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Changing attitudes towards abortion: Endangering women’s health again.

Italy: continuous political interference by the Vatican.

Celebrating the 40th anniversary of *Humanae Vitae* – the Paul VI’s encyclical which prohibited the pill – Benedict XVI has complained that a lot of believers “find difficulty” to understand the teaching of Catholic Church that approves only “the knowing of natural rhythm of woman fertility”.^[1] Still now the Catholic Church is against the pill, against condom, against IUD, against emergency contraception, against divorce, against premarital sex, against masturbation, against artificial reproduction techniques (ART) and, obviously, against abortion. Maybe too much even for the Church. In a recent book Card. Carlo Maria Martini hopes a reappraisal as John Paul II did about Science and Hebraism. Denouncing the “damages” and the “negative consequences” of *Humanae Vitae*, he looks forward to “a new glance” about sexuality “because many people don’t anymore take the Church in earnest as an interlocutor or as a master”.^[2]

In Italy abortion is legal since 1978^[3] and was confirmed by referendum in 1981. Abortion is permitted within 90 days for a “serious” peril to physical or mental health, but in practice is on request. There is a waiting period of seven days. It is possible an urgent procedure that is adopted in 9.4%, with regional differences from 2.3 to 22.8%^[4]. After 90 days abortion is permitted only for a “grave” peril to physical or mental health and the decision must be taken by a gynecologist of a public hospital. The limit for abortion is “the possibility of autonomous fetal life”. Abortions after 90 days are 2.9% of the total. Abortions in women under 18 are 3.2% of total. In Italy only public hospitals are allowed to practice abortion. Conscience clause is possible and regards 70% of gynecologists of public hospital. It is estimated that 10% of abortion is still illegal, mostly in the south of Italy. Since it is legal abortions have decreased of 45.9%, while in the same period births are declined of 20.2%^[5]. Currently births and abortions are stable with a down tendency for abortions and up tendency for births. In the last ten years abortions have decreased of 4.4% and births have increased of 6.4%.^[4,5]

In Italy from 1948 the number on newborns is constantly declined without any substantial differences between the period which abortion was illegal and that it has been legal. From 1948 to 1978 – the year of legalization - births went down from 1,009,299 to 709,048, with a reduction of 29.7%, while from 1978 to 2007 they went down to 565,173, with a reduction of 20.2%.^[4, 5] In all a reduction of 48.5%, 411.126 newborns, of which 67.6% in the thirty year of prohibitionism. The same has happened in all European catholic countries, regardless of abortion legislation, with the only exception of France. From 1970 the Fertility Rate (the number of births that a woman would have during her lifetime) has declined of 43.6% in Italy (2.4/1.35), of 52.5% in Spain (2.8/1.33), of 43.6% in Poland (2.2/1.25), of 40% in Malta (2.2/1.37), of 50% in Portugal (2.8/1.4), of 50.9% in Ireland (3.87/1.9) and of 23.2% in France (2.5/1.9).^[6] The Fertility rate has declined of 55% (2.9/1.3) even in the Romania of Ceaucescu, which is not a catholic country but crossed twenty years of dreadful prohibitions on abortion and contraception as the Holy See would like to be. The fall of birthrate in Italy and in other Catholic countries shows that reproductive choices are

very few related to prohibitions on abortion and contraception, which create only more trouble and suffering to women.

Italy is a country of 58 million of people e 785,000 pregnancies a year, of which 565,000 end in newborns, 145,000 in abortions, of which 15,000 are illegal, and 75,000 in miscarriages. In her lifespan an Italian woman will have 1.87 pregnancies, of which 1.35 births, 0.34 abortions and 0.18 miscarriages.

In spite of “pro family” action of Italian Church, Italy is a country with a low birthrate. It is also a country with low abortion and contraception rates. In other words, Italy is a country with a low conception rate. Italian adolescents have less abortion and babies than their fellow of Nord Europe. Apart any consideration on the virtue of Italian girls, these low rates are probably an indicator of a spread cultural influence of Catholic Church on society and on sexuality. The Church is the only organization capillary distributed all over the country with personnel paid by the State. Parishes are financed by taxes and religion teachers in public schools are designated by bishops. The Church knows to be unable to modify specific behaviors of believers on matters like abortion, divorce or artificial reproduction techniques , but she knows to be able to condition political agenda. Mindful of referendum defeats on abortion and divorce, the Church seems to have changed strategy for a “lesser evil” strategy.

Aware to be a minority, the Church tries to avoid frontal collision with the majority of Italian ad prefers to turn her attention directly to politics in order to obtain more limitations. So it was for the Artificial Reproduction Techniques (ART) law. If the Church had totally opposed ART she would have been defeated, as it was for abortion and divorce. Otherwise, accepting something that she doesn't approve, it allows “pro life” politicians to write a law with much more limitations. In the same way she declares to be ready to accept “living will” but with the clear intention to limit the efficacy of individual will. She doesn't propose to ban divorce anymore, but her aim is to stop proposal to make it faster. The same for abortion. The Church seems to have put aside the idea to ban it in Italy. She is always all the time declaring against it, but the real aim is to postpone the woman's decision at the end of a longer and more restrictive procedure. In order to be attractive has adopted a social captivating language, which touches very sensible left-wing cords, as the right to pregnancy, the freedom not to have an abortion for economic reasons or the need to protect woman as a mother.

