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Feminism, the State, and the Centrality of Reproduction: Abortion Struggles in 1970s Italy¹

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Abstract

The article analyses an episode of socio-political conflict over the question of abortion in 1970 Italy. Considering the shifting positions of feminist groups and other pro-legalisation actors on the one hand, and institutions, political parties and the Church on the other, it offers an analysis of social mobilisation, leading to parliamentary debate and legal change. It presents an approach to an understanding of feminist challenges to patriarchal cultures and institutions, and of the latter's immediate responses. Focusing on Italy but referring to developments in other industrialised countries, the article inscribes the short history of the battle for reproductive rights in 1970s Italy in a framework centred on the Foucauldian notion of biopolitical power. It is argued that the legal settling of the issue came to be seen by state actors as central to the wider socio-political stabilisation of the country. For feminists, the question of abortion was less straightforward than is often assumed. Italian feminist debate, while visibly impacting on wider society, was marked by dilemmas around the private and the public, the relationship to the state, and concerns around centering the feminist agenda on reproduction.

Keywords

Feminism; Abortion; Biopolitics; Italy; 1970s

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Introduction

In May 1978, the Italian Parliament passed a law which partly legalised abortion. This marked the start of a long history of conflict, including attempts at abolishing it through a referendum in 1981. The law remains in place at the time of writing, and the question of abortion is quasi-permanently present in Italian public debate. Law 194 allows for medical personnel to refuse carrying out abortions if they are registered as ‘conscientious objectors’, and this has legitimated a culture of widespread and organised resistance against legal abortion. As a result, obstacles against obtaining an abortion exist even for women who are legally allowed to have one, as approximately 70% of gynaecologists were registered as conscientious objectors in 2016.² The objection clause was a key reason why Law 194 was bitterly criticised and immediately disowned by feminist groups, who had been campaigning for abortion on demand the best part of the decade, and, in the popular imagination then and now, are seen as the driving force behind the introduction of the law. While it warns against abortion being ‘used as a means for birth control’, Law 194 allows adult and mentally able women to undergo abortions within the first 90 days of pregnancy, under strictly defined, although broad, conditions: if the pregnancy constituted a threat to her physical or mental health, her economic conditions or family circumstances; if the pregnancy could be considered problematic ‘in relation to the circumstances in which conception occurred’; or in the case of foetal anomaly. The procedures for obtaining permission are convoluted: the woman has to seek the advice of an authorised medic who is to assess the grounds for abortion as described above. If these are met, and if the medic is not registered as a conscientious objector, he or she is obliged to refer the woman to a state hospital for abortion.

² In parts of the country the number is as high as 90%. This according to press reports, for instance ‘Aborto: Ecco le regioni in cui impraticabile per l’obiezione di coscienza’, *La Stampa*, 14 April 2016, 5.

Any abortion violating such procedures, or carried out without the woman's consent, remains punishable.³

Law 194 abolished abortion legislation dating from 1931, which formed part of private law as introduced by the Fascist government and referred to as the *Codice Rocco*. As in some other European countries, abortion was here defined as a 'crime against the integrity of the race', and declared punishable in all circumstances. As argued by Ruth Miller, the longer-term history of reproductive rights in the Western world reveals an ever-expanding state and a gradual process full politicisation of the womb as a public space subject to legal and social regulation.⁴ In the second half of the twentieth century the regulation of reproduction continued to be central to what Giorgio Agamben has called the sovereignty of the biopolitical state,⁵ as *both* criminalisation and de-criminalisation assured that reproduction became part of the public and political arena, shaping the relationship between the state and the individual. In Italy, Law 194 did exactly this: it both criminalised and de-criminalised abortion, and strengthened the state's regulatory role and discursive power. Furthermore, during the phase of heightened debate on the issue, leading to legislative change and partial decriminalisation in the 1960s-80s across the industrialised world, a more specific shift took place, towards arguments based on choice and individual rights, and this among both proponents and opponents of decriminalisation.⁶ Here too, the Italian case illustrates a wider trend.

The analysis below describes a relatively short moment (1970-78) that saw two sets of changes: the modification of the relationship between the state and the reproductive citizen

³ Legge 22 maggio 1978, n. 194: 'Norme per la tutela sociale della maternità e sull'interruzione volontaria della gravidanza'.

⁴ Ruth Miller, *The Limits of Bodily Integrity: Abortion, Adultery and Rape Legislation in Comparative Perspective* (London-New York, 2007), 20.

⁵ Giorgio Agamben, *State of Exception* (Chicago, 2005).

⁶ Miller, *op. cit.*, 22.

and specifically the reproductive woman, and shifts in the ways in which this was being debated throughout society. It was, first and foremost, a moment of deep and consequential feminist challenge to the patriarchal state and dominant patriarchal culture.⁷ At the same time, it was a moment at which those actors creating policy and articulating hegemonic cultural norms *responded* to feminist threats to the status quo, and engaged in processes of negotiation and modification. The starting point of the analysis is that in Italy, legislative and discursive shifts occurred as the result of, chiefly, feminist interventions. There was a direct causal connection between feminist mobilisation in favour of reproductive rights and the eventual passing of Law 194. Although remarkable contemporaneity can be observed in the key moments of legal change on abortion across the industrialised world, this was not necessarily, or not everywhere to the same extent as in Italy, provoked by feminist mobilisation and feminist argument. While in France, similar to the Italian case, a broad, partly feminist mobilisation immediately preceded legal change in 1975, in Great Britain the Abortion Act was passed in 1967, before the peak of second-wave feminist mobilisation.⁸ Nonetheless, across the industrialised world second-wave feminism held reproductive rights high on the agenda – although not always involving a straightforward call for abortion on demand. Much historical research remains to be done to complicate popular images that equate shifts in reproductive rights with the second-wave feminist agenda, and this article attempts to contribute.

⁷ A useful and succinct working definition of patriarchy, which the analysis below subscribes to, is offered by Sylvia Walby: ‘a system of social structures and practices in which men dominate, oppress and exploit women’. Sylvia Walby, *Theorising Patriarchy* (London, 1990), 20. For a classical feminist definition, see Adrienne Rich, *On Woman Born: Motherhood as Experience and Institution* (London, 1976), 57. See also Judith M. Bennett, *History matters: Patriarchy and the challenge of feminism* (Manchester, 2006), 54-59.

⁸ This is not to deny the centrality in Britain too of abortion to the women’s liberation movement, and the many feminist campaigns dedicated to expanding reproductive rights and either defending or improving abortion law and its application. See Melanie Latham, *Regulating Reproduction: A Century of Conflict in Britain and France* (Manchester, 2002), 82-103.

To be sure, feminist opposition alone did not lead to the passing of Law 194 in Italy – rather, feminist groups were able to re-frame the debate in significant ways and established themselves as a dominant voice, leaving other socio-political actors, whether in favour of or opposed to decriminalisation, with the need to react. A wider movement in favour of (partial) de-criminalisation was formed, as feminist perspectives interacted with gender-neutral arguments around individual rights, modernisation, and secularism. It is argued here that this wider movement, in as far as it had a shared agenda and despite the uneasy coming together of different points of view, was immediately successful in shifting societal debate on the issue and pressuring state institutions towards adopting a new legal and political framework.

