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The challenges faced by pro-abortion civil society groups in Poland and Turkey

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The challenges faced by pro-abortion civil society groups in Poland and Turkey

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Lara Brett holds a Master in Contemporary European Studies and is a member of the Communications team at the Maecenata Foundation. This publication is an adaptation of a Master thesis submitted to the University of Bath and to the Humboldt-Universität zu Berlin in September 2022.

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Maecenata Institute, Berlin 2023

Abstract

In Poland and Turkey, restrictions placed on abortion is just one of the many examples of democratic hollowing and attacks on the rights of women and marginalised genders in recent years. Civil society organisations (CSOs) in both countries advocate for access to safe and legal pregnancy terminations but face numerous restrictions in doing so. This paper explores these challenges, drawing on material collected from expert interviews, CSO publications and other media.

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1 INTRODUCTION

1.1 General Context

In March 2022, a Polish activist became the first person to face prosecution under the country's new abortion law, after supplying pills to a patient (Strzyżyńsa, 2022a). In 2012, Turkish activists faced similar pressures, after Prime Minister Erdoğan publicly declared abortion to be the murder of the unborn child, with abortion in Turkey remaining inaccessible to many over a decade later (Green, 2012; Gürsoy, 1996, p.537). Both countries have shown disregard for women's rights on the whole, which has close ties to issues surrounding safe abortion, in that illegal terminations also threaten people's health and bodily autonomy. Poland and Turkey may have different religious, cultural and political backgrounds, but in recent years, pro-abortion civil society groups in both countries have faced increased restrictions on their work.

Abortion is a pregnancy termination, induced by medicines or surgery (NHS, 2020). Although abortion is an exclusive competence of EU Member States, with European countries tending to provide abortions to their citizens, such access comes increasingly under threat from the far-right and is increasingly reliant on civil society activism (European Union Agency for Fundamental Rights, 2017; European Centre for Law and Justice, 2021; Moreno, 2020, p.251).

"There is not just one global civil society, but many" (Kaldor, 2003, pp.590-591). Kaldor's statement denotes the diversity of a sector that has existed for at least 2500 years, simultaneously highlighting the sector's breadth and efforts to resist categorisation (Strachwitz, Priller, Triebe, 2020, p.85). The academics Foley and Edwards evaluate various civil society theories, concluding that two strands exist in the literature: ""Civil Society I," which emphasizes the political benefits of an apolitical civil society, and "Civil Society II," which focuses on politically mobilized social actors outside customary political associations" (Foley, Edwards, 1996, p.41). They emphasise that both theories are subjective to the contexts in which they are applied, consequently noting that the concepts envisaged by different academics can have multiple interpretations (Ibid, p.47). What is more, they surmise that a further debate exists in the literature, surrounding the extent that civil society can remain autonomous to the state (Ibid, p.45).

The idea of civil society originates from Aristotle. He conceived it as collective action, although he neglected to distinguish between civil society and the state (Kaldor, 2003, p.584). Adam Ferguson's 1767 'An Essay on the History of Civil Society' placed civil society within the context of the Scottish Enlightenment and stated that civil society is inherently political (Wasnek, 2011, p.262, p.266). The separation of the civic sphere and the state was first conceived by Friedrich Hegel in the 19th century, whereby civil society also comprised the economy and mediated between "the family and the state," as described by Mary Kaldor (Ibid, p.584). Similarly, Alexis de Tocqueville theorised that civil society is an intermediary between the individual and the state in his seminal work 'Democracy in America' (Foley, Edwards, 1996, p.39). He examined the challenges and opportunities presented by political associations to state structures, concluding that "political association is in practice the mother of civil association, not the other way around" (quoted in Foley, Edwards, 1996, p.39). The 20th century saw the definition change to designate civil society, the state and the economy as three separate realms, an idea attributed to the Marxist Antonio Gramsci (Kaldor, 2003, p.584; Foley, Edwards, 1996, p.38). Another significant civil society theorist is Robert D. Putnam. He noted the decline of US society since the 1960s in his 1995 Journal of Democracy essay, "Bowling Alone," and gave examples of where "civic engagement" in Italy has been effective in promoting social cohesion in his book 'Making Democracy Work' (Foley, Edwards, 1996, p.40). Foley and Edwards criticise his arguments, asserting that they overlook the influence of "new organizations" on democracy, in addition to omitting a discussion over civil society rifts and how broader political developments shape the civic sector (Foley, Edwards, 1996, pp.40-41).

Civil society provides a space for civic engagement and the mobilisation of citizens to collaborate with or oppose the other arenas (Hummel et al, 2020, p.18). It has existed in Europe for millenia, but varies broadly due to different political, social and cultural contexts (Ibid, p.11, p.22). The creation of 'shrinking spaces' (limits imposed on civic engagement) by state actors has in recent years endeavoured to curb the sector's influence (Ibid, p.21, p.26). We need to understand what exactly these challenges are, how they intersect and how they restrict civic action, themes which I will explore in this work.

Despite such difficulties, civil society organisations (CSOs) in Poland and Turkey have played comparable leading roles in advocating for abortion rights. Following the rise of the far-right and its close collaboration with the Catholic Church, Poland instated a *de facto* abortion ban in 2021, after widespread civil society protests succeeded in blocking the legislation in 2016 (Human Rights Watch, 2022). A civic initiative bill has been proposed to permit abortion until the 12th week of gestation, but activists face death threats and imprisonment for sharing pro-abortion information or supplying abortion pills (Human Rights Watch, 2022; Swash, Strzyżyńska, 2022). In Turkey, civil society also faces restraints, especially after the failed 2016 coup (Mercator Stiftung, 2017, pp.17-18). In light of such challenges, civil society remains an important tool for countering state authoritarianism and overcoming societal divisions (Ibid, p.1). Turkey also has strict abortion laws, with some academics arguing it also has a *de facto* ban for the procedure, due to the lack of accessibility at public hospitals (Erkmen, 2020). This results from a proposed abortion ban in 2012 (Macfarlane et al, 2016b, p.58). Civil society protests successfully prevented the imposition of such a ban, but abortion access remains mostly limited to people from privileged socio-economic backgrounds (Green, 2012; Fidan, Alagoz, Karaman, 2021, p.929; Gürsoy, 1996, p.537).

1.2 Literature Review

The Maecenata Foundation's publication 'Understanding Civil Society in Europe: A Foundation for International Cooperation' emphasises how the historical and political contexts behind various European nations shape contemporary developments, and therefore promotes a heterogenous civil society across the continent (Hummel et al, 2020). Hummel and her colleagues pay close attention to the transformative role of civil society in Eastern Europe in 1989, charting how support for the sector diminished in the 1990s and prompted increased government curbs on civil society activity (Ibid, p.21, p.26). Whilst the publication offers in-depth analysis of various European states, it does not compare them directly, but considers them individually, which occasionally hinders cross-country analysis. It also hones in on European Union members, overlooking other European nations, which provides a fragmented picture of the continent as a whole. The Centre for Feminist Foreign Policy, itself a civil society organisation, has also conducted extensive research into the challenges facing the arena. A 2020 report examines the funding landscape for pro-and anti-gender campaigns within the European Union, concludes that the ample provision of funding from far-right actors for such initiatives facilitates their influence and undermines the work of feminist civil society (Centre for Feminist Foreign Policy, 2020). The report does indeed focus on anti-gender campaigns, rather than abortion specifically, but it is useful for understanding the broader issue of far-right and conservative influence on European politics, and how international funding can shape developments in Brussels, which in turns filters down to Member States. If far-right actors can gain influence at the European level, this will undoubtedly reflect in national policies and further restrict the work of grassroots organisations. Dimitrova (2018) has also voiced concern over state capture and its effects on civil society, in her state-civil society theory. This will form the theoretical framework for this paper and will be discussed in-depth in a separate chapter.

For literature on civil society and abortion in Poland, this paper will examine Hummel et al's work (2020), in addition to published works by the academics Bloom (2013), Molek-Kozakowska and

Wanke (2019), the Żuk scholars (2020) and Korolczuk (2020). These scholars are widely-cited and have written extensively about Polish abortion legislation, and pro-and anti-abortion campaigners. One recurring theme within the literature is the influence of the Catholic Church on the aforementioned legislation. In particular, Molek-Kozakowska and Wanke and the Żuks provide extensive analysis on this subject, charting the influence of historical developments on contemporary discourse (Molek-Kozakowska, Wanke, 2019, p.566; Żuk, Żuk, 2020, p.569). All authors detail the interconnected nature of far-right PiS politics and Church doctrine, outlining how conservative Catholic views have caused the government to implement a *de facto* abortion ban (Bloom, 2013, pp.128-129; Molek-Kozakowska, Wanke, 2019, p.566; Żuk, Żuk, 2020, p.569; Korolczuk, 2020, p.695). Whilst the Żuks explore the rise of populist politics and anti-abortion rhetoric, this analysis is absent in the work of Molek-Kozakowska and Wanke (Żuk, Żuk, 2020, p.573). Another common topic within the literature is how Polish abortion legislation has changed multiple times over the course of the last century. The Żuks particularly emphasise how Communism caused a relaxation in the rules, and how PiS' policies have essentially reversed these changes (Żuk, Żuk, 2020, p.574). Their 2020 paper extensively outlines the legislative developments and its impact on people's rights but was written before the 2021 regression and is therefore slightly outdated. Moreover, it focuses more on anti-abortion advocates, rather than on pro-choice campaigners, somewhat overlooking the previous successes of latter movements. Korolczuk also covers legislative developments, centering them within the broader context of women's movements in Poland in recent decades (Korolczuk, 2020, p.698). Like the Żuks, she notes the influence of populist politics on anti-abortion legislation, but contrastingly examines the contributions of pro-abortion movements in greater detail (Korolczuk, 2020, p.701). She provides an overview of how the 2016 protests gained traction beyond the street, citing the ability of pro-abortion campaigners to collaborate with media figures and to encourage people to anonymously share their abortion stories online (Korolczuk, 2020, pp.705-707). Both Korolczuk and the Żuks cite the role of Ordo Iuris in the preparation of the Stop Abortion bill as a key influence on the anti-abortion movement. Whilst the latter focus on the wider implications of the far-right on Polish politics in their analysis, Korolczuk outlines how the think tank's close ties with the Church and the government led to members of the group joining the Polish Supreme Court, an example of broader government interference in judicial independence, and of how the collaboration of multiple far-right actors ultimately succeeded in overthrowing reproductive rights (Żuk, Żuk, 2020, p.570; Korolczuk, 2020, p.703).

The Żuks were the only academics out of this selection to discuss the equation of abortion with Nazism and anti-Semetism, revealing the hypocrisy behind anti-abortion movements, demonstrating how such historically inaccurate comparisons serve to discredit any arguments opposed to those made by "religious fundamentalists" (Żuk, Żuk, 2020, p.583). Aspects of Korolczuk's analysis also proved unique, exemplified by her overview of the women's movement in Poland in the 20th century (Korolczuk, 2020, p.698). Whilst Korolczuk succeeds in demonstrating the broader social significance of such movements, most texts selected for this paper offer more factual assessments of events, rather than providing analyses of the long-term implications of the work of pro-abortion campaign groups in Poland, and the challenges they face. Moreover, they were all published before the legislative developments implemented in 2021 and 2022. Consequently, there is a need for more updated academic literature to reflect recent legislative campaigns and changes. What is more, there is a need for the literature to focus on the achievements of Poland's various pro-abortion campaigns.

Regarding the literature surrounding civil society and abortion in Turkey, there is much focus on the events of 2012 and 2016, with more limited attention devoted to contemporary developments. This may suggest a gap in the literature or that abortion is not currently a prominent topic of discourse there. This literature review will assess the works of the Mercator Foundation (2017), Pekkurnaz, Ökem and Çakar (2021), Fidan, Alagoz and Karaman (2021), MacFarlane et al (2016a) and Gürsoy

(1996). The Mercator Foundation's guide to Turkish civil society in 2017 outlines its history and its modern-day social significance, alongside the structures of common civil society organisations and the legislation that determines these structures. As it does not discuss the role played by civil society to protect the right to abortion in Turkey in 2012, there is a small gap in the literature. Moreover, the guide casts some light on the EU funding devoted to civil society in Turkey and for this paper it would have been helpful to have a breakdown of the European funds earmarked for feminist or pro-abortion grassroots movements.

Much of the literature on abortion in Turkey provides an overview of abortion legislation over the last century. Both Pekkurnaz et al (2021) and Macfarlane et al (2016a) explain how the proposed abortion ban in 2012 failed to materialise, but also how this proposal limited abortion access in subsequent years. The latter paper also analyses government statements made in 2012 regarding abortion, demonstrating how anti-abortion rhetoric complements restrictive legislation (MacFarlane et al, 2016a, p.58). Both texts also turn their attention to Turkey's abortion rate and the demographics seeking pregnancy terminations. The former describes which sections of society can access the procedure and the issues surrounding safety and illegal terminations, but its discussion of abortion legislation is limited, creating a gap in the understanding of how legislative changes impact the public (Pekkurnaz et al, 2021, p.1386). MacFarlane et al publish their discussions with women who underwent legal abortions before the 2016 coup, so the data is useful for understanding experiences of women over a decade ago. However, all their participants held at least a Bachelor degree and lived in Istanbul, which may not be representative of the wider population (MacFarlane et al, 2016a, p.58).

Finally, another theme in the literature is that of the influence of religious doctrine on views surrounding abortion in Turkey. Fidan et al's work summarises the influence of Islam on the state and contrasts Islamic conventions surrounding abortion with the views of the Roman Catholic Church on this matter, facilitating this paper's comparison of a Muslim and a Catholic state (Fidan et al, 2021, p.919). Their work emphasises how religion influences public opinions and discourse surrounding abortion. Gürsoy (1996) is another oft-cited academic on this topic. Her analysis of the ideological reasoning behind changes to Turkey's abortion laws is excellent but provides less detail on different Islamic perspectives on abortion (Gürsoy, 1996, p.532). Moreover, her paper is now 25 years old, which makes it less useful for 21st century abortion developments.

