantial group opposing 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, a series of demonstrations, and a large-scale campaign to hold a referendum on the issue (2020, 2). Despite its persistent presence in parliamentary debates and the existence of robust pro-life and pro-choice activism in the pre- and post-transformation periods, abortion was repeatedly denied significance. As Eleonora Zielińska points out, this debate provokes emotional responses, and thus “[...] it is viewed as a surrogate topic by which attention can be drawn away from the enduring socioeconomic problems generated by the transformation” (2000, 24). Moreover, as Agata Czarnacka notes, abortion, in line with an unwritten consensus, 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). The analysis of social movements in contemporary Poland makes it impossible to uphold such a perspective: recent years provide evidence for abortion being quite a central political issue and the primary reason for mobilization.

Desperak emphasizes that although the opposition to restrictive regulation has been present since the 1990s and some initiatives were taken to liberalize the law, the 2016-2018 Black Protests⁵ marked the beginning of

⁵ The name of the protest action comes from the role black clothes played in identifying the supporters, both on the streets and social media. On Monday, October 3, 2016, thousands went on strike to oppose the bill to ban abortion, which was voted down on October 6. The rainy weather on the day of the strike contributed to establishing the black umbrella as the symbol of the protests. The other symbol was a wire coat hanger, a reference to a brute abortion “technique” performed when other methods to terminate an unwanted pregnancy were unavailable.

a mass movement around the issue (Czarnacka 2017, 15). The outcome of this mobilization, apart from preventing further restrictions on abortion, was a transformation of discourse: women gained more subjectivity and realized they could claim their rights in a more uncompromising manner (Korolczuk *et al.* 2018, 19). Finally, the "compromise" was undermined, and the social approach to abortion was liberalized significantly (Czarnacka 2016, 27, 32). This event happened due to mass mobilization and 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 the abortion law (in 2016, the "Stop Abortion" bill, attempting to ban and criminalize abortion, was debated in the lower house of the parliament). Although mobilization was a reaction to this specific project, its size, surprising to everyone from politicians to feminist activists (Czarnacka 2016, 31), is often explained by the achievement of a critical mass: in 2016, the importance of liberal access to abortion and the universality of this issue were realized for the first time (Majewska 2018, 227; Korolczuk *et al.* 2018, 22).

Although compared to the Solidarity movement from the 80s (Korolczuk 2016; Majewska 2018), the Black Protests were unprecedented in the history of social movements in Poland. The organization was based on the usage of social media and movement formed within the framework of "connective action," not "collective action" (Korolczuk *et al.* 2018, 20). Social media usage did not undermine the mobilization's regional aspect: local Facebook groups played an essential role in organizing outside the most populated cities (Majewska 2018, 228). Importantly, all protests were undertaken in a grass-root manner without any institutional or state support. As noted by Czarnacka, this differentiates pro-choice activism from pro-life (2016, 28-29). This unprecedented mobilization soon became part of the international feminist struggle for reproductive rights. The Strike, inspired by the events in Iceland in 1975, became the leaven of mobilization in other countries (Majewska 2018, 243; Fraser *et al.* 2019, 6). Additionally, the size of the protests led to the extension of the scope of postulates. Activists 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). Consequently, in today's Poland, abortion is seen as the basis for the mobilization of actors arguing for other social and political goals (Nawojski & Pluta 2018; Korolczuk *et al.* 2018, 143).

According to Ewa Majewska, Black Protests mark the beginning of grass-roots mass feminism in Poland (2018, 244-245). While describing how the movement reclaimed the language on abortion, Korolczuk recounts a feed-

back loop mechanism that organically emerged between different mobilized agents, often across boundaries of class, geography, and age. Feminist experts became present in the media, and outlets gained interest in the medical aspects of abortion and discussed the issue more multifacetedly (Korolczuk *et al.* 2018, 139-140). The politicization of the masses, liberalization of the approach to abortion, and the emergence of a communication network might be the movement's most significant achievements. All this produced a strong base for the upcoming mobilization. The movement granted participants a sense of agency and solidarity they had never experienced, which was articulated during the protests as well as afterward, in retrospect (Nawojski & Pluta 2018, 127-128). This network expanded even when the protests ceased to be organized: over past years, communication strengthened, and the number of pro-abortion protesters increased. The role of activists normalizing abortion and providing reproductive services for Poles was and is pivotal here: besides practically opposing the abortion ban, they fulfill the propaganda role by changing the understanding of abortion. Even if committed to organizing procedures for Poles abroad, most organizations promote pharmacological abortions as cheaper and giving patients more control.⁶ Focusing on at-home abortions and employing a normalizing narrative is a powerful tool for opposing the over-dramatic narrative of the pro-life movement, "portraying abortion as murder and women undergoing abortion as cruel and deviant" (Cullen & Korolczuk 2019, 12). As I argue, the pro-abortion activism in the years following the Black Protests made it possible for the Strike to become the most extensive mass mobilization in contemporary