The aims of this article are twofold. Firstly, it builds a framework and a narrative for understanding the challenge posed by second-wave feminism to patriarchy on the question of reproductive rights, stressing the reluctance to prioritise the issue within the wider feminist agenda, the difficulties and disagreements with which it was discussed, but, nonetheless, the strong influence of feminist arguments on societal debate. Secondly, the article inscribes the short history of the battle for reproductive rights in 1970s Italy in a conceptual framework centred on the Foucauldian notion of biopolitical power, on the relationship between the state and the individual, and on the centrality of reproduction and women's bodies to state sovereignty.⁹ It is proposed that feminist challenges and immediate patriarchal responses must be discussed jointly and understood as intertwined and constantly interacting. In general terms, this is so because the contours of actors, alliances and agendas are blurred and those challenging the status quo cannot always perfectly be separated from those attempting to

⁹ Michel Foucault, *The Birth of Biopolitics: Lectures at the College de France, 1978-79* (ed. Michel Sennelart, Basingstoke, 2008). Feminist scholars have critically engaged with gender-neutral Foucauldian notions of the centrality of reproductive rights to the state. See, among others, Miller, *op. cit.*; Penelope Deutscher, 'The Inversion of Exceptionality: Foucault, Agamben and "Reproductive Rights"', *South Atlantic Quarterly*, 107:1 (2008) 55-70; Allaine Cerwonka and Anna Loutfi, 'Biopolitics and Female Reproductive Body as the New Subject of the Law', *Feminists@Law*, 1:1 (2011), 1-5.

build a new consensus. Illustrating this here, for instance, were women active in the *Partito comunista italiano* (PCI) who were influenced by feminism in calling for abortion on demand, but remained loyal to a party which was committed to maintaining the sexual status quo in society and culture, and instrumental in finding a moderate compromise that was acceptable across the political spectrum. A more specific reason behind a conceptualisation including challenges as well as responses lies in the fact that patriarchal responses to the feminist challenge involved an engagement with but also a *modification* of the feminist agenda.¹⁰ As discussed in the third section of this article, some of these modifications were anticipated by feminist groups.

The actors studied here include, firstly, political and social groups arguing in favour of (partially) legal abortion. Although a broad movement took shape in mid-1970s Italy, a variety of positions existed, many of which referred to themselves as feminist (and these included mainly separatist feminist collectives), and some of which did not. The main focus here is on the feminist groups, their framing of reproductive rights for women, and the dilemmas of engaging with the state, the law, the wider public space. These groups included collectives such as the influential *Rivolta femminile* (RF) the *Movimento di Liberazione della Donna* (MLD), and the Milan-based *Collettivo di Via Cherubini*, and women's groups with connections to political parties such as the communist *Unione di Donne Italiane* (UDI). Non-feminist actors that played a key role in the pro-legalisation camp include the non-Marxist left party *Partito radicale* (PR) and small radical-left parties such as *Lotta continua*, as well as a number of individuals within the *Partito socialista* (PS), such as MP Loris Fortuna.

¹⁰ Among the growing historiography on second-wave feminism, most analyses have presented an internal history of feminist groups and debate, a less attention has gone out to immediate societal, cultural and state responses. The notion of a 'backlash' against feminism, understood in some analyses to have characterised 1980s culture and society in countries such as the USA, falls short of presenting a sophisticated analysis of the various forms of patriarchal re-stabilisation and modification. For instance, Susan Faludi, *Backlash: The undeclared war against women* (London, 1992).

Secondly, the article analyses the more significant immediate responses to calls for legal abortion coming from key socio-cultural and political actors. While a number of these, notably conservative currents within the Catholic Church, maintained an uncompromising stance, others, including progressive Catholic groups and the country's two main political parties, the PCI and the *Democrazia Cristiana* (DC), were engulfed by rapidly shifting debates within their ranks. The final section of the article is focused on debates in and close to Parliament, an institution which served as the main site of negotiation among the social and political actors of patriarchy (the major political parties, and indirectly the Church through its influence over the DC) on the one hand, and some of the pro-legalisation actors. The party-political negotiations leading up to the adoption of Law 194 created a new consensus, consisting of three key elements. Firstly, abortion lost its 'shock' value and became a regular part of public discourse. Secondly, individual rights (of the woman, of the foetus, of medical professionals) became the dominant ethico-political framework with which to discuss reproduction, although, it should be stressed, framing abortion as a woman's right was approached with much caution and granted by the state only under the most severe societal pressure. Thirdly, the new legal framework and associated dominant discourses served to *prevent* cultural change in attitudes towards sex, gender relations and reproduction – which was exactly the more fundamental aim that animated feminist debate. In some respects the Italian case can be held illustrative of wider patterns across the industrialised world.¹² Indeed, Italy produced a vibrant, mass-based feminist movement, not dissimilar to the ones emerging in France, West Germany, Japan, and the USA. Its discourses, agenda, and practices were often influenced by, and transnationally connected to, those adopted by feminist groups in countries across the Western world - and this included practices such as

¹² For an international, comparative studies of feminism and abortion rights in this period, see Dorothy McBride Stetson, *Abortion Politics, Women's Movements and the Democratic State: A Comparative Study of State Feminism* (Oxford, 2001).

consciousness-raising and setting up self-help clinics and women's refuges; discourses centred on liberation and sexual difference (rather than equality); and a political agenda to which abortion and, more generally, the reclaiming of the sexed body, was central. In other respects, however, the Italian case stands out as exceptional in a number of ways: for the size and mass basis of the feminist movement; for its apparent immediate successes; for the accelerated cultural changes occurring in the country since the 1960s, particularly in the areas of family life and affective relationships; for the extreme political instability that formed the backdrop to the parliamentary abortion debate of 1977-78; finally, for the intensity and antagonistic quality of the debate on abortion, engaging all sectors of society, and not least the Church. It is, indeed, a case of apparent paradoxes: a country marked by Catholic and culturally conservative values and male-centred politics, facing an unusually vocal, radical and large feminist movement.

1. Abortion in 1970s Italy: From taboo to debate

'1968' in Italy had ushered in a decade of rapid cultural change and deep socio-political instability. The rapid cultural changes, with shifting norms on issues of sexuality and gender relations, was what made the emergence of a new kind of feminism possible – albeit in contradictory ways.¹³ In Italy as elsewhere the so-called 'sexual revolution' facilitated a new sense of self especially among young women, as it led to the questioning of established values and behaviours. At the same time, it provoked disenchantment and anger among women: many felt that there was little about this 'revolution' that was liberating for them and

¹³ Lit on links and tensions between the cultures of '1968' and feminism see, among many titles: Mariella Gramaglia, '1968: Il venir dopo e l'andar oltre del movimento femminista', *Rivista di storia contemporanea*, 2 (1989) 170-204; Luisa Passerini, *Storia di donne e femministe* (Rosenberg & Sellier, 1991); Robert Lumley, *States of Emergency: Cultures of Revolt in Italy from 1968 to 1979* (London, 1990), 313-336; Fiamma Lussana, *Il movimento femminista in Italia: Esperienze, storie, memorie* (Rome, 2012), 36-46.

