

“Killing of Unborn Children” and “Pornography”

Discourses on Sexuality and Reproductive Rights in Post-war Poland

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Abstract *This article is dedicated to the question of discourses on sexuality in a Catholic, albeit communist, country like Poland. It shows that these discourses could be partially tamed by communist censorship policy, but by the end of communism these discourses broke out completely and continue to dominate discussions until today.*

Introduction

The history of sexuality is often a history of conflicts about its normalization. This also applies to Polish society, where the current conflicts concerning the law on abortion or the one on sex education are obvious. A telltale discourse and notions of “proper sexuality” often shape these clefts. However, the developments in Poland were unique during Communist time and after its downfall: the specifics of the post-war period were that society was recovering from (demographic losses of) German occupation and experienced rapid (forced) industrialization and urbanization. Finally, yet importantly, it was the only Communist country with a strong Catholic Church that challenged the Party’s monopoly of power in a “battle over Polish souls”. Moreover, during democratic transition in the 1990s, it was one of the few countries worldwide where social liberalisation with regard to sexuality was met with restrictive legal regulations.

Sexuality, also in Polish discourse, has manifold aspects that were at the (multiple) centres of conflicts, thus I will concentrate on just two issues that

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were important in the post-war period: the notion of “unborn children” and that of “pornography”. In this paper, I will rely on (unpublished) materials produced by different actors, such as the Communist Party, ministries, and Catholic actors and analyse different notions and concepts that rivalled each other. Although especially the legal shifts at the beginning of the 1990s were often described, the change in discourse that took place in the 1980s has been seldomly analysed. I argue that the last decade of Communist rule and particularly the shift of the power balance towards the Catholic Church in this very decade laid ground for those developments that influence Polish discourse until today. To contextualise this, some remarks about the political and social situation have to be given.

“Unborn Children”

Looking back from the current debates about abortion and the existing restrictive law, it is surprising that Poland had liberal laws on abortion for the majority of the 20th century. The reformed penal code of 1932 allowed abortions for medical² or criminal³ reasons. Those regulations were loosened in April 1956 by the parliament, the Sejm.⁴ The new law and its preamble⁵ put an emphasis on the protection of female reproductive abilities in an effort to prevent illegal abortions in unhygienic surroundings. As in the case of the 1932⁶, the new law referred to the foetus as “płód”, the Polish translation.

The Communist Party and its MPs saw it necessary to liberalise the law, because of the consequences of the rapid industrialization and urbanization of Poland. Young people were moving to the cities to work in new-built industrial complexes and by migrating, they left social control behind. Press reports about orgies in workers’ hotels claimed a growth of sexual contacts resulting in unwanted pregnancies and illegal abortions. Estimates by the Min-

2 Meaning in cases of threats to the mother’s life or health.

3 Incest, rape, sexual intercourse with a minor.

4 Czajkowska, Dopuszczalności, 2012.

5 <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19560120061/O/D19560061.pdf> (05.06.2025).

6 <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19320600571/O/D19320571.pdf> (05.06.2025)

istry of Health suggested that more than 300,000 women were hospitalised after (spontaneous) miscarriages in 1955.⁷

The liberalization led to major conflicts between its supporters and opponents.⁸ The main antagonists were the *Polish United Workers' Party* (Polska Zjednoczona Partia Robotnicza, PZPR), the *Women's League* and other state-funded women's organizations as supporters of liberalization. The opponents were led by the Catholic Church and Catholic organizations such as the *Clubs of Catholic Intelligentsia* (KIK). A third party was made up of scientific experts of the state-funded *Society for Conscious Motherhood* (SCM), resp. *Society for Family Planning* (SFP). They were split in their attitude towards the liberal legislation, since on the one hand, they argued that even legal abortions were harmful. However, on the other hand, they saw in legal abortions a "lesser evil" than outlawing these procedures. This would, in their opinion, lead to illegal ones with severe consequences.⁹ The question of female sexual self-determination was only of minor priority – even among the supporters.¹⁰

