Abortion in Democratic Spain: The Parliamentary Political Agenda 1979–2004

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Abstract: Since Spain’s transition to democracy, abortion has been a public policy issue both inside and outside parliament. This paper describes the history of abortion law reform in Spain from 1979 to 2004 and analyses the discourse on abortion of members of the Spanish parliament by sex and political allegiance. The analysis is based on a retrospective study of the frequency of legislative initiatives and the prevalence of different arguments and positions in debates on abortion found through a systematic search of the parliamentary database. Little time was given to abortion in the parliamentary agenda compared to other women’s issues such as violence against women. There were 229 bills and other parliamentary initiatives in that period, 60% initiated and led by pro-choice women. 143 female and 72 male parliamentarians took part in the debates. The inclusion of socio-economic grounds for legal abortion (64%), and making abortion on request legal in the first 12 weeks of pregnancy (60%) were the most frequent forms of law reform proposed, based most often on pro-women’s rights arguments. Male and female members of anti-choice parties and most male members of other parties argued for fetal rights. Pro-choice parties tabled more bills than anti-choice parties but till now all reforms proposed since 1985 have been voted down.

Keywords: abortion law and policy, advocacy and political process, Spain

Since Spain’s transition to democracy in 1978, arguments for and against legalisation of abortion and its provision by the public health services have taken place both inside and outside the Spanish Parliament.1 However, analyses of the actual Parliamentary debates on the subject have been rare.

Research in the USA on Congressional debates and votes on abortion laws revealed that the main arguments used in debates on abortion concerned both the ethics and morality of aborting a fetus on one hand, and the impact of unsafe abortion on women’s health and existence of social class inequalities in access to abortion on the other. Women members of the US Congress have been the ones to advocate for equal access to federally funded abortions and introduced arguments supporting legal abortion to protect women’s health. Furthermore, it has been US Congresswomen who have modified the position of their male colleagues over time, so that the number of men talking about women’s health has increased whereas the number talking about the immorality of abortion has decreased.2–4
Legislation ensuring access to safe, legal abortion exists throughout most of Europe, with important exceptions. Legislation in most European countries, passed primarily in the 1970s and 80s, includes the following grounds on which abortion is legal: risk to the woman’s life, risk to her physical, psychological and mental health, in cases of rape, risk of fetal malformation, risk to existing children, social or socio-economic circumstances and medical or socio-medical conditions. The grounds differ somewhat in each country and the time limits, including for different grounds, also differ. In many of the countries, abortion is legal on request up to 10,12,14 or 18 weeks and after that on more limited grounds, with an upper time limit, usually 22–24 weeks.

There was no legislation on abortion in Spain until 1985, passed in the early years of the new democracy. The only exception was a decree in Catalonia during the civil war (1936–39), that permitted abortion on the grounds of the woman’s health, when the pregnancy was unwanted or in cases of fetal abnormality. The implementation of this decree was very limited, however, due to the disturbances of those difficult times.

The Spanish feminist movement has worked for the decriminalisation of abortion since the 1970s. When the Spanish democratic Constitution was being prepared (1977–78), abortion, along with other issues such as education and divorce, was the cause of deep divisions between right-wing and left-wing political parties. Potential conflict was avoided when the parties agreed not to mention abortion in the Constitution at all.

In 1981, 11 women from a poor neighbourhood near Bilbao were arrested for having illegal abortions, along with the woman who had done the abortions and several others who were involved. During the trial, due to hot weather, windows on both sides of the courtroom were wide open. Thousands of women surrounded the building and chanted throughout the trial, while others filled the courtroom as observers and witnesses. The accused women had serious health risks that justified therapeutic abortion. Everyone was acquitted. This judgement put a stop, at least temporarily, to similar prosecutions and opened the way to legal reform (Marge Berer, personal communication, January 2007).

In 1983, only four months after they had taken office, the Socialist Party presented a bill in Parliament to amend the Penal Code in order to fulfil an electoral promise. The bill made abortion legal if it was performed for ethical reasons (in the case of rape), on therapeutic grounds (when the physical or mental health of the pregnant woman was at risk) or on eugenic grounds (fetal malformation). It was passed by a large majority of 186 to 50.