that the public proliferation of sex and the new permissiveness were male-centred and created new forms of subordination.¹⁴ Similarly, the radical political and social protests of ‘1968’, carried mostly by young people and, in Italy, engaging hundreds of thousands in street, campus and workplace mobilisation, held a deeply contradictory meaning to women. On the one hand, the discourse of liberation, the anti-capitalist critiques, and the new forms of cultural activism, all created a set of languages and practices which 1970s feminism in some sense inherited and took into new terrain. On the other, most forms of radical protest performed in this context re-asserted masculinity and re-endowed it with heroicism. The much mystified worker, the student-activist, the shop steward: all perceived protagonists of the rebellions of 1968-69 were men carrying a freshly asserted masculinity.¹⁵

It was amidst such tensions that from 1969 the first women-only collectives were formed, initially in the most politicised cities such as Turin, Milan, Padua, and Rome. Calling themselves feminists, and strongly influenced by what was happening in the US, France and elsewhere, these women adopted consciousness-raising and separatism as core strategies towards the invention of radically new ways of being political.¹⁶ In a second instance, and visibly so around 1975, the small groups were joined by thousands of women of different generations, different political persuasions, different social backgrounds – all of whom had

¹⁴ Dagmar Herzog, *Sexuality in Europe: A Twentieth-Century History* (Cambridge, 2011), 133-145; on the ‘sexual revolution’ in Italy: M. Boneschi, *Senso. I costumi sessuali degli italiani dal 1880 a oggi* (Milan, 2000), 224-267; Penelope Morris, ‘“Let’s not talk about Italian sex”: The Reception of the Kinsey Reports in Italy’, *Journal of Modern Italian Studies*, 18:1 (2013) 17-32. Among the historiography of second-wave feminism in Italy, this work dedicates more attention to cultures of sexuality than others: Diego Giachetti, *Nessuno ci pou’ giudicare: Gli anni della rivolta al femminile* (Bologna, 2005).

¹⁵ On heroic masculinity and the cultures of 1968: Lessie Jo Frazier and Deborah Cohen, ‘Defining the space of Mexico’s 1968: Heroic Masculinity in the Prison and ‘Women’ in the Streets’, *Hispanic American Historical Review*, 83: 4 (2003) 617-660.

¹⁶ On the early years of the feminist collectives, see among others: Elda Guerra, ‘Una nuova soggettività: femminismo e femminismi nel passaggio degli anni Settanta’, in Teresa Bertilotti, Anna Scattigno (eds.) *Il femminismo degli anni settanta* (Rome, 2005), 25-68; Lea Melandri, *Una visceralità indicibile: La pratica dell’incoscio nel movimento della donna degli anni settanta* (Milan, 2000); Passerini, *Storie di donne*, op. cit.

been left disenchanted by the expectations raised by cultural modernisation, by the supposed inclusion of women into the political realm since suffrage had been granted them in 1945, by persisting and in some ways exacerbated gender inequality in waged work in the context of the ‘economic miracle’; and by the intense cultural demands placed on mothers. It was at this stage that we can observe the (rapid) development of a social movement that was diverse and enjoyed broad grassroots support and public visibility, helped especially by the feminist radicalisation of the communist UDI and the formation of feminist groups within Italy’s large trade union confederations.¹⁷

The deep political crisis of the long 1970s is crucial to understanding the growth of the feminist movement and the circumstances of the abortion debate. A key question following the outburst of discontent of 1968-69 was where the new radicalism would find a political home. Organisations were formed on the radical left, including *Lotta continua*, *Potere operaio* and *Il Manifesto*, many of which saw feminist breakaways from within the ranks. Further, the *Partito Radicale* aimed to represent the ‘generation of 1968’ politically and captured aspects of the new libertarianism. Less concerned with class politics than other sections of the left, it adopted US-influenced civil liberties discourses and engaged in practices often seen as controversial, such as direct action and hunger strikes.¹⁸ Within this organisation, feminists by the mid-1970s came to a position of severe critique of the male leadership. The PR assumed a key role in the campaign leading up to the referendum on divorce in 1974, presenting itself quintessentially as the party of modernity and secularism, as it was to do in the context of abortion. The referendum on divorce in significant ways prepared the ground for the battles on abortion, and it reflected rapid shifts in cultural norms

¹⁷ Maud Anne Bracke, *Women and the Reinvention of the Political: Feminism in Italy, 1968-1983* (New York, 2014), 75-79.

¹⁸ Mark Donovan, ‘The Radicals: An Ambiguous Contribution to Political Innovation, 1968-1983’, in Anna Cento Bull, Adalgisa Giorgio (eds). *Speaking Out and Silencing: Culture, Society and Politics in Italy in the 1970s* (Cambridge, 2006), 122-131.

as well as the extent of resistance to such changes. Law 898 passed in 1970 had introduced no-fault divorce, placing men and women in the same legal position. It immediately provoked the call for an abrogative referendum by Catholic pressure groups. The PR and the radical-left parties led the winning ‘No’ campaign, in opposition to the abrogation of Law 898.¹⁹ Many feminist groups sided with the ‘No’ vote, but, in a sign of things to come, a number of influential collectives, including *Rivolta femminile*, argued that no-fault divorce did little to destroy (and in fact salvaged) marriage as a patriarchal institution.²⁰

The *Partito comunista italiano*, the country’s largest party in terms of membership, failed to take a strong stance on divorce, hereby provoking sharp critiques among young people and leftists. On abortion too, it started off with a culturally conservative position, centred on notions of women’s prime duties as mothers and on the ‘communist family’, imagined as a harmonious partnership between husband and wife, in which each had distinct roles. In 1968-69 students, young workers and marginalised groups critiqued the latter party for what they saw as its abandoning of revolutionary aims, as well as for its cultural conservatism. Nonetheless, by the mid-1975 the party had recovered some of the lost ground among progressives and showed itself moderately receptive to new cultural values. Pressuring the party in a very different direction, however, were its ambitions to become a party of government in the near future, and the strategy of reaching out to the *Democrazia Cristiana*. In the context of an extraordinary political crisis during the fifty-five day capture of former Prime Minister Aldo Moro by the far-left terrorist group Red Brigades in March-May 1978, the PCI, more than any other political actor, was determined to safeguard ‘normal’ parliamentary functioning. To the PCI leadership, finding a settlement on abortion,

¹⁹ On divorce, see Mark Seymour, *Debating divorce in Italy: Marriage and the Making of Modern Italians* (Basingstoke, 2006).

²⁰ Carla Lonzi, ‘Sputiamo su Hegel’, in Carla Lonzi, *Sputiamo su Hegel e altri scritti* (Milan, 2010), 13-48.

which amidst the crisis appeared at the top of the parliamentary agenda, was essential to the recovery of institutional stability.

Abortion came to be seen as the defining battle for 1970s feminism in much of the Western world. In Italy, the wider public perceived the two as quasi-synonymous. However, to some degree this was to Italian feminists an unwanted battle. Feminist debate and activity evolved around a much wider agenda, and critical voices started to question the benefits of centring the movement's aims on this issue. Ironic, further, was the fact that at the height of the abortion battle, as it unfolded on the streets, in Parliament and in the media, many feminists felt alienated from the public debates, did not identify with the languages and arguments used, and felt unable to influence these. Nonetheless, at the start of the decade abortion emerged as a key issue within feminist groups, and this on the basis of personal experience, in the context of consciousness-raising and small-group discussion, and self-help practice and exploration of the body. Collectives such as the Rome- and Milan-based *Rivolta femminile*, the Padua-based *Lotta femminista*, and the Milanese *Collettivo di via Cherubini* – however different their positions on a range of issues – were all instrumental in shaping the basic principles of a new politics of the body, centred on self-determination for women and a rejection of any form of external control over the body, pleasure, or reproductive choices – be this from state institutions, organised religion, or partners. Key slogans included: ‘*Io sono mia*’ (I am mine), and ‘*Aborto libero, assistito, gratuito*’ (on demand, assisted and free of charge abortion).²¹ Women's unconditional control over their bodies was the specifically feminist argument within the pro-legalisation camp, influencing the wider campaign and public discourse more broadly – though always remaining a contested space.