Turkey is the EU's longest-standing candidate country and has had numerous instances of democratic erosion and attacks on the rights of women and marginalised communities within recent years. Its withdrawal from the Istanbul Convention grants impunity to perpetrators of domestic violence, and Poland has stated similar intentions (Brett, 2022). As shown by the literature, Turkey, like Poland, has imposed strict measures on civil society movements, with both "authoritarian, populist, and undemocratic regimes" constantly undermining the rule of law, whilst having "a tradition of strong women's movements" (Baytok, 2021, p.6, p.12). Perhaps there are parallels in Turkey's civic efforts to protect abortion rights in 2012 and those in Poland in 2016. Both movements repealed criminalisation efforts (if only temporarily in Poland) and civil society movements in both countries must contend with the influence of religion on the state and public spheres. Today, both nations arguably have *de facto* abortion bans and this paper will explore the challenges faced by pro-abortion civil society groups, which are often imposed by the state to enhance understanding of how it interacts with pro-abortion movements. The meaning of my comparison is to understand the interactions between civil society and the state in these two countries, and how abortion is just one facet of the democratic hollowing currently being contended with there. In other words, abortion is a case study for civil society-state relations in Poland and Turkey, and for how civic movements contend with challenges to women's rights. Moreover, it aims to address a gap in the academic literature regarding the constraints imposed on pro-abortion civil society movements in

Poland and Turkey specifically, and to contribute towards research on the threats faced by women's rights activists globally. In light of the trial of activist Justyna Wydrzyńska, Polish civil society appears to be at a crossroads, with the potential for the government to maintain the status-quo of limited support for, and suspicion towards civil society, or for an increased crackdown on human rights defenders. This potential turning point may prove historically significant, making the interviews within this paper even more relevant.

This paper aims to address gaps within the literature concerning contemporary abortion discourse and developments in Poland and Turkey. There appears to be limited literature for both countries focusing on the contributions of pro-abortion civil society groups towards changing social attitudes and legislation, in addition to literature that addresses the challenges such groups face. The literature that does exist focuses on protests and legislative barriers (such as Korolczuk, 2020), but limited detail is provided on financial constraints and logistical issues, such as the provision of abortion pills to those in need, to name just a few examples. Analysis of such issues provides a more comprehensive picture of the shrinking space phenomenon and how it affects abortion access and people's reproductive rights in Europe.

1.3 Outline

The analysis within this paper aims to address the following research question: What are the challenges facing pro-abortion civil society groups in Poland and Turkey…

a. … such as financial, legislative, religious, medical and logistical constraints…
b. … and on public awareness surrounding abortion legislation and the work of pro-abortion civil society CSOs?

I chose these constraints as they have been mentioned extensively in the literature and I was eager to see how they apply to my case studies. However, we do not yet know the exact nature of these constraints or how they impact pro-abortion groups, hence the need for further analysis in this paper.

Dimitrova's state-civil society actor theory will provide the theoretical basis for my paper. She argues that we need to reduce the emphasis placed on state institutions and assess the people shaping these institutions. She also asserts that the term 'democratic backsliding' omits an analysis of "mass-elite relations" and negates the fragility of democracies in post-Communist countries. Although Dimitrova focuses exclusively on Eastern Europe, her theory is relevant for Turkey, as it has also experienced democratic fragility and threats to civil society in recent years. Interviews with activists and experts will form the main dataset for this paper. To supplement this research, I analysed primary sources, such as the activists' own materials, and secondary sources, like newspaper articles, to obtain a broader set of information for my analysis. To create my analytical framework, I drew upon themes mentioned by Dimitrova and within the literature, using definitions from Hayes et al (2017), with each theme constituting a subchapter within Chapter Four. Hayes' work is a policy paper analysing constraints faced by CSOs. My timeframe of analysis was from 2012 until today, to track changes over the last decade and to encompass both proposed legislative changes in Turkey on their effect on abortion access, and the actual changes in Poland and the subsequent challenges for activists.

Following this introduction as the first chapter of the paper, I will provide an overview of Dimitrova's theory in Chapter Two. The methodology section in Chapter Three will explain why there is a need to research the chosen topic, and additionally provide an overview of the analysis material and the method. Chapter Four will discuss the results within a content analysis to identify the common challenges facing civil society activists, assessing my chosen factors against Dimitrova's framework.

Chapter Five will feature a conclusion, with further chapters outlining the Bibliography and appendices, where necessary.

CHAPTER TWO: THEORY

The Maecenata Foundation defines civil society as "one of three arenas in the public sphere," alongside the state and the market (Hummel et al, 2020, p.10). European state actors may endeavour "to divide civil society" and thereby undermine opposition to their policies (Ibid, p.12). Such opposition may take the form of reduced government funding for civil society organisations, reduced freedom of association, and reduced rights for "ethnic and religious minorities" (Ibid, p.27). The Foundation calls this the "shrinking civic space" phenomenon, which restricts civic engagement and fuels the rise of illiberal political systems (Ibid, p.26).

Antoaneta L. Dimitrova's research explores the evolution of democracy within post-Communist Eastern European states, especially the influence of civil society relations with the state on this transition. Such relations are often shaped by political elites capturing and reforming state institutions to suit their political endeavours, which often leads to the exclusion of civil society from policy-making, and increased restrictions that limit the sector's ability to influence and critique the state. Dimitrova questions the widely accepted premise that democratic backsliding is rife in Eastern Europe, as it overstates the importance of institutional rules and ignores the fact that democracies in these states were not fully established to begin with. Instead, she turns her attention to the processes that have shaped today's post-Communist societies and emphasises the effectiveness of citizen mobilisation in counteracting anti-democratic measures.

Firstly, she outlines how the post-Communist privatisation of state resources enables political elites to monopolise state institutions, by restricting access to and control of national assets and finances (Ibid, p.262). Businessmen favourable to the state often receive preferential treatment, forming a "permanent coalition of power" (Ibid, p.263). This "coalition" curbs civil society's influence in the state arena, undermining pluralism and ironically undermining the democracies that such elites claim to construct.

Moreover, Dimitrova notes the different forms that "backsliding regimes" may take, distinguishing between "a network-type dominant coalition," whereby state and private actors come from different political perspectives, and "an ideological party-type dominant coalition," where all players have the same political affiliations (Ibid, p.264). According to Dimitrova, Poland belongs to the second category, "as in the case of ideological party-types, formal rules have been changed to concentrate and consolidate power and weaken formal checks and balances, while also replacing and controlling administrative and judicial staff" (Ibid, p.264). I agree with this assessment, due to the ideological similarities between PiS, the Catholic Church and conservative actors such as Ordo Iuris, and the latter's influence on the former's abortion policies and provisions for NGO funding, and the state erosion of judicial independence (Korolczuk, 2020, p.703; Roggeband, Krizsán, 2020, p.32; Eşençay, 2020).

Indeed, Dimitrova herself acknowledges PiS' "legal limits on NGO registration and operation" (Ibid, p.269). I also argue that Turkey is "an ideological party-type dominant coalition," due to the AKP's decades-long political dominance (Gumuscu, S., 2013). I further assert that Dimitrova provides these two categories to determine how each country differed in its transition from Communism to Capitalism, and how this affects power relations today.

Dimitrova notes how Communist regimes deliberately weakened civil society mechanisms, and how civic engagement has developed, following Eastern Europe's democratic transition (Ibid, p.265). She refers to "mass protests across the CEE region against corruption and state capture" (Ibid, p.266). In the case of Poland, she claims that such protest denotes the "emergence of a variety of societal

interests which are getting more politically active and able to organise and mobilise (some) citizens. Democracies in the region may be becoming less elite-driven and acquiring a wider societal base" (Ibid, p.267). I support this view, in light of extensive civil society mobilisation surrounding government anti-abortion discourse, and especially in light of the mobilisation of youth via social media (Hummel et al, 2020, p.77). This may also be the case for Turkey, taking the mobilisation of citizens for the 2013 Gezi park protests as an example (Mercator Foundation, 2017, p.5). However, I acknowledge that civil society protest in Turkey is comparatively harder than in Poland, exemplified by the former's lower ranking in the Brot für die Welt Civil Society Atlas 2022, and by ongoing crackdowns on government opponents since the failed 2016 coup (Brot für die Welt, 2022; Mercator Foundation, 2017, p.3). Similarly, Dimitrova observes that citizen protest in the CEE region is threatened by "formal changes being made by elites to constitutions and democratic institutions" and by "the emergence of elite discourses that openly oppose liberal democracy for the first time since the end of communism" (Ibid, pp.267-268). The imposition of informalities obscures the boundaries of what is permissible and facilitates government interference in state institutions, as demonstrated by judicial reforms in Poland and Erdoğan's 2017 constitutional reforms and designation of greater powers to the Presidency (BBC, 2020c). Regarding her second point, repeated infringements made by the Polish and Turkish governments on abortion (including inflammatory discourse and restrictive legislation) threatens the right to bodily autonomy, which should be guaranteed in a democracy. Dimitrova states that "elite discourses" may promote public disillusion in democracy, as citizens witness the persistent erosion of democratic values, with limited powers to challenge this (Ibid, p.269). Hence, she underlines the importance of citizen mobilisation, where possible.

For her, it remains inconclusive as to whether the CEE region is undergoing democratic backsliding, commenting on "an ongoing struggle between dominant coalitions engaged in state capture on the one hand and a growing set of societal interests and actors struggling for rights and access to the institutions of governance on the other" (Ibid, p.270). She acknowledges the paradox of civil society endeavouring to work with the very state institutions and actors that seek to undermine them. Perhaps this ambivalence arises from the growing use of informal procedures within CEE politics, whereby civil society and private actors have unequal access to state powers, based on political allegiances.

Dimitrova's theory poses an advantage for my topic, in that it focuses on Eastern Europe's post-Communist period, a time when most of Poland's current abortion legislation was drafted. Hence, applying her theory enables me to better understand how the state creates constraints for pro-abortion advocates and what this means for their work, contextualising the relations between the state and such groups. Moreover, it enables me to comprehend the development of state institutions and how actors have shaped them and eroded resistance to their conservative views, facilitating policy-making. It does not refer to Turkey, but I believe it is relevant to this case study, as Turkey too has faced significant democratic backsliding and shrinking space for civil society from the mid-2000s onwards, following a period of growth, starting in the 1990s (Yabanci, 2019, p.285).

A comparison of Poland and Turkey is highly relevant. Firstly, both have experienced high rates of democratic erosion within recent decades, both have vibrant civil societies that face government restrictions, as shown by the literature, and both have proposed legal changes for abortion that threaten people's bodily autonomy and health.

For this comparison, I expect to learn how CSOs can engage with and speak out against government actions, how they respond to disputes, and the conditions under which they can act against governments in authoritarian political systems. I will examine sources that cover 2012 until the present day, to track changes over the last decades and understand how events such as the 2021

legislative changes in Poland have impacted the work of pro-abortion civil society activists. The analysis of my interviews and of my other sources will address this in more detail. For my analysis, I will examine how Dimitrova defines and operationalises these relations. My framework of analysis is drawn from topics mentioned by Dimitrova, such as legislative and financial constraints, and in the broader literature, and predominantly defined based on the work of Hayes at al, whose policy paper outlines the general constraints faced by civil society (2017). The sub-chapter headings for my analysis section are as follows:

- **Financial constraints:** The restrictions imposed on pro-abortion CSOs that limit their ability to receive national or international funding, that impose numerous bureaucratic measures surrounding the use of finances that may in turn limit the willingness of public and private donors to provide funding for an organisation (Adapted from Hayes et al, 2017, pp.3-4).
- **Legislative constraints:** The preparation, debate and implementation of legislative procedures that restrict safe and legal abortion access, either by changing existing laws or implementing newer ones (Adapted from Korolczuk, 2020, p.696). Such measures facilitate the criminalisation of pro-abortion civil society activists (Adapted from Hayes et al, 2017, p.4).
- **Religious constraints:** The use of religious doctrine by non-state religious actors for "the shaping of state machinery" and to influence public views on abortion, by presenting their ideals as "universal values" and demonising the healthcare procedure (Adapted from Korolczuk, 2020, p.698; the Żuks, 2020, p.574).
- **Logistical constraints:** The ability of pro-abortion CSOs to conduct their work freely, to provide support to patients and to operate effectively within regional and transnational networks (Adapted from Strzyżyńska, 2022b).
- **Medical constraints:** The impact of "anti-abortion and pro-natalist government rhetoric" on patients' ability to access "reproductive health services" and the willingness of medical professionals to offer safe and legal abortion terminations (Adapted from MacFarlane et al, 2016a, pp.65-66).
- **Public awareness constraints:** The general awareness of the laws surrounding abortion, the types of service available and where such services are safely and legally provided. Typically, surveys measure levels of public awareness (Adapted from MacFarlane et al, 2016a, p.67).

CHAPTER THREE: METHODOLOGY

3.1 Need for research

The available literature details the role of civil society in the 2012 pro-choice protests in Turkey, and in similar protests in Poland in 2016, 2020 and 2021, alongside anti-abortion rhetoric produced by state and religious actors. Academic works focusing on abortion in Turkey tend to be a decade-old or unavailable in English, with newer publications from NGOs documenting access and public perception, rather than the challenges they face. The literature for Poland predominantly focuses on historical developments rather than on contemporary events, especially those from 2021 and 2022. However, there is a need to bridge various gaps in the literature. There appears to be more up-to-date literature (at least, available in English) surrounding abortion in Poland, than in Turkey, but this may overlook factors such as logistical challenges that are mentioned in the media. Hence, I was curious to learn how pressing this issue is for activists, to understand the practical realities in their work, in addition to how they challenge repressive legislation. Moreover, my research aims to provide a comparative analysis for Poland and Turkey. To my knowledge, such comparisons in the literature are limited, with the report produced by Hafiza Merkezi being a rare example (Baytok, 2021). I believe one is necessary to facilitate understanding of challenges to reproductive rights in Europe and the involvement of far-right actors in triggering such issues. I hope this paper will shed light on the realities of abortion provision in two religiously and politically conservative countries, and the challenges faced by women and marginalised genders in accessing reproductive healthcare. The discussions with activists and experts should also provide an insight into how state legislation influences people's lived experiences. The comparison of the two countries assesses the extent to which state limitations imposed on civil society affect the sector's work. Members of civil society working within the field of abortion rights arguably face double opposition from their governments: for advocating for the rights of women and marginalised genders in patriarchal states and for advocating for civil rights in states that impose increasing restrictions on opponents. Hence, I hope this paper will contribute to the wider literature on shrinking spaces and reproductive rights.

3.2 Overview of analysis material

I chose to conduct my own interviews for this paper, to ask targeted questions that cover my research interests and to source information that bridges the gaps in the literature. For Poland, I interviewed Inès Roy-Lewanowicz, volunteer at the Association in Defence of Democracy in Poland and the International Council of Polish Women and Agnieszka Dudzińska, a Sociology Professor at the University of Warsaw and social activist. With the former, I examined changes to Polish abortion legislation and counter-movements by pro-abortion CSOs. The latter provided a detailed overview of PiS changes to the Polish political system and their impact on democracy and the work of CSOs. I also interviewed a journalist for a discussion on Polish protest movements (Journalist A). For Turkey, I spoke to a representative of the organisation Women for Women's Human Rights (WWHR-New Ways). We discussed the complexities of the Turkish healthcare system and abortion access. I also spoke to a professor (Professor A). They elaborated on themes such as the women's movement as a whole and its interactions with the Turkish state. I informally corresponded with Zeynep Kivilcim, a Law Professor at Bard College, about language used to discuss abortion in Turkey. The interviews with members of civil society provide a nuanced understanding of the work done at the grassroots level and my interviews with professors offer an alternative, academic perspective. Combined, both sets of interviews offer a deeper insight into the issues surrounding reproductive rights in countries experiencing democratic backsliding.

