

CHAPTER 8

Italy's Foetus Cemeteries: Reproductive Justice, Anti-gender Stances and Neo-Catholicism

Alessia Ibba

Introduction

In September 2020, the news of a woman finding a grave, marked by a cross bearing her name, in Rome, Italy, was shared by newspapers all over the world (Roberts, 2020; BBC, 2021). The existence of this grave—which in reality belonged to the foetus she had aborted seven months earlier due to medical complications in her pregnancy, and which, unbeknownst to her and without her consent, was buried in Cimitero Flaminio, Rome—was denounced via Facebook. This opened a Pandora's box, with thousands of women all over the country sharing their similar experiences (Obiezione Respinta, 2021), and bringing once again the public's attention towards reproductive justice in the Italian context.

A. Ibba, MSc (⊠)

Alumna of Social Studies of Gender Master Programme, Lund University, Cagliari, Italy e-mail: alessiaibba@hotmail.it Discussions on reproductive justice, which revolves around the right to have children or not have children and to raise them in a healthy and safe environment (Galarneau, 2013), followed the news of the existence of the infamous graveyards of foetuses. Despite voluntary termination of pregnancy having been de-penalised in Italy since 1978, the legal framework around abortion presents some obstacles to this right, two such being the limited use of medical abortion and the possibility given to health professionals to conscientiously object, meaning to refuse to perform abortion on the basis of religious beliefs. The percentage of health professionals choosing to conscientiously object reached 67% in 2019 (Ministero della Salute, 2021), and as data shows, the number has been growing over the past two decades, given that in 2002 it was registered as below 60% (Autorino et al., 2020). Moreover, numbers vary from region to region, resulting in territorial discrimination and forcing people in need of abortion to travel, when and if their economic condition allows.

Another layer to this discussion was added after the reality of the burial of aborted foetuses came to light. The Italian pro-choice movement was quick to condemn the practice, bringing to the table issues related to consent, self-determination and psychological violence, since the burials happen without the consent of the person undergoing an abortion procedure, while, oftentimes, their name is displayed publicly, violating their privacy (Guerra, 2020; Ibba, 2022). Moreover, another aspect that raised controversy was the religious connotation of the practice, for three different reasons. Firstly, as mentioned, there have been cases in which crosses have been displayed in the cemeteries in order to mark the graves (Obiezione Respinta, 2021). Secondly, in certain cities, especially in Northern and Central Italy, agreements between hospitals and pro-life Catholic associations are stipulated, which result in the associations themselves taking care of the burial process (Guerra, 2020). Thirdly, regarding the latter, and from testimonies I have collected, it appears that foetuses are being buried within formal funeral ceremonies, which presents distinct religious connotations (Ibba, 2022).

Both discussions are strikingly relevant at the time of writing. At the end of September 2022, Italy held its parliamentary elections, which have seen the extreme right-wing party Fratelli d'Italia as the winner and its leader Giorgia Meloni as the new Prime Minister. Meloni has declared herself to be against the idea of restricting the right to abortion but has deemed this right only as of equal importance to that given to health professionals to conscientiously object, and has included in her party's

political plan 'the establishment of a fund to help women who are alone and in financial difficulty carry their pregnancy to term' (Siviero, 2022). Moreover, her party has repeatedly proposed to make the burial of aborted foetuses at any week of gestation mandatory by law (Somma, 2022). Meloni was sworn in as Prime Minister on October 22, and she appointed to her Cabinet Eugenia Roccella as Minister for Family, Natality and Equal Opportunity. In the past, Roccella has spoken out against abortion and assisted reproduction (Horowitz, 2022), defining abortion as a 'shortcut that should no longer be there' (Il Post, 2022).

In this chapter, my aim is to analyse the practice of the burial of aborted foetuses as an obstacle to reproductive justice in Italy, in the context of anti-genderism and neo-Catholicism shaping pro-life stances in the country. After a brief presentation of the anti-gender movement in Italy and an explanation of the legal framework and existing praxis of the burial of aborted foetuses, I proceed with my analysis of the practice. This chapter is based on the conclusions I have drawn from my research. Having taken into analysis the pro-choice and pro-life movements in Italy, and more specifically their public discussions around the burial of aborted foetuses, I have collected interviews, statements and declarations given by activists and representatives of the two movements in the time period (late 2020) in which the issue came to light. Moreover, in early 2022, I conducted five online semi-structured interviews to gather testimonies from activists, lawyers and journalists from both movements.