From 1974 to 1985, an estimated 240,000 Spanish women terminated their pregnancies in the UK and Netherlands (and an undocumented number in Portugal and North Africa). In contrast, after the law was passed, from 1986 to 1995 only 34,895 Spanish women had abortions in other countries, while 340,214 were able to have abortions in Spain.

However, despite the Act being passed, many professionals working in non-governmental family planning clinics where abortions were being performed were harassed by anti-abortion activists, and a number were prosecuted for doing abortions. At the same time, the medical colleges and professionals in the public health system failed to begin providing abortions or training for providers. In 1986, a regulation was adopted regarding accreditation criteria for health care centres wanting to do abortions and the data they had to report. This regulation also required women to have the permission of two doctors for abortion. While this regulation marked the beginning of the end of prosecutions, it was only in 1999 that a parliamentary bill aimed at stopping prosecutions was tabled.

Since 1986, the two major left-wing parties (the governing Socialist party and Izquierda Unida) have tabled two major bills to further reform the abortion law. One was to legalise abortion on request in the first 12 weeks of pregnancy (proposed by Izquierda Unida); the other was to extend the grounds for abortion to include women’s socio-economic circumstances (proposed by the government). Only the latter was voted on in the Congress of Deputies and passed on 14 December 1995 by 180 favour, 141 against and one abstention. However, the bill fell because its passage coincided with the change to a conservative government, which made no effort to ensure that it reached the Senate for approval.

Since then, political debate on abortion seems to have been de-activated. This may be due to the imbalance between the key players involved.
On one side, there are feminist groups, left-wing parties (mainly their women members) and the governmental Instituto de la Mujer (Women’s Institute), who have unsuccessfully advocated extending and reforming the law. On the other is a stronger group that includes the Catholic church and some anti-abortion groups, which are still very active. With them, through inaction, are also the conservative and right-wing parties who, however, have made few efforts to reverse or restrict the existing law. 

Unfortunately, the law as it stands, although perhaps liberal for its time, does not reflect women’s needs. The most common reasons for abortion in Spain are in fact socio-economic, but abortion on those grounds is not legal. Consequently, serious risk to the woman’s mental health is usually the reason recorded, and it must be certified by a psychiatrist. This has been the case for 98% of the abortions listed in the official abortion register from 1992 to 2004, which makes a mockery of the validity of the data.

To this day, neither abortion nor family planning services are integrated into the public health system in Spain. In fact, from 1992 to 2004, 97% of abortions in Spain were performed in private clinics. Moreover, given the varying political and economic circumstances and extent of influence of the Catholic church in different parts of Spain, access to abortion services also differs. Thus, in 2004, the proportion of abortions provided in very Catholic provinces was very low, e.g. in Navarra 5%, Catalonia 10% and greater Madrid 12%. Many women have to travel to other parts of the country for abortions and some still go abroad.

European Parliament recommendations emphasise the importance of legalising abortion in order to protect the rights and health of women. However, the situation in Spain may be undermining women’s health in some cases. Having to travel for an abortion causes delays, and women whose abortions are in fact for socio-economic reasons have to accept and pay for their mental health to be questioned in order to get a legal abortion. Moreover, some women, especially young women, may still be undergoing unsafe abortions because they cannot afford private clinic fees.

We thought it would be useful to analyse parliamentary debates and voting patterns to identify the positions of the political parties and the agreements and disagreements within each party, and to examine the positions of the women and men who are members of parliament. This would help to identify key points for political debate and ways to stimulate the promotion of abortion legislation that meets women’s needs. We also think it would be valuable to do political epidemiological research on the health effects of decisions made by political institutions.

We report in this paper an analysis of the frequency of legislative initiatives related to abortion in democratic Spain from 1979 to 2004, and analyse the discourse on abortion of members of the Spanish parliament by sex and political affiliation.

**Data and methods**

The study was a longitudinal, retrospective study. A systematic search with the keyword “abortion” was carried out in the database of the Spanish Parliament for the years 1979–2004. The data collected and analysed covered the number and sex of the members of eight elected parliaments, frequency of initiatives on abortion, parliaments in which they were proposed, where they were debated (in Special Commissions or on the floor of parliament), number of bills that passed their first reading and political outcomes of those bills that reached debate stage. Finally, for the bills that were debated, data were collected on the sex and political party of those participating in the debate.