To obtain a broader range of sources for analysis, I found additional primary and secondary sources. For the former, I consulted reports and pamphlets produced by activists in Poland and Turkey. I also analysed relevant laws in the two countries. For secondary sources, I examined newspaper articles. All sources used for my content analysis are included in Appendix B.

CHAPTER FOUR: ANALYSIS

4.1 Abortion and civil society - a brief overview

Vacuum aspiration and dilatation and evacuation (D&E), and medical abortion are the most common legal methods of pregnancy termination (Women on Web, 2022a). The use of other, unsafe methods could result in damage to the reproductive organs and long-term psychological effects on the patient's mental health (World Health Organization, 2012). In Europe, abortion access tends to be liberal, but is increasingly threatened by "the rise of far-right populism" (Moreno, 2020, p.251). In 2022, just 3% of the global population resided in countries with a free civil society (Deutsche Welle, 2022). One watchdog ranks civil society in Poland as 'restricted' by "bureaucratic harassment" and police brutality. In Turkey, 'suppressed' civil society activists contend with threats of violence, arrest and state surveillance (Brot für die Welt, 2022).

4.2 The Polish context

Although many Polish CSOs had been dissolved under Communism, the sector, especially women's organisations, facilitated its collapse, by providing a means for collective civic action against the state (Hummel et al, 2020, p.24, p.125). The post-Communist period was marked by the establishment of new CSOs, supported by foreign investment (Ibid, pp.72-73). However, such progress stalled at the end of the 1990s, due to funding cuts (Ibid, p.72). In Poland, Article 12 of the 1997 Constitution enables freedoms for "social organisations," with simple associations (a "voluntary, self-governing and permanent organisation") coordinated by volunteers being the most common form of CSO in Poland (Krajewska, Makowski, 2017, pp.486-487). With the advent of the new millennium and rapid political and social restructuring, civil society experienced a period of demobilisation (Hummel et al, 2020, p.101). Political apathy and distrust sparked renewed focus on the individual's private sphere, at the expense of civil society development, and creating what Bloom termed a "social vacuum between state and family" (Bloom, 2013, p.105; Brett, 2021). This would in turn fuel the rise of nationalism and the eventual entry of the far-right into government during the next decade, as some citizens tried to maintain traditional values in the face of rapid change (Brett, 2021). The 2000s and 2010s were a turbulent time for Poland's CSOs. The 2003 Law on Public Benefit Activity and Volunteerism funnelled funds raised from income tax towards CSOs, but the election of the Law and Justice (PiS) party prompted widespread cuts to civil society organisations (Hummel et al, 2020, p.73). Moreover, it also promoted public scepticism of the civic sphere, with general social polarisation reducing government collaboration with CSOs and widening gaps between pro-government groups and those that do not support PiS (Ibid, pp.76-77). As of 2020, civic participation in Poland was just 13.7% (Ibid, p.72, p.74). Social polarisation may ironically cause the sector to become more diverse, as new groups may form to advocate for the rights of minorities. This is evidenced by the rising number of informal CSOs and the decline of longer-established organisations, and by active participation from youth, on and offline (Ibid, p.74, p.77). More broadly, civil society in the public imagination in Eastern Europe often evokes association with opposition politics and may be perceived as a Western cultural import (Bloom, 2013, pp.22-23). It has experienced fierce opposition from conservative sectors of society, as exemplified by the controversy surrounding abortion.

Following the collapse of Communism (a system which had liberalised abortion laws), the Catholic Church exerted pressure on the state to restrict the practice (Żuk, Żuk, 2020, p.569). The 1993 law banned abortion except in the event of rape, incest, a threat to the mother's health or foetal abnormalities (Guillaume, Rossier, Reeve, 2018, p.244). This "compromise" between the Church and the right signifies religious interference in government affairs and a policy shift towards right-wing conservatism (Żuk, Żuk, 2020, p.570). Article 25 of the 1997 Constitution guarantees "the mutual

independence" of Church and state, but also "the principle of cooperation for the individual and the common good" (Grzebalska, 2015, p.6). Such ambiguity is also present within Article 38. The word 'abortion' does not feature here, but the Article states "The Republic of Poland shall ensure the legal protection of the life of every human being" (Ibid, p.9). This ambiguity provides a legal basis for Church advocacy against abortion. An agreement between the Catholic Church and the Polish government in 2003 brokered religious support for EU adhesion, in exchange for the country's strict abortion laws remaining in place (Bloom, 2013, p.29).

Article 4a of the 1993 Family Planning Act has the provisions for pregnancy termination (The Polish Government, 1993). Much of the law is dedicated to outlining the need for consent from the pregnant person, the "occurrence of the circumstances" under which an abortion is permitted and that such services may only be provided by a doctor. According to the law, the government must provide pregnant women with "medical, social and legal care" (The Polish Government, 1993). Moreover, as Federa notes: "The provisions of the Family Planning Act are completed by those of the Criminal Code, which introduces criminal responsibility for certain behaviours related to the criminalisation of abortion. Article 152 and 153 of the Criminal Code also form a peculiar definition of illegality of abortions in Poland by showing that such behaviours are not only inconsistent with the law, but also mean risking specific criminal sanctions. Article 154 introduces stricter penalties for conducting illegal abortion when woman's death occurs" (Federa, 2013, p.15). It is an offence to assist anyone breaching the Act and to persuade someone to have an abortion, but women will theoretically not face criminal charges if they buy abortion pills at home or abroad, or if they choose to self-induce a "termination of pregnancy (Federa, 2013, pp.16-18).

Due to the implementation of the new Criminal Code in 1997, abortion law in the 1990s underwent a transition. Federa observes that the original code used the word "foetus," which changed to "unborn child" under amendments made in 1998, which may have "intended to minimize the phenomenon of abortion underground" (Ibid, pp.18-19).

Theoretically, Polish doctors aborting a child to save the life of the mother will not face criminal charges, but doctors' reluctance to perform abortions following the introduction of new legislation in 2021 reveals a gap between policy and practice (The Polish Government, 1993, pp.5-6; Strzyżyńska, 2022b). This is exemplified by the deaths of at least two Polish women in hospital, and the fact that doctors have limited recommendations regarding "how to proceed with exercising the woman's right to abortion" (Swash, Strzyżyńska, 2022; Federa, 2013, p.19). Hence, legal changes within just the span of a few years restricted who could access the procedure, threatening the fundamental right of Polish people to healthcare.

The law's ambiguity also enables organisations such as the Logos Institute (a splinter group formed by former members of the Ordo Iuris think tank) to work closely with the government on reproductive matters (Korolczuk, 2020, p.703). In 2016, Ordo Iuris drafted legislation to introduce a total ban on abortion, supported by the Stop Abortion committee, itself run by pro-life coalition *Polska Federacja Ruchów Obrony Życia* (Molek-Kozakowska, Wanke, 2019, p.583; Korolczuk, 2020, p.703). The draft called abortion "foetal murder," proposing five years imprisonment both for those seeking terminations and the medical professionals providing this service (Korolczuk, 2020, p.703). Supporters of the Bill claimed it would protect the lives of unborn children, but the Save Women committee and its defenders argued that it posed a considerable threat to women's health and bodily autonomy (Ibid, pp.704-705; Molek-Kozakowska, Wanke, 2019, p.567). Due to social stigma and the fear of legal consequences, few doctors supported this view publically, and many women shared their experiences of pregnancy terminations anonymously on social media and online forums (Korolczuk, 2020, pp.706-708). Feminist organisations such as Federa played a leading role in organising protests and offering legal challenges (Ibid, p.706). With their encouragement, women

dressed in black and carrying umbrellas participated in nation-wide protests. This culminated in the Polish Women's Strike on 3 October 2016 and Parliament rejecting the ban (Molek-Kozakowska, Katarzyna, Wanke, 2019, pp.566-567; Korolczuk, 2020, p.696). By 2019, around 1000 legal abortions annually were performed in Poland, with 100,000 illegal terminations also taking place (Molek-Kozakowska, Wanke, 2019, p.566). In 2020, PiS MPs challenged the legality of abortions for foetal abnormalities, which accounted for 98% of legal abortions (BBC, 2020a).

Parliament also introduced harsher prison sentences for abortion providers and proposed removing the legal obligation for medical professionals to refer patients to other facilities, if they did not want to perform the abortion themselves (CIVICUS, 2020). The state of emergency, ostensibly imposed as a public health measure during the pandemic, facilitated these changes, as it saw the re-election of President Duda and outlawed mass protests (Ibid, 2020). Consequently, activists organised alternative forms of demonstration, such as 'queuing protests,' and social media activism, to overcome the challenge presented by the political will to prevent demonstrations (Ibid; Eşençay, 2020). Deputy Prime Minister Jarosław Kaczyński claimed such acts were an effort to "destroy" Poland (BBC, 2020b). Consequently, the banning of abortions for foetal abnormalities came into effect on 27 January 2021 (Human Rights Watch, 2022). Alongside Malta, Poland is now one of the only European Union Member States to have a *de facto* abortion ban in place (Human Rights Watch, 2022). In September 2021, a new draft bill, supported by Ordo Iuris, proposed 25 years in prison for anyone undergoing an abortion, which it considered homicide (Human Rights Watch, 2022). Women's rights activists and the opposition Lewica party set forth the civic initiative bill 'Legal Abortion without Compromise,' in favour of legal abortions until the 12th week of pregnancy, with some exceptions after this time period (Human Rights Watch, 2022). A further challenge comes from the European Court of Human Rights, which will examine potential breaches of the European Convention on Human Rights and Fundamental Freedoms (Ibid, 2022).

As of January 2022, up to 34,000 Polish women may have managed to obtain abortions in Poland, with thousands more travelling abroad, reliant on the support of CSOs (Swash, Strzyżyńska, 2022). Two women are known to have died after doctors refused to terminate their pregnancies in light of the legislative changes. Their deaths sparked nationwide protests (Wanat, Martuscelli, 2021; Strzyżyńska, 2022b). The restrictions also endanger the lives of the activists protesting against them, as prominent activist and co-founder of the All-Poland Women's Strike (*Ogólnopolski Strajk Kobiet*) Marta Lempart has received death threats, and faces imprisonment (Human Rights Watch, 2022; Swash, Strzyżyńska, 2022). Members of Federa, the Women's Strike and the Consultative Council (*Rada Konsultacyjna*) are also targets (Swash, Strzyżyńska, 2022). Justyna Wydrzyńska, a member of the Abortion Dream Team faces trial in September 2022, for supplying a woman with abortion pills (Swash, Strzyżyńska, 2022). She is the first activist to be charged under the new law and may receive up to three years in prison (Strzyżyńska, 2022b).

Although the Sejm voted against a total abortion ban in January 2022, it voted in favour of creating a nationwide pregnancy and miscarriage database (Swash, Strzyżyńska, 2022). Allegedly, this would digitalise existing information, but campaigners fear that people suffering a miscarriage may be falsely accused of undergoing an abortion (Ibid). Signatures for a pro-choice civic initiative totalled 100,000, as of January 2022 (Ibid). This initiative was rejected by the Sejm in June 2022 (Sieniawski, 2022).

Bloom argued that the country's strict abortion laws symbolise a conflict between women and the state, and the newly constructed relationship between the state and the individual (Bloom, pp.128-129). Such conflict specifically pertains to far-right attempts to control people's reproductive choices, under the guise of promoting 'traditional' family values. The interference of the state in the individual sphere is supported by non-state actors, such as Ordo Iuris, extreme right-wing splinter

groups, and of course the Catholic Church (Żuk, Żuk, 2020, p.567). This diverse range of actors facilitates the permeation of right-wing anti-feminist rhetoric into public discourse, as they can spread the same message to different demographics. The more widespread that anti-abortion discussion becomes, the more it is normalised, and the harder it becomes for pro-abortion civil society groups to challenge it.

Grzebalska notes there are "ideological overlaps" between mainstream and populist right-wing parties, as well as the strong influence of the Catholic Church on Polish government policy (Grzebalska, 2015, p.83, p.95). Such close ties enable far-right and extreme religious ideology to shape government policy. As such ideology typically advocates for traditional gender roles, it relegates them to homemakers and mothers rather than giving them the choice to diversify their role within society. Grezebalska further observes the homogeneity of "ethnicity and religion" in Poland, which indicates that the Catholic Church also has the ability to influence the majority of Polish society (Ibid, p.83, p.97). Academics have observed the increased criticism faced by the Church in recent years, but for now the Church has the ability to simultaneously advocate against abortion at the national level, and to persuade the public against it (Hummel et al, 2020, p.77). Moreover, anti-abortion and pro-Catholic discourse links into wider issues of anti-Communist and anti-LGBTQI rhetoric, posing a threat to minorities and their defenders (Baytok, 2021, p.11). This dual approach means that pro-abortion CSOs must coordinate their work on multiple fronts, to target both legislation and to dispel any disinformation that the public may have access to.

4.3 The Turkish context

As of 2017, there may have been up to 130,000 CSOs in the country, despite the limits imposed on civic activity after the 2013 Gezi park protests and the failed 2016 coup (Mercator Foundation, pp.10-12; Baytok, 2021, p.11). An example of this is legislation imposed in 2017 that simultaneously increased President Erdoğan's powers and facilitated the policing of civil society activities (Ibid, p.14).

As of 2017, the state of emergency had enabled the government to close 1,500 CSOs, limiting their activity or encouraging groups to rely on informal or underground channels (Ibid, p.3, pp.17-18). Nevertheless, the Mercator Foundation is quick to emphasise the importance of civil society within Turkey, noting the need for counteractive forces against "the governing party's majoritarianism" and its "erosion of checks and balances" (Ibid, p.6). Although participation within formal CSOs may be limited, members of the public, particularly young people, may actively participate more within informal civil society structures (Ibid, p.6). Such distrust for traditional systems may stem from increased government crackdowns on activism and the rise of political polarisation, as people seek guidance from alternative sources. Mercator also notes that "Participation in civil society groups can bridge Turkey's deep ethnic, religious, and social divisions, and such activity has been shown to help reduce societal tensions and increase ethnic tolerance. Finally, civil society groups provide connective tissue to Europe and the West at a time when such connections have been frayed" (Ibid, p.1).