Opponents of abortions, such as Catholic clerics and conservative politicians, first used the neutral term of "foetus" after the Second World War. In a letter to the Ministry of Labour and Social Welfare in 1946, the author advocated to ban its removals ("spędzanie płodu").¹¹ This usage of the scientific term lasted until the 1960s, when the then Primate of Poland, Stefan Wyszyński, himself used this term during his meetings with the then Party leader Władysław Gomulka.¹² However, the discourse changed in the course of time and the influence of Catholic thought grew. At its centre was a tendency to humanize the foetus that was called a "conceived child". Opponents of abortion argue(d) that the foetus had "personal rights" that every human being had/has. And, as a follow-up argument, they argued that because it was an autonomous human being with its own rights, a pregnant woman had no right to decide about it.¹³

Those arguments were futile at that time, the liberal law remained, and abortions were a common practice in Peoples' Poland. The official numbers

7 Fidelis, *Women*, 2010, p. 180, 192.

8 Zok, *Auseinandersetzungen*, 2019.

9 Ignaciuk, *Dyskursy*, 2014.

10 Zok, *Körperpolitik*, 2019, p. 144.

11 AAN, URM, 290/o/5/732, f. 1.

12 Raina, Kościół, 1995, vol. 2, p. 10.

13 Zok, *Substance*, 2021.

gathered by the Ministry of Health and Social Welfare indicated that after an all-time climax in the 1960s, this number declined. At first slowly, then in the second half of the 1980s rapidly.¹⁴ However, there was the problem of undocumented termination of pregnancies in private practices. I discussed this in another article.¹⁵

From the late 1970s, the PZPR standpoint became more similar to the Church's view. A new party leadership under Edward Gierek had come into power at the beginning of the decade and ended open confrontation with the Church. Instead, a rapprochement of both sides took place. This led to an upvaluation of family¹⁶ and therefore to a redefinition of women as "mothers [and] workers" (in this order of priority)¹⁷ in official propaganda. Another factor for a conservative turn was the perception of demographic "problems": from the 1960s, the average number of children per family was decreasing and especially the Church's hierarchy saw potential "threats to the biological substance of the nation". Therefore, it addressed these concerns to the government and Party leadership twice in the 1970s.¹⁸ While the party leadership under Władysław Gomułka did not react to the concerns, the Gierek administration at least partly saw the same problems. For example, the PZPR Administrative Department called the dominating "tendency of families with only one or two children [...] alarming".¹⁹

Economic problems were a characteristic part of Communist society. However, due to investments planned by the Gierek administration that were financed by Western banks and institutions indebtedness rose. Economic imbalances and crises erupted at the beginning of the 1980s. Women were affected most prominently, since they were either the ones who had to stand in line for goods, which led to the emergence of a "society of queues".²⁰ Alternatively, the regime tried to "rescue socialist economy" by removing women from the labour market.²¹

Another factor was the growing dominance of Catholic Social Thought in public discourse. The reason for this was the Church's role as mediator between

14 AAN, MZiOS, 1939/20/27, f. 1.

15 Zok, *Substance*, 2021, p. 357–359.

16 Stegmann, *Aufwertung*, 2005.

17 Stańczak-Wiślicz et. al., *Kobiety*, 2020, p. 139.

18 Zok, *Auseinandersetzungen*, 2019.

19 AAN, KC PZPR, 1354/XI-970, f. 122.

20 Mazurek, *Społeczeństwo kolejki*, 2010.

21 Zok, *Policies*, 2022.

"state/Party" and "Solidarność/society" during the crisis on the one hand. On the other, the election of Karol Wojtyła as Pope John Paul II in 1978 and his journeys to Poland, which strengthened the Church's position. Thus, Catholic notions, such as the "unborn child" began to dominate public discourse. Its "protection" from the "moment of conception" onwards was the common goal of Church, laypersons, KIK, and, after 1989, the newly established right-wing parties.²²

The first draft bill was introduced in the Sejm in February 1989 (before the semi-free elections of June that ended the PZPR's political monopoly) by a group of (mostly male) MPs, some of them from PZPR. The Party members were surprised by the speed it developed, since the first reading was unexpectedly carried out before the June elections.²³ After the elections, *Solidarność* dominated the re-established Upper House, the Senate, and could initiate own projects. One of the first initiatives was a very restrictive draft bill based upon a concept by a Church commission. It would have not only outlawed abortions, but also contraceptives. It was stopped by the Sejm.²⁴

However, right-wing and centrist parties dominated the Sejm after the first free elections of 1991 and passed a new restrictive law on January 7, 1993, often called a 'compromise': although it did not outlaw abortions in general, it denied women the right to have one on request. Instead, the regulations of the 1932 law plus embryo-pathologic reasons returned. Only in its last section the term "foetus" (płód) can be found. Although entitled "Law on Family Planning, the Protection of the Foetus, and the Circumstances of the Permissibility of Termination of Pregnancies", in all other than the above-mentioned section, it refers to the foetus as "conceived child",²⁵ thus using a term taken from the Catholic discourse.