Actually the Church has not give up to reach her objectives – “the Church won't let to be closed in churches” said the president of Italian Episcopal Conference last summer ^[7] – but she is conscious to be not strong enough to impose the City Vatican State law to the Italian Republic State. The Church is aware to be in a minority even in the actual Parliament that lost 140 “pro choice” members of the hardest left. Even though catholic politicians are considered fundamental allies, on both on the left and on the right, the Church knows that, if she avoids frontal radical clash, she can exploit the moralism, often a kind of opportunism, which has always been lodging in a large part of Italian left.

Italian abortion law leaves to woman the moral judgment, but doesn't regard abortion as morally acceptable by itself. The speaker of the law, the communist Giovanni Berlinguer, in 1978 said: “*It is not possible to descend the equation abortion as a civil right. It does offend in no way the conscience who thinks abortion is morally illicit ... The ratio of law is to expand the prevention of abortion, considered as avoidable evil, and to regulate the plague of illegal abortion, acting on public services and woman's responsibility.*” ^[8] Twenty years later he specified: “*I am morally against abortion, because I believe that it is the interruption of a vital ingoing process that can*

always give life to a person. Another thing is to allow a woman to have an abortion when pregnancy is unwanted. It needs to distinguish the moral judgment from abortion assistance, from the permit to abort.” ^[9]

It is important to stress that Italian abortion law was born in a period of “historical compromise” between Communist Party and Christian Democratic Party, under the pressing of a referendum, promoted by the Radical Party, and of a strong political movement, soon after the kidnapping and the murder of president Aldo Moro. Consequently it doesn’t surprise that there are still ambiguous and different interpretations of the law. Moreover, it doesn’t surprise that, as abortion is getting down – actually only one woman out of three will have an abortion in her lifetime and only one out of seven will have it before thirty years old – many people consider themselves immune with a fall in “pro choice” interest on abortion, leaving a fertile ground to “pro life” action.

For years a large part of “pro choice” has castled behind the alibi of the reduction of abortions, repeating the refrain of “the best law in world”. In same time “pro life” action has been growing and some regional governors started to introducing regulations to bury embryo and to promote the presence of “pro life” activists in abortion setting. For years, while a vast network of “pro life” activist groups was spreading all over the country, often leaned on parishes, the “pro choice” debate hasn’t gone over the ritual celebration of 8th march, with the aim to avoid anything could irritate the Church. For years, for example, nobody dared to talk about RU486. In 1999 Italy was the only European Union country, with legal abortion, in which it wasn’t activated the European procedure for mifepristone despite a leftist government.

RU486 story is really indicative of the Italian situation. After twenty years of oblivion RU486 has revived the “pro choice” front and revitalized abortion debate. Up to 2001 nobody had dared to ask to use mifepristone because the need of political authorization. In order to get around political vetoes, a “Trojan Horse” clinical study was planned at the Saint Anna Hospital in Turin. It was proposed in 2001, started in 2005 and suspended in 2006. RU486 Italian story has all the ingredients of Italian recipe. The Holy see soon declaimed against, with a court of right and left politicians. The daily newspaper of Italian Episcopal Conference started to orchestrate a “scientific” campaign against RU486, which was amplified by other right wing newspapers. Two Ministers of Health tried to stop the clinical study ordering ministerial inspections. A member of Ethical Committee invoked the clause of conscience. The Superior Council of Health (CSS) tried to give restrictive interpretation of the abortion law. The same did the Italian Drug Agency (AIFA). The magistrate opens an investigation on women leaving the hospital after medications of mifepristone and waiting to take prostaglandin two days later. The beginning of the clinical study in 2005, after four years of polemics, induced other hospitals to ask for mifepristone. In most cases authorities reject the requests, but not in Tuscany. In Lombardy, after rejection, one doctor started to use methotrexate (marketed in Italy for other indications), but the Governor stopped him. In 2006 other hospitals started to practice medical abortion in Emily and Romagna, in Apulia, in Marches and in Trento, importing mifepristone for each individual patient through a really difficult procedure. Despite the Church and “pro life” polemics, rocking the illusion to use Italy as a trench against RU486, polls reveal that people and doctor are always getting more in favor. “Pro choice” front gradually has gathered around RU486, despite some initial lazy problems and the doubt of some feminist groups. At the moment mifepristone is on its final route for marketing on the basis of European procedure and the Italian Drug Agency has given positive opinion.

We can say that RU486 has forced Italian “pro choice” to wake up and has showed that it is possible to fetch back the primacy on abortion action. The Church has put aside the frontal struggle

to ban abortion preferring a more practical strategy which tries to infiltrate in the weakness of “pro choice” debate. The Italian battle on abortion suffers from the continuous interferences of the City Vatican State and it is focusing on the interpretation of the law. “Pro life” strategy insist on the need to update after thirty years. Most of “pro choice” deny this need, paralyzed by the fear of worsen changes and unable to see the limits of a law that was born before the National Health System. It is quite obvious that the Church does her job, but is less comprehensible that “pro choice” politicians don’t do the job they are supposed to do. If we don’t want to suffer for the new strategy of the Catholic Church it is necessary to recover a common position among the various souls of “pro choice” front. The resolution n. 1607 adopted by the Council of Europe some months ago ^[10] can be the basis for a vast action in the Country and in the Parliament. The common synthesis could be the 1992 Bill Clinton presidential slogan “abortion should be safe, legal and rare”^[11], because it can satisfy both who thinks that abortion is, however, morally wrong and who thinks that woman’s freedom make abortion, however, morally acceptable.

What we can’t do any longer it is to accept that women who have abortion – since they are a minority – are confined at the margins of health system, always more harassed by “pro life” activists and politicians “. In Italy, after so long sleeping, we need to take courage and change attitudes toward abortion and women who need an abortion.

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