The importance of this "connective tissue" is noted by the European Union itself, which committed €1.58 billion to the promotion of "democracy, governance and the rule of law" in Turkey from 2014-2020, with much of this funding directed towards grassroots organisations through its Civil Society Facility and the European Instrument for Democracy (Ibid p.19, pp.32-33). In doing so, the European Union chose to avoid displaying overt support for certain political movements and promoted the growth of movements that may be able to challenge the ruling party (Ibid, p.33). In 2021, the representatives from organisations such as the European Union Delegation to Turkey and UN Women, alongside members of civil society, launched the three-year project 'Strengthening Civil

Society Capacities and Multi-Stakeholder Partnerships to Advance Women's Rights and Gender Equality in Turkey' in Ankara. The European Union will provide 4.5 million euros for civil society organisations that promote women's rights (Demirel, 2021).

Today, Turkey is one of just a handful of countries around the world that permits abortion before the 10th week of pregnancy (Fidan, Alagoz, Karaman, 2021, p.918). However, abortion access remains far from equitable, even "de facto impossible," and has a history of controversy (WWHR, Mor Çati, 2022, p.5). A 1930 law banned the practice, with 12,000 women dying each year due to "self-induced abortions" (Ibid, p.32). Consequently, a 1962 revision permitted the procedure for foetal abnormalities and if the pregnancy threatened the mother's health, and doctors began advocating for abortion on demand in the 1970s (Macfarlane et al, 2016a, p.62; Dayi, 2019, p.59). In response to the prevalence of illegal abortions, the government's 1983 Population Planning Law legalised abortion up to the tenth week of pregnancy the following year, "for every woman who needed the service" (Fidan, Alagoz, Karaman, 2021, p.915; Macfarlane et al, 2016a, p.67). Hence, abortion was to be available in public hospitals across the country (Pekkurnaz, Ökem, Çakar, 2021, p.1384). Procedures until the 20th week were permitted in the event of "life endangerment, fetal anomaly, rape or incest" (Macfarlane et al, 2016b, p.48). Articles 99 and 100 of the Turkish Penal Code criminalise people who undergo abortions after the tenth week and the doctors who perform them (WHHR, Mor Çati, 2022, p.18). Minors and married women still require permission (Macfarlane et al, 2016a, p.62). Activists have also argued that the law "only served as legal backing for the government's scheme to promote large scale voluntary population control," as stated by Gürsoy (Gürsoy, 1996, p.536). They also contested the necessity of spousal permission for married women, asserting it was a continuation of patriarchal control (Ibid, p.536).

In 2012, abortion became a topic of public debate after Erdoğan claimed that "Every abortion is an Uludere," referencing the massacre in a Kurdish village (Baytok, 2021, p.15; Dayi, 2019, p.59). Similarly, members of the ruling AKP party claimed that rape survivors should not terminate their pregnancies, with the mayor of Ankara, Melih Gökçek, claiming that women should die by suicide rather than undergo abortions (Macfarlane et al, 2016b, p.58). Such "pro-natalist" discourse not only undermines people's bodily autonomy but supports traditional expectations of women as mothers and homemakers (Dayi, 2019, p.66). Gürsoy accentuated a shift in political rhetoric surrounding abortion, noting that is has moved from underling the importance of a large population for "nationbuilding" to stressing the importance of "family": "The family has become the main institutional framework within which gender power relations are being confronted and redefined" (Gürsoy, 1996, pp.536-538).

Furthermore, Erdoğan's anti-abortion speech is inherently patriarchal, ultimately aiming to police and control women's bodies. His family policies may also stem from a desire to grow the Turkish economy to one of the largest in the world by 2023, to mark the Republic's centenary (Green, 2012). This rhetoric not only led to a draft ban banning abortion entirely or after the fourth week of pregnancy, but also made public hospitals more reluctant to provide the service (Green, 2012; Pekkurnaz, Ökem, Çakar, 2021, pp.1384-1385). Civil society organised protests against the proposed legislation, with up to 4000 protesters in Istanbul demonstrating against the ban (Green, 2012). Moreover, pro-abortion activists promoted the need for abortion in "cases of economic difficulties, sexual violation, and health emergency." They also emphasised how Turkey's anti-abortion policy would be the result of patriarchal discourse, negating the right to choose in favour of male control over female bodily autonomy (Unal, 2018, pp.814-815).

Moreover, the vast majority of the country is Muslim and the Quran is viewed by scholars as anti-abortion (Fidan, Alagoz, Karaman, 2021, p.919). Islamic schools hold different views about the living status of foetuses, with proposed abortion time-frames ranging from 40-120 days of gestation (Ibid,

p.919). Religious doctrine plays a key role in shaping social attitudes towards gender issues (Fidan, Alagoz, Karaman, 2021, p.917). Globally, research demonstrates that believers tend to oppose abortion more often than atheists. Within Turkey, those with strong religious views may view abortion as murder, but there appears to be the general belief that such a choice is solely that of the woman (Ibid, pp.917-919). Those with higher income and levels of education also tend to support this view, with pro-abortion stances also being more common among women than men (Ibid, p.929; Gürsoy, 1996, p.537).

In Turkey, the normalisation of anti-abortion discourse and political opposition is coupled with a lack of medical provisions. This was reflected by hospitals refusing to offer the procedure in 2012, after Erdoğan's statement. Indeed, a 2012 regulation enabled doctors to refuse to administer the procedure, on the grounds of conscientious objection (World Health Organization, 2017). Healthcare reforms in 2003 had already seen the removal of abortion from most public health services (WWHR, Mor Çati, 2022, p.6; Dayi, 2019, p.59). A 2013 draft bill advocated for abortion to only be made available in hospitals, prompting further protests (MacFarlane, 2016b, p.48). Although the government did not pass the bill, research by MacFarlane et al indicated that, in 2016, abortion was only available in just one of Istanbul's public hospitals. Moreover, they noted that Turkish authorities never legalised the common abortion medicine mifepristone, and that the drug misoprostol was distributed in hospitals only, after the events of 2012 (MacFarlane et al, 2016b, p.48; MacFarlane et al, 2016a, p.63). In 2014, the Turkish Society of Obstetrics and Gynecology noted that it was no longer possible to schedule abortions, as the procedure's code had been deleted from electronic healthcare systems (MacFarlane et al, 2016, p.63). Such trends have prevailed. Further research in 2020 found that, out of 295 public hospitals in Turkey, just 10 provide abortion services, with 55 hospitals providing misleading information (WWHR, Mor Çati, 2022, p.5). Abortion services have traditionally been unavailable in the east or for poor women (Pekkurnaz, Ökem, Çakar, 2021, p.1388). A study conducted by MacFarlane and her colleagues in 2015 was the first of its kind to take place after the proposed ban in 2012. Speaking to women who had undergone abortions in Istanbul since 2009, the researchers found that many women endeavoured to avoid "the wrong hospital" or "conservative hospitals," for fear of staff disclosing their abortions to other actors. In some cases, such fears acted as a deterrent for women seeking the procedure altogether (MacFarlane et al, 2016a, pp.66-67). Abortions are most readily accessible in Istanbul, with women most likely to turn to private hospitals than to visit their public counterparts (Ibid, p.49; Pekkurnaz, Ökem, Çakar, 2021, p.1385). Such accounts demonstrate that the practical provision of abortion is not in accordance with the 1983 law, with some media reports even claiming that hospitals have stated the procedure is illegal (Ibid, p.67). Perhaps ironically, lack of access to affordable contraception fuels the demand for abortions, which may be prohibitively expensive for people from poorer socioeconomic backgrounds or force them into debt (Dayi, 2019, p.66; Erkmen, 2020; MacFarlane et al, 2016a, p.58).

On the whole, shrinking civic space, combined with increased state attacks on reproductive rights and the rise of the far-right and religious influence on the state in Europe, severely limits the ability of CSOs to support those seeking abortions (Moreno, 2020, p.254).

4.4 Financial constraints

4.4.1 Financial constraints in Poland

The establishment of a National Centre for the Development of Civil Society in Poland in 2016 centralised the country's CSOs and brought them closer under government control (Helsinki Foundation for Human Rights, 2016, p.5). NGOs must now earn state approval in return for project funding, undermining their independence and outlining the intersection of financial and legal constraints. The Helsinki Foundation for Human Rights reported cases of NGOs being denied public

funding “on political grounds” (Ibid, p.1). Within the Polish context, Dudzińska commented on Poland’s strong women’s organisations, and how they have been somewhat impeded by the lack of available public funding in recent years (Dudzińska, 2022).

According to Baytok, Polish organisations that support the Istanbul Convention face funding cuts, whereas the Turkish government targets such CSOs “with strict review procedures and closures” (Baytok, 2021, p.13). She linked such issues to a broader attack against “feminism itself,” as pro-women’s rights organisations face numerous financial and legal restrictions that impede their ability to operate freely, to work with the state or to challenge it without fear of prosecution. Regarding access to abortion, Dudzińska stressed that it is “much more difficult, almost impossible” for pro-abortion CSOs to get funding but they can apply for local, European and private funding (Dudzińska, 2022). From my sources, I observed that many of the financial constraints impacting pro-abortion CSOs have a direct effect on patients. In Poland, poorer women have to borrow money or resort to “home remedies,” such as chemicals (Federa, 2013, p.23). From my sources, it was unclear how much terminations cost there.

4.4.2 Financial constraints in Turkey

My Turkish interviewees did not observe instances of the government restricting funding to CSOs, but rather commented on its criticism of organisations that receive European or US funding (WWHR Spokeswoman, 2022; Professor A, 2022). Professor A claimed that the government discredits such CSOs by stating that the provision of funds subjects them to foreign influence. The public, in their view, also buys “into these discursive tools,” which can erode public trust in civil society. Consequently, it is “almost illegitimate to receive foreign funding,” as the state can use it in court cases “as proof that the organisations [...] have ulterior motives” (Ibid).

In Turkey, the high cost of abortion prohibits many people from accessing legal terminations (Villalon, 2022; Karakas, 2019). Costs “vary,” and the state will not fund “abortions performed at the woman's request” (Karakas, 2019). Villalon wrote “A private clinic told the Guardian that the fee for an abortion is about 3,000 liras (£146), although prices increase with each passing week of pregnancy. This makes access to an abortion difficult for many people in a country where the minimum monthly wage is about £243 and only 30% of women of working age are in formal employment” (Villalon, 2022). As reported by Federa, such barriers create a gap between the rich and poor, transforming a human right to healthcare into a procedure “subject to economic transaction” (Federa, 2013, p.23). Similarly, Professor A asserted that abortion “hasn’t turned into a big political issue” because it remains “accessible to women of means” (Professor A, 2022). Wealthy women wield political power, which excludes poorer women both from accessing healthcare and from publicly drawing attention to the issue. For CSOs, there is the challenge of bridging this funding gap, when they themselves have limited access to state support or are reliant on foreign funding that is highly dependent on changing political priorities. Moreover, there is the question of whether they legally can pay for pregnancy terminations, or if they must rely on loopholes, such as sending patients abroad.

4.5 Legislative constraints

4.5.1 Legislative constraints in Poland

There are clear similarities between Poland and Turkey’s legislative landscape, but it is important to analyse each state’s specific context, to avoid the homogenisation of the experiences of CSOs in the two countries. Hence, I will first present each context individually, before drawing comparisons on the consequences of legislative changes, such as issues surrounding lobbying.

Dudzińska in particular emphasised the complexity of Polish politics. Despite the country's long history of state capture, she maintained that Poland is more liberal than it is perceived to be, and that PiS' influence is waning, a statement I argue is contradicted by the numerous instances of women's rights breaches detailed by my other sources. Journalist A told me that abortion is "all but banned since the 1990s," but stressed that PiS' politics are "a double-edged sword," as they introduce abortion restrictions and promote the "traditional family model," but also introduce advantages such as child benefit support (Journalist A, 2022). However, most sources noted the links between PiS' ascent to power, democratic backsliding and attacks on the right to abortion. One Federa source paid close attention to how PiS initially cemented its power by diminishing that of the Constitutional Tribunal, and driving through changes to abortion law, such as the Court's 2015 decision to approve the "use of the 'conscience clause'" to excuse doctors from providing abortion services (Federa, 2017, p.7). The state capture of the Tribunal and its direct effect on abortion law was also noted by other sources (Polonijna Rada Kobiet 2022a; Journalist A, 2022). The Helsinki Foundation for Human Rights further expanded on this topic, outlining how private visits by government officials to judges further calls the Court's impartiality into question and facilitates the state capture of public institutions (Helsinki Foundation for Human Rights, 2021, p.5).

It also observed that changes such as "the introduction of the antiterrorist law" prevents CSOs from fulfilling "their watchdog function," silencing criticism for fear of wrongful prosecution (Helsinki Foundation for Human Rights, 2016, p.1). Moreover, it contributes towards the shrinking space phenomena by undermining pluralism and opportunities for civil society-state engagement. It also imposes threats to privacy, by allowing the government to tap the phones of foreign nationals, which infringes on their ability "to communicate with anonymous sources" (Helsinki Foundation for Human Rights, 2016, p.6).

Furthermore, the election of PiS to Poland's government in 2015 saw the end of "ongoing dialogue" between CSOs and the state, with ministers now ignoring or denying CSOs' meeting requests, excluding them from the process of drafting new laws or reducing the number of public consultations (Helsinki Foundation for Human Rights, 2016, pp.2-3; Dudzińska, 2022). Such issues were further raised by Federa and Roy-Lewanowicz. The former noted that the government effectively denies its citizens the ability to influence legislation, by failing to analyse the impact of the Family Planning Act, and the latter explained that the civil society activists who can speak to Parliament do so rarely and with limited influence (Federa, 2013, p.15; Roy-Lewanowicz, 2022). She emphasised that the lobbying efforts of the Polish diaspora can put international pressure on the state but did not comment on whether this had successfully influenced the anti-abortion legislation proposed in 2016 and introduced in 2021 (Roy-Lewanowicz, 2022). Baytok remarked that Polish civil society has called on "the EU to intervene in the face of their failing democracy," but did not specify whether these activists worked at home or abroad, or if any resulting EU intervention had been effective (Baytok, 2021, p.19).

Dudzińska believed that Poland's "strong media" can somewhat counterbalance the government's authoritarianism, as "freedom of speech is not limited in Poland" and private and foreign investment can protect independent media (Dudzińska, 2022). This contrasts against the picture of restrictive legislation that was frequently painted by other sources. Notably, Journalist A informed me that the state has captured the media and uses it to share "propaganda," with the media also attacking the organisers of pro-abortion protests (Journalist A, 2022). This requires further analysis beyond the scope of this paper.