²¹ On abortion becoming central to the feminist movement see for instance: Anna Rossi-Doria, ‘Ipotesi per una storia che verra’’, in Bertilotti, Scattigno, op.cit., 1-23. On the feminist politics of the body in Italy, see Luciana Percovich, *La coscienza nel corpo. Donne, salute e medicina negli anni Settanta* (Milan, 2005).

A core set of practices and discourses on the question of abortion was established in 1973 on occasion of a trial in Padua, where twenty-two year old Gigliola Pierobon stood accused of having had an abortion. Feminists turned the trial into a political one, as rallies were held outside the court and across the country. Pierobon was found guilty, but granted pardon. As the sentence was read, a dozen feminist activists who had attended the hearing stood up shouting, 'We have all had abortions'.²² Feminist activism entered a new stage, as most groups now participated in a quasi-permanent mobilisation for abortion on demand, including local rallies, larger national ones (over 20 000 women in Rome in January 1975, over 50 000 in April 1976), writing and self-publishing, and more innovative forms of action such as 'self-denunciation' and street theatre. In wider society, the taboo on abortion was now broken, as television and newspapers reported on a quasi-daily basis on the 'tragedy' of illegal abortion. RAI started to broadcast public debates involving high-profile speakers, and investigative journalists and academics presented research on the scale and circumstances of illegal abortion.²³ Public opinion polls were published revealing a growing majority of Italians to be in favour of some form of legal change.²⁴

It emerged that an estimated 3 million abortions were performed each year at this time, and around 20 000 women died as a result of these yearly.²⁵ As it dawned upon Italians that only the tip of a long immersed iceberg was surfacing, the prevailing political consensus rapidly disintegrated. Loris Fortuna, an MP for the *Partito socialista*, proposed a bill which legalised abortion if there were severe risks to the woman's health and if three medics agreed.

²² 'Abbiamo abortito tutte! gridano le femministe a Padova', *Corriere della Sera*, 6 June 1973. An analysis of the Pierobon trial in comparison with the trial of Michele Chevalier in 1973, can be found in Lorenza Perini, *Il corpo della cittadina: La costruzione del discorso pubblico sulla legge 194/1978 in Italia negli anni settanta* (PhD thesis, Università di Bologna, 2011), 50-60.

²³ For instance, A. Giasanti, G. Maggioni (eds.) *Opinione pubblica e devianza in Italia* (Milan, 1979).

²⁴ For instance, *Panorama*, 1 August 1974, 1.

²⁵ 'Il MLD: Campagna per l'abolizione del reato di aborto in Italia', *Corriere della sera*, 22 May 1971.

The proposal granted little towards a woman's right to choose. Nonetheless, although it went too far for the DC and to some in Fortuna's own party, it did much to shift public debate towards some form of legalisation. *Effe*, the widely read feminist monthly declared that 'this is not our liberation', calling for 'a more feminist campaign' and a better law. The *Movimento di Liberazione della donna* (MLD) was the only feminist group to support it. Set up in 1971 as a women's organisation linked to the PR, the MLD, often seen as the moderate wing of the feminist movement but increasingly influenced by the radical-feminist collectives, broke its ties with the latter party in 1978. It played a major role in shaping the 1970s feminist agenda, including the issues of abortion and sexual violence. In its approach to reproductive rights, it was initially influenced by neo-Malthusianism, as was the PR.²⁶ MLD supported an organisation called *Centro d'informazione sulla sterilizzazione e sull' aborto* (CISA), which from 1974 set up neighbourhood clinics providing abortion and contraception (both illegally), and offering information on what we now call family planning, including sterilisation.²⁷ CISA, MLD and the PR were convinced of the economic need to lower the birth-rate in the Western world and globally. Their neo-Malthusianism was evident also from the thinly veiled aims to 'educate' specifically the poor and the underclass on how to limit births. These arguments were under attack from all sides (feminists, the left, the Church) and soon came to be discredited. Despite the controversies, CISA was instrumental in disseminating information and creating expertise on matters of reproduction, and not least the introduction of the so-called Karman or aspiration method into Italy.²⁸ The PR and MLD played a key role

²⁶ Elena Petricola, 'Dal discorso sulle donne al discorso delle donne', *Quaderni di storia contemporanea*, 48 (2010) 184-234. The MLD's programme on abortion is discussed in Adele Faccio, *Il reato di massa* (Milan, 1975).

²⁷ The CISA and (initial) MLD approach to abortion can be found in: CISA-MLD, *Aborto: Facciamolo da noi* (Bologna, 1975).

²⁸ Hardly any historiography exists on neo-Malthusian thought in post-war Italy. On the CISA clinics, see Lesley Caldwell, 'Abortion in Italy', *Feminist Review*, 7:1 (1981), 49-63. A report on the 'Karman' method in Italy: 'Ieri abbiamo assistito ad un aborto eseguito con il metodo Karman', *Il Manifesto*, 13 February 1975.

in the wider abortion campaign in another way: through the gathering of signatures which would trigger a referendum abolishing existing legislation. The referendum campaign grew into mass mobilisation, with numerous rallies and sustained support in part by the media, notably the weekly magazine *L'Espresso*, influential on the left and among progressives. The gathering of signatures was immediately successful and a referendum was planned for June 1976, only to be cancelled due to the fall of the Moro government.²⁹

2. Three dilemmas

The apparent simplicity of the feminist slogans referred to above conceals the difficulties and disagreements with which feminists debated the issue – one which affected many women intimately, and which carried such high stakes politically. This was an unusual episode in the sense that a social movement, considered ‘hysterical’ and extremist only a few years earlier, was now granted a fairly sympathetic platform by some mainstream media outlets – including newspapers which were considered liberal but by no means radical, such as *La Stampa* and *Repubblica*. A number of intellectuals (women and men) positioned themselves in support of the movement; for instance, writer Nello Ajello termed feminism the most important development in Italy since the Industrial Revolution.³⁰

At the same time, feminists often articulated their positions in tension with sympathisers (mostly on the left) and non-feminist actors in the pro-legalisation camp. The feminist critiques often grew out of the *practices* of abortion and contraception work, as well as personal experience and the oral culture that had emerged from small-group consciousness-raising. In particular, a set of feminist practices were established at the self-managed women’s clinics, referred to as *consultori autogestiti*. These had been established since around 1973 in many Italian cities, as sites where feminist activists attempted to engage

²⁹ Lussana, *Il movimento femminista*, 92.