⁶ Besides practically opposing the anti-democratic limitation of access to reproductive services, those organizations 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 that has been providing pregnancy options counseling and information on abortion since 2006 and the Abortion Dream Team (ADT) is a collective helping access abortion and promoting knowledge about abortion. Many organizations emerged around the Black Protests. For example, Abortion Without Borders, a transnational initiative of six organizations working to help Poles access abortions, launched on December 11, 2019. Those organizations offer two ways of accessing abortions: supplementing people with pills to perform at-home abortions or assisting them while they pursue surgical abortions abroad. All of my interviewees acknowledged that education about pharmacological abortion, considering the recent ban, is life-saving: it gives the means of reproduction to the hands of pregnant people. Especially that as long as abortion is not criminalized, it can be performed in this way despite the ban. Still, my informants were aware that pharmacological abortion is not sufficient in some cases, e.g., termination of late pregnancies.

Polish history. Abortion became an issue mobilizing people for political and social aims different from the accessibility of termination of pregnancy or, to be more precise: it once again proved most effective in mobilizing people in contemporary Poland.

After the 2020 Court's decision, despite the lockdowns, massive protests took place all over the country in what appears to be the most widespread strike conducted in modern Polish history.⁷ The UN independent human rights experts criticized the ruling, urging Polish authorities to respect the rights of protesters, especially considering the escalation of police brutality. Some commentators argue that although the Court's decision was a direct reason for the mobilization, the protests were triggered by accumulated sentiments related to the perpetuating exploitation of women's reproductive labor (Czapliński 2021, 8). This attitude was present in the names the events were given: they were referred to as the "October Revolution of Dignity,"⁸ "October Insurrection,"⁹ or "Polish revolution."¹⁰ In such narratives, protests articulated the disagreement with the ban, which in 2016-2018 was based on a desire to uphold "the compromise" rather than fully liberalize access to abortion. The Strike was based on the structures that emerged in 2016. Both protest actions were similar in a biopolitical sense: on one side, there was the state's apparatus attempting to control reproductive rights; on the other, the counterpublic that protested, prepared legislative projects, and organized reproductive services. The fluctuations between the two occurred: the state did not monopolize the pro-life advocacy, and some institutionalized actors advocated for liberalization.

⁷ For vast and detailed visual documentation of the protests organized by the Women's Strike as well as different instances of activism opposing breaches of democratic norms in Poland, I recommend researching the Archive of Public Protests (APP): <https://archiwumprotestow.pl/en/home-page/> [accessed: 02.02.2023]. I also recommend reading Agata Pyzik's text, giving a sense of how the protests felt back in October 2020, PROTESTS IN POLAND: GET THE FUCK OUT, MOTHERFUCKERS, [online] <https://artsoftheworking-class.org/text/protests-in-poland-get-the-fuck-out-motherfuckers> [accessed: 05.02.2023].

⁸ See: Michał Sutowski, *Październikowa rewolucja godności*, [online] <https://krytykapolityczna.pl/kraj/michal-sutowski-pazdziernikowa-rewolucja-godnosci/> [accessed: 02.02.2023].

⁹ See: Sebastian Słowiński, *To nie jest rewolucja. To insurekcja*, [online] <https://wyborcza.pl/7,75968,26558540,to-nie-jest-rewolucja-to-insurekcja.html> [accessed: 02.02.2023].

¹⁰ See: Masha Gessen, *The Abortion Protests in Poland Are Starting to Feel Like a Revolution*, *The New Yorker*, [online] <https://www.newyorker.com/news/our-columnists/the-abortion-protests-in-poland-are-starting-to-feel-like-a-revolution> [accessed: 02.02.2023].



