A Necessary Evil?

Continuity and Change in Russian and Soviet Abortion Discourse, 1910-1930

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Abstract

The widespread reliance on abortion in the Soviet Union, occasionally even referred to as an “abortion culture”, has been documented in a number of studies. However, the notoriously high abortion rates are not the only reason why the Soviet case stands out in the global history of abortion. Having decriminalised abortion by decree in 1920, Soviet Russia became the first country in the world where the termination of pregnancy was discussed as a legalised phenomenon.

Russian discussions on the abortion issue, however, did not begin with the Decree on the Legalisation of Abortion in 1920. Neither were the debates originally initiated by the Bolsheviks. The abortion question first started to attract serious attention among liberal intellectuals during the years before the First World War. Two different medical congresses, and one convention of criminologists, had voted in favour of decriminalisation in 1911, 1913 and 1914 respectively.

Seeing as there were voices even in the pre-revolutionary years who called for decriminalisation of abortion, it can be questioned whether the Decree of 1920 really represented a turning point in the Russian abortion discourse. In this thesis, the patterns of continuity and change in Russian and Soviet abortion discourse between 1910 and 1930 will be examined. A closer comparison of pre-revolutionary and early Soviet sources indicates that despite Soviet efforts to prove otherwise, there was more continuity than change in the abortion discourse during these two decades. Thus, it can be argued that the Decree of 1920 was less of a watershed than it might seem at first glance.
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Abbreviations

Gosizdat
the State Publishing House of the R. S. F. S. R
(Gosudarstvennoe izdatel’stvo)

gubzdrav(y)
district health department(s) (gubernskii otdel zdravookhraneniya)

Narkomzdrav
the People’s Commissariat of Health (Narodnyi komissariat zdravookhraneniya)

OMM / Okhmatmlad
the Department for the Protection of Maternity and Infancy
(Okhrana materinstva i mladenchestva)

R. S. F. S. R.
the Russian Soviet Federative Socialist Republic (Rossiiskaya sovetskaya federativnaya sotsialisticheskaya respublika)

Sovnarkom
the Council of People’s Commissars (Sovet narodnykh komissarov), the government of the early Soviet republic

Zhenotdel / zhenotdely
the Women’s Department of the Communist Party (otdel po rabote sredi zhenshchin) and its local sub-departments

A note on the transliteration of Russian names and other words

In this thesis, Russian names and other words have been transliterated according to the British Standard system, with two exceptions. First, the Russian ё has been transliterated as e, because it is not common to distinguish between these two letters in modern standard Russian. Second, instead of transliterating the Russian ü as i, I have chosen – for practical as well as aesthetic reasons – to use i. In addition, words and names in the pre-revolutionary literature have been transcribed according to the spelling rules that were implemented after the 1917 revolution.
### Table of Contents

1. Introduction .......................................................................................................................... 1

1.1 Method ................................................................................................................................. 4

2. The Western context of Russian abortion discourse .............................................................. 7

2.1.1 Western attitudes towards abortion in the 19th and early 20th century: De jure repression, de facto tolerance ........................................................................................................ 9

2.1.2 Abortion methods in the pre-legalisation era ................................................................. 10

2.1.3 Increasing abortion rates after 1880: an “abortion revolution”? ................................. 11

3. The Russian and Soviet context, ca. 1890-1930 ................................................................. 14

3.1 Social changes ....................................................................................................................... 14

3.1.1 The sexual question: changing norms and “decadence” .............................................. 16

3.2 Abortion in Russia before 1917 .......................................................................................... 18

3.2.1 Pre-revolutionary abortion legislation ........................................................................ 19

3.3 Abortion in Soviet Russia, 1920-1930 .............................................................................. 20

3.3.1 “The woman question” in Soviet Russia and its origins .............................................. 21

3.4 Early examples of Soviet theorising on the woman question ........................................... 25

3.5 Revolutionary legislation: Putting theory into practice ..................................................... 26

3.6 The Decree of 18th November, 1920 on the Legalisation of Abortion .............................. 28

3.7 Practical implications of the new abortion legislation ....................................................... 31

3.7.1 Abortion in the countryside: A particular problem ...................................................... 32

3.7.2 Illegal abortions ............................................................................................................. 33