³⁰ Lorenza Perini, *Il corpo della cittadina*, 173.

women, often in working-class communities, by offering practical help and advice on reproduction and health. Further activities included consciousness-raising and campaign strategising. In some cases the clinic activities included performing illegal abortions or organising trips to Switzerland or London.³¹ Quite distinct practices and strategies were developed at the feminist clinics on the one hand, and the better-known *consultori* managed by CISA on the other. For the feminist groups, the clinics became the core site of a new politics of the body, pivoting around self-help and (collective) self-discovery of the body, inspired by US feminist texts such as *Our Bodies, Ourselves*.³² It was here that a new, gendered language was developed with which to speak of one's body, one's sexuality, one's pain and alienation. And it was here that the most difficult questions were asked as to whether and how to build mass campaigning, and relate to the state and the law.

a. **'Abortion is not our liberation'**

In Italian feminist discourse, the notion of *liberta' femminile* (women's liberty) was a central one. Expressing a strong desire rather than a sharply defined principle, it offered a perspective towards the end of gender inequality and women's oppression. While reproductive rights were considered a vital part of women's freedom, abortion itself was discussed in more problematic terms: as a trauma, and as a sign of deep cultural problems around (hetero-)sexual practices. Everyday experiences of heterosexual relationships opened up a much broader terrain of cultural critique, as feminists asked: who will be 'liberated' through the legalisation of abortion? Women, or their male partners? As *Rivolta femminile*

³¹ On the feminist consultori, see Silvia Tozzi, 'Alla radice del self-help: Il Gruppo Femminista per la Salute della donna', *Memoria*, (1987, 19-20), 202-207); Maud Anne Bracke, 'Building a Counter-Community of Emotions: Feminist Encounters and Socio-Cultural Difference in 1970s Turin', *Modern Italy*, 17:2 (2012), 223-236; 'Centro per la salute della donna' (leaflet, Padua, 1974), reproduced in Percovich, op. cit., 226-28.

³² Boston Women's Health Book Collective, *Our Bodies, Ourselves* (New England Free Press, 1971). On the Italian reception and translation: Stefania Voli, Angela Miglietti, 'Noi e il nostro corpo: Storia di una traduzione', *Zapruder* (May-August 2007), 108-115.

already in 1971 asked in the widely-read pamphlet *Sessualita' e aborto* 'for whose freedom must I have abortions?'³³ And while the *Collettivo Femminista di Trento* stated in *Effe*, 'Abortion is not our liberation',³⁴ the Florentine *Collettivo di Santa Croce* wrote in the influential feminist periodical *Sottosopra*, 'We no longer want to have abortions'.³⁵ A Marxist group such as *Lotta femminista* (LF, better known for its advocacy of wages for housework) approached the problem through the lens of class oppression. Abortion, it was argued, was an issue for working-class women primarily as bourgeois women would always have access to safe abortion, whether legal or not. The debate on abortion became an occasion to further develop critiques of capitalism: LF and other Marxist-feminist groups saw a danger lying not only in working-class women not having access to safe abortion, but also in contraception, sterilisation and abortion being forced upon them by economic circumstance or by policies of social engineering.³⁶

Amidst growing disagreement within the movement regarding whether to take part in gender-mixed street mobilisation or to engage with the various parliamentary proposals, the Milan-based *Collettivo di Via Cherubini* in 1975 ironically stated: 'Free abortion on demand means that we will spend less money and be spared some physical pain. Abortion for the masses does not represent a conquest for civilisation'.³⁷ These were critiques of the libertarian and often easy tone with which abortion was discussed in the pro-legalisation

³³ 'Sessualita' femminile e aborto', in Lonzi, op. cit., 53-60.

³⁴ *Effe*, March 1975, 6.

³⁵ 'Non vogliamo piu' abortire', *Sottosopra*, 1975.

³⁶ 'Maternita' e aborto: Documento di Lotta femminista di Padua, giugno 1971', leaflet in Archivio Casa delle donne di Torino, Fondo Piera Zumaglini, III. The arguments resonated with Black feminist critiques in the USA, arguing for abortion struggles to be considered in conjunction with the problem of forced sterilisation of non-white women and contraception. Jennifer Nelson, *Women of Color and the Reproductive Rights Movement* (New York, 2003).

³⁷ 'Noi sull'aborto facciamo un lavoro politico diverso (Milano, 1975)', in Percovich, op. cit., 104-105. An English translation in Paola Bono, Sandra Kemp, eds. *Italian Feminist Thought: A Reader* (Oxford, 1991), 223-25.

camp, and specifically by the PR and radical-left parties. Feminists denounced the male-centred ‘sex on demand’ motivations underpinning some of the pro-legalisation campaigns of gender-mixed groups. Needed as urgently as legal change, it was argued, was the need for cultural change in sexual practices, a necessary pre-requisite for women’s re-appropriation of their bodies. As put in the aforementioned *Via Cherubini* text: ‘Men are marching today for free abortion on demand instead of putting their sexual behaviour into question’.

Furthermore, some feminists felt uneasy when, from the mid-1970s, the issue became central to the movement’s aims and debate. There was dismay about other issues being pushed to the margins due to the topicality of abortion in mainstream political debate – which feminists did not wish to see as determining their own activities. More specifically, there were warnings about the issues of reproduction and female sexuality being tied in with motherhood. ‘Once again’, wrote Yasmine Ergas and Sandra Sassaroli in *Effe*, ‘the media have managed to re-situate feminism in a traditional discourse of motherhood’.³⁸

b. Women’s bodies in the public eye?

The rapidity with which cultural taboos around abortion were dismantled in 1970s Italy was remarkable. This was one of the key successes of the pro-legalisation camp, and of progressive sectors of Italian society more broadly. For feminists, a series of immediate dilemmas emerged. To be sure, they understood that the strength of the ago-old taboo, which had instilled shame and guilt in women’s consciousness, was the first enemy to combat. Guilt-free self-narration and public self-denunciation became core practices of the new politics of the body. Yet difficult questions surfaced: should everything become publically debatable, and if so, by whom and for whom? While self-narrativisation was centrally important in abortion campaigns in 1970s feminism in the industrialised world, I suggest that

³⁸ ‘Aborto: Per una politica del movimento’, *Effe*, December 1977, 8.

many Italian feminists felt there ought to be limits to the rendering public of women's intimate experiences. The personal was political, certainly – but it was not necessarily public. Many feminist groups refused to reveal women's names and circumstances when publically raising the issue of abortion, for fear of losing control over narrative meaning. The latter occurred, for instance, at the Pierobon trial: while some of the mainstream media became sympathetic to the defendant, they couched her narrative in a language of individual suffering and victimhood – despite Pierobon's own and the feminists' attempts to do exactly the opposite and frame her story as a wider socio-cultural problem.³⁹ Women-only spaces and feminist collectives were sites where abortion narratives were created, exchanged, *owned*. The costs and benefits of bringing these narratives into the public domain remained an unanswered question.⁴⁰ Illustrative of such concerns, further, is the fact that the practice of self-denunciation in Italy bore specific characteristics when compared, for instance, to France. In France the strategy came to be adopted by and associated with vocal public figures. This was the case for the *Manifeste des 343* (1971), in which renowned cultural and academic women (including Simone de Beauvoir, Françoise Sagan, and Catherine Deneuve), declared having had abortions. The text did much to break cultural taboos and reframe political debate in France, exactly because of the women's cultural capital.⁴¹ Italian feminists used 'self-denunciation' differently: they practiced it mostly anonymously and collectively, at mass rallies and outside courts. Here, self-denunciation was performative and oral, in an attempt to avoid codification of the self-narrative by others.