Dudzińska inferred that state capture can be achieved through "polarisation," with abortion used as a "convenient problem" to fuel such divides. She believes that forming a firm stance on abortion

helps parties shape their identity and mobilise their electorate. Moreover, she asserted that changes to Polish abortion law were "a risk," motivated by "political reasons" to garner support from conservatives and prevent "the deeper split within their supporters." The latter are, in her view, not "as conservative as you'd think," which raises the question of why abortion specifically has become so contentious (Dudzińska, 2022).

Another theme that emerged in my analysis is the influence of Ordo Iuris on abortion procedures. In our interview, Journalist A discussed the influence of US anti-choice groups like 'Lives Defending Freedom' on the think tank, such as shared tactics or financial donations (Journalist A, 2022). The topic did not appear in other sources, so may not be widely publicised. In 2022, the think tank argued that the "right to abortion" is "unknown to the Polish legislation," belying the centuries of legislation and debate surrounding abortion in Poland, as discussed in section 4.1 of this paper (Ordo Iuris, 2022). Ordo Iuris claimed that a 1997 ruling protects the life of the unborn child, which the ruling of 22 October 2020 builds upon (Ibid). Furthermore, the groups argues against the use of abortion in the event of foetal abnormalities, terming it "direct discrimination" for people with Down's Syndrome (Ibid). Ironically, this right to life angle ignores the quality of life of the mother forced to continue with an unwanted pregnancy. This poses a challenge for CSOs, who must learn how to combat these pseudo-legal arguments with limited financial resources to pay for their own lawyers.

Moreover, other sources in my analysis documented the group's history of introducing anti-abortion legislation and blocking more liberal bills from entering into law. Civil society groups Federa and *Polonijna Rada Kobiet* have written extensively about Ordo Iuris influencing legislation, both in 2016 with the Stop Abortion Bill, which prompted the rejection of the 'Save the Women' proposal, despite the latter's 215,000 signatures, and with the reintroduction of the Bill in 2021 (Federa, 2017; Polonijna Rada Kobiet 2022b). Significantly, the 2021 legislation proposed a change to the Penal Code, referring to a child as a "human being." This would further criminalise people undergoing abortion, equating the procedure with murder (Polonijna Rada Kobiet 2022b). This threatens the work of the aforementioned CSOs, as it could frame them as complicit with a crime, should they assist a pregnancy termination, as illustrated by Wydrzyńska's case. Blocking such bills also prevents civil society from engaging with and improving restrictive legislation and reduces their ability to liaise with political stakeholders.

Furthermore, the influence of Ordo Iuris on the Sejm prevents CSOs from introducing their own legislation, forcing them to work against state actors. This turns abortion into a polarising issue, as mentioned by Dudzińska, and it increases public distrust, as the public questions why CSOs wish to overturn state rulings. Hence, there is limited opportunity for CSOs to operate effectively within the limits of the law, which leads to illegal and underground abortions, threatening the health of the patients and putting CSOs at risk of criminalisation for facilitating the provision of fundamental healthcare (Federa, 2013, p.15). Although it is not an offence for a woman to purchase abortion pills online, activist Wydrzyńska may be the first activist to be charged under the changes to legislation in 2021, illustrating how legislative constraints directly impact members of civil society (Federa, 2013, p.18; Strzyżyńska, 2022b).

What is more, the introduction of a pregnancy register (as noted in section 4.1) also poses a challenge to CSOs. Such legislation may criminalise miscarriages and given that abortions have similar symptoms to a miscarriage, activists may face accusations of facilitating miscarriages and therefore murder (Federa, 2013, p.17). Hence, CSOs face numerous difficulties in navigating such legal ambiguities when the law for abortion is inherently criminal in the Polish case. This links into wider issues of shrinking spaces faced by civil society, as pro-abortion CSOs in Poland have limited opportunities to engage with lawmakers, and the challenge of combating the actions of conservative actors with close government ties with limited financial resources.

4.5.2 Legislative constraints in Turkey

Like their Polish counterparts, Turkish CSOs face extensive legislative constraints. In broad terms, the targeting of CSOs by government authorities "continues against the backdrop of a broader decline in democracy" (International Federation for Human Rights, 2022). Similarly, WHHR's spokesperson commented that the oppression against civil society and "especially feminist and LGBTQI organisation[s] is really high" (WWHR Spokeswoman, 2022). They noted that the government tries to close organisations such as the We Will Stop Femicide Platform (WWHR Spokeswoman, 2022). Although Professor A did not discuss these accusations, they cited the passing of restrictive laws against CSOs after the 2016 state of emergency but did not go into more detail. They focused their attention on social media smear campaigns against CSOs which criticise their receipt of foreign funding, but it was unclear whether they were organised or endorsed by the state (Professor A, 2022).

Professor A mentioned AKP control of the civil service and the media, and how the party targets sources of opposition, including academics and civil society (Professor A, 2022). This may mean that Polish CSOs have greater opportunities to raise awareness of their cause, by speaking to national and local publications and providing a counter-narrative to government statements. Professor A proclaimed that "The legal system has a gender and it's patriarchal and it protects men who hurt women," drawing upon the fact that the legal profession remains largely male-dominated (Professor A, 2022). They stressed that the legal requirement for women to obtain their husband's permission for an abortion threatens their bodily autonomy, and is just one of the more "insidious ways" that authorities use the law to restrict abortion access (Ibid). This point was also raised by WWHR and Mor Çati in their report, observing that such "a patriarchal and conservative approach" is detrimental to women's bodily autonomy (WWHR, Mor Çati, 2022, p.6).

Professor A referred to abortion as a "silent topic," noting that new laws have not been introduced like in Poland, but emphasised the difficulty of accessing pregnancy terminations in the country. My analysis of the 1983 Population Planning Law leads me to believe that this may be a deliberate choice of the government. Similarly to the Polish legislation, the Turkish version does not mention civil society groups, creating ambiguity over the role of CSOs (The Turkish Government, 1983). This, coupled with my interviewees' extensive discussion over the constraints surrounding abortion access, illustrates that the law is not conducive for CSOs. However, there are not any current lobbying efforts to change the law in Turkey, possibly due to the severity of these constraints (Baytok, 2021, p.15).

Although abortion laws haven't changed "on paper," Professor A believed that the AKP's "state capture" has directed impacted them, intentionally making access more difficult. In their view, "the government has waged a silent war against abortion by making it more and more socially unacceptable to get an abortion," which may be illustrated by smear campaigns surrounding the procedure. The 2022 report by WWHR and Mor Çati corroborated this view. It observed that Erdoğan's 2012 statement linking abortion to murder provided providers to refuse to carry out the procedure and to question the patient's decision, issues I will expand on further in section 4.8 (WWHR, Mor Çati, 2022, p.18).

A further issue noted by WWHR and Mor Çati is the difficulties that the law creates for survivors of sexual violence. In this case, the 10-week limit imposed on abortions extends to 20, but, as WHHR and Mor Çati commented, the "lack of crisis centres" and the "lengthy investigation and prosecution processes" prevent many from underdoing legal terminations (Ibid, p.22). For CSOs, this raises the uncomfortable question of how to fulfil their moral obligation towards survivors whilst avoiding prosecution within a legal system that is biased against women's rights. Moreover, activists in

Turkey face difficulties in communicating with government officials. WWHR's spokeswoman told me "It is impossible for us to reach to AKP's parliaments." Lobbying efforts fail, causing the creation of "small opposition parties" (WWHR Spokeswoman, 2022). CSOs also fear prosecution, causing WWHR to be "super super careful on our paperwork," but it was unclear whether their spokeswoman thought it was necessary to conceal or minimise certain aspects of their work regarding abortion, or whether this was an issue affecting all of their campaigns (WWHR Spokeswoman, 2022).

Whilst the law does not explicitly ban CSOs from assisting people seeking pregnancy terminations, it does not, to my knowledge, grant them protection for doing so. As discussed further on in my paper, the vast array of medical constraints prompted by Turkey's legislation does, in turn, create a hostile environment for people seeking abortions and for the CSOs trying to assist them. In section 4.3 I outlined how Turkish abortion law paints abortion as a criminal act, similarly to the Polish case, resulting in heightened risk for abortion providers, CSOs and patients. This, coupled with rising authoritarianism, means that Turkey's abortion legislation links to wider issues of shrinking spaces for CSOs and means that the fight for abortion (although not as widely publicised as in Poland, a point I will elaborate on later), is symbolic of the wider struggle for women's rights within a patriarchal society and for democratic rights under Erdoğan's rule.

4.6 Religious constraints

Religious convictions may induce legislative constraints, which in turn create financial restrictions for pro-abortion civil society groups.

4.6.1 Religious constraints in Poland

This is particularly evident in the Polish Constitution, where Article 3.1 references the Catholic Church, in relation to cooperation with the government in providing services for pregnant women (The Polish Government, 1993, p.2). Such influence is felt by CSOs, as Federa for example referred to a government "compromise" with the Catholic Church regarding abortion and "the role of religion in shaping of attitudes of Poles after transition to democracy" (Federa, 2013, p.9, p.73). Baytok expanded on this further. She observed that some "anti-abortion activists in Poland" may include "Christian extremists" who have publically displayed "images of aborted fetuses," which has "resulted in a prohibition by the Kraków city council on the public display of dead bodies or body parts on posters, billboards, vehicles and/or trailers" and in various lawsuits (Baytok, 2021, pp.15-16). Alternatively, most of my sources focused on the influence of religion on state education and on the public perception of abortion, rather than on links between anti-abortion and religious extremist actors. Journalist A reported that there are religious classes in school that show children "a lot of anti-abortion material and propaganda." This included showings of the 1984 anti-abortion film 'The Silent Scream' in the 1990s and is less commonly done now. They believe this does not prevent people "from googling abortion and ordering pills but [it] influences attitudes" (Journalist A, 2022). Nevertheless, they and my other Polish interviewees indicated the waning influence of the Catholic Church overall. Journalist A noted that the attendance of religious classes in schools has fallen to 50%, compared to 90% ten years ago, with Roy-Lewanowicz also referring to growing youth secularism (Journalist A, 2022; Roy-Lewanowicz, 2022). According to my other sources, this may result from a series of Church sex scandals and the Church's aversion to abortion (Dudzińska, 2022; Baytok, 2021, p.14). Baytok in particular asserts that "This implies that the youth are in favor of a different future and have a different understanding of politics," indicating further polarisation within Polish society, but also hope for a more progressive future (Baytok, 2021, p.18). To combat this, a Federa source stated that "Ordo Iuris is in favour of abortion to "re-Christianize" Polish society," with one protestor reporting that organisation that anti-abortion politicians are "using God as an excuse, and hiding behind pseudo-patriotism" (Federa, 2017, p.7, p.54).

Swash and Strzyżyńska also noted the links between religious extremism and the political sphere. The 2021 legislation "did not fully appease the ruling Law and Justice party's (PiS) religious base," with growing pressure coming from "Roman Catholic lay groups" for an "outright abortion ban" (Swash, Strzyżyńska, 2022). Hence, pro-abortion civil society groups may receive support from the younger generation but face ongoing Church opposition.

4.6.2 Religious constraints in Turkey

In Turkey, the theme of religion was only briefly alluded to in my sources. Baytok observed that "In Turkey, the Presidency of Religious Affairs, which has an increasingly direct impact on policies regarding youth, children and women in recent years, has come to be allocated a significant portion of the state budget, surpassing many ministries" (Baytok, 2021, p.13). Baytok did not mention whether it supports or opposes abortion but did note its promotion of religious education for children. For women's rights CSOs in Turkey, this overlap of religious and legislative influence creates a sense of dual opposition, with the need for them to pool their limited resources into legislative and educative initiatives, which they may be unable to enact due to state opposition. Hence, conservative religious values can influence abortion laws, but there is a need for further analysis of this subject within contemporary society, which is beyond the scope of this paper.

4.7 Logistical constraints

4.7.1 Logistical constraints in Poland

The topic of logistics appeared infrequently in my interviews and in my other primary and secondary sources. Roy-Lewanowicz stated that most Polish organisations are "not working on providing or helping people abort," but rather focus on organising demonstrations (Roy-Lewanowicz, 2022). Those that "buy and provide plan B pills and abortion pills" face multiple legal barriers, as epitomised by Wydrzyńska's case (Ibid; Swash, Strzyżyńska, 2022). Such barriers may serve as a deterrent to the supply of abortion pills, limiting the number of people that Polish pro-abortion CSOs can support, hence demonstrating how logistical issues stem from legislative constraints (Strzyżyńska, 2022b). Dudzińska argued that legislative changes have not changed the reality for many women. In her eyes, the 2021 ruling may have limited domestic terminations, but most people travel abroad "anyway" (Dudzińska, 2022). For CSOs, this poses the challenges of forming effective ties with foreign partner organisations, gathering the financial means to facilitate travel, and other logistical concerns such as providing translations of medical material and booking hotels. Federa outlined how Poland's adhesion to the EU facilitated abortion tourism, with people traveling to border clinics in neighbouring countries such as Germany, which causes staff there to recruit more Polish speakers (Federa, 2013, p.21; Federa, 2017, p.7; Federa, 2013, p.22). This may put services under additional pressure, if there are not enough Polish-speaking employees available or if there are miscommunications between Polish and foreign CSOs.

Similarly, Roy-Lewanowicz referred to pan-European networks of pro-abortion CSOs that work together to facilitate healthcare access, with Polish organisations raising money for these means. She noted that abortion care costs vary and may be cheaper for domestic nationals than Polish visitors, forcing CSOs to overcome an additional financial barrier and find more resources to meet these increased costs (Roy-Lewanowicz, 2022). Overall, my Polish sources discussed how logistical constraints impacts abortion seekers, rather than those facilitating the service provision.

4.7.2 Logistical constraints in Turkey

Just one of my Turkish sources mentioned logistical constraints. WWHR's spokeswoman told me that "it's almost impossible to get access to abortion in practice," with sources such as Professor A prioritising the discussion of medical constraints instead (WWHR Spokeswoman, 2022; Professor A, 2022). Hence, this is an area for further research. Professor A highlighted that abortion is a "silent" matter, so my interviewees and sources may have been reluctant to discuss the subject and attract attention and further restrictions from an authoritarian state (Professor A, 2022).

4.8 Medical constraints

This section will illustrate how legislative impositions create medical constraints for patients and for the pro-abortion civil society groups in Poland and Turkey that want to assist them.