THE ANTI-GENDER MOVEMENT IN ITALY

In 2019, Verona, a city in Northern Italy, hosted Convention XIII of the World Congress of Families (WCF). Hundreds of international conservative organisations gathered to mobilise against abortion and birth control, female emancipation, gender theory and sex education in schools, in order to stem social change through collective action (Kalm & Meeuwisse, 2020). The WCF is seen as one of the most recent manifestations of a cycle of mobilisations that started in 2012 and, despite initially having at its centre the pro-life cause, with stances against abortion and assisted suicide, is now known to be dealing with numerous issues, mainly against the so-called gender ideology. The WCF is distinctive not only for its scope and the number of organisations from all over the world that gather at its meetings but also because of its political dimension. Held in the midst of the European Parliament election campaign, Convention XIII

was attended by several representatives from the Italian government, from the Lega party and its opposition, mainly Fratelli d'Italia. In addition to being sponsored by the regional and municipal administrations, the Convention was attended by Deputy Prime Minister Matteo Salvini and by Lorenzo Fontana, former Minister for the Family (Prearo, 2020).

The battle against 'gender ideology' was born out of the reformulation of a discourse developed by the Vatican. Since the 1940s, the Vatican and its representatives, mainly its pontiffs, have offered a new construction of the essentialist view on sex, gender and sexuality, but, especially since the 2000s, the Catholic Church has been one of the strongest opponents of the idea of gender itself and its theorisations. Deforming the idea of gender—as I will explain—not only results in the construction of a common enemy against which it is necessary to mobilise, but also legitimises the nationalist idea that the nuclear and traditional family, meaning heteronormative, is the basis of Western society. To give an example, the Vatican crafted a discourse to oppose the feminist conceptualisation of gender, accusing it of trying to hide the differences between the sexes, which are presented by the Vatican as distinct but complementary. Pope John Paul II has emphasised the singularity of feminine virtues, innate to women and of equal dignity to, but different from, the male counterpart's (Garbagnoli & Prearo, 2018).

Recent decades have been characterised by a transnational mobilisation of the anti-gender movement all over Europe and the world. Ideologically, the movement presents three recurring elements: (1) convictions about human nature consistent with Catholic dogma, justified by scientific claims, which are used to oppose gender and feminist studies and claims; (2) an urge to save the Western culture from foreign ideologies that would destroy it; (3) conspiracy narratives of the current division of power in the world. Often connected with right-wing populism, the movement has an important transnational dimension. However, anti-gender mobilisation differs from nation to nation, depending on the local cultural and political dynamics, while having at its centre a 'politics of reproduction, kinship and hierarchy of power between genders' (Graff & Korolczuk, 2022: 6).

Prearo (2020) agrees and adds that it would be wrong, or at least reductive, to analyse the anti-gender wave solely as a transitional mobilisation and, consequently, as a part of a global movement that is characteristic of the neoliberal world we live in, as it may be interpreted. On the contrary, it is key to perceive the peculiarities of each national movement, since, even if some of their characteristic elements are imported from other

realities, it would be impossible to deny the political and militant configurations that each national context possesses.

Along with other countries, Italy has been experiencing the influence of the anti-gender movement in its domestic politics. In 2013, when the public debate focused on whether to allow civil unions between same-sex couples, anti-homophobia laws and the introduction of gender and sex education in schools, a cycle of protests began, backed by pre-existing actors all over Europe, which could be considered as part of the anti-gender movement. The discussions regarding the Scalfarotto, Fedeli and Cirinnà bills—focused on the themes discussed above, of which only the Cirinnà bill, creating the possibility for same-sex unions to happen, passed—offered the perfect opportunity for the anti-gender movement to organise in the Italian political arena (Lavizzari & Prearo, 2019).

As Garbagnoli and Prearo (2018) affirm, in Italy, even before the insurgence of the anti-gender movement, in discussions around 'gender ideology', the English word 'gender' is exclusively employed as if it were impossible to translate, although the Italian term *genere* has the same meaning and etymological origin. Making the term seem impossible to translate is a delegitimisation strategy, contributing to a perception of the concept as foreign to the Italian culture and language, and a consequence of 'cultural imperialism'. Moreover, gender theory or ideology is often presented as singular and monolithic, which erases the differences present among different feminisms and their understandings of gender (Garbagnoli & Prearo, 2018).

It is also interesting to see the role that religion and, in the Italian case, the Catholic Church play in the dissemination of anti-gender stances. The Italian case is characterised by a heterogeneous and dispersed space of Catholic movements and associations. In the discussions of the above-mentioned bills, Italy witnessed numerous protests not only by political and social actors but also by religious actors, most significantly Pope Benedict (Lavizzari & Prearo, 2019). Prearo (2020) employs the term *neocattolico* ('neo-Catholic') to characterise the actors of the anti-gender movement in Italy. However, despite sharing the same ideological roots, the neo-Catholic movement expresses ideas that go beyond the religious sphere and into the political one. The term, used initially to indicate a less conservative Catholic wave that was more open to certain issues than the Roman tradition was, was then employed to identify the conservative Catholicism that is used by politicians such as former US President Trump, combined with religious nationalist elements. As Prearo says, this

definition is helpful to 'describe the action of these new Catholic movements in the field between the Church, politics and Catholic movements, and consequently between conservative trends within the Church, of centre-right, right-wing and extreme-right parties, and new actors outside the ecclesiastical and Catholic world' (p. 35).

