

# Spanish government attacks abortion rights

Alejandro López  
28 December 2013

The Spanish Popular Party (PP) government has approved its final draft abortion law on the Protection of the Conceived Life and Rights of Pregnant Woman. The legislation will plunge the rights of Spanish women almost back to the dark days of the fascist regime of General Francisco Franco. It must still be approved by parliament, but the PP's large majority makes it almost certain to pass.

Under the new legislation, according to Francisca Garcia, head of the Association of Accredited Abortion Clinics, about 100,000 of the 118,000 abortions carried out last year would be illegal.

The announcement of the new law resulted in protests in about 20 cities, including Bilbao, Malaga and Barcelona. In Madrid, around 1,000 demonstrators gathered in front of the Ministry of Justice building calling for the resignation of Justice Minister José Alberto Ruiz-Gallardón, who was the architect of the law. Three protesters were arrested, and others were brutally attacked by the police when the demonstration ended (see <http://www.youtube.com/watch?v=9xNkYj-hED8#t=179>).

Under the Franco regime (1939-1975), abortion was illegal. In 1985, following the transition to bourgeois democracy, the Socialist Workers Party (PSOE) government passed a limited reform, which still considered abortion a crime except in three specific circumstances: as a result of rape or incest, foetal abnormality or danger to the physical or mental health of the mother.

In 2010, the PSOE, largely to comply with European Union proposals, passed another law, which gave women the right to abortion up to the 14th week of pregnancy, rising to 22 weeks in case of foetal deformities.

In the 2011 election campaign, the PP announced it would review the 2010 law, “correcting errors made at the time” in order to “reinforce the protection of the

right to life as well as female minors”, without clarifying the exact measures it would take.

Under the new proposals, women will only be permitted to terminate their pregnancy in two circumstances: rape and “lasting harm” to the mother's health. In the case of “lasting harm,” a woman will need the approval of two doctors not employed by the clinic treating her. Under-18s will also need to be accompanied by their parents, and have their permission, before an abortion can be performed. Abortions based on incurable disease of the foetus or a foetal anomaly incompatible with life are again illegal.

The new law also allows doctors to refuse to carry out abortions by declaring they are “conscientious objectors”—another step that underscores the extent to which the principle of separation of church and state is under attack in Spain.

Another clause of the law forces a woman to receive verbal information about alternatives to abortion—i.e., to endure face-to-face pressure from anti-abortionists and make them wait seven days to “think it over”. The 2010 law obliged clinics to give envelopes containing alternatives and made women wait 72 hours.

With the new legislation, the PP has once again accepted yet another demand of the Catholic hierarchy. It follows on from the latest education reform, which opens the door to more charter schools (private schools subsidised by the state) in which the Catholic Church has a strong presence, and allows single-sex schools, mostly under the control of the church, to continue to receive subsidies despite a recent Supreme Court ruling banning them on grounds of discrimination. Added to this, religion has been reinstated as a subject that counts towards a high school student's average grade, a determining factor in obtaining scholarships.

Shortly before the 2010 law, the Instituto de la Juventud (Youth Institute, linked to the then-Ministry of Equality) found that 79 percent of Spaniards

supported the right to abortion on demand for women in the first weeks of pregnancy. It also found that 65 percent of PP voters rejected plans to make abortion for foetal deformities illegal.

The impact of the law will weigh most heavily on the working class in a context of 26 percent unemployment, attacks on working conditions and huge child poverty levels. The PP and the Catholic Church, which attack the right to terminate pregnancy based on religious doctrine of the “right to life”, care nothing for those who actually do live.

Contrary to the claims of the religious right, this law will not put an end to the more than 110,000 abortions that are carried out in Spain each year. Instead, working class women will have to travel abroad or resort to unsafe methods, especially nowadays with access to drugs through the Internet.

Under Francoism, thousands of women, mostly coming from working class backgrounds, died in unsafe clandestine abortions, while the daughters of the wealthy were able to travel to Paris or London to seek whatever care was needed. In 1974, an estimated 300,000 back-street abortions were being performed a year, according to the Supreme Court prosecutor’s office.

The fact that the Catholic Church was able to safeguard its privileges during the transition from the Francoist “national-catholic” regime to bourgeois democracy was due to the support of the PSOE and the Stalinist Communist Party. Afterwards, the PSOE constantly capitulated to the church, still considering abortion a crime in 1985 until they changed it 25 years later.

The control of reproduction, to be able to choose whether or not to have a child, with whom and under what conditions, is a basic democratic right. The central issue is that the woman must make the choice over pregnancy, not any government, doctor or religious institution.



To contact the WSWS and the  
Socialist Equality Party visit:

**[wsws.org/contact](http://wsws.org/contact)**