

ANALYSIS

What Actually Happens When a Country Bans Abortion

Romania under Ceausescu created a dystopian horror of overcrowded, filthy orphanages, and thousands died from back-alley abortions.

By [Amy Mackinnon](#), a national security and intelligence reporter at *Foreign Policy*.

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As lawmakers in Alabama this week passed a bill that would outlaw abortion in the U.S. state entirely, protesters outside the statehouse wore blood-red robes, a nod to Margaret Atwood's dystopian novel *The Handmaid's Tale*, in which childbearing is entirely controlled by the state. Hours later, the book was trending on Twitter.

But opponents of the restrictive abortion laws currently being considered in the United States don't need to look to fiction for admonitory examples of where these types of laws can lead. For decades, communist Romania was a real-life test case of what can happen when a country outlaws abortion entirely, and the results were devastating.

In 1966, the leader of Romania, Nicolae Ceausescu, outlawed access to abortion and contraception in a bid to boost the country's population. In the short term, it worked, and the year after it was enacted the average number of children born to Romanian women jumped from 1.9 to 3.7. But birthrates quickly fell again as women found ways around the ban. Wealthy, urban women were sometimes able to bribe doctors to perform abortions, or they had contraceptive IUDs smuggled in from Germany.

Yet Romania's prohibition of the procedure was disproportionately felt by low-income women and disadvantaged groups, which abortion-rights advocates in the United States fear would happen if the Alabama law came into force. As a last resort, many Romanian women turned to home and back-alley abortions, and by 1989, an estimated 10,000 women had died as a result of unsafe procedures. The real number of deaths might have been much higher, as women who sought abortions and those who helped them faced years of imprisonment if caught. Maternal mortality skyrocketed, doubling between 1965 and 1989.

“Sometimes a woman couldn’t even tell her husband or best friend that she wanted to have an abortion as it would put them at risk as well,” said Irina Ilisei, an academic researcher and co-founder of the Front Association, a Romanian feminist group, and the Feminist Romania website.

“For many women, sexuality represented a fear and not a part of life that can be enjoyed,” Ilisei said.

Another consequence of Romania’s abortion ban was that hundreds of thousands of children were turned over to state orphanages. When communism collapsed in Romania in 1989, an estimated 170,000 children were found warehoused in filthy orphanages. Having previously been hidden from the world, images emerged of stick-thin children, many of whom had been beaten and abused. Some were left shackled to metal bed frames.

Nor did the Romanian law do much to achieve Ceausescu’s goal of dramatically increasing the population. “Making abortion illegal will not lead to women having more babies. So if the goal is to bring about more lives and to protect more lives, this is not the instrument to use,” said Maria Bucur, a professor of history and gender studies at Indiana University.

Born and raised in Romania, Bucur describes herself as a product of the abortion ban, after her mother twice failed to have an abortion.

On Wednesday, a day after it was passed by the legislature, Alabama Gov. Kay Ivey signed into law the country’s strictest abortion law, which bans the procedure at every stage of pregnancy and could send doctors who carry out the procedure to prison for life.

Alabama’s law goes even further than Romania’s, which in principle at least allowed for exceptions in cases of rape, incest, or congenital defect. The new law allows for abortions only when there is a serious threat to the mother’s health.

Romania’s abortion ban was compounded by a ban on contraception, which was not mentioned in the Alabama bill. But the Trump administration took a swipe at birth control in 2017 when it allowed employers to opt out of providing it as part of employee insurance plans on the grounds of religious belief. This decision was halted by a federal judge in January of this year.

The legal tussle between the courts over abortion looks set to continue as anti-abortion groups seek to push through laws they hope will be upheld by

a newly conservative Supreme Court, to which U.S. President Donald Trump has appointed two new members. So far this year, over a dozen other states have attempted to outlaw abortions after six weeks of gestation—before many people even realize they are pregnant. Last week, Georgia became the sixth state to successfully pass such a bill. Already, six states in the United States have only one abortion clinic left.

Although the laws may be struck down by the courts, anti-abortion advocates hope that they will eventually reach the Supreme Court to challenge the precedent set by the 1973 *Roe v. Wade* decision, which enshrined the right to seek an abortion.

Alabama State Rep. Terri Collins, a co-sponsor of the bill, which is now the most restrictive in the country, told the news site *AL.com*, “My goal with this bill, and I think all of our goal, is to have *Roe vs. Wade* turned over.”

On the campaign trail in 2016, Trump promised to appoint conservative justices with a view to overturning *Roe v. Wade*. The confirmation of Brett Kavanaugh in October 2018 gave conservative justices a solid majority on the bench, raising the hopes of anti-abortion advocates.

If the Supreme Court were to change its mind on abortion, it would become the prerogative of individual states to decide how to regulate the procedure.

“We need to take into consideration the long-term consequences of legislation like this,” said Charles Nelson, a professor of pediatrics at Harvard Medical School and the author of *Romania’s Abandoned Children*.

Starting in 2000, Nelson examined the impact that Romania’s orphanages had on children in post-communist Romania and found that many were left with severe developmental impairment and mental health issues. For some, their confinement in orphanages even had a physical impact on the size of their brains.

Nelson said that Romania offers a cautionary tale of what happens when a state tries to control reproductive rights. The new Alabama law raises questions about what kind of support the state would provide if someone doesn’t have the option of ending a pregnancy when the fetus is found to have profound birth defects.

“Does the state have the bandwidth to take care of those kids and support the families?” he said in an interview.

When communism collapsed in Romania in December 1989, one of the first acts of the transitional government was to overturn the ban on abortion. Romania remains a highly conservative country, and in recent years there have been renewed calls to outlaw abortion, spearheaded by the influential Orthodox Church and other religious groups.

Bucur, the author of *Birth of Democratic Citizenship: Women and Power in Modern Romania*, is skeptical that the new movement will gain any political momentum.

“I think the real, raw firsthand memory is still too present in still too many voters. I don’t think there’s any intelligent politicians who would make it happen,” she said.

Ilisei, the Romanian activist, said that she was worried to see parts of the United States—a country that Romania had once looked to as an example—now pursuing new restrictions on abortion. “In 1989, we aspired to build a stable democracy, a pluralistic society, with equality between men and women, and the United States was the main source of inspiration,” she said. “Now that is not the case any more.”

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