The militant commitment of the anti-gender movement is seen as an opportunity for some branches of the Catholic Church to exit the religious sphere and enter the political one, and consequently express themselves in this sense in the public arena. This means that even though the Vatican originally crafted the anti-gender discourse as a rhetorical strategy, it is now used more largely as a strategy of mobilisation. Indeed, after giving the whole anti-gender line of thought a legitimacy outside the Catholic world, it is now perceived as the centre of a new Catholic mobilisation, which gives those who identify as Catholics the authority to express themselves around themes in the political arena (Garbagnoli & Prearo, 2018).

To conclude, the evolution of the anti-gender movement in Italy has seen the renovation of the Catholic political space—as expressed by Prearo's (2020) definition of neo-Catholicism—which is still based on identity values that are at the core of the sociopolitical setting. This means that the Catholic political project, even though as omnipresent in the Italian political arena as at the beginning of the Republic in 1946, has been changing its shape, mainly as a consequence of the spread of the antigender movement in the country (Lavizzari & Prearo, 2019).

THE BURIAL OF ABORTED FOETUSES

According to the legal framework in Italy, aborted foetuses are usually required to be buried. However, the DPR (*Decreto del Presidente della Repubblica*/Presidential Decree) Regulation No. 285 of September 10, 1990, stipulates that this depends on the gestational age reached by the embryo or foetus before being aborted—whether voluntarily or for medical reasons—or miscarried. At Article 7, the law distinguishes between *nati morti* (stillborn) and *prodotti abortivi* (products of abortion). In the first case, the corpse should be considered as any other corpse and, regardless of the gestational age, the burial is mandatory. In the case of *prodotti abortivi*, whose definition includes foetuses above the 20th week of gestation that are aborted, the responsibility for burial falls to the local health unit. However, at Paragraph 4, Article 7 of this law, for foetuses aborted before the 20th week of gestation and those at a gestational age of between

20 and 28 weeks, parents, relatives or *chi per essi* (literally, 'whoever for them', i.e. proxy) 'are required to present, within 24 hours of the expulsion or extraction of the foetus, a formal request to the local health unit along with a certificate indicating the presumed gestational age and the weight of the foetus' (DPR September 10, 1990, No. 285, Article 7, Paragraph 4) if they want to proceed with the burial. If the abovementioned actors fail to complete the request, the foetuses are supposed to be disposed of directly by the hospital (DPR Regolamento di polizia mortuaria [Regulation of Mortuary Police], September 9, 1990, No. 285).

As has emerged from testimonies collected by journalists in the months since the first case was reported, people undergoing an abortion procedure are not systematically informed of what is prescribed by law in terms of the burial of aborted foetuses. Moreover, evidence suggests that they are not asked to give written or oral consent to a burial ceremony of any nature, but only to sign a consent form concerning the surgical procedure alone (Guerra, 2020).

Since people are not informed of the possibility of requesting burial for the foetuses they are aborting, it is legitimate to ask who proceeds with their burial. The information I have gathered, both from media coverage and from my dataset, indicates that the praxis presents two different cases. The first is when the municipality takes direct care of the burial, without using an intermediary. This happened in the case that shone a light on the issue, which took place in Rome, at Cimitero Flaminio, where the municipality commissioned the burials via its subsidiary AMA (Azienda Municipale Ambiente/Municipal Environment Agency), which buried the foetuses in graves marked by a cross bearing the name of the person who underwent the abortion procedure (Bisbiglia, 2020). The second case that has been observed, especially in Northern and Central Italy, is when hospitals sign an agreement with pro-life Catholic associations, authorising them to bury the aborted foetuses themselves. What usually happens is that volunteers collect the remains and undertake religious funeral ceremonies. It seems that, in both cases, the explicit consent of the person who aborted is neglected (Guerra, 2020). How is the existence of both praxes possible within the legal framework?

The law that regulates the burial of aborted foetuses, DPR No. 285 of September 10, 1990, appears to leave room for interpretation which is used to justify both praxes. One reading of the law may even appear to legitimise the agreements between the hospitals and the pro-life associations that allow them to collect the remains of aborted foetuses and

proceed with burial. More precisely, as the law stipulates that, within 24 hours from the moment of the abortion, the burial can be requested by the parents, family members or proxy, it is the last phrase, the chi per essi ('whoever for them', proxy), that is interpreted as any delegate, 'them' being either a single person or a collective subject, allowing for an association and its representatives (Ibba, 2022). Moreover, the same law could be viewed as justifying the lack of consent given in both cases. This was confirmed by the court sentence given to the collective action that some prochoice actors carried out against the city of Rome for the foetuses' graveyards in Cimitero Flaminio, which, as the judge stated, have not been in violation of the current law on privacy, since the burial of aborted foetuses, without the consent of the person who has aborted them but in a grave displaying their name, was found to be done without malice. However, since the verdict in early 2022, the praxis has been changed, and now, instead of bearing the mother's name, the crosses show an alphanumeric code of identification (Corriere della Sera, 2022).