Visually, women's bodies did not become a standard feature of feminist aesthetics and publications. To be sure, the female body was visually represented in feminist

³⁹ Gigliola Pierobon, *Il processo degli angeli: Storia di un aborto* (Formello, 1974).

⁴⁰ Debates for instance in: 'Le streghe sono tornate: Gruppo di discussione sulla sessualità' (leaflet, Rome, 1975); reproduced in Percovich, op. cit., 247-48.

⁴¹ Michelle Zancarini-Fournel, 'Histoire(s) du MLAC, 1973-1975', *Clio: Femmes, Genre, Histoire* 18 (2003), 241-252.

publications, but this was done creatively and symbolically rather than realistically. In Naples, for instance, a specific feminist aesthetic was developed by groups such as the *Nemesiache*, who rendered the female body, female difference and female sexuality in a variety of symbolic ways [figure 1]. Feminist groups critiqued the periodical *L'Espresso* when in 1975, at the launch of the referendum campaign, the cover featured an image of a naked pregnant woman crucified and the title 'Abortion: An Italian tragedy' [image 2].⁴² The image of the woman – half-sexualised, half-victimised – was shocking and controversial, and obtained the desired effect of sparking intense debate. However, it was also inscribed in much older representations of female bodies in Italian culture. As over the course of the 19th and 20th centuries female beauty came to be understood as quintessentially 'Italian', the duality involving self-sacrifice, motherhood and purity on the one hand, and sex object on the other, was sustained – and in fact intensified during the 1960s.⁴³ As part of a wider critique of the so-called sexual revolution, feminists wished to break away from such standard representations of women's bodies, in order to invent new ones.

Another thorny issue involved the illegal abortion work of the *consultori*. CISA and the PR occasionally adopted the tactic of provoking police intervention at their clinics, in order to create situations of high-profile arrests and orchestrate media attention. They themselves would tip off the police attempting to get arrested, or were keen to speak to journalists. A much-publicised example was the case of Dr. Conciani of the Florentine CISA clinic, who in 1975 was arrested along with his assistants and PR leading figures Adele Faccio and Gianfranco Spadaccia.⁴⁴ The calculation was that the media and public opinion would largely side with those offering safe and free abortions, and that this would strengthen

⁴² 'Aborto: Una tragedia italiana', *L'Espresso*, 19 January 1975, 0.

⁴³ Stephen Gundle, *Figure del desiderio: Storia della bellezza femminile italiana* (Roma-Bari, 2009), 221-225.

⁴⁴ 'Spadaccia in carcere', *Corriere della Sera*, 8 February 1975.

the referendum campaign. CISA and the PR were largely correct in anticipating such sympathy. However, as many feminists argued, the price to be paid for such media attention was too high: women's abortion experiences were personal and often traumatic, and they ought not to be instrumentalised for wider political goals, however important. At the feminist *consultori*, therefore, no such tactics were adopted, and interaction with the media was usually shunned. Instead, those performing abortions at such clinics did so quietly and in respect of the women's privacy.⁴⁵

c. Self-management and the role of the state

In the context of abortion work at the *consultori*, disagreement emerged over the purpose of self-management, and how it was to relate to the role of the state in providing contraception, abortion, and sexual health and education services. Such debates intensified as the prospect of legal abortion became more realistic, and when in 1975 a law was passed which legalised all existing neighbourhood *consultori*, including those run by feminists and CISA. Law 405 turned such centres into 'Family Clinics' (*Consultori per la famiglia*), which were to be funded by the Regions and run by local city councils – allowing for significant local variety and initiative.⁴⁶ The law functioned as a compromise-creating political initiative, proposed by the PCI as an overture to the DC, and acceptable to the latter because of its focus on the family rather than women. Thus, the fate of the *consultori* in 1970s Italy can be read as a textbook example of (rapid) institutionalisation of initially grassroots, and to some degree state-antagonistic, social movement initiatives. Unsurprisingly, feminist and pro-legalisation groups were divided as to how to assess Law 405. Self-management was more than a strategic choice: for many in the feminist movement, especially those with a background in

⁴⁵ A similar point on the *return* of the distinction between the public and the private in feminist thought by the late 1970s, in Rossi-Doria, *op.cit.*, 16.

⁴⁶ Legge 405, 29 luglio 1975: Istituzione dei consultori familiari.

the radical left or other forms of grassroots activism, self-management was their acquired collective culture, a way of life. The term referred to the fact that activists and social movements would, without interference of others, autonomously making decisions as to what spaces to use and how to use them, what activities to develop and according to which principles, how to reach decisions.⁴⁷ Furthermore, it was a discourse denoting the distance between social movements and (state) institutions, and between the ‘old’ politics of the traditional left and parliamentary democracy and the ‘new’ politics of 1968. The legalisation of the *consultori* allowed for social movements to be involved in co-management with local councils and healthcare authorities. Indeed, this is what occurred in a few notable cases, such as Rome and the region of Lazio. Various feminist groups co-managed the clinics here with local councils and healthcare services, an endeavour which was experienced by most feminists as frustrating, though not entirely without value.⁴⁸

Some had even before the introduction of Law 405 reached a point of questioning the purpose of and longer-term strategy behind self-managed abortion work. This was so in the Roman group *Comitato romano per la liberalizzazione dell’aborto e della contraccezione* (CRAC), which came to play a key coordinating role in the *consultori* activities on the one hand, and in the mass mobilisation for legal abortion on the other. Difficult questions were asked as to whether offering illegal abortion services should be a priority of feminist campaigning, if and how it strengthened feminist consciousness, and who benefited from it. Most significantly, questions were asked as to why so few police raids targeted the illegal clinics, and whether this actually suggested that the feminist movement was ‘doing the state’s

⁴⁷ On the culture of self-management see Luisa Passerini, ‘Il sessantotto nei processi di comunicazione intersoggettiva’, in Pierpaolo Poggio, ed. *Il sessantotto, l’evento e la storia* (Brescia, 1988-89), 8.

⁴⁸ Bracke, *Women and the Reinvention*, 110-115; Leda Colombini, ‘Consultori familiari e prevenzione: Bilancio di un anno di lavoro’, in Regione Lazio, ed. *Il lavoro nei consultori familiari* (Regione Lazio Edizioni, 1978), 159-163.

dirty work'. Some activists argued that it was naïve to perform what effectively amounted to backstreet abortions – albeit in safer, more professional and welcoming circumstances than had been the case in the past – and to do so unpaid and without any recognition. It was an illusion to think there was anything in this activity that antagonised the patriarchal state, remarked some; 'we are self-managing our own poverty', argued others.⁴⁹ Such arguments sprung from a number of reflections and emotions – not least activist fatigue – and they amounted, at least in CRAC, to a sense of the impasse of self-management, and to a position in favour of prioritising legal change and cooperation with the state. CRAC, along with other more moderate groups such as UDI, from 1975 unambiguously argued in favour of what they called 'a good law'. This would minimally involve cost-free abortion on demand for all women, including minors, in state hospitals, within three months of pregnancy and without any need for medical opinion. It accepted the new legal framework of Law 405 and favoured feminist involvement in the legalised clinics.⁵⁰

However, as parliamentary debate developed and it became clear that political bargaining had little concern for women's self-determination, the movement became increasingly split between those wishing to fight for 'a good law' and those opposing any kind of legal regulation for abortion. The latter group included the influential Milanese collectives, *Rivolta femminile*, and now also the increasingly radical MLD. It published a new manifesto in 1978, stating: 'we maintain that any law on abortion will give the state the power to decide for us'. Full liberalisation, in this view, would mean the repeal of existing legislation (through a referendum) and the introduction of a law which stated only women's full self-determination, the need for abortion to be performed by recognised medics, and the

⁴⁹ Such critiques for instance in 'A proposito della piattaforma del CRAC sui consultori' (Milan, 1976); and 'Documento dissidente, luglio 1977: Le compagne del consultorio di san Lorenzo', (Doc. 22), both in *Archivia*, Casa Internazionale delle donne, Roma: Fondo CRAC, UA 10.