3.7.3 The development of Soviet abortion legislation during the 1920s .............................. 34

3.7.4 Problems related to the abortion commissions: The bureaucracy and the limited capacity .................................................................................................................................. 36

3.7.5 Combating abortions: Propaganda, public health and welfare measures ................. 38

4. Law versus life: Abortion discourse in pre-revolutionary Russia, 1910-1914 .................. 41

4.1 The intelligentsia and the abortion question ..................................................................... 41

4.2 “Practical” questions ......................................................................................................... 44

4.2.1 The rising abortion rates ............................................................................................. 44

4.2.2 Contemporary explanations behind the rising abortion rate: from “light-heartedness” to “iron necessity” ........................................................................................................ 45

4.2.3 Who had abortions? ..................................................................................................... 50

4.3 Suggested solutions to the abortion problem ................................................................... 51
1 Introduction

The widespread reliance on abortion in the Soviet Union, occasionally even referred to as an “abortion culture”, has been documented in a number of studies (Agadjanian 2002: 237). In 1988, the Soviet Union’s Ministry of Public Health published official abortion statistics for the first time since 1929. The figures presented indicated that since the late 1950s, the Soviet incidence of abortion had been higher than anywhere else in the world (Popov 1991: 376), with a lifetime average of three abortions per woman in the late 1980s (Popov et. al. 1993: 233-234).

However, the notoriously high rates are not the only reason why the Soviet case stands out in the global history of abortion. Having decriminalised abortion by decree in 1920, Soviet Russia became the first country in the world where the termination of pregnancy was discussed as a legalised phenomenon. During the first decade after the 1917 revolution – when there was still room for relatively open public discussions in the Soviet Union – the abortion question was addressed within academic circles, but also in public enlightenment pamphlets and in the largest women’s journals. Abortion was regarded as a social disease that the state sought to combat, but under the socioeconomic conditions of the 1920s, legalisation was seen as the lesser of two evils. The incidence of abortion was increasing across the Western world; consequently, prohibition had no effect, but only exacerbated the problem by making women resort to illegal abortions.

Russian discussions on the abortion issue, however, did not begin with the Decree on the Legalisation of Abortion in 1920. Neither were the debates originally initiated by the Bolsheviks. The abortion question first started to attract serious attention among liberal intellectuals during the years before the First World War, when it became a matter of professional discussion for legal and medical scholars. Two different medical congresses, and

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1 The official rate for the 1980s – 111.9 abortions per 1,000 women aged 15-44 – was equivalent to an average of nearly three abortions per woman, but as this number was likely to be underreported, it was assumed that a more realistic estimate for the year of 1982 would be a lifetime average of five abortions per woman (181: 1,000) (Popov et. al. 1993: 233-234). Writing in late 1991, Andrej Popov noted that “the USSR is perhaps the only country in the world where the fertility transition occurred as a result of the widespread use of induced abortion. Moreover, the stable low level of fertility in the country – (...) presently 2.4 births per woman – is maintained due to the use of induced abortion. This feature has no analogy among contemporary developed countries (Popov 1991: 369, my italics).”
one convention of criminologists, had voted in favour of decriminalisation in 1911, 1913 and 1914 respectively.

The Bolsheviks, in contrast, had hardly paid any attention at all to the abortion issue before the revolution. While adopting the “orthodox” socialist view on sexual matters – elaborated by German Social Democrats in the 19th century – (Stites 1991: 259), only a small number of Russian left-wing writers chose to deal with such topics, and those who did, expressed themselves very vaguely. Regarding the abortion question, there is one article by Lenin – “The Working Class and Neo-Malthusianism” (1913) – touching upon the issue, but then simply as a demand for “the unconditional repeal of all laws against abortion or against the distribution of medical literature on contraceptive measures (Stites 1991: 264).”

Alexandra Kollontai seems to have given the subject of abortion (and contraception) little thought during these years; her main concern was the development of maternity benefits for working women (ibid.: 265). Otherwise, there do not seem to have been any “revolutionary” participants in the pre-revolutionary abortion discourse.

There are not many studies dealing with the abortion discourse of the pre-revolutionary years and the early Soviet period. One of the few articles on the pre-revolutionary discussions is Laura Engelstein’s “Abortion and the Civic Order: The Legal and Medical Debates” (1991). The abortion question in the early 1920s has been treated by Mary Buckley (Women and Ideology in the Soviet Union, 1989) and especially Wendy Z. Goldman, who includes a particularly detailed account in her Women, the State and Revolution. Soviet Family Policy and Social Life, 1917-1936 (1993).