Another important piece to consider about the reality of the burial of aborted foetuses is the religious connotation of the practice. In both praxes, it is possible to see how the Catholic religion influences them. In the first case, the use of the symbol of the cross, which is universally linked to Christianity, is a deliberate echo back to the tradition of burial in religious contexts. In the second case, despite being denied by representatives of the organisations that carry out the burial of aborted foetuses as their mission, testimonies I have collected show that the burial is often accompanied by a funeral ceremony with religious connotations. A hearse transports the white boxes—supplied by the hospitals themselves, and which bear the stamp of the local health unit—containing the foetuses, followed by a funeral procession, and accompanied by a priest who reads out prayers and delivers a homily. From the various accounts it emerges that families do not appear to participate in these ceremonies; those in attendance are volunteers and believers linked to this organisation (Ibba, 2022).

THE BURIAL OF ABORTED FOETUSES AS A THREAT TO REPRODUCTIVE JUSTICE

When the news of the existence of the foetuses' graveyards broke, the Italian pro-choice movement was quick to condemn the practice. Moreover, individuals and associations belonging to the Italian pro-choice

movement, such as the association Differenza Donna, started a legal action and organised protests and sit-ins (Ballestra, 2020). It became clear in public discussion around the burial of aborted foetuses that pro-choice considers the practice to be illegitimate, unethical and in violation of self-determination, since it is usually performed without the consent of the person who has undergone an abortion procedure. Moreover, the exhibition of names and surnames would also represent a violation of the privacy and confidentiality granted by Law 194/1978, the law that regulates abortion (Ibba, 2022).

In this section, I argue that the practice of burying aborted foetuses represents a threat to reproductive justice in the Italian context, in violation of the right not to have children and/or to parent children. The lack of consent, the lack of awareness of the fate of the foetus among those undergoing abortion, the breach of their privacy and confidentiality and the attempt to shame those who have aborted are factors that may represent a deterrent from pursuing their freedom of choice. After exploring other threats linked to the current law on the voluntary interruption of pregnancy, Law 194/1978, I shall explore the gendered consequences on reproductive justice of the burial of aborted foetuses.

Reproductive justice, meaning the right to have children or not to have children and to raise them in a healthy and safe environment (Galarneau, 2013), is a relatively new concept. Developed at the end of the twentieth century, it was introduced as the urge for a more intersectional paradigm to discuss themes related to reproductive rights became evident. In this approach, concepts of sexuality, health, human rights and social justice are tied together, in an effort to show what plays a role in the determination of each person's reproductive destiny (Ross et al., 2017). More precisely, reproductive justice is defined as 'the complete physical, mental, spiritual, political, economic, and social well-being of women and girls [that] will be achieved when women and girls have the economic, social and political power and resources to make healthy decisions about our bodies, sexuality and reproduction for ourselves, our families and our communities in all areas of our lives' (ACRJ, 2005: 1). The term was introduced to academia by Black feminists who, when discussing reproductive rights, wanted to have other oppressions to be addressed, such as racism and classism. Moreover, the concept takes into consideration the barriers that those giving birth have to face when belonging to certain marginalised groups. At the same time, the rights of those who want to have a child are deemed just as important as the rights of those who do not wish to (Zakiya & Luker, 2013).