The draft bill had been heavily criticised, because of the turbulences of economic transformation and mass unemployment among women and surveys showed that a majority of interviewees did not want the law tightened. One MP even warned of damages to the young Polish democracy, if the parliament would vote for a law that did not have the approval of society. A proposed solu-

²² Zok, Kompromiss, 2021.

²³ AAN, KC PZPR, 1354/XXV-28, n.p.

²⁴ Kulczycki, Policy, 1995, p. 483–484.

²⁵ <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU19930170078/O/D19930078.pdf> (05.06.2025).

tion through a referendum about the penalisation of abortions was rejected by the right-wing majority in parliament.²⁶

However, the 'compromise' did not end conflicts. Attempts to either loosen or tighten the law have been made since then,²⁷ but there have been no significant changes. Because of the Constitutional Tribunal's verdict deeming the embryo-pathological indication as unconstitutional in October 2020, the issue entered the public once again.

"Pornography"

Abortion was one issue in which divergences between Church teachings and (restrictive) legal regulations on the one side and liberalising trends and actual behaviour on the other were visible. Another issue was nudity in media, often either regarded as "pornography" or "ars erotica". Almost at the same time as abortion, nudity became a bone of contention between liberals and traditionalists. Besides the abovementioned liberalization of reproductive rights, the "Political Thaw" of 1956 also led to a liberalization in the media. However, these developments led to mixed reactions.

At first, nudity in media was met by critique. One female Party member in Katowice criticized the newspaper *Dziennik Zachodni* not only because it published pictures of naked women next to news about politicians from PZPR. Moreover, it had also initiated a contest for women to get naked in public, but the (male) journalists could not find enough women who were ready to take part. The female functionary was furious at the journalists for the idea of this contest and condemned this "sztryktis" [sic!] as "the disgrace to the 20th century".²⁸

However, the 1970s showed liberal attitudes towards nudity and sexuality, since the new Gierek administration tried to open Poland for Western investments. New forms of discourse and behaviour appeared, e.g. the emergence of well-situated female sex workers concentrating on foreign businessmen which changed the discourse on prostitution.²⁹

26 AAN, ZChN, 2410/6, n.p.

27 Ignaciuk, Abortion, 2007.

28 AAN, KC PZPR, 237/VII-2946, f. 272–273.

29 Dobrowolska, Prostytucja, 2020.

These liberalising trends were most openly visible in mass-media, especially television. Some viewers were outraged at "obscene" scenes and accused television of "demoralizing the youth". To prove this accusation, a female viewer from Poznań claimed that

these films encourage [young people] to have sexual intercourse leading to venereal diseases. These directors and actors do not know any shame. Almost every film has disgusting love scenes and children and young people watch them. The reviews [in newspapers] describe the movies as psychodramas and tragedies, but later, one sees that these films consist only of naked people and love scenes.³⁰

Nonetheless, some viewers were in favour of nudity in television. As one wrote:

We want to see more sex. [...] Does the leadership of television worry about our morals? Do we live in times of petty bourgeois dishonest morals, or do we want to return to them? [I am convinced that] open, frivolous scenes that show sex will not harm socialism [...].³¹

Another one argued that "[a]s if nudity and sex would endanger socialist education and conscience! Or [is the leadership of television] afraid of old grannies and sullen moralists?"³²

However, these "sullen moralists" were also among members of PZPR. The authors of a letter to the leader of the Department of Propaganda, Press and Publications described themselves as devoted communists and saw in the showing of naked women – they referred to a figure photography of a young woman from different angles – a "fascist capitalist diversion" that was dominating People's Poland by means of "fashion [and] pornography". The authors advocated a ban on such pictures and punishment for those who had allowed the circulation of the pictures.³³

Critique about publications that were seen as potentially "demoralizing" the youth and family life also came from Catholic clerics and laypersons. In one of the aforementioned aide-memoirs from the 1970s, the Bishops' Conference demanded the introduction of several bans including "pornography" and

³⁰ Zok, Darstellung, 2015, p. 144–145.