However, there do not seem to be any studies where the years between 1910 and 1930 are regarded as a whole. By examining the patterns of continuity and change in Russian and Soviet abortion discourse over these two decades, this thesis will aim to fill at least some of this gap and answer the following questions: seeing as there were voices even in the pre-revolutionary years who called for decriminalisation of abortion, can the Decree of 1920 really be seen as a turning point in Russian abortion discourse? Did the abortion discourse of the 1920s represent a break with the pre-revolutionary discussions, or was there – despite Soviet efforts to prove otherwise – more continuity than change in the abortion discourse?

There are a few reasons why this thesis only covers the two decades between 1910 and 1930. For our purposes, it can be argued that the starting point of the pre-revolutionary abortion discourse in Russia was in April 1910, with the Eleventh Congress of the Pirogov Society, the country’s leading medical association. The year 1930, on the other hand, marked
something of a watershed in the abortion discourse. That year, the woman question was declared “solved”, the department for work among women (Zhenotdel) was closed down and the onset of Stalinism led to a stifling of the discussion (Buckley 1989: 108). For “reasons to do with social change, labour discipline, dislocation, the need for emotional support, reaction against the ‘liberation’ of the 1920s, birth rates and anxiety about war (Buckley 1989: 129),” the state set out to promote stable, nuclear families. Along the new ideological lines, childbirth and motherhood were idealised; on 27th June 1936, abortion was outlawed altogether. It remained prohibited until 1955 – two years after Stalin’s death – when abortion was legalised again.

Increasingly adapted to fit the new ideology, the abortion discourse of the 1930s started to diverge from the debates of the preceding years. These developments can be illustrated by the following quotes from two abortion essays (1936 and 1938 respectively):

Our vast, rich country needs to be populated by numerous, strong, healthy and happy peoples (narody), guided by the Communist Party [that is] headed by the brilliant Stalin. Therefore, we are resolutely against abortion and in favour of strong and serious marriages, in favour of the healthy, happy Soviet family with many children (za zdrovuyu, schastlivuyu i mnogodetnuyu sovetskuyu sem’yu) (Rusin 1936: 28, italics in original).

Another justification for this policy reversal was the protection of the mother’s health (Buckley 1989: 130): abortion was considered a dangerous and harmful procedure. Moreover, it was argued the conditions that had made it necessary to legalise abortion in 1920 were no longer present. While the Decree of 1920 on the Legalisation of Abortion had stated that “the moral survivals of the past (moral’nye perezhitki proshlogo) and the difficult economic conditions of the present” still forced a lot of women to resort to abortion, by 1938

“the difficult economic conditions and the moral survivals of the past” have been (...) eliminated forever. Thus, our government, firmly defending the workers’ interests and not wanting to put the woman’s health at unnecessary risk, (...) has created such conditions for motherhood and infancy, and given mothers such a wealth (takie bogatstva), that this in itself has removed all the economic reasons that [used to] push women towards abortion. (...) there is no other country in the world that has created such brilliant conditions for the realisation of women’s most valuable right – the right to motherhood (Khaskin 1938: 8).

While the discourse participants of the 1920s did present Soviet abortion policies in a favourable light, they also tended to admit that there were serious challenges ahead, that it took a long time to implement the desired welfare measures and that the health care system still had fundamental shortcomings. In contrast, the discourse of the 1930s has a “heroic”, propagandistic style that can be found neither in the pre-revolutionary debates nor in the
discourse of the 1920s. Thus, the discourse of the 1930s should be analysed through a different lens than the debates of the two earlier decades – for instance as a reflection of the Stalinist culture. An additional reason why it makes sense to speak of the year 1930 as a watershed is the fact that Soviet abortion statistics were not published at all between 1929 and 1988 – yet another indication that the relative openness of the 1920s had come to an end by the turn of the decade.