Nudist Vivo software allowed us to perform a sweep of the contents of the texts of parliamentary debates on abortion and identify 16 different arguments or positions that were put forward. Given that each of these arguments was based on an intention as regards the law, we identified the variable – positions of women and men parliamentarians on abortion legislation – in order to establish mutually exclusive (in favour vs. against) categories. In order to validate these categories as measurement tools and to ensure a common meaning, the team produced operative definitions for each position. Subsequently, we calculated the level of inter-observer agreement (authors BC and MC) by means of the Kappa index and obtained a high agreement (Kappa index = 82%).

Based on the positions taken by the different political parties on legalisation of abortion on
request up to the first 12 weeks of pregnancy, another variable was created – pro-choice and anti-choice parties. This variable divided the political parties into those that favoured allowing women to make a free and responsible decision whether to continue a pregnancy or not, who were pro-choice parties: Partido Socialista, Izquierda Unida, Bloque Nacionalista Galego, Esquerra Republicana, Coalición Canaria and Grupo Mixto, and those that defended fetal rights over women’s right to decide, who were anti-choice parties: Partido Popular, Convergencia i Unió and Nacionalista Vasco. The Unión de Centro Democrático was excluded because it eventually disappeared from the political arena and because its members were equally divided between pro-choice and anti-choice positions. A descriptive study was also made of the frequencies and percentages of all the collected variables along with a comparative analysis of the arguments and positions by sex of members of Parliament and by pro-choice and anti-choice party grouping. The chi-square test was performed to compare the percentages of the arguments and positions in the abortion debate between women and men members of Parliament and pro-choice and anti-choice parties. The statistical set SPSS-11.5 and EpilInfo 6 were used for this analysis.

Results

Subjects and frequency of debates

We found a total of 229 legislative initiatives in which abortion was mentioned in the period 1979–2004. These included bills to reform the existing law, proposals of regulations governing implementation of the existing law and questions to the government about the abortion law and its application. The bills and regulations were also examined by specific parliamentary commissions, to which key professionals were invited to give evidence. Of the total initiatives, 104 (45.4%) were debated, while 125 fell without debate. Only seven (2.6%) of the 104 debated initiatives were voted on and passed, all of which were related to the approval and sale of mifepristone and its use for medical abortion. Another four initiatives were voted on but fell. The other 93 were discussed only in parliamentary commissions. These included 70 in the Justice Commission, ten in the Health Commission, seven in the Social Affairs Commission, two in the Education and Culture Commission, one in the Finance Commission, one in the Constitutional Commission, one in the Telecommunications Control Commission and, surprisingly, only one in the Women’s Rights Commission.

For example, in 1985, the same year as the abortion law was passed, an amendment was tabled by the opposition conservative Partido Popular to recognise the right of doctors and health personnel to exercise conscientious objection to abortion, even a legal abortion. This was voted on but not passed.15 Another example, under the conservative government in 1996, was a question tabled by the Socialist Party in opposition, which asked the government what they would do with women who were on trial for having had an abortion outside the parameters of the law, since they should not be sent to prison. Although the question was debated, nothing came of it.17 Deficiencies in the application of the abortion law were the subject of appearances before the Justice Commission of the President of the Royal Academy of Political and Social Sciences and Ethics, the Minister of Health, the Minister of Social Affairs, the Director of the Instituto de la Mujer, and the President of the General Council of the Judicial Power in 1995.17

The frequency of the initiatives related to abortion is shown in Figure 1. Before 1985, there were very few. From 1985–95 when the new abortion law was being put into effect, the frequency of parliamentary debates remained constant, with an upturn in 1995 as a result of the new government bill to extend the grounds for abortion. During that period, abortion was raised most frequently in questions to the government. Examples of such questions were to do with what kind of information would be given by Spanish public television about abortion in 1985, and what measures the government would take if all the physicians in a region were conscientious objectors. Others were about the number of clinics in Catalonia accredited to do abortions (1986), the criteria used by the Ministry of Health to evaluate the surgical risks of abortion (1987), and measures to guarantee that abortion would be provided by the public health care system (1992).