4.81 Medical constraints in Poland

Disparities of abortion provisions in public and private hospitals was a key theme in my sources. Under Polish law, abortion "is provided in public hospitals free of charge," with rare cases where this can happen in a doctor's office (Federa, 2022, p.4). Private healthcare is often a barrier for women from "smaller towns" or "conservative" areas (Polonijna Rada Kobiet, 2022a). Swash and Strzyżyńska paraphrased renowned activist Marta Lempart as stating that the new laws target the people who are the most in need of healthcare (Swash, Strzyżyńska, 2022). According to Lempart, those with unwanted pregnancies are better supported by private healthcare than by people with "wanted pregnancies who are facing complications" who are seeking support within the public system (Swash, Strzyżyńska, 2022). Based on the other sources collected for my analysis, this may be because doctors fear providing terminations that are in breach of the new legislation. Swash and Strzyżyńska stated that the new laws provide an excuse for "an underfunded and overstretched Polish healthcare system" to refuse treatment and spend less time providing care. Quoting a lawyer for Federa, they revealed that some doctors claim contraceptive pills and abortion cause cancer (Swash, Strzyżyńska, 2022). This not only poses a risk to Polish people, but also to those arriving from Ukraine who require abortion services (Roy-Lewanowicz, 2022; Federa, 2022). Moreover, this gives CSOs the additional tasks of tackling such disinformation and ascertaining where services are offered in practice.

Pressure imposed by the state on abortion providers was also seen as a significant barrier for pro-abortion civil society groups by my sources. Before the law changed in 2021, Polish doctors claimed to require extensive justification for the procedure, such as "confirmations from other doctors," which could prevent a termination from taking place altogether or cause the pregnancy to exceed "the permissible time limit for abortion" (Federa, 2013, p.24). Federa asserted that doctors feared imprisonment (Ibid). Today, the Bielański hospital in Warsaw faces pressure to reveal to the state how many abortions it provides (Swash, Strzyżyńska, 2022). This means that patients may have limited trust in doctors and resort to "abortion underground," which is illegal and poses severe health risks (Polonijna Rada Kobiet 2022b).

Furthermore, the various Federa sources noted the difficulties in accessing contraception in Poland, as it is one of only two EU countries to "require [a] doctor´s prescription for emergency contraception" (Federa, 2017, p.5; Federa, 2013, p.4; Federa, 2022, p.2). Roy-Lewanowicz expanded on this further. The fact that only doctors may prescribe Plan B contraception pills can reduce their effectiveness, as the pills work "best in the first 24 hours," and many people may not be able to make an appointment within that time frame (Roy-Lewanowicz, 2022). Such restrictions also fuel a "black market" for abortion pills, which may not be medically effective or could risk the health of the pregnant person (Federa, 2013, p.21). Widespread access to contraception is essential, as it reduces

the chances of pregnancy, and therefore the need for abortions. Roy-Lewanowicz also told me that the influence of the Catholic Church in rural areas and on older generations means that the use of condoms is controversial (Roy-Lewanowicz, 2022).

4.8.2 Medical constraints in Turkey

My Turkish interviewees also expressed concern about abortion provisions in public and private hospitals. Public hospitals can include state hospitals, but the term often refers to institutions such as “city hospitals or education and research hospitals” (Kadir Has, 2020). According to Professor A, most people in Turkey visit state hospitals and receive state-issued health insurance through their workplace (Professor A, 2022). Private healthcare may be expensive but can be the only option if public hospitals refuse to provide pregnancy terminations (Professor A, 2022). My CIVICUS source confirmed this: “In practice abortion is denied by public hospitals and in some cases by private ones as well. So right now women do not have easy access to their right to abortion” (CIVICUS, 2020b). This may be exacerbated by the fact that many healthcare providers do not know where to refer patients to for pregnancy terminations in the first place, or are uninformed about medical abortion, possibly because the subject of abortion remains taboo (WWHR, Mor Çati, 2022, p.5, p.9). Additionally, the WWHR spokeswoman told me that only one public hospital out of 37 in Istanbul offers this service, drawing upon the study conducted by Kadir Has in 2020 (WWHR Spokeswoman, 2022). The study found that, out of Turkey’s 850 public hospitals, 518 had a gynaecology department, where abortion must legally be performed, but 185 did not offer abortion services (Kadir Has, 2020, pp.3-11). In 2020, the rate of abortion in demand in public hospitals was just 3% (WWHR, Mor Çati 2022, p.20). Writing for The Guardian in 2022, Villalon found that no public hospitals in Istanbul provide abortions (Villalon, 2022). Such disparity between her research and that of WWHR indicates confusion and the lack of access that CSOs have to reliable information. Professor A claimed that abortion access varies widely by location. They stated that was no “alternative” to state hospitals “outside the metropolitan areas” (Professor A, 2022). However, patients often struggle to access terminations in private hospitals “because of this cultural or this political hesitation” (WWHR Spokeswoman, 2022). CSOs aiming to overcome this “hesitation” hence have limited hospitals that they can direct patients towards, and, due to legislative constraints, they have limited opportunity to introduce proposals for healthcare reform.

The issue of pressure put on healthcare workers is not exclusive to Poland. Professor A reported that Turkish doctors may also lie to their patients, which deters uneducated women who do not know their rights from accessing the procedure but may not be a barrier for those who are better-educated (Professor A, 2022). The Kadir Has study and Villalon writing for The Guardian also documented instances of doctors lying and even claiming that such procedures are illegal (Kadir Has, 2020, p.3; Villalon, 2022).

Doctors in Turkey must notify the authorities if they perform a termination for a foetal disability or to save the mother’s life, revealing “the patient’s identity, type of procedure and the reason before doing the procedure” (Kadir Has, 2020, p.7). Professor A believed that Turkish healthcare workers “receive not written but verbal encouragement” and are “advised to do as few abortions as possible” (Professor A, 2022). Healthcare workers may pressure women to “change their minds,” after receiving government warning for performing too many abortions. They may also miss out on promotions or face bullying. They emphasised that this is difficult to prove. The WWHR spokesman also claimed that healthcare workers may use religious arguments to dissuade people from undergoing pregnancy terminations, calling this “religious suggestions” (WWHR Spokeswoman, 2022).

A further issue is that of the Turkish government monitoring women's pregnancies, like in Poland. Professor A speculated that the government applies pressure to healthcare workers to monitor pregnancies, under the pretext of monitoring the foetus, and to dissuade people from undergoing abortions. They emphasised that they do not have an overview and can only comment based on the interviews with women that they have personally conducted. They further stressed that it is difficult to know whether these workers are acting of their own accord, or whether they face pressure from government or anti-abortion actors (Professor A, 2022). There is a need for further research in this area.

However, it is proven that government rhetoric has tangible consequences for reproductive healthcare. WWHR and Mor Çati's joint report and Villalon's article both explain how Erdoğan's statement in 2012 impacted abortion access. It led to "stricter supervision of the spousal consent" as well as increased pressure on healthcare workers and stricter control of hospital budgets (WWHR, Mor Çati, 2022, p.18; Villalon, 2022; Karakas, 2019). Whilst Villalon reported that some healthcare workers are compiling lists of those willing to provide legal terminations, this appears to be an exception (Villalon, 2022). As stated by WWHR's spokeswoman, abortion "is legal on paper, but on the ground it is almost impossible to access" (WWHR Spokeswoman, 2022).

Baytok summised that "What the abortion issue rather boils down to in Turkey is a desire on the part of the state to interfere in women's lives and choices" (Baytok, 2021, p.15). Turkey's patriarchal legal system is inherently biased against the reproductive rights of women and marginalised genders, heavily influenced by the country's politicians, which, in turn, influences the access of these groups to healthcare. In Turkey, this is exacerbated by the fact that most women only become aware of their pregnancy during the sixth week, which, coupled with "legal and administrative constraints" makes it "almost impossible" to have an abortion within the permitted ten weeks (WWHR, Mor Çati, 2022, p.4). The women interviewed by WWHR and Mor Çati had little knowledge about medical abortion, mainly viewing it as morally corrupt (WWHR, Mor Çati, 2022, pp.39-40). Hence, CSOs must learn how to effectively disseminate accurate medical and legal information that combats the broad range of mistruths produced by healthcare workers. However, CSOs can only do so after having ascertained which hospitals offer pregnancy terminations, a task exacerbated by the need to avoid attracting further attention from a repressive state. The issue of access to contraception is also prevalent in Turkey. WWHR and Mor Çati's report revealed that "The abortion pill is only available at hospital pharmacies" (WWHR, Mor Çati, 2022, p.55). Both Professor A and WWHR's spokeswoman told me that accessing contraception in Turkey is difficult, with the latter noting that this is influenced by the AKP's promotion of the traditional nuclear family and condemnation of abortion and family planning (Professor A, 2022; WWHR Spokeswoman, 2022). The latter stated "accessing contraceptive methods in Turkey is becoming more and more difficult day by day [....] abortion is the last stage and it's always [a] difficult one" (Ibid).

On the whole, lack of access to contraception means that abortion remains essential in Poland and Turkey, as it is part of the wider issue of access to reproductive healthcare. If people are unable to prevent pregnancy to begin with, they must have access to safe and legal means of termination. Hence, CSOs face the challenge of combating the misinformation surrounding contraception, and of telling the public where and how to access it in societies where the medical and legal systems actively work to oppose such efforts.

4.9 Public awareness

As noted by MacFarlane et al, public awareness within this context is the general knowledge and perception of abortion legislation, of how pro-abortion CSOs respond to it and to what extent the public is aware of and supports their actions (Adapted from MacFarlane et al, 2016a, p.67).

4.9.1 Public awareness in Poland

According to Dudzińska, Polish CSOs became more visible in 2016, but she did not specify if this coincided with, or was as a result of the pro-abortion protests (Dudzińska, 2022). Incidentally, she believed that such movements were ineffective, as they united feminist movement with politicians from the opposition. She argued that the latter were more focused on the European elections, which felt like a "betrayal" for civil society actors and weakened their collaboration (Ibid, 2022). However, she commented that CSOs also benefited from public support, as thousands joined them in not only protesting for abortion rights, but also against the wider issue of state capture by political elites (Ibid). Roy-Lewanowicz noted that opinion polls show wide public support for "some kind of access to abortion," a point supported by Swash and Strzyżyńska's article for The Guardian (Swash, Strzyżyńska, 2022). The discourse surrounding public awareness also centred around the use of social media. As my sources demonstrated, social media may be a force for good, providing CSOs with a public platform, but it may also make them susceptible to hate speech.

Firstly, activists can use the platforms to raise awareness of their work. Roy-Lewanowicz cited the group *Lodzkie Dziewuchy* as an example of a CSO that effectively utilises social media platforms to further its cause. Their presence across all major networks, such as Instagram and TikTok, allows them to build a broad following. She stressed that "they are helping with the abortions, but it's not their main topic," with their focal point being general feminist issues. She did not provide detail on how their social media use differs from other CSOs, or what content they create for abortion (Roy-Lewanowicz, 2022). Journalist A told me that using online spaces has driven the success of the Abortion Dream Team and telemedicine, by targeting a young audience (Journalist A, 2022). In their view, it is ironic that today's youth are the first generation to be born after the imposition of abortion restrictions in the 1990s, and that it may be the most pro-abortion generation (Ibid, 2022).

In her article, Strzyżyńska briefly mentions the Abortion Dream Team's #IamJustyna campaign, in support of Wydrzyńska. Crucially, the campaign is "multilingual," so it can not only promote "solidarity and sisterhood" in Poland, but also "raise international awareness of the situation" there (Strzyżyńska, 2022b). We need further research to ascertain how common multilingual campaigns are, and if any have had a tangible impact on Polish lawmakers. For Roy-Lewanowicz, "closed or secret groups" on Facebook and WhatsApp allow people to circumvent some restrictions (Roy-Lewanowicz, 2022). It is unclear whether such groups are legal, but they can be controlled to avoid word reaching state officials and bring CSOs together with the public to exchange information. Speaking to CIVICUS, a Polish activist recounted how the pandemic has prohibited public demonstrations and necessitated the increased use of social media, to let people "know about their rights" (CIVICUS, 2020b). Baytok also noted social media's dual ability to educate and to mobilise (Baytok, 2021, p.18).

A further benefit of social media is that it allows people to share their own experiences of abortion. This could direct future patients towards trustworthy doctors and dispel feelings of isolation and worry. By way of example, Baytok refered to the independent Polish news sit *OKO Press45*, which publishes "abortion stories" (Baytok, 2021, p.19). She argued that such publications present abortion as a health issue, normalising the procedure and making "this commonality visible" (Ibid, p.19). Baytok acknowledged the paradox represented by social media, remarking that it can help organisations "to reach broader audiences that either pressure the state into taking action or facilitate the arrival of help," especially within the framework of "shrinking political and social space," but that it can restrict protest "to digital platforms, which risks preventing the formation of solid and long-term organizations" (Baytok, 2021, p.20).

My sources mainly chose to speak of the positive aspects of social media. Social media plays a key role in making CSOs accessible to the general public, but it also provides an opportunity for harassment. Facebook posts have equated abortion with murder, normalising the use of violent language to describe an essential medical procedure and intersecting with the use of inflammatory rhetoric by politicians (Federa, 2017, p.48). This may embolden violent actions towards pro-abortion CSOs and deter patients from seeking legal terminations. Federa and the Helsinki Foundation for Human Rights revealed issues caused by "humiliation and smear campaigns engineered by local anti-choice groups" in Poland (Federa, 2017, p.6; Helsinki Foundation for Human Rights, 2016, p.2, p.6). The latter described how "the introduction of different legislative measures has been accompanied by an ongoing smear campaign in public media against several human rights defenders and NGOs, as well as against the Office of the Commissioner for Human Rights" (Ibid, 2016, p.2). It especially referred to 2016 campaigns organised by right-wing actors that falsely insinuated that some civil society actors illegally received public funds (Ibid, 2016, p.6). Such campaigns serve "to undermine the trust in the work of non-governmental organizations and to intimidate human rights defenders" (Ibid, 2016, p.2).

Additionally, there is the question of how CSOs operating with limited resources can counter fake news when the more powerful social media platforms refuse to do so. This issue intersects with the Polish and Turkish governments' anti-abortion narratives, which generally receive support from right-wing conservatism, giving rise to barriers for pro-abortion CSOs in both the public and private spheres. Having to simultaneously combat multiple barriers on multiple fronts may split resources and consequently have more limited ability to fight legal challenges when they must also contend with online threats.

4.9.2 Public awareness in Turkey

For Turkey, Professor A believed that generally there is support for abortion, with limits, but neither they nor the other sources had the data to corroborate this (Professor A, 2022). WWHR observed that the "primary" sources of information for women regarding abortion "is other women from their families and their circles" and "the internet" (WWHR, Mor Çati, 2022, pp.36-37). Indeed, "Women who contacted women's organizations and feminist solidarity networks for support found it easier to access both health services and services for protection from violence" (WWHR, Mor Çati, 2022, p.53). In my view, the prevalence of informal support networks in Turkey could encourage people to seek support from CSOs, if they have connections there, but, as the subject is often not openly discussed, it may be difficult for those from conservative religious backgrounds or those with strained familial relations to become aware of what CSOs can support them and how to contact such organisations (Ibid, p.52). However, this raises the question of how people find out about these networks to begin with when abortion is a social taboo in Turkey, and of how CSOs can make themselves visible without attracting state attention and risk tougher legislation. Moreover, how can CSOs reach people with lower levels of education and from poorer socio-economic backgrounds, who may not have the resources to access the internet?