Figure 1: Stare Miasto, Kraków, January 2021, a billboard promoting perinatal hospices painted over with pro-abortion slogan; Mokotów, Warsaw, April 2021, “policja zabija,” i.e., “the police kill” sprayed on a pavement in Pole Mokotowskie park. Photographs from the author’s archive.



Figure 2: Mokotów, Warsaw, December 2020, red lightning bolt, the symbol of the Women’s Strike, displayed in a window of an apartment and sprayed on a rubbish bin. Photographs from the author’s archive.

Biopower, Abortion, and the Counterpublic

Penelope Deutscher notices that in the international history of reproductive justice, legislations on abortion repeatedly produce "women's bodies as reproductive biopolitical targets" (2009, 64). Alike, Paul 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 a patriarchal capitalist state extends its power over land to "infiltrate the interiority of the body, and designate certain organs as its 'vital space'" (2020, 5). More specifically, according to Przemysław Czapliński, Polish anti-abortion laws express the patriarchal state's perception of women as "a worse kind of persons" reduced to a reproductive role who are in a position of "half-citizenship" (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 Achille Mbembe's necropolitics (2018, 245). By focusing on the "life of the unborn," anti-abortion policies reduce women to a "living space," putting their actual(ized) life in danger.

Still, as Foucault reminds us, the functioning of power is ambiguous: it is dispersed, decentralized, intentional, and "nonsubjective," performed not only by the state's regulatory means but also by numerous disciplines by which people exert control upon themselves. As he 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). The power is thus dynamic and dissident: the plurality of its points of exercise generates the plurality of resistance points (1978, 96). Therefore, the public, a self-organized yet ideal "social totality [...], the people organized as the nation" (Warner 2005, 65), is constantly 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 (resistance is always part of power; Foucault 1978, 95), such understanding of the public sphere is in line with how power functions in society. The notions of biopower and counterpublic allow for a nuanced understanding of social agency: the relationship between the dominant power and individual action is reciprocal and changing. As Lois 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).

Such an understanding of agency resonates with how Polish researchers described Black Protests' subjects. In order to investigate the movement, Majewska defines the notion of "counterpublic" (after Kluge & Negt 2016; Fraser 1990) as a group of resistance that opposes both the state apparatus and the cultural-economic elites or, in other words, a public sphere created by those who are already marginalized (2019). In the context of the aforementioned "war on gender," her conception helps position the progressive counterpublic in opposition to both the conservative state and the neoliberal elites. In addition, it allows delineating of a non-homogenous group determined by exclusion from access to power rather than any uniform identity. Moreover, as the counterpublic is geared toward a concrete political goal, its membership is unstable and fluctuating. Majewska writes about the activation of the "regular men and women," highlighting that movement comprised a group of diverse agents, many of whom were previously politically inactive (2018, 248). Despite being specific in its demand, the movement remained inclusive. As noted by Jennifer Ramme and Claudia Snochowska-Gonzalez, in the case of the Black Protests, the protesters were frequently referred to as "ordinary women" not only by the media but also by themselves (2018, 76). As they found, the "ordinary women" denoted something different from the traditional populist usage,¹¹ namely, "not being active before; diversity; acting above divisions; having a common goal; all women; the majority" (2018, 82). As they notice further,

the term 'ordinary women' (...) 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 the 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 (2018, 93).

¹¹ According to Mudde and Kaltwasser, in populist narratives, the usage of notions of "common" or "ordinary" people often implicates the "critique of the dominant culture, which views 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 of the governing party.



Figure 3: A screenshot of the map of the World’s Abortion Laws at the website of the Center of Reproductive Rights. Here, “pathological” Poland stands out as a yellow spot in the middle of “blue” Europe, where abortion is accessible on broad social and economic grounds or requests. During the interviews, the adjective “normal” was used by some interviewees, who referred to the European standards as opposed to the Polish “pathological” ones. See: The World’s Abortion Laws, Center of Reproductive Rights: <https://maps.reproductiverights.org/worldabortionlaws> [accessed: 18.01.2023].