From 1996 to 2004, when the conservative Partido Popular took control of the government,
there was a downward trend in the frequency of abortion-related initiatives (Figure 1), though questions to the government about abortion remained important.

The support of the conservative and right-wing parties in the Spanish Parliament for physicians’ right to conscientious objection was often debated. Yet, the lack of access to abortion in the public health services and the resulting inequity for women of different social classes was surprisingly seldom discussed.

There were between 350 and 416 sitting parliamentarians in each of the eight parliaments from 1979 to 2004. The total number of parliamentarians who intervened in relation to abortion over the whole period was 215 (143 women, 72 men). Most legislative initiatives were introduced by the pro-choice parties (65%). Even though women were a minority in all eight parliaments, they dominated debate on the abortion question (Figure 2) and introduced most of the legislative initiatives (60%). Most of these women belonged to Izquierda Unida and the Socialist Party. On the other hand, most of the men who introduced anti-choice initiatives belonged to the conservative Partido Popular (72%).

**Issues raised in debates on abortion**

The main topics related to abortion and the proportion of the total number of times abortion was raised on the floor of the parliament or in one of the commissions, in descending order, were as follows:

- Extension of the grounds for legalised abortion to include socio-economic grounds (64%),
- Reform of the current law by legalising abortion on request during the first 12 weeks of pregnancy (60%),
- Women’s rights (47%),
- Existence of social demand for legislative reform (34%),
- Fetal rights (25%),
- The need for physicians’ approval and provision of abortion (22%),
- Conscientious objection by physicians (20%),
- Pre-abortion counselling by a physician to ensure a woman’s informed decision (20%),
- Physicians’ right to practise legal abortion (18%),
- Barriers to accessing abortion in private and public clinics (14%),
- Women’s health problems (morbidity and mortality) (14%).
Beijing agreements (9%),
Men’s right to agree to abortion (6%),
Concern that abortion may be used as a family planning method (6%),
European Parliament recommendations (4%),
Cairo agreements (2%).

Figure 3 shows how many times the above issues were raised, according to the sex of those raising the issue and whether they belonged to an anti-choice or a pro-choice party. Women members and members of pro-choice parties dominated the floor on the abortion question. The only exceptions were fetal rights, men’s rights and pre-abortion counselling, which were most often raised by members of anti-choice parties, and the issue of men’s rights, which was raised equally by both women and men.

Stance of parliamentarians according to sex and political affiliation
Parliamentary debates were polarised regarding whether and how the abortion law should be reformed. There were also differences in the positions of the men and the women within the pro-choice and anti-choice parties. Men and women in the left-wing parties disagreed with each other more than the men and women in the right-wing parties, where a greater homogeneity of opinion existed between the sexes. Thus, fetal rights were defended by the majority of parliamentarians, including both men and women in the right-wing parties and some of the male members of the left-wing parties.

Of a total of 130 parliamentarians making a speech about reform of the current law, women spoke more frequently (71%) than men (29%) (p=0.03). Table 1 shows three cases of significant differences by sex in positions in favour and against abortion of the members of parliament who participated in debates. Women parliamentarians not only spoke more often, they also advocated pro-choice reform of the current law significantly more often than men (p=0.001). They were also more often against doctors’ provision and approval of abortion, as a condition for abortion than men (p=0.05). In contrast, their male colleagues supported fetal rights significantly more often (p=0.001).

Table 2 illustrates the significant differences between the positions of anti-choice and pro-choice parties. On one hand, support for women’s rights was expressed significantly more often by pro-choice parties than anti-choice parties (80% vs. 20%) (p=0.001). Arguments about women’s health (76%) and the right of physicians to provide legal abortions (89%) were also raised more often by pro-choice parties than anti-choice parties (p=0.01 and p=0.001, respectively). In addition, the right of conscientious objection for physicians was rejected more often by pro-choice parties (68%) than anti-choice parties (p=0.001). Moreover, pre-abortion counselling to ensure women’s informed decisions was advocated by pro-choice parties but strongly rejected by anti-choice parties (p=0.001). Similarly, pro-choice parties advocated extending the grounds for abortion while anti-choice parties were against such a reform (p=0.001). On the other hand,
anti-choice parties more often referred to fetal rights (74%) and supported them significantly more often than pro-choice parties (p=0.001).