⁵⁰ Luciana di Lello, 'CRAC: Una proposta politica sui consultori', *Effe*, February 1975, p. 3.

banning of abortion against the woman's will. It would include neither a specification of time-scales nor the need for medical opinion, and would allow both public and private hospitals to perform abortions.⁵¹ It was especially this latter point that the left-oriented feminist groups such as CRAC and UDI opposed, objecting to what they called the commodification of reproduction, and arguing that, ultimately, only state involvement could counter the logic of the free market determining who had access to abortion and in what conditions. Such discussions among feminists were, both before and after 1978, open-ended. What Michelle Zancarini-Fournel has termed 'the dialectic between legality and illegality', existed similarly in the mass mobilisation for abortion on demand in France. An important actor here was the *Mouvement pour la Liberation de l'Avortement et la Contraception* (MLAC), a gender-mixed left group which, although campaigning for legal change, operated in the (semi-)illegal sphere of self-managed abortion clinics, hereby developing a number of original medical and political practices around abortion and contraception support. Debates similar to the Italian ones occurred around the desirability of working with the state and of offering a 'free and parallel social service'.⁵²

3. Patriarchal and state responses

By 1976, it became clear to all major political actors that legal change was unavoidable. This was due not only to the evident social demand and the fact that a referendum was only scantily avoided, but also to a sentence of February 1975 by the constitutional Court, which ended the illegality of therapeutic abortion (in cases of grave risk to the woman's health).⁵³ Such shifts led the PCI in 1975-78 to rapidly depart from its earlier conservative position. Most acutely, it felt threatened by the prospect of a breakaway of its

⁵¹ Movimento di Liberazione della Donna, 'Manifesto', in Bono, Kemp, op. cit., 225-229.

⁵² Zancarini-Fournel, op. cit.

⁵³ Scire', op. cit., 77-79.

one million strong women's organisation, the UDI, and with it, the loss not only of the female base but of any credibility underpinning its claims to fight for women's emancipation. UDI openly challenged the party, and by 1978 operated largely autonomously.⁵⁴ In early 1975 the PCI presented its own abortion bill to Parliament, as did most other parties at this time. It allowed for therapeutic abortion up to 90 days of pregnancy and with support from five professionals; the term referred to situations where the mother's life was gravely at risk. This did not go very far in responding to feminist demands, other than the fact that it did acknowledge women's 'full self-determination' within the first ten days of pregnancy.⁵⁵ It was a rather hollow stipulation in practice, but significant in a formal sense as feminist language was now introduced. Parliament became the key negotiating site for rapidly shifting political debate, not least within the ranks of the governing *Democrazia Cristiana*, as it was pressured by sections of the grassroots, by other parties, and by the remarkable fact that Prime Minister Aldo Moro in 1975 declared the neutrality of Government on the issue.⁵⁶ During the three years to follow, nearly all political parties presented bills on abortion in frenzied attempts to 'occupy' this space, taken to the top of the political agenda by urgent, incessant social mobilisation.

Unsurprisingly, the Church's position was intransigently opposed to any kind of decriminalisation of abortion – at least until 1974. Amidst an increasingly frank debate and the emergence of heterodox voices among the ranks, each official document issued on the matter by the Vatican or the Council of Bishops served as a whip to discipline the Catholic world and consolidate the Church's influence over the Christian Democrat party. The position since the publication by Pope Paul VI of the encyclical letter *Humanae vitae* (1968) was that

⁵⁴ Marisa Rodano, *Memorie di una che c'era: Una storia dell'UDI* (Milan, 2010), 210-226.

⁵⁵ Scire', op. cit., 84-88.

⁵⁶ Giambattista Scire', *L'Aborto in Italia: Storia di una legge* (Milan, 2008), 87.

abortion was not a woman's individual affair; that the foetus was a person endowed with a relationship to God; and that woman's vocation was to be a mother. Such a position came to be questioned, in subtle ways, by the Church authorities themselves. In November 1974 the Italian bishops issued a *Declaration on Abortion*, which acknowledged that 'the law cannot encompass the entire moral sphere' or 'punish all sins'. While this text marked a softening of positions, it also announced the future emerging of Church-led resistance against the law, as the Church here clearly prioritised cultural influence over influence in the realm of the state. Some bishops called for acts of civil disobedience in view of future legalisation.⁵⁷

Within the Catholic and DC worlds, a vivid debate emerged specifically on the left flank among those influenced by Liberation Theology, a set of ideas and practices aimed at bringing the Catholic faith to ordinary people, to some degree inspired by re-readings of Marx and working towards social justice. While having older roots in Latin America and Europe, Liberation Theology became to some degree acceptable within the Church – at least in Italy – thanks to the reforms of the Second Vatican Council (1962-65).⁵⁸ Heterodox debates engaged the revived Catholic grassroots, but also bishops such as Ambrogio Valsecchi, who in 1975 referred to abortion as 'an open question' and suggested that Catholics might consider the possible de-criminalisation of abortion in situations such as rape and extreme poverty.⁵⁹ Theologian Umberto Betti, although seen as a moderate figure, presented a subtly unorthodox position in *Osservatore romano*, the Vatican's official daily. While reasserting the moral condemnation of abortion, Betti did not invoke the life of the foetus but rather focused on the damaging impact of abortion on the mother (although he

⁵⁷ Scire', op. cit., 63-64.

⁵⁸ On left-Catholicism in Italy see Gerd-Rainer Horn, *The Spirit of Vatican II: Western European Progressive Catholicism in the Long Sixties* (Oxford, 2015), 111-172.

⁵⁹ Scire', op. cit., 29-30.

used the word parent).⁶⁰ At the Italian bishops' annual national meeting in 1975, then, it was declared that legal reform on abortion was 'possible'.⁶¹

Dissident Christian Democrats came to loath the Church's influence over the party and steered its debate into new directions. At the time of the referendum on divorce, a small but influential group of Christian Democrat MPs broke its commitment to the DC electoral lists, joining the PCI lists instead for the 1975 elections. Renowned intellectual Raniero La Valle presented a bill which de-criminalised abortion within three months on the basis only of the woman's demand, and she would be 'supported' in her decision by various institutions, mainly the *consultori*. Influenced by feminist debate and UDI, La Valle and other progressive Catholics wished to steer Catholic thought away from the absolutism of the rights of the foetus by introducing reflection on the experience of the pregnant woman, her conscience, her relationship to God.⁶² By 1975 the depth of division within the ranks led the DC leadership to rethink its position in order to avoid further splits. The party proposed a new bill to the Lower House, which, although not enjoying much support, was welcomed as a sign of the party's willingness to compromise. Abortion still remained punishable in all circumstances, but distinctions were introduced according to the woman's circumstances: in cases such as rape, sentences would be significantly lessened.⁶³

A lively Lower House debate ensued in early 1976 over La Valle's proposal, which formed the basis for a law that was adopted by the Lower House in January 1977. More progressive than the eventual Law 194, it established a woman's right to choose as the guiding principle, granted the unconditional right to seek abortions within ninety days of pregnancy, but did allow medical professionals to register as conscientious objectors. In

⁶⁰ *ibid.*, 88.