As the abortion discourse of 1910-1930 is wide-ranging and involves a number of different topics, it has been necessary to make a selection. Two aspects in particular have been left out almost completely – the question of eugenics, i.e. whether legalised abortion could lead to a qualitative improvement of the population, and the question of demography, i.e. whether abortion could lead to demographic decline. The first question is occasionally mentioned both before and after 1920, but delving into this subject would require more attention than the scope of this thesis allows for. The demographic argument in the Soviet abortion discourse of the 1920s has already been treated in a study by Susan G. Solomon (1992), where she concludes that this question “for most of the 1920s (...) played a relatively insignificant role in the case against legalization (Solomon 1992: 60).” (For discussions on the question of eugenics, see, for instance, Alberto Spektorowski’s article on “The Eugenic Temptation in Socialism: Sweden, Germany, and the Soviet Union” (2004).)

1.1 Method

This thesis is largely based on primary sources. Chapter 4 (on the pre-revolutionary discourse) builds on reports from the main legal and medical congresses dealing with the abortion issue between 1910 and 1914. A few other publications have also been used, for instance the Imperial Gynaecological Institute’s account of its work between 1904 and 1907 (published in 1911) and a collection of essays published by the Study Group on Criminal Law at St. Petersburg University (1913). This material – which can be said to cover the most central events of the pre-revolutionary abortion discourse – was collected in The Slavonic Library in Helsinki, Finland, in January 2012.

Chapter 5 (on the discourse of the 1920s) is based on academic monographs and essays, public enlightenment pamphlets, women’s journals, and various medical publications. The academic literature and the public enlightenment pamphlets date from the mid-1920s, as
it is hard to find any extensive literature of this kind from the years before 1924. The women’s journals and the medical publications, on the other hand, are slightly older: the earliest one, Kommunistka (Communist Woman) was published in 1920, while the earliest of the medical journals included in this thesis is an issue of Ginekologiya i akusherstvo (Gynaecology and obstetrics) from January/February 1922. These sources were gathered in the Russian State Library (Biblioteka imeni Lenina), Moscow, and the Library of the Russian Academy of Sciences (Biblioteka Rossiiskoi akademii nauk), St. Petersburg, in November 2011. Taken together, these sources cover the aspects of the Soviet abortion discourse that are the most relevant for this thesis – the academic literature, on the one hand, and the public enlightenment literature on the other.²

These sources include a number of different statistics. Because of the often significant dark figures, abortion statistics are known for being unreliable, and this fact was also repeatedly stressed by the discourse participants themselves. Nevertheless, with regard to their reliability, the Soviet data from the 1920s are in a special position. According to Popov (1991: 368), the Soviet Union was the “world leader in the study of abortion and family planning” throughout this decade, having an information base that was “unique with respect to the magnitude of data collection, the depth of data analysis, and the accessibility of secondary information.” An extensive report on the abortion statistics from the year of 1926 was published in 1929 (the next report would, as mentioned earlier, be published sixty years later). Consequently, the Soviet statistics from the 1920s are the most complete data available for this time period, and as such they are far from being irrelevant. Moreover, it could be argued that for our purposes, it is not so much the statistical figures per se, but how they were used by the debaters that has the most significance.

The research for this thesis has been conducted by means of qualitative content analysis. This method is flexible, with few or no standardised research techniques (Grønmo 2004: 245), but it generally involves a systematic classification process where recurrent themes are identified and coded in a way that makes it possible to discern the general patterns within the material. As the main focus of this thesis is on the changes in the discourse’s content, i.e. in lines of reasoning, approaches and attitudes, and not the language as such, the debaters’ choice of words will only be addressed when this is relevant for understanding the developments in the discourse as a whole.

² For reasons that will be explained later, the women’s journals can be said to form part of this educational literature.
In this case, the presentation of the pre-revolutionary and the Soviet debates have been structured in two different ways. The participants of the pre-1917 debate can be divided into two main categories: for and against decriminalisation. Thus, it is also possible to divide their arguments into these categories. After abortion was legalised in 1920, on the other hand, the voices of those who opposed the new law were for the most part only referred to indirectly by the authors who adhered to the official party line; in other words, there was less room for dissenting views in the public discourse. In addition, the discourse of the 1920s involved a new genre – public enlightenment literature – that could not be found in the pre-revolutionary years, or at least not to such an extent. Consequently, while the Soviet authors did address various aspects of the abortion question, including arguments against legalisation, it is questionable whether the abortion discourse of these years can be called an open debate. Thus, it proved more fertile to structure the chapter on the Soviet discourse according to the various genres represented in it.