Researchers recognize the understanding of “ordinary women” as those not politically active before as significant, especially since, till now, most women have felt excluded from politics and activism (2018, 84). As mentioned before, Black Protests were the moment of the activation and radicalization of Poland’s broader society. The mass character of the movement relates not only to the number of participants but also to its popular character. Majewska argues against theories of political agency that exclude such actors and advocates for more inclusive conceptualizations proposed by Gramsci and Spivak (2018, 49). She uses their term “subaltern,” referring to those who do not give orders but receive them, and a more local version of it: Václav Havel’s concept of the power of the powerless (2018, 262). Against this background, Majewska defines the counterpublic of the Black Protests as one focused on the economic side of the ban, which *de facto* limits access to reproductive services only for the disadvantaged. 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 as an identity-related issue (2018, 263).

W. Lance Bennett and Alexandra Segerberg (2012) propose to narrate contemporary social movements in terms of "connective action" instead of "collective action." Here, communication becomes an integral part of the organizational structure, not just a way of exchanging information. Importantly, identity cohesion is less critical in the case of connective action, and civil activities' organization goes beyond a centralized decision-making process (2012; cf. Korolczuk 2018, 20). They are similarly employing the notion of counterpublic aiming at surpassing the limitations of identity politics. What Judith 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) that many protesters articulate. Solidarity and alliance between different groups are evoked as the only feasible tactic, especially when protesters face the other side's power: the shaping of the widespread feminist counterpublic was prompted by the government's attempts to control access to abortion. The state used biopower to discipline citizens and suppress the manifestations of resistance; the sovereign counterpublic formed in the process, in reaction, employed the means of biopower: people protested, broke the illicit law, and organized in ways practically and rhetorically focused on bodies. During mobilization, this power exchange between the state and the counterpublic was productive: the discourse on abortion changed significantly, and many new actors got engaged.

Shared Emotions as the Basis of Individual Agency

For my research, I conducted eight semi-structured interviews (O'Reilly 2009, 126) with ten people who actively participated in the protests. I focused on persons between 23 and 30 years old living in Warsaw, most politically active but not engaged in any structures related to the Strike. Considering that for years the debate on abortion has been dominated by people not directly affected by the legislation (i.e., male politicians, the clergy), voicing demands of women exerting pressure on public opinion and legislators seemed significant from the perspective of feminist research ethics (Stacey 1998; Lather 2001). In my interviewing practice, which developed over time

as I met my interlocutors, I was inspired by Robert Weiss's remarks (1994). Since I was interested in the narratives of the past, I made sure to ask about specific events and use the past tense in order to avoid generalizations. Furthermore, I tried not to include any presuppositions in my questions or imply any interpretations of the events. Lastly, I was attentive to any cues the interviewees introduced, tracing the similarities and differences among their accounts. Following Weiss' practice, I was able to distinguish some "markers": while reconstructing the events, my informants used specific words describing places or persons, e.g., "tajniak" (an undercover cop), "naziol" (a nazi), "libki" (neoliberals). During our conversations, we covered multiple issues connected to their engagement in the Strike (e.g., police brutality, their approach to abortion, their conversations with friends and families, and everyday life during the Strikes and amidst the pandemic). Considering the scope of this text, I will only focus on some aspects, especially those related to emotions and the interviewees' sense of agency.

Due to high frequency and intensity, protesting influenced the lives of my interlocutors, becoming their "new normality" between October 2020 and January 2021. As one admitted, protesting was central, especially initially: "because of how often they happened and how long they lasted, often up to five-seven 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." Most of them went out with the same group that emerged in their neighborhood or peer group. This mode of participation was convenient and strategic: after each protest, co-protesters made sure to come home together, taking care of each other. Protesting organized their everyday life. One of them recounted that when she was abroad during 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 and joined the movement, she stopped feeling inert. In a way, mobilization influenced her life even before she started protesting. I could say the same for myself: at the time, I lived in Vienna, and my attention and emotional investment focused on what was going on in Poland until I returned to the country. The protests becoming the "new normal" is an example of politics understood as a way of living: by transforming an ordinary afternoon walk into a protest, 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 that participation

significantly impacted their lives. First, due to their political and emotional commitment; second, the specific context of the pandemic made the protests the most intense interpersonal experience of that time.