To provide a background, I analyse three threats to reproductive justice in the Italian context. Two of them, being the possibility open to health professionals to conscientiously object and the limited use of medical abortion, are obstacles to the right not to have a child. The third one, which is related to the limitations established by the law in regard to assisted reproductive services, represents a limitation to the right to have a child. Voluntary termination of pregnancy is regulated by Law 194/1978 entitled Norme per la tutela della maternità e sull'interruzione volontaria di gravidanza (Regulations for the protection of motherhood and voluntary termination of pregnancy), which de-penalised abortion in 1978, allowing interruption of a pregnancy during the first 90 days of gestation for health, economic, social or familial reasons. After that time limit, abortion is possible only in the specific case of the life of the foetus or of the person carrying the pregnancy being put at serious risk (Spinelli, 2019). Whether under or over the 90 days' gestation time limit, a certificate for abortion must be obtained, after which the person must wait seven days before actually undergoing the procedure. This can be considered as a tentative dissuasion provided by the law, which sees the health professional as a part of the assessment process—necessary to obtain the certificate and consequently to interrupt the pregnancy—for the reasons mentioned (Hanafin, 2022). The procedure can be surgical or medical, but data shows that the vast majority (71.2%) of abortions are performed surgically. In the remaining 28.8% of cases, medical abortion is offered (Ministero della Salute, 2021) through the use of mifepristone (RU486) in combination with misoprostol. Approved in 2009, the RU486 pill is not employed commonly, due to the Italian Ministry of Health's guidelines, which do not conform to international clinical guidelines, 'producing unnecessary burden on provision services and provoking clinically unjustified barriers to access to the treatment' (Caruso & Zanini, 2020). Obtaining abortion is made even harder by the possibility, granted by Law 194, of conscientious objection: in 2019, 67% of gynaecologists declared they conscientiously objected to perform abortions (Ministero della Salute, 2021), and this percentage has been growing since then (Autorino et al., 2020). Where the assisted reproductive services are concerned, the 2004 law limits their access to adult heterosexual couples who are married or in a stable relationship. They must be of a potentially fertile age, both still living, and deemed to be infertile or sterile. The law is specifically clear in stating that

all subjects involved in practices of assisted reproduction are protected, including the *concepito* (the one who is conceived), which is a term used to identify both the embryo and the foetus. The rights of the *concepito* are protected in the sense that, first of all, the assisted reproduction process can be stopped up until the egg is fertilised; secondly, the law does not allow the production of embryos for research purposes or their selection for eugenic purposes or because of genetic conditions or abnormalities (Hanafin, 2022).

To understand how the burial of aborted foetuses, as in the Italian case, may represent an obstacle to reproductive justice, I analyse some of the claims that the pro-choice movement has employed to delegitimise the practice. Since the moment when the media started talking about the issue, the pro-choice movement has been divided between those who objected in general to cemeteries in which foetuses are buried and those who highlighted lack of consent as the main problem. Now the main argument in the pro-choice movement is that it is crucial to change the current regulation to ensure that the law is clear and leaves no room for false interpretation in order to prevent the practice without the consent of the person who has aborted. One of the reasons why consent is emphasised is because of the importance given to the issue of self-determination: the idea of 'my body, my choice' (il corpo è mio e decido io) is extended to the foetus, which is considered part of the pregnant person's body and therefore belonging to them. Moreover, emphasis is put on ideas of violence and shame. It comes as no surprise that abortion is narrated by those opposing it as a traumatic and shameful experience that has to be kept a secret. It is arguable that the practice of the burial of aborted foetuses is based on the same narrative, and that it represents an effort to shame those who do not carry a pregnancy to term for one reason or another. From the testimonies I have gathered, people who saw their names on crosses in the foetus cemeteries felt crucified and buried alive, ashamed of being publicly called out for their abortion (Ibba, 2022). For this reason, I argue that the burial of aborted foetuses could be considered as a subtle effort to limit the access to abortion, since it indirectly restricts this right by undermining the privacy that should be granted to anyone wishing to terminate a pregnancy or who is forced to do so for external reasons.

As demonstrated, the pro-choice side employs the strategy of extending themes of consent and self-determination from discussions around abortion to the discussion around the burial of aborted foetuses to foreground the right of the person who chooses to have an abortion or has to have an abortion for other reasons, which is something that does not happen when violations of reproductive justice occur.

In the three cases presented, and in the case of the burial of aborted foetuses, reproductive justice is undermined, both directly and indirectly, under the assumption that the rights of the *concepito* are more valuable than those of the pregnant person. This idea of foetal personhood—'the idea that zygotes and embryos are legal persons subject to the protections and benefits of the law' (Key, 2017: 320)—is a concept employed by prolife actors all over the world to justify their position against abortion. Foetal personhood, and the need to grant a foetus legal rights from the moment of conception (Key, 2017), is behind not only any legislation that attempts to limit abortion—the limited use of medical abortion and the possibility for conscientious objection—as argued by Agostinone-Wilson (2020) but also behind laws regulating foetal disposal (Key, 2017).

To conclude, I believe that prioritising the rights of the *concepito* before the rights of the person who does or does not want to have a child is in violation of reproductive rights, and it is present in the three cases—limited use of medical abortion, possibility for conscientious objection and limitations in the regulation of assisted reproduction—provided above. The same concept can be applied when the burial of aborted foetuses takes place without the consent of the person who has aborted; and since this may happen alike for people who abort voluntarily and for those who lose their child for reasons other than exercising their right, I argue that it may represent a violation of reproductive justice both for those who do not want to have a child and for those who do. While both potentially see their privacy and confidentiality violated if their name is displayed in public cemeteries, in the first case the right to privacy granted by Law 194/1978 is also violated, while those who want to mourn the miscarried or aborted foetus they consider their child cannot do so, since they are not usually informed of its fate. Moreover, the shame that is usually presented as a core part of interrupting a pregnancy—and, in a sense, that is connected to not being able to fulfil a woman's mission to be a mother, which is seen as 'inherent in human nature itself' (Ibba, 2022: 49)—is also at the core of the practice, and should be considered as an indirect strategy to obstruct the access to abortion.