³¹ Zok, Darstellung, 2015, p. 145.

³² Zok, Darstellung, 2015, p. 146.

³³ AAN, KC PZPR, 1354/XXXII-55.

all publications that propagated “sexual freedom” as well as advertisement for contraception³⁴ – which was legal in Poland, but was in general of low quality.³⁵ The Bishops’ Conference saw a problem for “a proper education” of children because of the perceived omnipresence of “pornography”.³⁶

However, the ambivalence about the notion of what was “appropriate” and what was not remained – as well as the lack of a clear definition and differentiation between “pornography” and “ars erotica”. While for conservatives, nudity in general was associated with sexuality (and sexual desire), liberals underlined the aesthetics and beauty of the human (mostly female) nude body. This irreconcilable view on nudity could not be overcome until the end of Communist reign, thus a law banning “pornography” was never established, since there was no common definition.

Despite that, the Censorship Office was highly involved in the question of what “pornography” was. It saw its tasks in “protecting good mores” and hindering a “wave of pornography”. Especially publications from abroad that showed or described “sexual relationships in a drastic manner” were excluded from distribution. This included different media, such as *Easy Rider*, gazettes with salacious content like *Playboy*, *St. Pauli Nachrichten* as well as some numbers of the German youth magazine *Bravo*. Furthermore, the censors hindered the publication of works by Crumbe and de Sade, and the fictional *Fanny Hill*. In their opinion, the connection of sexuality, violence, and drugs was one reason to confiscate these publications.³⁷

However, a detailed instruction on how to recognize and categorize some publications as “pornographic” was lacking.³⁸ In 1977, one of the first studies about this problem was published and the author referred also to the problem of a lacking definition. Summing up his research, he even discussed a legalization of “pornography”, because of its ambivalent character and the problems the jurisdiction had to come to terms with it.³⁹ A secret report from the 1980s stated that the majority of society accepted “erotic content”, but only if

34 AAN, UdsW, 1587/125/120, f. 50.

35 Ignaciuk, *Dyskursy*, 2014.

36 AAN, UdsW, 1587/136/163, f. 91.

37 AAN, GUKPPiW, 1102/3742, f. 112–113.

38 AAN, GUKPPiW, 1102/3715, f. 9–10.

39 Filar, *Pornografia*, 1977, p. 5, 162–164.

the "confrontation with nudity was voluntarily". Thus, the report summed up, nudity was not the criterion to ban a publication for being "pornographic".⁴⁰

Beata Łaciak argues that if there was a "sexual revolution" in Poland, it was during the last decades of Communism,⁴¹ when (liberal) sexologists emphasized the importance of "(female) lust" for a relationship and a happy sex life.⁴² Surveys from the 1980s supported this and showed that society was (and probably still is) more liberal than politicians. Its results indicated that almost two-thirds of interviewees were against a ban on pornography and in favour of an unhindered distribution of magazines and screening of films in selected theatres. The authors of the report summed up that this showed the youth's interest in sexuality.⁴³

The conflict about nudity in mass media intensified at the beginning of the transformation period. The introduction of a market economy after 1989 led to a rise of magazines that showed naked women on covers and could be bought at every kiosk. A "crusade against pornography" was proclaimed in which KIK took part. E.g., its Gdansk branch criticized the decision to screen "Moulin Rouge" on New Year's Eve 1989/90, and it attacked Polish Radio for broadcasting a feature about the novel "Emmanuelle". The critics argued that its "pornographic character is widely known". Members of KIK were also dissatisfied with the changes during transition and angrily summed up that morals had not changed for the better. Instead, they perceived an ongoing "assault on our traditions" and stated that such "smut" should not be protected by freedom of speech or art.⁴⁴

However, some of the film reviewers did not agree, or at least didn't share the view of it being "pornographic". In his review of "Emmanuelle", Marek Antczak stated in *Głos Pasłęka*, in November 1992:

Old trash. Its broadcast led to some agitation. Especially within circles of people who, at least with regard to their age, should have seen a naked woman and experienced "such things". One MP said he did not even watch the movie, but he had seen pictures, [however] he was convinced that it was pornography, [although instead of watching] he went to religious course.⁴⁵

40 AAN, KC PZPR, 1354/XXXVII-39, f. 21–22.

41 Łaciak, *Gender*, 1996, p. 38.