Even so, the topics addressed within the discourse both before and after 1917 have a lot of common features, and they can be categorised and analysed along similar lines: arguments for and against legalisation, the causes of and solutions to the problem, the different dilemmas surrounding the abortion issue, and a few other related topics. These subjects will be addressed in both chapters.
2 The Western context of Russian abortion discourse

In many respects, the history of abortion in pre-revolutionary Russia forms part of a universal history of fertility regulation. As has been documented in numerous studies, the concern with controlling or regulating family size is nothing new. The pioneering work in this field was Norman Himes’ *Medical History of Contraception*, first published in 1936 as a survey of the history of birth control over a period of three thousand years. According to Himes,

> [t]his survey seems to show that men and women have always longed for both fertility and sterility, each at its appointed time and in its chosen circumstances. *This has been a universal aim, whether people have always been conscious of it or not* (Himes 1970: xii, italics in original).

This claim is supported by later studies (e.g. Shorter 1984; Gordon 1990; McLaren 1990). Abortion was “not condemned in classical antiquity (David 1992: 2).” In the Old Testament, moreover, termination of pregnancy was not considered murder, but a misdemeanour punishable by a fine. The early Christians did not think of abortion as murder before the soul had entered the body, i.e. before the movements of the foetus could be felt by the mother. The Catholic Church, despite discussions about when life begins, did not introduce any marked changes in church law until 1869, when the distinction between a “formed” and “unformed” foetus was eliminated (David 1992: 2-3).

At the turn of the 20th century, abortion was prohibited by law in every European country (David 1992). Some countries, for instance England and the United States (following England’s lead), had only increased the restrictions in this sphere after 1800. In England, the abortion law was modified in 1861, declaring “surgical abortion at any stage of pregnancy a criminal offense, punishable by life imprisonment (David 1992: 3)”; thus, English abortion law became the most severe of its kind in Europe.3

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3 From then on, the Roman Catholic Church deemed abortion punishable by excommunication (for both the woman and the abortionist) even in cases of medical necessity. However, “therapeutic abortion on medical indication” was not explicitly condemned until 1895 (David 1992: 3).

4 However, “just like elsewhere, the law proved inefficient and was not implemented completely (Elgán 1994: 93)”. In theory, the English abortion law of 1861 remained in effect until 1967, when the United Kingdom (with the exception of Northern Ireland) liberalised its abortion laws by the 1967 Abortion Act, implemented in 1968 (Elgán 1994; David 1992).
According to Harmsen (1950: 402), the German Penal Code of 1871 provided “severe punishments for criminal abortion.” Elgán (1994: 93), however, refers to the 1871 Code – with a maximum penalty of five and ten years of penal labour for the woman and the abortionist respectively – as “moderate” in this respect. In France, the Penal Code of 1810 contained similar provisions for terminating pregnancies – five to ten years of penal work (réclusion) for both the woman and the abortionist; for attempted abortions, however, the woman herself would not be punished. As in the provisions of the Russian Criminal Code of 1885, medical personnel found guilty of procuring abortions (e.g. doctors, surgeons, pharmacists or midwives) would face even stricter penalties (Elgán 1994: 81).

In the United States, English common law (the model for American lawmakers at the time) was adhered to in the abortion question for nearly two decades after abortion laws had been changed in England. Abortion was not considered a crime (especially not if it was performed before quickening – i.e. the moment when the mother first noticed the foetus’s movements inside the womb) until 1821, when abortion was first criminalised in the state of Connecticut; the other states followed suit during the subsequent decades (Solinger 2005). According to Solinger (2005), abortion was generally “folded into omnibus anticrime bills but rarely prosecuted in cities and towns across the nation”; for decades after abortion was first criminalised in the country, several American states kept to the traditional “quickening doctrine (Solinger 2005: 55)” (i.e. a tolerant attitude towards abortions that were performed before quickening).

The “quickening doctrine” in itself reveals a somewhat blurry perception of when life begins, and it would take a while before this notion was finally dispersed. Although the idea of conception as an immediate event (as opposed to a gradual process) was developed after 1827, when the existence of the human egg was confirmed, the dividing line between contraception and abortion seems to have remained hazy for the general public. To many, abortion mainly represented “one more step on a continuum of fertility-controlling practices.”