THE BURIAL OF ABORTED FOETUSES: THE IMPORTANT ROLE PLAYED BY CATHOLICISM AND ANTI-GENDERISM IN ITALY

In a neo-Catholic Italy, the discovery of the existence of foetuses' grave-yards came as no surprise. The burial of aborted foetuses and especially the role played by the municipalities who declare themselves to be pro-life and in defence of life (Guerra, 2020), and by the pro-life associations who not only defend the practice but also actively carry it out, were seen as yet another attack on reproductive rights. As Ballestra (2020) affirms, aware that Law 194/1978 is difficult to be dismantled, pro-life actors choose to attack reproductive rights from another angle, reducing the right to abortion by giving the possibility to conscientiously object without any regulation and by creating a praxis of the burial of aborted foetuses, which Ballestra considers to be 'an institutional violence'.

In this section, I argue that the Catholic Church has played a significant role in pro-life politics in Italy, and that, with the rise of the anti-gender movement and the advance of neo-Catholicism, anti-abortion stances and practices have changed their character. I am taking the burial of aborted foetuses as an example of a practice that is used by the pro-life movement to confirm their opposition to reproductive rights, going deep into the role played by religion in the development and justification of the practice.

The Catholic Church is proven to have had a key role in Italian politics, especially in regard to reproductive rights (Caruso, 2020). Since the approval of Law 194/1978, the Catholic Church has focused on encouraging practitioners to use the conscientious objection provision (DiMarco, 2009). In 1978 Pope Paul VI even threatened doctors and other health professionals with excommunication if they performed abortions, whether medical or surgical, and intimated that they should be objectors (Caruso, 2020; DiMarco, 2009). The Church's opposition to abortion is rooted in canon law, according to which abortion represents a crime against life and human freedom, equating it to homicide, since, for the Catholic religion, life begins at the moment of fertilisation (Milani, 2012). More recently, in 2018, Pope Francis compared abortion to 'hiring a hitman to resolve a problem' (Caruso, 2020).

Since the beginning of the pro-life movement, its adhesion to ideas attributable to Catholicism has been causing significant fractures. For example, in the Movimento per la Vita (Pro-Life Movement, MpV), the principal institutionalised movement objecting to the right to abortion,

which has been working to restrict Law 194/1978, there has been some internal division: one side of the movement approved a 'minimal' solution in regard to abortion, meaning it would be allowed in the case of the mother's life being at risk; the other side, the part of the movement closer to the Catholic Church, advocated the solution referred to as 'maximal': a total ban on abortion. Meanwhile, the MpV has been choosing a more moderate line, abandoning its stance on the penalisation of abortion (Avanza, 2015, 2018).

As parts of the pro-life movement are changing its discourse to a more moderate one, some other actors maintain a position that is strictly against the right to abortion. An example is the Marcia per la Vita (March for Life), from which the MpV has formally distanced itself, since the organisation of the Marcia is in the hands of radical-right groups and ultra-Catholic organisations (Avanza, 2018). Other examples of a less moderate discourse are more recent: in 2018, posters appeared with slogans such as 'Abortion is the first cause of femicide in the world' and 'Every five minutes a child is killed', picturing embryos with the words: 'This is how you looked in your sixth week, and now you are here because your mother didn't abort you' (Caruso, 2020: 94).

These new attacks by both moderate and radical on the right to abortion display the clear role played by pro-life associations in the burial of foetuses. In an effort to justify the practice, pro-life actors denounce the 'culture of death' that they claim is spread by those who support feminist and gender theories, according to which 'nascent human life is treated as if it is garbage' (Ibba, 2022). These actors use their adherence to Catholicism to legitimise as morally acceptable the burial of aborted foetuses—as well as, until recently, displaying the mothers' names—and, in doing so, compare themselves to what they define as 'an ideologically aligned part [that] says that it [abortion] is nothing' (Ibba, 2022). Interestingly, their use of the adverb 'ideologically' is reminiscent of the 'gender ideology' to which pro-life actors are opposed.