A further issue is that of widespread feelings of shame around female sexuality. This prevents women from openly discussing health issues such as abortion (WWHR, Mor Çati, 2022, p.46). Most of the women interviewed by WWHR and Mor Çati believed that women alone should decide, but that their husbands' attitudes often dictated whether or not they underwent the procedure (Ibid, 2022, pp.65-66). This reinforces patriarchal standards and acts as a further barrier against which CSOs must struggle.

With WHHR's spokeswoman, I briefly discussed the subject of social media. For her group, "alternative methods of communication, like Zoom" and social networks can bring supporters

together and negate the need to organise a public demonstration, which "are banned" (WWHR spokeswoman, 2022). Social media platforms are largely unregulated, allowing CSOs to express their views and promote their work. However, they must be careful to do so within the government's legislative constraints. Should Poland and Turkey become more authoritarian, they could follow the example of China and Russia and ban the use of certain platforms altogether, or force CSOs to perform more self-censorship, due to the increased risk of prosecution. For the time being, social media can allow pro-abortion CSOs to provide an alternative abortion narrative to that offered by the government, but the continued use of such platforms is not guaranteed. Hence, CSOs must continuously find new ways of communicating legally and safely with the public.

Finally, WWHR's spokeswoman also referred to collaborations with the opposition as an effective way of drawing public attention to their cause, albeit not within the context of abortion. Along with "municipalities from opposition parties," WWHR created a series of billboard campaigns in protest against Turkey's withdrawal from the Istanbul Convention, reaching "more than 10 million women" (WWHR Spokeswoman, 2022). Such an achievement belies the importance of coalition building, a point I will expand on in section 4.10. Hence, CSOs have the challenge of campaigning around subjects that are not openly discussed. They risk a lack of public support (although as noted, opinion polls in both Poland and Turkey are widely in favour of abortion), but also risk encountering disinformation campaigns. Conducting my own surveys to measure public opinion is beyond the scope of this paper, which is reliant on secondary data to measure this issue.

4.10 Other issues identified from my sources

This section discusses issues raised by my sources that do not fit into my analytical framework, but are worthy of note. These are women's movements in general, women's movements and abortion, the importance of coalition building and safety concerns.

4.10.1 Other issues identified in Poland

As noted in my Introduction, "Both countries also share a tradition of strong women's movements taking to the streets to protest government measures that disadvantage women" (Baytok, 2021, p.6). However, this means that many face restrictive government measures, such as threats to their freedom of assembly (International Federation for Human Rights, 2022). For Poland, discussion of women's movements related almost exclusively to abortion. Roy-Lewanowicz was the interviewee who expanded on the women's movement as a whole, within the context of general activism. She stated that "the fight for abortion isn't that different from any other cause you can fight for. There's always a core of people that's gonna be more active and do most of the work [...] but everyone can't be a full-time activist, so that's why it's important to have this social media and visibility" (Roy-Lewanowicz, 2022). She described the need for commitment to fight the constant imposition of new constraints, but also the need for the general public to understand the rights that they could lose, which organisations endeavour to defend them and how to support these organisations.

In the literature, there was also a discussion on informal activism and its benefits. In Poland, according to Baytok, many protestors belong to informal or grassroots organisations, independent to political parties (Baytok, 2021, p.1). She further noted that many protests are intersectional, encompassing not only abortion and women's rights, but also opportunities to hold the government to account on other issues, such as climate change (Ibid, p.18). The mobilisation of citizens from rural areas has also fueled the Polish women's movement. Although "protesters have mostly been urban youth in both 2016 and 2020," many of the Black Monday protests "were spearheaded by local groups engaged in local activism" (Baytok, 2021, p.18). Federa also supported this stance, describing how "during the campaign „Yes for Women" many people from smaller towns also signed the

citizen's bill to liberalize abortion law" (Federa, 2013, p.74). Again, in 2021, there were nation-wide protests in favour of abortion, showing this was not a phenomenon limited to wealthy, urban women and that reproductive healthcare should be universal (Strzyżyńska, 2022b). This was a challenge for CSOs during the COVID-19 pandemic, in that they must comply with freedom of assembly restrictions that ostensibly protect public health whilst demonstrating against a further public health threat. Hence, CSOs must find a way to challenge this hypocrisy without making themselves vulnerable to the illness or to state legal action.

Although abortion has come under political scrutiny for decades, my sources seemed to suggest that it only entered public discourse relatively recently in Poland (Federa, 2017, p.36; Baytok, 2021, p.18). The 2016 pro-abortion protests there "Laid the groundworks for the protest movements that rose from the abortion ban" (Journalist A, 2022). Journalist A compared the protests in 2016 and 2020 at length, commenting that the former were seen as a "niche issue" by the public and the media, with the latter being far larger. Moreover, the latter were more widespread, even taking place in conservative and impoverished towns. Such protests "inherited a lot from the Black Monday" demonstration, especially "with technicalities" and attracting new protesters (Ibid, 2022).

The theme of solidarity also frequently appeared in my sources. Baytok wrote about the importance of "transnational solidarity, to build and sustain universal movements across borders and to exert influence on decision-makers on the international level" (Baytok, 2021, p.5, p.22). Roy-Lewanowicz acknowledged that many volunteers belong to more than one organisation, using their contacts to offer solutions if one network is unable to. She believed that micro-level actions can build something bigger, which can contribute to the sort of global movement that Baytok envisaged (Roy-Lewanowicz, 2022).

There are extreme cases where patriarchal attitudes towards controlling women's bodies manifests into violence against those assisting abortion. It may begin with anti-feminist rhetoric and culminate in fake news and disparagement, or physical and verbal abuse (Federa, 2013, p.74; Helsinki Foundation for Human Rights, 2016, p.10.) In Poland, Federa's staff "have faced death threats, intimidation and legal challenges," as reported by Swash and Strzyżyńska for The Guardian (Swash, Strzyżyńska, 2022). *Polonijna Rada Kobiet* has also observed such trends, recounting how "police brutality, especially against young people," has resulted in police breaking a protestor's arm and gassing, pushing and threatening others (Polonijna Rada Kobiet 2022a). Arguably, such threats jeopardise the mental wellbeing of activists. Journalist A cited the numerous court cases against Lempart as a source of stress that is symbolic of broader efforts by the state to "make life difficult for civil society actors'' (Journalist A, 2022). Furthermore, they quoted Wydrzyńska's case as highly significant, as it could result in law changes that aim to increase opportunities of prosecution for pro-abortion civil society actors (Ibid, 2022).

4.10.2 Other issues identified in Turkey

Baytok observed the grassroots nature of the women's movement in Turkey, calling it a "large coalition," which diversified and strengthened when the "ascent of authoritarian" after 2013 caused many organisations to fracture (Baytok, 2021, p.19). In addition, many groups are NGOs that rely on international funding, which, as discussed in section 4.4, leaves them vulnerable to accusations of foreign interference (Ibid, p.19). Like in Poland, successful protests are the ones that encompass multiple issues, with enhanced solidarity between feminist and LGBT organisations (Ibid, p.19). Professor A argued that women's movements are the only force that can bring people out onto the street in large numbers (Professor A, 2022). Indeed, one march in Istanbul in 2020 had 20,000 supporters (Baytok, 2021, p.20). In Professor A's view, many Turks may not explicitly identify as feminists, but they oppose the AKP's anti-women policies, as demonstrated by the public outcry

after Turkey's withdrawal from the Istanbul Convention (Professor A, 2022). Indeed, they asserted that the women's movement is "very anti-AKP," able to garner mass media attention with a supporter's base that also encompasses women from religious-conservative backgrounds (Ibid). Indeed, Baytok also noted that many conservatives opposed the AKP's abortion ban, on the grounds of it being a "private matter" for the individual (Baytok, 2021, p.15). Such diversity enables the women's movement to appeal to people from different social backgrounds, supporting issues that affect them and therefore gaining their support in turn. As an aside, Professor A briefly noted that other key sources of government opposition include "professional organisations that have legal status," such as associations for doctors and lawyers, which "have taken on the role of the opposition" (Professor A, 2022). They did not elaborate on whether such organisations tend to support or oppose abortion, or any support given by them to pro-abortion civil society groups.

In Turkey, abortion does not appear to be a priority for women's movements (Kivilcim, 2022). Furthermore, Professor A hypothesised that women's movements are so preoccupied with other matters that they do not have the time or the resources to deal with issues surrounding abortion (Professor A, 2022). For the groups that do focus on abortion, Professor A claimed "there's silence on this matter" (Professor A, 2022). They mused this may be a "deliberate choice," to avoid politicising the issue and to prevent the imposition of further restrictions, which, in light of the government's withdrawal from the Istanbul Convention and the misogynistic legal system, appears likely. They again stressed this needs to be confirmed by women's movements themselves, but it is their suspicion based on her knowledge of Turkish civil society. Kivilcim informed me that women's campaigns do not call themselves 'pro-abortion,' preferring the term 'pro-choice,' which is less controversial and conspicuous (Kivilcim, 2022).

Professor A also spoke of the informal structures of women's movements and micro-level connections between individual members, as opposed to formal agreements at the board or management levels (Professor A, 2022). Professor A emphasised that allyship is crucial within the women's movement. They claimed that, like the government, women's movements approach abortion "in an underhanded way" and they "organise amongst themselves," to help people "find ways of getting abortion legally" (Ibid). WWHR's spokeswoman supported this point, highlighting their work with youths and universities, as well as their coalitions with human rights organisations (WWHR Spokeswoman, 2022). Hence, the movement is heavily reliant on informal partnerships between individuals within organisations, and on receiving support from sympathetic healthcare workers. My Turkish sources did not mention the issue of safety. As discussed earlier, feminist organisations in Turkey may be reluctant to draw attention to the issue of abortion altogether, so accounts of harassment faced by CSOs may go unreported.

4.11 Summary

As noted by Hayes et al and confirmed by my sources, financial constraints imposed by the state may limit domestic and international funding for CSOs, as well as bureaucratic hurdles that make it harder for public and private donations to be given. This is turn makes it difficult for pro-abortion CSOs to obtain sufficient funding to cover their expenses and help the vast number of patients that need their services (Adapted from Hayes et al, 2017, pp.3-4). Financial constraints are a direct outcome of restrictive legislation imposed by the state, albeit predominantly with the intention to target feminist organisations that challenge patriarchal norms, rather than those whose abortion advocacy is their main activity. Criticism of organisations receiving foreign funding is arguably just as effective as the government blocking state funds directly. It is an indirect imposition of financial constraints, as it promotes public distrust and may discourage donors from supporting feminist organisations, thereby limiting their scope of work. Funding constraints directly impact patients, particularly those from poor socio-economic backgrounds. The discussion of the cost of pregnancy

terminations in Turkey, but not for Poland, could suggest that social discourse is becoming more open to abortion in the former or that discussion of the cost could act as a deterrent for abortion access. Dimitrova's work does not explicitly discuss financial restrictions, so here I must use her framework more broadly to contextualise the state capture of public institutions (Dimitrova, 2018, p.258). My sources have demonstrated how state influence on the funding that these institutions and their affiliates receive can constrict the civic sphere and its ability to work with or challenge the state. Hence, financial issues directly arise from the legislative changes that states impose to erode democracy and hinder civic mobilisation.

Based on Korolczuk and Hayes et al, I defined legal constraints as those that create legislative challenges for abortion access, such as the imposition of new laws or the adaptation of old ones (Korolczuk, 2020, p.696; Hayes et al, 2017, p.4). In Poland, there is government interference in judicial matters. In Turkey, such interference extends to all arenas of public life and general criminalisation of CSOs, not specifically to pro-abortion activists. In Poland, laws appear to intend to weaken the civic sector as a whole, rather than criminalise it. This may be due to the publicity generated by pro-abortion civil society movements in Poland in recent years, and as PiS uses abortion to fuel polarisation, criminalisation of civic actors in this field may help the state to cement its power. In Turkey, as noted by Professor A, government tactics towards abortion access are more "insidious," and abortion activists are reluctant to draw attention to the issue, as there are blatant state efforts to weaken and criminalise civil society as a whole (Professor A, 2022). In Poland, anti-terror laws focus on foreign actors, whereas in Turkey such legislation criminalises domestic government opponents. Moreover, my Polish sources mentioned the perceived importance of the Polish diaspora, whereas my Turkish ones did not mention the topic at all.

Legislation in both countries does not specify the role of civil society within abortion provision, creating a legal grey area that may facilitate the criminalisation and prosecution of groups deemed to have overstepped the mark. The topic of legislative constraints for the media and their effects on CSOs was briefly mentioned by several sources, alongside concern over limited opportunities for CSOs to engage with the state. Based off the information provided by my interviewees, Polish activists appear to have more access to the media, but nevertheless face difficulties surrounding the translation of public awareness into more liberal abortion laws. Media and legislative restrictions in Turkey may mean that activists self-censor their work, due to fear of prosecution, and in both Poland and Turkey they may be heavily reliant on social media, as discussed in Section 4.91. Legal issues surrounding abortion in both countries are symptomatic of the state capture of public institutions and repression of civil society as a counterbalancing force, themes that were discussed by Dimitrova (2018). As Dimitrova asserts, the capture of state institutions by political elites enables the state to implement favourable laws that often exclude civil society from democratic decision-making processes. This state capture undermines the frequently-made argument that democratic norms were fully established in post-Communist states. My sources have demonstrated that persistent democratic erosion in Poland and Turkey has inhibited the ability of pro-abortion civil society activists to engage with the state, forcing them to rely on civic mobilisation to attract state attention. Indeed, Dimitrova's focus on the interactions between civil society and the state reveals the paradox of CSOs trying to work with the very mechanisms that constrain them, due to the states' repeated prioritisation of engagement with favourable state actors and erosion of civic processes. Within the context of pro-abortion civil society groups in Poland and Turkey, actors must employ a variety of legal tactics and extra-political strategies to attract attention, whilst facing the risk of prosecution or of simply being ignored by hostile legislation.