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5 During the Ancien Régime, abortion was in France considered a crime punishable by death. After the revolution of 1789, the woman involved was exempted from punishment, but her abortionist would still face a severe sentence (Elgán 1994: 81).

6 Gordon (1990) notes that quickening should not be mistaken for actual viability outside the womb. She also mentions how “the time of quickening was usually set earlier for males than for females (...): Aristotle computed it at about forty days after conception for the male, ninety days for the female; Hippocrates put the figures at thirty and forty-two days respectively; the later Roman view was forty and eighty days. (...) The Catholic Church (...) identified quickening with the acquisition of a soul, and most Protestant groups had gone along with that definition. Thus abortion before quickening was not only not a crime, but not even a sin (Gordon 1990: notes on pp. 52-53).”
remaining “for most a ‘back-up’ method of fertility control, obviously necessary when all methods of contraception were unreliable (McLaren 1990: 189).” These perceptions, as we will see, could also be found in Russia.

2.1.1 Western attitudes towards abortion in the 19th and early 20th century: *De jure* repression, *de facto* tolerance

Studies of 19th- and early 20th-century abortion practices in Western Europe and North America seem to confirm the argument that women generally viewed abortion (at least before quickening) as a matter of their own choice regardless of what legal or medical professionals might say. Furthermore, abortion and contraception “were fused in the popular mind in the single category of birth control (Brookes 1988: 2).” In a study of abortion in England between 1890 and 1914, McLaren (1977) notes that “women who sought abortion did not consider what they were doing to be wrong. (…) evidence of such attitudes were (sic) to be found every time serious observers questioned working women (McLaren 1977: 395-396).”

Believing that the foetus did not become alive until “quickening”, women generally assumed that abortion was illegal only after the third month of pregnancy, and only then if procured by an outside party. During the first trimester, women did not think of themselves as pregnant, but rather as “irregular”, seeking not so much to abort as to “bring on their period (McLaren 1977: 396).” Studies of birth control practices in Norway and France seem to support this argument (Blom 1980: 51; Elgán 1994: 42).

More often than not, abortions were only detected by authorities in cases where something went wrong. If the abortion went well (which seems to have been quite common), the woman’s risk of being “discovered” and brought to court was low. In the first place, the procedure was traditionally of a very private nature: not only was abortion illegal, but women who turned to illegal abortionists often wanted (or needed) to keep their pregnancy a secret.

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7 According to McLaren, the same seems to have been the case with middle-class women of that period, but as “contemporary commentators noted, a middle-class woman’s abortion would less frequently be brought to the attention of authorities because she could afford more skilled methods (McLaren 1977: 392).”

8 In the 19th century, the advertisement and sale of “female pills” – quack abortifacients promoted as remedies to cure “irregularities” in the menstrual cycle – could be a lucrative business for publishers and frauds alike (McLaren 1977; Shorter 1984; Olasky 1988).

9 Some contemporary authors suggested that only one out of ten thousand abortions were actually brought to court (Oleinik 1913: 113).
Furthermore, even in cases where the abortion brought severe complications or death, women would often remain loyal to their abortionist, blaming themselves rather than any third party for what had happened to them (McLaren 1993).

Even if an illegal abortion was brought to court, the risk of actually being convicted was relatively small. Many trials ended in acquittals. In his study of abortion prosecutions in British Columbia, Canada, between 1886 and 1939, McLaren (1993: 808) notes that while judges generally disliked such cases, juries “often refused to convict no matter how overwhelming the evidence.” According to Brookes (1988), the English law governing abortion (from 1861) – the most severe of its kind in Europe – was practically “unenforceable”:

Abortion was impossible to police and, because of the frequency of the act and popular sympathy with the practice, juries were reluctant to convict. (...) The small number of convictions for the crime stand in sharp contrast with contemporary estimates of its prevalence (Brookes 1988: 22).

This fact, combined with the fact that even “obvious” cases tended to end with acquittals, led Grin (1914) to conclude that “people are punished not so much for procuring abortions as for causing someone’s death (Grin 1914: 24).”

Thus, by the First World War, there seemed to be a significant and widely recognised discrepancy between theory and practice in the abortion question, where public opinion seemed to be on the side of the women having abortions. The pre-revolutionary abortion discourse should be analysed with this in mind.