When asked why they thought abortion was so decisive in mobilizing the public, most informants recounted its biopolitical aspects. One interviewee noticed that the primary reason was that abortion relates intimately to one's body, personal situation, and future. According to her, when compared to economic or more abstract political issues (e.g., freedom of speech, legal justice, income equality), abortion is more urgent: damage done by the inability to access the procedure has immediate and irreversible consequences for people's lives. Some pointed out that mobilization around the issue of abortion was more prominent than raising awareness of the climate catastrophe because it was experienced as less distant. Besides advocating for liberalization of the law, additional motives for my informants were feeling frustrated with having to protest continuously for three months and feeling ineffective, angry, and ignored by the authorities. One protester explained she protested because she did not want anyone limiting her freedom of choice. Others noted that protesting was a way of expressing disagreement with what is going on in the country in general (still, most interviewees were angry that, over time, the movement's message was blurring, turning from pro-abortion to anti-government).

Many of the interviewees recounted a sense of agency granted by their participation. They recognized that under the circumstances, protesting was the only way to demonstrate one's political views, and they could not imagine not going out. As one put it, "Protesting gave me a sense of strength and belonging when everything felt hopeless. The Court's decision unsettled me, but when I was protesting, I felt I am not alone as a person who could need abortion and who thinks getting one is 'okay.'" One of the interviewees attempted to look beyond her personal gains and highlighted the importance of the symbolic and performative meaning of the Strike: "People who sit at home see that we are on the streets, and it touches them, I am sure it does. We have been protesting since 2016, and now the attitudes among young people have changed. Protesting changes reality." In an emotional utterance, she explained how mobilization changes people's awareness, strengthens citizenship, and 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, the same as voting. It is just our civic duty."

Figure 4: In the case of two interviewees, their emotional investment was reflected in their decision to tattoo a red lightning bolt, the official symbol of the movement, on their fore-arms. As far as I know, this is not exceptional, and many protesters tattooed the symbol during the Strike. Photographs: courtesy of the interviewees.



Figure 5: Another protester tattooed the lightning bolt amidst the mobilization. Hers is located behind the ear. Photograph: courtesy of the interviewee.



As my research indicated, emotions (both positive and negative) were an inherent element of the informants' motivations for protesting and their experience of participation. Most of them did not differentiate their rational reasoning from emotions, grievances, and desires but described them as a complex unity experienced personally, in connections with other agents, and throughout the ongoing occupation of public spaces. Still, while considering emotions as powerful means of building alliances and granting agency to the participants, their ambivalent character should be recognized. For example, one interviewee described the powerful feeling of unity while simultaneously being worried that 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." As noted by some others, understanding the differences inside the counter-public, even if not crucial during the mobilization when shared emotions dominate the masses, matters in the long term: "without diagnosing the differences, it is impossible to persuade more people to support the pro-abortion postulate."

Thus, emotions and affects, however important, can not sufficiently explain the motivation behind prolonged protest actions, as was the case of the Strike. All the informants were tired of protesting when we spoke, expressing disappointment with the current situation, saying they were energetically drained after a few months of going out on the street. Some believed that the change could only come "from the top." Many admitted their emotional engagement was changing over time. As one put it, "There is a resignation, a feeling that protesting does not work. But that does not mean we are putting down our arms. We are not because there is no alternative. With this government, there will only be more reasons to protest." Interestingly, many said that protests had no actual impact and doubted whether anyone believed they were changing anything. Still, they admitted that people need to let off steam and express how upset they are. Otherwise, "they will sink into resentments and develop a sense of lack of political agency." One 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."

For many, even if ineffective, protesting remained a valid form of activism. Some differentiated activities directed at helping people access abortion and those focused on changing the legislation, holding both equally important. One interviewee wondered whether more constructive forms of activism, like abortion assistance, were not more influential than protesting. Still, 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, allows more people, also outside the biggest cities, to see and hear that 'abortion is ok.' This is how we can change people's attitudes. The group of those who are pro-abortion must grow; we will not come out of the bubbles without public mobilization." For another protester, the motivation to protest did not come from the belief that things would 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 expressed by the polled supporters of the Strike.¹² Both the massive size of the mobilization and the cultural resonance of the movement (Taylor & Van Dyke 2004, 279) may play a 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 one had it: "even when protesting is not successful, it is still more successful than doing nothing. I am exhausted but our indignation drives me."