⁶¹ Faccio, *op. cit.*, 118.

⁶² Scire', *op. cit.*, 97-98.

⁶³ Salvatore Lener, 'Sei proposte di legge sull'aborto', *La Civiltà Cattolica*, 21 June 1975, 553-568.

contrast to Law 194, this bill granted minors the same rights as adult women. It immediately provoked conservative reactions, most significantly in the creation of the Movement for Life (*Movimento per la vita*), a Catholic organisation aimed at influencing public opinion, health professionals, and politicians against any depenalisation. After 1978 and for years to come, it was the key player in turning conscientious objection into a mass phenomenon, supporting objectors and stigmatising non-objecting professionals wherever it could. Agitation by the MPLV, the bishops and other Catholic groups led the DC to block the law in Senate.⁶⁴ In May 1978, as Moro was held captive by the Red Brigades, the atmosphere in the country was marked by a sense of political unravelling, with constant rumours of high-level conspiracies and coup d'états. The situation in Parliament has been referred to as surreal, with numerous absences, which allowed small parties such as the PR to punch above their weight.⁶⁵ It was in such circumstances that the Lower House voted for what was to become law 194. Abortion was here treated as a mix of an individual concern and a social problem under tutelage of the state. Moral objections to abortion, in Italy most often religiously founded, were transferred to the private realm and separated from the state's motives, but at the same time fully validated. Granted here was not abortion on demand, as a woman still required medical approval for her request (which, however, could not be denied if the woman could demonstrate that she met the conditions stipulated in the law, and if the medic was not registered as conscientious objector). However, comparing the regulations of Law 194 with the situation in other historically Catholic countries, such as the Republic of Ireland and Belgium, where abortion remained largely illegal at this time, the Italian case did stand out as being 'among the most advanced in the Western world', as commented by the communist and feminist author Miriam Mafai.⁶⁶

⁶⁴ Scire', op. cit., 148-153.

⁶⁵ Perini, op. cit., 306.

⁶⁶ *La Repubblica*, 19 May 1978, 8.

4. Conclusion

Law 194 situated abortion in terms of the ‘social value of motherhood, as it was the state’s role to ‘protect human life from its conception’. The womb, thus, became a site of political negotiation. Many feminists, while calling for legal abortion, felt uncomfortable with the now seemingly boundlessly explicit ways in which women’s bodies were discussed and represented, and became bargaining chip between political parties. An analysis of the abortion debates within the movement (rather than how feminist positions were perceived publically), reveals a picture far more complex than calls for ‘abortion on demand’, with difficult questions around the public nature of women’s bodies in a post-‘sexual revolution’ culture, and arguments around the possibly futile status of legal change in the absence of cultural change. Feminist activism in Italy was, to varying degrees, shaped by a deeply-felt suspicion of state power, by critiques of the patriarchal state, and by self-management practices which demonstrated that one could work towards social transformation without engaging with the realm of the law and institutions. At the same time, the Italian case demonstrates that feminist activist culture did – again, to varying degrees – invest in the possibility of legal change, and in engagement with institutions and traditional political actors. Understanding this tension offers a framework for grasping the political significance of second-wave feminism which is more sophisticated than both simple narratives about its transformation from the 1980s into ‘state feminism’,⁶⁷ and arguments on the ‘anti-institutionalism’ of post-1968 social movements.⁶⁸

The new legal framework and language re-structured public discourse on abortion, reproduction and sexuality, but it did so in divergent ways, failing to forge a new cultural

⁶⁷ For instance: Joni Lovenduski, ‘State Feminism and the Political Representation of Women’, in Joni Lovenduski, ed. *State Feminism and Political Representation* (Cambridge, 2005), 1-19.

⁶⁸ For instance, Claus Offe, ‘New Social Movements: Challenging the Boundaries of Institutional Politics’, *Social Research* 52:4 (1985), 817-868.

consensus and creating a situation where the law was invoked both by opponents and defendants of legal abortion. Feminist groups continued to highlight the shortcomings of the law and its definition of conscientious objection – hereby often finding themselves in the awkward position of critiquing the law but opposing its abolition. Resistance against legal abortion came to be mobilised on a massive scale by religious organisations and sectors of the medical profession. Striking here is the scarcity, until recently, of organised medical opinion *defending* the law or improving its application. The Italian case stands out for the profundity and longevity of cultural resistance against legal abortion. In France, for instance, professionals such as medics and lawyers were during the long 1970s mobilised on both sides of the debate, and large numbers of gynaecologists openly supported de-criminalisation.⁶⁹

Focusing on a moment of crisis and encounter between the patriarchal state and feminist challengers, allows for an exploration of the deep socio-cultural conflict around questions of reproduction in which Western societies were engaged in the second half of the 20th Century. As emerges from the analysis, the patriarchal state was deeply invested in control over reproduction, but when faced with acute social pressure key political and social actors were compelled to revise their positions. This included elements of engagement with feminist arguments, but mostly a modification of the latter – re-focusing the debate on a discourse of (sex-less) individual rights. Creating a legal consensus on abortion was seen across the political spectrum as key to the stabilisation of Italian socio-political life, and this

⁶⁹ The best-known campaign in France was the *Groupe Information Sante*, set up in 1973. Zancarini-Fournel, op. cit. A number of arguments are emerging on the expanding role played by medical professionals in shaping the legal and cultural frameworks regulating reproduction. While research on Italy on this aspect is in its infancy, the ‘medicalisation’ of reproductive rights – broadly speaking, the rise of ‘sexual health’ discourse as underpinning such frameworks – in the UK in recent decades is discussed in Sally Sheldon, *Beyond Control: Medical Power and Abortion Law* (London, 1997). Latham, *Regulating Abortion*, analyses medical professionals as a significant interest group in a comparative discussion of the UK and France.

not only due to the acute contemporaneity of parliamentary abortion debates and the Moro crisis in May 1978. More fundamentally, by controlling reproduction – through an articulation of the conditions in which abortion was allowed and a definition of the spaces of objection to it – the state attempted not only to control population growth, but also to lay down the boundaries of acceptable values and behaviours, and to mediate between increasingly divergent cultural norms in society.

Figure 1.

Poster/leaflet produced by Naples-based feminist collective Le Nemesiache, announcing a theatre performance and featuring the collective's logo (1975). Copyright: Associazione culturale Le Tre Ghinee, Naples.

Figure 2.

Front cover of the periodical L'Espresso (January 1975). Copyright: Gruppo Editoriale L'Espresso, SPA, Rome.