### 2.1.2 Abortion methods in the pre-legalisation era

To get rid of an unwanted pregnancy, a woman would move progressively from the least to the most dangerous procedures, stopping at whichever worked. The least dangerous rarely worked (Shorter 1984: 178).

Studies from various countries – England (McLaren 1977), Germany (Neuman 1978), Norway (Blom 1980), the United States (Gordon 1990), Russia and the Soviet Union (Goldman 1993), Sweden and France (Elgán 1994) – suggest that the abortion methods employed across Europe and the United States were similar in many respects, albeit with some regional variations. This allows for certain generalisations. What, then, were the methods available for a woman seeking to terminate her pregnancy towards the end of the 19th century?
Before ca. 1850, instrumental abortion was an unrealistic possibility for most women; instead, it was common to use different kinds of drugs or potions that were intended to provoke miscarriages. Whereas the actual effect of such abortifacients is uncertain,\(^\text{10}\) the fact that such remedies played a part in traditional folk medicine is less disputed. In a particularly thorough account of abortion practices in the pre-legalisation era, Shorter (1984) argues that abortifacient drugs remained important throughout the first half of the 20\(^{th}\) century, albeit slightly more so in the United States than in Europe (Shorter 1984: 208). The following quote from a 47-year-old German woman in the early 20\(^{th}\) century indicates that the use of such remedies was commonplace:

The wife of my husband’s workmate mixed a tea for me that had helped her every time. She had already ‘clipped’ [gekippt: aborted] five times after [drinking it]. It worked grand for me too. (…) She helped the whole street with it (quoted in Neuman 1978: 417).

Towards the end of the 19\(^{th}\) century, there appeared a new range of “inorganic” drugs that were effective because they were poisonous – based on “arsenic, phosphorous, lead, and other metals” – and “worked by killing the fetus before the mother (Shorter 1984: 210).” They were, however, also dangerous for the mother. An instrumental abortion, on the other hand, could also pose serious risks for the woman involved: when procured illegally, the operation could lead to infections, whereas the danger of causing perforation of the womb was present even among skilled surgeons (Shorter 1984: 208).

2.1.3 Increasing abortion rates after 1880: an “abortion revolution”?

For understandable reasons, it is hard to establish any definite statistics for the pre-legalisation era. The records that can be produced include reports from doctors and midwives called to attend abortions because of complications, as well as the number of women being admitted to the hospital for “incomplete” abortions (where remains of the foetus were left inside the womb). The dark figures are probably significant, and the picture is further complicated by the fact that many women, even when brought to hospital, refused to admit that they had tried to terminate their pregnancy in the first place (Shorter 1984). Moreover, even in cases of

\(^{10}\)“Recipes for such potions [herbal abortifacients] have a high proportion of magical elements and, therefore, are the least successful method of abortion. (…) (Most doctors, in fact, believe that folk recipes for abortifacients are almost never effective and attribute the reported successes to the coincidence of women having miscarriages from other causes (Gordon 1990: 36, parentheses in original).)”
*abortus incompletus*, it could be difficult to determine whether the abortion was provoked or was simply a spontaneous miscarriage (Yakobson 1911; Lichkus 1912).

Nonetheless, the records of unsuccessful abortions do serve as an indicator of overall trends. At the turn of the 20th century, the number of septic abortions – and cases of related fatalities – seems to have risen across Europe. This suggests a general “upsurge” in the total abortion rates (Shorter 1984: 194; McLaren 1990: 189). According to Shorter (1984), “*so many* women were getting abortions that the small mortality rate accompanying the procedure became translated into a large absolute number of deaths (Shorter 1984: 195; emphasis in original).”

Sources from several countries indicate an increase in the number of women who were reported to have had “miscarriages” (either spontaneous or induced) between ca. 1880 and the interwar years. For instance, the figures for Berlin show an increase from 12 to 36 per cent between 1882-1885 and 1915-1916; for Vienna: 8 per cent in 1907, 20 per cent in 1920-24; for Amsterdam: 7 per cent in 1883-1884, 24 per cent in 1943 (Shorter 1984: 196).

Brookes (1988) notes that the use of abortifacients lead to rising numbers of infant deaths from prematurity, with an increase from 13.7 per 1000 births between 1875 and 1884, to 19.8 per 1000 births between 1895 and 1904 (Brookes 1988: 23).