It is also important to note that abortion is seen as a traumatic experience, with burial the only possible way to overcome it, especially for women. Considering abortion as a trauma and the grief left by it as underestimated and difficult to overcome offers the possibility to find in the burial of aborted foetuses—and especially in the public and religious aspects of it—the only way to process and elaborate the event. Declarations made by the pro-life associations show how parenthood and the abortion experience are described in gendered terms which are based on an

essentialist view of motherhood and fatherhood. For pro-life actors, a woman's mission and essence is to be a mother, and to feel a connection with the embryo or foetus she carries from the beginning of pregnancy. Consequently, the act of interrupting a pregnancy is viewed as tragic in itself, as it goes against human nature: this idea helps reinforce the claim that burial is the only means to overcome the traumatic experience of abortion.

To conclude, the public discussion around the burial of aborted foetuses has highlighted the role played by the Catholic religion and antigender stances in its justification. It is evident how the practice is a result of how Catholicism views abortion and of the essentialist view around gender that the Vatican has spread in its anti-gender mobilisations.

REFERENCES

- ACRJ (Asian Communities for Reproductive Justice). (2005). A New Vision for Advancing Our Movement for Reproductive Health, Reproductive Rights and Reproductive Justice. ACRJ. http://reproductivejustice.org/assets/docs/ACRJ-A-New-Vision.pdf
- Agostinone-Wilson, F. (2020). Chapter 6: Abortion Through the Lens of Fetal Personhood: Social Meanings and Functions. In F. Agostinone-Wilson (Ed.), Enough Already! A Socialist Feminist Response to the Re-emergence of Right Wing Populism and Fascism in Media. Brill.
- Autorino, T., Mattioli, F., & Mencarini, L. (2020). The Impact of Gynecologists' Conscientious Objection on Abortion Access. *Social Science Research*, 87, 102403.
- Avanza, M. (2015). Mobilisations anti « idéologie du gender » et milieux catholiques pro-life en Italie. Habemus gender! Déconstruction d'une riposte religieuse. Éditions de l'Université de Bruxelles.
- Avanza, M. (2018). Plea for an Emic Approach Towards 'Ugly Movements': Lessons from the Divisions Within the Italian Pro-Life Movement. *Politics and Governance*, 6, 112–125.
- Ballestra, S. (2020, October 5). Un attacco alle donne che viene da lontano. *Internazionale*. Retrieved March 10, 2022, from https://www.internazionale.it/opinione/silvia-ballestra/2020/10/05/cimiteri-feti
- BBC. (2021, March 31). Abortion in Italy: 'I Found a Grave with My Name on It'.

 Retrieved July 18, 2022, from https://www.bbc.com/news/av/world-europe-56182957
- Bisbiglia, V. (2020, September 30). Roma, il caso del cimitero dei feti: sulle croci i nomi delle madri che hanno abortito e quella prassi che nasce da un regio decreto del 1939. *Il Fatto Quotidiano*. Retrieved April 28, 2022, from https://

- www.ilfattoquotidiano.it/2020/09/30/roma-il-caso-del-cimitero-dei-feti-sulle-croci-i-nomi-delle-madri-che-hanno-abortito-quella-prassi-che-nasce-da-un-regio-decreto-del-1939/5949561
- Caruso, E. (2020). Abortion in Italy: Forty Years On. Feminist Legal Studies, 28, 87-96.
- Caruso, E., & Zanini, G. (2020, June 16). Access to Medical Abortion in Italy Is characterised by "Unnecessary Burdens" and "Unjustified Barriers" This Has Stayed the Same During the Pandemic. International Campaign for Women's Right to Safe Abortion. Retrieved January 25, 2022, from https://www.safe-abortionwomensright.org/access-to-medical-abortion-in-italy-is-characterised-by-unnecessary-burdens-and-unjustified-barriers-this-has-stayed-the-same-during-the-pandemic
- Corriere della Sera. (2022, February 7). Cimitero dei feti al Flaminio, il gip archivia: «Prassi erronea ma nessun dolo». Retrieved July 19, 2022, from https://roma.corriere.it/notizie/cronaca/22_febbraio_07/cimitero-feti-flaminio-gip-archivia-prassi-erronea-ma-nessun-dolo-alad3964-8824-11ec-88 04-7df4f9fb61d8.shtml?refresh_ce
- DiMarco, X. (2009). The Tides of Vatican Influence in Italian Reproductive Matters: From Abortion to Assisted Reproduction. Rutgers Journal of Law & Religion, 10.
- DPR. (1990, September 10). Regolamento di polizia mortuaria, No. 285. https://presidenza.governo.it/USRI/ufficio_studi/normativa/D.P.R.%2010%20settembre%201990,%20n.%20285.pdf
- Galarneau, C. (2013). Farm Labor, Reproductive Justice: Migrant Women Farmworkers in the US. *Health and Human Rights*, 15, 144.
- Garbagnoli, S., & Prearo, M. (2018). La crociata "anti-gender" dal Vaticano alle manif pour tous. Kaplan.
- Graff, A., & Korolczuk, E. (2022). Anti-gender Politics in the Populist Moment. Taylor & Francis.
- Guerra, J. (2020, September 30). I cimiteri dei feti umiliano le donne. Li ho mappati e non sono un'eccezione, ma la normalità. *The Vision*. Retrieved September 26, 2021, from https://thevision.com/attualita/cimiteri-feti-donne; see also *Mappa dei cimiteri per feti*. https://www.google.com/maps/d/u/0/viewer?mid=1lYzwnV6_gTzlwBQ1WpPACj3EM0C_MKSa&fbclid=IwAR06 Qzn3aZ7W92MVnS9bp7L0nKrFvYdYOXBNnDyqRKpV3oVFmbNiraDN_U&ll=41.86478025061604%2C12.305816050000011&z=6
- Hanafin, P. (2022). An Uncertain Secularisation: Reproductive Rights in Contemporary Italy. *Pólemos*, 16, 75–96.
- Horowitz, J. (2022, October 2022). Giorgia Meloni Gets Go-Ahead for New Italian Government. New York Times. https://www.nytimes.com/2022/10/21/world/europe/giorgia-meloni-new-italian-government.html