Discussion

Abortion has been present only infrequently on the Spanish parliamentary agenda since 1979.
consequences of unsafe abortion and international agreements (i.e. Cairo and Beijing) received scant attention. Debates on abortion were led mainly by women parliamentarians, mainly from the left-wing parties, which have the most women in their ranks. Nonetheless, attempts since 1985 to reform the law have failed and there have been few political changes under any government. This may be because more male parliamentarians from all parties and all the anti-choice parties support fetal rights, which means they control parliamentary power on this topic. Given their numbers, their arguments get a higher

Table 1. Frequency of arguments and positions in Parliamentary debates on abortion, by sex, Spain (1979–2004)

<table>
<thead>
<tr>
<th>Arguments</th>
<th>Women</th>
<th>Men</th>
<th>Position</th>
<th>Women</th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reform of current law</td>
<td>92</td>
<td>38</td>
<td>In favour(^a)</td>
<td>55</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>37</td>
<td>25</td>
</tr>
<tr>
<td>Fetal rights</td>
<td>32</td>
<td>21</td>
<td>In favour(^a)</td>
<td>20</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>12</td>
<td>1</td>
</tr>
<tr>
<td>Physician approval and provision as a condition for abortion</td>
<td>32</td>
<td>15</td>
<td>In favour(^b)</td>
<td>8</td>
<td>8</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>24</td>
<td>7</td>
</tr>
</tbody>
</table>

\(^a\) \(p=0.001\)  
\(^b\) \(p=0.05\)

Table 2. Frequency of arguments and positions of pro-choice and anti-choice party members who participated in Parliamentary abortion debates, Spain, 1979–2004

<table>
<thead>
<tr>
<th>Arguments</th>
<th>Pro-choice party members</th>
<th>Anti-choice party members</th>
<th>Positions</th>
<th>Pro-choice party members</th>
<th>Anti-choice party members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reform of current law</td>
<td>72</td>
<td>58</td>
<td>In favour(^a)</td>
<td>63</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>9</td>
<td>53</td>
</tr>
<tr>
<td>Women's rights</td>
<td>82</td>
<td>20</td>
<td>In favour(^a)</td>
<td>81</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>1</td>
<td>11</td>
</tr>
<tr>
<td>Fetal rights</td>
<td>14</td>
<td>39</td>
<td>In favour(^a)</td>
<td>3</td>
<td>37</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>11</td>
<td>2</td>
</tr>
<tr>
<td>Pre-abortion counselling by a physician to ensure an informed decision by the women</td>
<td>17</td>
<td>27</td>
<td>In favour(^a)</td>
<td>15</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>2</td>
<td>25</td>
</tr>
<tr>
<td>Conscientious objection of the physician</td>
<td>28</td>
<td>13</td>
<td>In favour(^a)</td>
<td>5</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>23</td>
<td>2</td>
</tr>
<tr>
<td>Physician's right to practise abortion</td>
<td>34</td>
<td>4</td>
<td>In favour(^a)</td>
<td>34</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Women's health</td>
<td>22</td>
<td>7</td>
<td>In favour(^b)</td>
<td>21</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Against</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>

\(^a\) \(p=0.001\)  
\(^b\) \(p=0.01\)
Our method of exploring the Parliamentary agenda on abortion may be of interest in other countries where abortion legislation does not meet women’s needs. It may also be of interest in countries where there is a Catholic majority, since these countries support the institutionalised right of conscientious objection by physicians.9,12,24 The limited number of debates over the years and further limitations resulting from the stratification by sex among the members of parliament and by the political parties has allowed us only to perform a transversal analysis. This has prevented us from reaching conclusions as to whether an increase in the number of women parliamentarians would modify men’s discourse and votes. Nevertheless, the consistent lack of legislative reform suggests that the influence of pro-choice women parliamentarians who support the legalisation of abortion has not been sufficient to achieve the intended reforms, or that women are required to submit to party discipline over and above gender imperatives, or simply that there are not enough women in the Spanish parliament.