Treating emotions and affects as an essential aspect of political agency allows for surpassing the private-political divide and disrupts the classical model of a disengaged political actor. The risk of merging the personal with the political was a source of anxiety in the 19th and most of the 20th century. According to Deborah Gould, protests were not perceived as legitimate political action at the time. Any instances of collective political action were seen as "nothing more than unthinking, impulsive, irrational, destructive group behavior" (2010, 20). Only when social movement studies emerged in the 70s did protests start to be "understood as normal political behavior" and

¹² The report is available on the Women's Strike's website: <http://strajkkobiet.eu/2021/01/26/badania-opinii-ostrajku-kobiet/> [accessed: 05.02.2023].

protesters as “rational actors in the sense that they engage in reasonable, thoughtful, strategic behavior designed to achieve their sensible political goals” (2010, 22). Still, the rational-actor model assumed the irrationality of emotions, and only in the late 90s attempts were made to “posit emotion as a ubiquitous feature of social life” (2010, 23). The rational-actor model does not explain social movements in which actors become allies despite the incoherence of their beliefs. 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 recognized as strategic organizational tools (Goodwin, Jasper, Polletta 2004, 416-417). As Butler noticed while examining grounds of political alliances, “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 [...]” (2012, 166).

Arguably, the “something” that “holds such a group together” might already be different from the anger spontaneously felt after reading the news about the abortion ban. As compared to reflex emotions, affective ones persist over a more extended time and are “positive and negative commitments or investments [...] that we have toward people, places, ideas, and things” (Goodwin, Jasper, Polletta 2004, 418). Although reflex emotions are crucial when on protests, affective ones might be more important in upholding the counterpublic over time. They even might “play the role” of the missing shared identity: “collective identities, in fact, are nothing more or less than affective loyalties” (2004, 418-419). To give an example, the main slogan of the Strike became “Wypierdalać!,” which means “Get the Fuck Out!” and does not carry any concrete political meaning. Instead, it expresses indignation with the Court’s ruling and is a straightforward suggestion to leave directed at the government. This emotion-driven slogan united many people with different political views in this particular struggle. Interestingly, by some media outlets, it was criticized both as being “too emotional” (gendered as “female” and described as “hysterical” or “irrational”) and for being “too vulgar” (i.e., “not properly female”). This kind of reactionary comments made the slogan even more powerful, giving the protesters a sense that together they are opposing an imposed disciplinary measure.

Conclusion: "You" and the Unsuccessful Movement

Majewska noted that the phrase "You will never walk alone" became one of the most popular slogans during the Strike (2021, 16). The motto resonates with the agency part of the counterpublic experienced. The original version addresses a feminine "you," a lone protester manifesting on the streets; simultaneously, it assures her that she is not alone. Primarily a statement of support, the slogan can be understood as a reminder that she can not be alone: if she were, her walk would be a mere stroll, not a protest. 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). Accordingly, the fact that the protester is a singularity among different subjects grants her agency: solidarity and alliance become the base or condition of possibility for experiencing political agency. As Butler writes, the "anarchist moment," emerging 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" (2015, 75). The counterpublic is a multitude of subjects acting together in motion towards a common goal; their singular agency is inseparable from the shared one. Respectively, the counterpublic is formed by new subjects whose agency is embedded and embodied: after Arendt, Butler notes that social mobilization is always supported and bodily, even in its virtual forms (2015, 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 the co-productive agency, is what makes this counterpublic biopolitical: the aim of the struggle is bodily self-determination, and the means of participation are corporeally determined and enacted.

Although the mobilization that originated in October 2020 is over, the social movement it (re)created is not "done": its demands were not met, and its participants still advocate for accessible abortion. Although the movement's "ineffectiveness" does not surprise, its consequence remains the suffering of people who cannot safely terminate unwanted pregnancies. Primarily a struggle of the potentially pregnant people and their families, it is a struggle of the whole society: it concerns safe reproduction and the ability to make free informed choices of utmost importance. As I argued in this paper, despite being "unsuccessful," the mobilization did generate a strong coun-

terpublic that managed to unify for a common cause despite quite significant differences among its members. The “success” of a social movement is marked by the ambivalence present within the emotional and affective layers of the event. Arguably, such 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 regarding the “normalizing” of the law, but multiple changes occurred: people got empowered, and their attitudes shifted, not only towards abortion but also towards the state, police, and sense of agency. On a political level, the Overton window irreversibly shifted when it comes to the narrative on abortion and the understanding of how it can be accessed. This shift would not be possible if not for the sociopolitical change resulting from the activism of pro-abortion groups and the affects shared by the thousands of protesters who overtook the streets of Poland.

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