I defined religious constraints as those that are used by non-state religious actors to introduce new abortion restrictions via the state or actions and rhetoric they introduce in the public domain to influence general opinion (Adapted from Korolczuk, 2020, p.698; the Żuks, 2020, p.574). Given the

literature's focus on religious constraints, it is surprising that the mention of this topic has been somewhat limited in my sources, especially for Turkey. This could indicate that the literature needs updating, that my sources view other constraints as more concerning or that religion is simply not as great a barrier as legislative or financial issues. In both countries, religious actors have influenced state laws and education, although this may be on the decline in Poland. In Turkey, there is a need to conduct more research on the influence of Islamic principles on the provision of abortion and if this poses a challenge to pro-abortion CSOs in the country, as my sources did not allude to this. My sources show how religious actors can contribute to the shrinking spaces phenomenon, by advocating for restrictive policies and by making education conservative and wording opportunities for a nuanced discussion of abortion rights in schools. They also showed the potential for strong religious influence in Turkey, despite the state's supposedly secular character. Consequently, civil society must work within increasingly limited legislative frameworks, which cut off its access to funding and contend with the inflammatory dialogue or false information pushed by conservative religious actors. Dimitrova focuses on relations between the state and civil society and does not discuss the involvement of religious actors. Nevertheless, her theory remains relevant here, as it outlines the capture of state institutions by external actors and the imposition of policies that limit the scope of civil society's work. Moreover, she further contends with the evolution of Poland's political sphere, following the collapse of Communism, a theme my sources mentioned in conjunction with religious actors collaborating with political elites to limit reproductive rights. On the whole, religious challenges link to wider issues of legislative and financial impositions that limit the scope and influence of pro-abortion civil society groups in Poland and Turkey. There is a need for further research to better compare the Catholic nation of Poland with the Islamic principles that govern Turkey and to draw conclusions on how the states' religious affiliation affects their interactions with pro-abortion civil society groups.

Influenced by Strzyżyńska, I viewed logistical constraints as challenges that impede the work of such groups (adapted from Strzyżyńska, 2022b). Given the lack of available information for Turkey, it is difficult to draw a direct comparison with Poland on logistical matters relating to pro-abortion CSOs. It is unclear whether Turkish people frequently travel abroad for pregnancy terminations, like their Polish counterparts and whether Turkish CSOs also fear legal repercussions for providing Plan B pills. Here, the broad application of Dimitrova's framework illustrates how the capture of state institutions by political elites imposes legal constraints that may create confusion and threaten civic mobilisation, lead to fear of prosecution and limit the work of CSOs, forcing them to rely on international support. Hence, Dimitrova's framework teaches us that legislative challenges create limited opportunities for CSOs to collaborate with state actors, which excludes civil society from policy-making and imposes logistical constraints on their work.

Both countries satisfy the conditions for the definition for medical constraints that I gave in my Theory section, as they show clear links between government rhetoric and policy on patient access to "reproductive health services," as healthcare workers are reluctant to offer such services for fear of criminalisation (adapted from MacFarlane et al 2016a, pp.65-66). State pressure and religious convictions cause healthcare workers in both countries to disseminate disinformation and the legal constraints mentioned in section 4.5 make it difficult for CSOs to facilitate abortion access without the fear of criminal prosecution. State control culminates not only in abortion restrictions, but also in the form of pregnancy tracking and restricted access to contraception, giving the state ultimate control over a person's reproductive health. Dimitrova's theory of state capture indicates how political elites erode the ability and willingness of state institutions to defy the government and openly provide reproductive healthcare (Dimitrova, 2018, p.258). Turkey is an authoritarian state and Dimitrova theorises that democracy was never fully consolidated in Eastern Europe (Ibid, p.260). This raises the question of whether state inference in a person's private medical affairs can be classified as democratic, and, as Dimitrova writes, underlines the need for effective civic

mobilisation to preserve fundamental bodily autonomy (Ibid, p.266). This means that CSOs face exclusion from policy-making and are engaged in a perpetual fight against disinformation whilst facing the threat of criminalisation themselves, and limited room to act against state control over the healthcare system.

In keeping with MacFarlane et al, I defined public awareness constraints as barriers that prevent the public from understanding abortion rights and the work of pro-abortion CSOs (Adapted from MacFarlane et al, 2016a, p.67). Sources for both countries indicated that coalition building is of great importance, allowing CSOs to work with the political opposition, combine resources and attract the public's attention. They also assert that opinion polls in Poland and Turkey tend to favour more liberalised abortion laws and that the internet and close personal networks also allow those in need to hear about the work of CSOs and contact them. Overall, sources stressed the need for feminist organisations to produce accurate information to counter false narratives. Social media allowed people to remain connected during the COVID-19 pandemic, granting activists a platform from which they can raise awareness of their work and granting the general public a point of access to contact pro-abortion CSOs and to share their own experiences. Multilingual social media campaigns may be an advantage for attracting international attention, but this area requires further research. Additionally, there is the question of how CSOs that operate with limited resources can be expected to counter misinformation, when powerful and well-resourced social media platforms refuse to do so. This is an issue that becomes more pressing when one considers the support that the Polish and Turkish governments' anti-abortion narratives receive from right wing conservatism, presenting more barriers for pro-abortion CSOs. Given the AKP's media monopoly, social media may arguably play a more important role in Turkey than in Poland, where the media is freer. Social media platforms could destigmatise the procedure, although CSOs face the risk of attracting enhanced criminalisation mechanisms for abortion. Not only do organisations have to face compounding barriers on multiple fronts, they may be forced to split resources, consequently leaving them with limited capacity to fight legal challenges whilst also combatting online threats. The processes of state capture have weakened the imposition of democracy in post-Communist Poland and Erdoğan's Turkey, causing Dimitrova to suggest civic mobilisation as a countermeasure to reverse such authoritarian reforms (Dimitrova, 2018, p.266). Social media may provide an alternative source of information to state-controlled media, with further research needed to better understand this emerging phenomenon. In both countries, grassroots movements have growing alliances with LGBT organisations, with sources noting the intersectional nature of women's rights campaigning. In Poland, abortion protests are explicitly advertised as such, and may be joined by those seeking any opportunity to oppose the PiS government, whereas in Turkey the women's movement centres other concerns. In Turkey, there is a reliance on protests in metropolitan areas for garnering attention for women's rights, whereas in Poland, the mobilisation of people from rural areas is key. In both nations, there is great importance placed on the micro-level networks between individuals, with organisations also forging formal ties to support each other's causes.

Moreover, there is the challenge of overcoming freedom of assembly constraints that are ostensibly in place to protect public health but are also convenient means of suppressing anti-government protests in countries with growing authoritarian tendencies, such as Poland and Turkey. Hence, CSOs must find ways of circumventing these restrictions without risking their health or criminal prosecution. In Poland, one must learn how to maintain and strengthen microlevel and informal networks in the face of democratic backsliding. In Turkey, there is the question of which aspect of women's rights to prioritise when faced with multiple threats. Dimitrova observed how weakened checks and balances obstruct legal and effective civic protest. In line with the Brot für die Welt rankings, protest in Turkey is significantly harder than in Poland, with both authoritarian governments restricting civic rights to facilitate their own state capture. Consequently, Dimitrova emphasised the importance of civic mobilisation, especially given that democracy was not fully

consolidated in Eastern Europe to begin with. However, she notes that civil society's collaboration with state actors to work to limit the sphere's influence is paradoxical. Within the context of pro-abortion civil society groups, this means that such organisations must constantly diversify and develop new strategies, to overcome the everchanging restrictions that they face. Informal networks may prevent them from acting on a large scale, but it allows them to help individuals and to perhaps attract limited state attention and therefore avoid new restrictions. Overall, abortion campaigning is a sub-section of the women's movement, facilitated by microlevel interactions that combine to create nationwide movements in Poland and to discreetly assist those in need of pregnancy terminations in Turkey.

On the whole, pro-abortion civil society groups in Poland and Turkey face a variety of intersecting challenges that limit their scope of work. I have investigated these challenges within Dimitrova's state civil society framework, concluding that many constraints are imposed by state structures, which narrows civic space and threatens people's right to reproductive healthcare. My findings confirm that the literature's discussions over legislative restrictions remain highly relevant, unveiling the need for more academic attention on logistical constraints and the use of social media.

CHAPTER FIVE: CONCLUSION

I hoped to gain an insight into the constraints that pro-abortion civil society groups face and better understand how the abortion issue epitomises civil society's struggle to engage with the state in Poland and Turkey. I conducted interviews with pro-abortion activists from both countries, alongside experts, and analysed primary and secondary materials such as abortion legislation and newspaper articles. I selected key themes from my sources and analysed such issues under Dimitrova's framework, to comprehend state-civil society relations within the context of abortion in Poland and Turkey. My time frame for analysis was 2012 until the present day, to track legislative changes and protests over the last decade and to incorporate the analysis of significant developments, such as the legislative proposals and protests in Turkey in 2012 and parallel events in Poland, coupled with that country's legislative regressions. I expected to find that legislation would be a primary challenge for activists, as well as religious actors negatively impacting the public perception of their work and various financial restrictions.

Legislative constraints for both countries emerged as a defining factor, with the state introducing laws that limit the opportunities for abortion, constrain the work of doctors and impose financial barriers for CSOs that oppose such limits. Abortion is governed by criminal law in both Poland and Turkey, resulting in the criminalisation of a healthcare procedure. Religious conservatism can influence legislation, which in turn influences medical, financial and logistical factors. Public awareness regarding abortion access and the work of pro-abortion civil society CSOs is often intertwined with social media access, with my sources also revealing how abortion fits into the wider framework of women's rights.

My sources provided me with an insight into the events that impacted pro-abortion civil society groups in Poland and Turkey from 2012-2022, documenting changes over the last decade. I conclude the 2012 was a watershed movement for abortion in Turkey, but, unlike the events of 2016 and 2021, which were highly significant in Poland, it did not result in legislative changes. It briefly centered abortion in public debate, but, unlike in Poland, the topic is not present in public discourse, overshadowed by concerns such as the withdrawal from the Istanbul Convention or out of fear of further restrictions. Contrastingly, the abortion debate in Poland symbolises the tensions between reproductive rights and state and religious conservative intrusion in the private sphere. It also epitomises the development of shrinking civic spaces, as pro-abortion CSOs come under increasing pressure from the state in the form of multiple legislative, medical, financial, religious and other restrictions. In both countries, abortion pertains to the discussion over what constitutes a traditional family model. It also documents the evolution of activism in both countries. The past decade has seen activists face increased legal challenges and threats of imprisonment, causing them to change and digitalise their campaign tactics.

My sources were careful to distinguish between Poland's democratic erosion and Turkey's growing authoritarianism. As summarised by Baytok: "The AKP and PiS share an authoritarian, conservative, undemocratic and populist orientation that has an inevitable impact on vested rights and women's political gains. [...] Themes coincide and the ideological motivations of the governments bear similarities, while the duration of their time in office, the sheer scope of their oppressive policies and therefore the magnitude of people's experiences of inequalities and rights violations differ between these two countries" (Baytok, 2021, pp.17-18).

Another key difference is that the EU may, to an extent, intervene in Polish domestic affairs to counter authoritarianism, a possibility that is absent in Turkish politics (Baytok, 2021, p.21). The lack of discussion of religious factors by my sources may indicate a gap between the academic perspective and the lived experiences of activists. Similarly, the limited discourse of logistical challenges by my sources may indicate the need for further research, or a possible reluctance to

reveal civil society tactics. The Polish and Turkish states actively impose measures on healthcare workers, by implementing restrictive legislation or through more informal channels, such as the lack of promotion opportunities in Turkey. Whilst my Polish sources highlighted issues with CSOs providing abortion pills, this theme was not discussed for Turkey. Issues surrounding financial access to abortion (stemming from legislation that may not provide state funding for the poor) effectively create healthcare segregation, as the most marginalised people within society have difficulties in accessing fundamental healthcare. As several sources indicated, this prevents poorer people from accessing safe and legal terminations but has a more limited impact on wealthier members of society. Pressures from state legislation and religious actors are a powerful deterrent against healthcare workers offering terminations. Public support in both countries may generally be in favour of abortion, but social media may be a paradox, simultaneously facilitating CSOs' access to the public and exposing them to abuse. Informal networks among individual volunteers can offer support to patients, and there is a need for further research to understand how such networks use social media. Over the last decade, the rise and influence of social media has been one of the most significant changes, alongside the introduction of increased legislative restrictions in Poland and the state's efforts to silence women's rights activism in Turkey. Consequently, pro-abortion CSOs in both countries have simultaneously had to navigate new legislation and devise new and effective campaign tactics that do not infringe upon these laws.

Overall, my sources revealed how the intersection of multiple constraints impacts pro-abortion civil society CSOs in Poland and Turkey. The majority of the aforementioned constraints are state-made, such as restrictive legislation and pressures imposed on medical professionals. Other challenges, such as religious convictions opposed to abortion, stem from conservatives, many of whom have close state ties. The challenge of raising public awareness is also arguably somewhat linked to the state, which has the ability to fine and imprison activists that oppose its policies, which may limit the willingness of some to challenge the status quo publicly, in turn limiting public awareness of such issues. This implies that the state's interests can overlap with that of other actors and influence both the public and private domains, posing a considerable challenge to civil society actors. It is important to consider that the state consists of an array of individual actors. Further research should be conducted into these actors and their ability to influence public policy and restrict the scope of civil society's work. Whilst legislation is a factor that influences all others, it is difficult to analyse the rest in isolation to each other. I have learned the need for an intersectional framework of analysis and an intersectional understanding of how challenges overlap, further compounding the difficulties of opposing an authoritarian state and advocating effectively for reproductive rights.

Dimitrova's state civil society theory demonstrated how state capture by political elites following the collapse of Communism shrank civic space, a theory I have applied to Turkey within the context of Erdoğan's increased authoritarian reforms in the recent decade and to the Polish government's attacks on civic freedoms. Using Dimitrova's frame of analysis, I have revealed the increasing difficulties of civil society operating effectively within the political system, which forces them into the margins, such as digital spaces and onto the street. Dimitrova asserted that democracy was not fully established in Poland or Turkey to begin with, meaning that the notion of 'democratic backsliding' is a misconception. Within the context of my research question, this means that pro-abortion CSOs do not have a fair opportunity to engage with government actors. She noted the value of civic mobilisation, which is more constrained in Turkey than in Poland, creating a paradox for CSOs in that they must contend with the state mechanisms that seek to undermine them. By applying her theory to my analysis, I have outlined the limited conditions under which the civic sector may operate, infringing upon the broad issues of women's rights and healthcare access in Poland and Turkey. Hence, the struggle for abortion rights in these countries must be viewed as a case study for the wider fight for civil rights.

APPENDIX

Interviewee	Reference in the text
Professor Agnieszka Dudzińska	(Dudzińska, 2022)
Professor A	(Professor A, 2022)
Inès Roy-Lewanowicz	(Roy-Lewanowicz, 2022)
Journalist A	(Journalist A, 2022)
WWHR Spokeswoman	(WWHR Spokeswoman, 2022)

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