Although the selection of most often repeated positions for analysis has ruled out some minority positions, the most frequent positions were included and have also been found in similar studies.7 However, even though we studied all the abortion debates and found them to be politically relevant, from a research standpoint there is a problem with the statistical power of the sample since it is unable to detect more significant associations in the arguments and positions according to sex and to pro-choice vs. anti-choice political party.

Although this study covers only the years up to 2004, there have been no legislative changes of note on abortion since then. The governing Socialist Party programme still includes extending the legal grounds for abortion, but any attempt to implement this proposition has been postponed until after the next election in 2008 – if they win.

The rate of abortions remained stable in Spain between 1979 and 2004, including after the current legislation was passed. The small increase that occurred in the few years after the law was passed was probably due to a fall in the number of Spanish women having abortions in the UK, Netherlands and other countries, and also more complete data collection. Moreover, since most abortions are sought for socio-economic reasons, even though they are recorded as therapeutic, it is unlikely that the rate of abortions would rise if socio-economic grounds were legalised, or even if abortion on request were legalised.

That there were so few initiatives on abortion in the last two parliaments may reflect the fact that the governing Conservative Party did not recognise any real social demand for reform. In any case, regardless of the political affinity of the party in government, legislative initiatives on abortion have been rare in comparison to those on other women’s issues, such as violence against women. During the same period as we studied, there were twice as many initiatives on violence against women as there were on abortion.25 It may be concluded that in a relatively young democracy and a traditionally Catholic country such as Spain, the private values and beliefs of male legislators have so far prevailed over public policies supporting women and their civil rights. Moreover, given that many feminists have become professionally involved in state feminism in Spain, their work on this issue may have been replaced by the priorities and the agenda set by the governing Socialist Party.1

Perhaps abortion is not considered a real social problem in Spain compared to other social problems. A social problem exists when it is considered as such by the community, but especially when the problem undermines the values and interests of those in power who influence public opinion and have enough authority to take action to control it.1,26

It has been shown that a greater number of women in a parliament can more effectively represent women’s interests.2–4 In Spain, women members of the left–wing parties have dominated the debates on abortion and introduced most of the proposals for change in the current legislation. Nevertheless, despite a gradual increase in the number of women parliamentarians, as in most other European countries, men still have a higher number of votes and retain greater power of decision-making. Perhaps this is another reason why the bills that did reach debate stage did not result in legislative reforms being passed.27–30
Key points for political debate and public campaigns

The parliamentary commissions, especially for Health and for Justice and Social Affairs, have played an active role in processing bills on abortion. These commissions consist of with expertise in the field but they can only debate and reflect on the subject at hand, not make policy or laws. In a matter where radically differing ideologies exist, these commissions must work out how to overcome existing barriers before a bill can be sent for debate on the floor. For instance, they would have to disprove the claim by anti-choice groups, conservative parties and media that the number of abortions would increase if more legal grounds were added or if abortion on request were permitted. This claim, which first appeared in 1985–86 when the legalisation of abortion became a focus of public debate, is erroneous; however, it continues to be asserted by the anti-choice movement and is one reason why abortion is still treated as controversial.

The commissions are not only supposed to be active in examining bills but also in monitoring implementation of the laws in their remit. They can summon key informants, for example, to provide evidence that a proposal to reform the abortion law should be supported in order to meet Spanish women’s needs, such as addressing regional inequalities in access to abortion and the need for the public health services to provide abortions. It would also be beneficial if the commissions were to debate the health and ethical problems created by conscientious objection.

The lack of debate on abortion as a women’s health issue in Spain may be due to the fact that the Justice Commission has been the one in charge of abortion law in the Spanish parliament. As a result, discussions on this issue have mainly focused on juridical and legal points. The health and women’s rights issues should be addressed by those commissions but have not been. If they were, synergies might be developed between the Health, Women’s Rights, Justice and Social Affairs Commissions so that abortion-related issues were managed in a more comprehensive and interdisciplinary manner.