- Ibba, A. (2022). Themes of (de)legitimation on the Burial of Aborted Fetuses: The Italian Pro-life and Pro-choice Movements (MA thesis). Lund University. http://lup.lub.lu.se/student-papers/record/9086204
- Il Post. (2022, October 22). La nuova ministra per la Famiglia e la natalità è ultraconservatrice. https://www.ilpost.it/2022/10/22/eugenia-roccella-ministrafamiglia-governo-meloni
- Kalm, S., & Meeuwisse, A. (2020). For Love and for Life: Emotional Dynamics at the World Congress of Families. *Global Discourse*, 10.
- Key, E. K. (2017). The Forced Choice of Dignified Disposal: Government Mandate of Internment or Cremation of Fetal Remains (rev.). UC Davis Law Review, 51, 305.
- Lavizzari, A., & Prearo, M. (2019). The Anti-Gender Movement in Italy: Catholic Participation Between Electoral and Protest Politics. European Societies, 21, 422–442.
- Milani, D. (2012). Quando l'interruzione volontaria della gravidanza solleva ancora discussioni nello Stato e nella Chiesa. Stato, Chiese e pluralismo confessionale. Stato, Chiese e pluralismo confessionale. https://doi.org/10.1313 0/1971-8543/2460
- Ministero della Salute. (2021, September 16). Relazione del ministro della salute sulla attuazione della legge contenente norme per la tutela sociale della maternità e per l'interruzione volontaria di gravidanza (Law 194/78). Retrieved January 25, 2022, from https://www.salute.gov.it/imgs/C_17_pubblicazioni_3103_allegato.pdf
- Obiezione Respinta. (2021, April 27). I "cimiteri dei feti" sono una violenza silenziosa contro la libertà di scelta. *Intersezionale*. Retrieved April 28, 2022, from https://www.intersezionale.com/2021/04/27/i-cimiteri-dei-feti-sono-una-violenza-silenziosa-contro-la-liberta-di-scelta
- Prearo, M. (2020). L'ipotesi neocattolica. Politologia dei movimenti antigender. Mimesis.
- Roberts, H. (2020, October 15). Burial of Aborted Fetuses Causes Outrage in Italy. *Politico*. Retrieved July 18, 2022, from https://www.politico.eu/article/italy-abortion-burial-causes-outrage/
- Ross, L., Derkas, E., Peoples, W., Roberts, L., & Bridgewater, P. (2017). Radical Reproductive Justice: Foundation, Theory, Practice, Critique. Feminist Press.
- Siviero, G. (2022, September 22). Cosa vuole fare Giorgia Meloni con l'aborto. *Il Post.* Retrieved September 26, 2022, from https://www.ilpost.it/2022/09/22/giorgia-meloni-aborto/
- Somma, N. (2022, September 4). Aborto, la proposta sul cimitero dei feti è un attacco all'autodeterminazione delle donne. *Il Fatto Quotidiano*. Retrieved September 26, 2022, from https://www.ilfattoquotidiano.it/2022/09/04/aborto-la-proposta-sul-cimitero-dei-feti-e-un-attacco-allautodeterminazione-delle-donne/6789349

Spinelli, A. (2019, January 17). Interruzione volontaria di gravidanza: informazioni generali. Epicentro: L'epidemiologia per la sanità pubblica Istituto Superiore di Sanità. Retrieved January 25, 2022, from https://www.epicentro.iss.it/ivg Zakiya, L., & Luker, K. (2013). Reproductive Justice. Annual Review of Law and Social Science, 9, 327–352.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution 4.0 International License (http://creativecommons.org/licenses/by/4.0/), which permits use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons licence and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons licence, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons licence and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