42 Kościańska, *Sex*, 2016.

43 AAN, KC PZPR, 1354/LII-211, n.p.

44 AAN, KIK, 2212/11, n.p.

45 AAN, UD, 2956/9, n.p.

The Gdańsk KIK branch was convinced that “pornographic” material could lead to a change in human sexuality and behaviour. Its members argued (counterfactually) that the increase of these magazines and the “erotization of social life” had led to more teenager pregnancies and, in general, to more abortions – although the numbers of registered abortions were falling since the late 1980s. The government’s silence on this problem was interpreted as acceptance. The Club members stated that “although we respect the freedom of speech, we expect that the rights of persons, families and of the society to protect its basic moral norms” should be enforced and condemned all sorts of “hedonism”.⁴⁶ This examples shows the new factors that influenced the discourse on “pornography” at the beginning of the 1990s: on the one hand, economic transformation and introduction of free entrepreneurship leading to an emerging ‘sex industry’, on the other hand, discussions about the (wished) “traditionalist” and “Catholic” character of state and nation.

Additionally, the end of (Communist) censorship showed an increased importance of interplay with the public. Not only the KIK wrote “open” letters complaining about morals, but also clerics, such as Reverend Stanisław Włazło. Referring to unknown “experts”, he claimed that the bad moral state of youth was “even more dangerous than the economic situation”. And, he was angry because the takeover of power by *Solidarność* had led to more, instead of less, “pornography” on television. In his eyes, especially young people would lose their “natural” prudence and the youngest would become “victims” to “sexualism”. Finally, he was convinced that “pornography will not rescue the fatherland, [instead] it is the enemy of all ideals.”⁴⁷

This clash was also observable in the political discourse. The *Polish Forum of Christian-Democrats* stated in February 1993, that “democracy cannot apply to all levels” of society and demoralization by “pornography” had to be prevented by outlawing it.⁴⁸ This notion was rejected by centrist and left-wing parties, such as the *Social Democracy of the Republic Poland*, the successor of PZPR. One of its MPs reported to his colleagues the discussions at a meeting of the Sejm’s Commission on Family. Latter had debated about banning “pornography”, but also all sorts of “erotica” in an effort to prevent sexual harassment of children. Disagreeing with this, the leftist MP argued that forbidding all sorts of nudity

⁴⁶ AAN, KIK, 2212/11, n.p.

⁴⁷ AAN, KIK, 2212/11, n.p.

⁴⁸ AAN, PFChD, 2093/8, f. 113.

was "nonsensical", because it would "prohibit adults something that existed in normal life".⁴⁹

Conclusion

This paper has exemplified conflicts on sexuality and related issues with the examples, abortions and pornography. It has shown that liberalising trends in society were often not acknowledged by political, and even more by religious elites. However, their efforts to control and influence sexual behaviour of individuals as well as the collective were unfruitful. Neither did the outlawing of abortion in 1993 make it disappear, nor did the discussions about "pornography" raise "sexual knowledge" and "protected minors". Instead, both examples show how conservatives tried to implement their agenda in legal form, since individual behaviour remained uninfluenced on a large scale, despite all efforts to propagate Church teachings. Abortions remained a common experience of women during Communism and nudity was (and still is) pictured in mass media.

The paper shows also one important observation: the instrumentalisation of sex-related issues in a discourse about nation as an imagined "ideal Catholic community". Irreconcilable concepts like the humanisation of the foetus vs. (female) reproductive rights and nudity as "pornography" vs. "ars erotica" dominate(d) Polish discourse. Moreover, surveys from late Communism and early transformation indicated that a majority of Polish citizens wanted nudity in mass media, a liberal law on abortion, and in general a liberal stance on sexuality. However, the decisions by the new right-wing political elite aimed at a restrictive attitude towards sexuality and the then climaxing conflicts are still a part of the Polish discourse, since their underlying fundamental problems – a "low sex culture", unwanted pregnancies and the instrumentalisation of those issues in the political discourse – have not been solved until today. Further studies about the actors, their motives and strategies as well as about continuities and fractions will be needed.

49 AAN, SLD RK, 2590/19/6, n.p.

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