Sexual and reproductive health and rights, including abortion, have been a focus of interest and international agreements for governments and international institutions and organisations in many countries, particularly in Europe. This study has shown the key role played by women members of left-wing parties in the Spanish parliament as leaders in supporting abortion rights. Parliamentary and public debates could be initiated by the left-wing political parties, especially by their women members, as well as by feminist groups and the Instituto de la Mujer during election campaigns. They could take steps to encourage members of the media who support progressive abortion law reform to place the issues in the public eye too. A starting point for initiating a debate might be the arguments which pro-choice parties are in favour of and which anti-choice parties are not opposed to – such as issues related to women’s health. To date, these issues have rarely been mentioned in Spanish debates on abortion. Success in taking such efforts forward to achieve law and policy reform should depend not only on left-wing women leaders, but also on women in right-wing parties and all the men in the parliament, as well as the wider community, especially of women.

Most pro-choice activity on abortion in Europe today is in countries where abortion is still illegal and for many women unsafe – Ireland, Poland and until March 2007 Portugal. In Spain, where abortion is off the agenda, it is unclear what is needed, in the absence of a direct threat to the law or the clinics providing abortions, to make the situation of abortion be perceived as a social problem worthy of meaningful parliamentary attention. However, knowing what the issues have been and where the support does and does not lie, it may be easier to plan further action in the near future if the left-wing continues to control the legislature.

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 Résumé

 Depuis la transition de l’Espagne vers la démocratie, l’avortement est une question politique à l’intérieur et à l’extérieur du Parlement. Cet article retrace l’histoire de la réforme de la législation sur l’avortement en Espagne de 1979 à 2004 et analyse le discours des députés espagnols, par sexe et appartenance politique. L’analyse est fondée sur une étude de la fréquence des initiatives législatives et de la prévalence des différents arguments dans les débats sur l’avortement, effectuée à l’aide d’une recherche systématique dans la base de données parlementaire. Les travaux parlementaires ont consacré peu de temps à l’avortement par comparaison à d’autres questions intéressant les femmes, comme les violences conjugales. On a recensé 229 propositions de lois et autres initiatives parlementaires pendant cette période, dont 60% lancées et dirigées par des femmes favorables à l’avortement. Parmi les députés ayant participé au débat, il y avait 143 femmes et 72 hommes. L’inclusion de motifs socio-économiques pour l’avortement légal (64%) et la légalisation de l’avortement pendant les 12 premières semaines de grossesse (60%) étaient les propositions les plus fréquentes, basées le plus souvent sur le droit des femmes à choisir. Les membres masculins et féminins de partis opposés à l’avortement et la plupart des membres masculins d’autres partis militaient pour les droits du fœtus. Les partis pour le libre choix ont présenté davantage de propositions de loi que les partis contre l’avortement, mais, depuis 1985, toutes les réformes ont été refusées.

 Resumen

 Desde la transición de España a la democracia, el aborto ha sido asunto de políticas públicas dentro y fuera del parlamento. En este artículo se describe la historia de la reforma de la ley de aborto en España desde 1979 hasta 2004, y se analiza el discurso sobre el aborto por parte de los parlamentarios españoles, por sexo y afiliación política. El análisis se basa en un estudio retrospectivo de la frecuencia de iniciativas legislativas y la prevalencia de diferentes argumentos y posiciones en debates sobre aborto, encontradas mediante una búsqueda sistemática en la base de datos parlamentaria. No se dedicó mucho tiempo al aborto en la agenda parlamentaria, comparado con otros asuntos relacionados con las mujeres, como la violencia contra éstas. Hubo 229 iniciativas parlamentarias en ese período, el 60% iniciadas y dirigidas por mujeres por el derecho a decidir; 143 diputadas y 72 diputados participaron en los debates. La aceptación de motivos socioeconómicos para tener un aborto legal (64%) y la legalización de la práctica de abortos a petición en el primer trimestre del embarazo (60%) fueron las formas más frecuentes propuestas para reformar la ley, principalmente a raíz de argumentos referentes a los derechos de las mujeres. Hombres y mujeres afiliados a partidos contra el derecho a decidir, y la mayoría de los hombres afiliados a otros partidos abogaron por los derechos del feto. Los partidos por el derecho a decidir presentaron más proyectos de ley que aquellos en contra, pero hasta ahora, se ha votado en contra de todas las reformas propuestas desde 1985.