Regardless of the uncertainty of this data, some contemporary doctors “asserted that up to a quarter of all conceptions were terminated (McLaren 1990: 191)” at the turn of the century. This estimate (at least for urban women) is supported by Shorter, who suggests that there might have been an increase “from perhaps 10 percent to 25 percent of pregnancies ending in abortion (Shorter 1984: 197)” between ca. 1880 and 1940. In a later article, however, McLaren suggests that “perhaps one-sixth of all pregnancies” at the turn of the century ended in abortion (McLaren 1993: 797).

Contemporary observers towards the turn of the 20th century were far from oblivious to the ongoing “abortion epidemic.” In North America and Western Europe, the reported increase in the number of abortions made the subject part of the discourse on the “demographic transition” – i.e. the transition from an agrarian society, with high birth and mortality rates, to an industrial society, where birth and mortality rates are relatively low (Blom 1980: 23). Taking place from the late 1800s onwards, this development roused a lot of concern and discussions at the time (Blom 1980; McLaren 1990; Elgán 1994). While birth rates in France and the United States had started to drop in the 18th and early 19th centuries

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11 Shorter (1984) goes so far as to speak of an “abortion revolution” in the years after 1880, when abortion “changed [...] from a desperate expedient of unmarried servants and child-weary forty-two-year-olds to a common means of birth control (Shorter 1984: 191).”
respectively, Western European fertility rates started to decrease significantly between 1870 and 1920, causing family size to be “cut in half” by the First World War (McLaren 1990: 178).\(^\text{12}\)

Both at the time and in later years, several theories were proposed regarding the causes of this development – a thorough presentation of which would lie far beyond the scope of this thesis. A common denominator, however, seems to be the view that as Western societies grew increasingly modernised, incentives for having large families started to disappear. Contemporary German demographers, writing before the First World War, accounted for the fertility decline by mentioning reasons such as

- the growth of materialistic hedonism,
- the decline of traditional religious influence,
- higher living costs,
- lack of adequate housing,
- the various women’s emancipation movements, and,
- naturally enough, the spread of birth control knowledge among the working classes (Neuman 1978: 410-411).

Regarding the “spread of birth control knowledge among the working classes,” it is questionable whether this factor actually played a role in the demographic transition. As has been argued by some researchers on the topic, e.g. Neuman (1978) and McLaren (1990), “traditional” methods remained the most central kind of birth control for people way into the 20\(^\text{th}\) century. This was not least the case with *coitus interruptus*.\(^\text{13}\) Nonetheless, the reported fertility decline did turn the subject of birth control into a “hot topic” of the time, not least in England and the United States, where advocates of birth control promoted their ideas from the 1870s onwards (McLaren 1990).

The development in Russia during these years was similar to the Western trends in many ways. Russian abortion rates were rising, and as in the West, this increase was thought to be related to profound social changes. In the following chapter, we will look at the Russian and later Soviet context of the abortion discourse between ca. 1890 and 1930.

\(^\text{12}\) “In Germany, marital fertility fell by about 65 per cent in the space of two generations. In England, couples who married in 1861-9 had an average of 6.16 children, those of 1890-9 had 4.13 children, and those of 1920-4, had 2.13 children (McLaren 1990: 179).”

\(^\text{13}\) Evidence of this is presented, for example, in the article “‘They Prefer Withdrawal’: The Choice of Birth Control in Britain, 1918-1950” (Fisher and Szreter 2003).
3 The Russian and Soviet context, ca. 1890-1930

3.1 Social changes

Similar to the Western discourse on the same issue, Russian abortion discourse of the pre-revolutionary years can be viewed in light of profound social changes that had been taking place over the course of the 19th century. For our purposes, two factors of particular importance should be highlighted: the increased village-to-city migration taking place in this period and the increased influx of peasant women into the urban labour market. In addition, the sexual question and the post-1905 phenomenon known as decadence will be briefly examined.

Towards the end of the 19th century, an increasing number of Russian peasants started to migrate to the cities.14 This development was caused by a number of interconnected factors. After the emancipation of the serfs in 1861, peasants needed more money to pay taxes, redeem their land and purchase consumer goods (Engel 1991: 139). At the same time, the share of arable land per capita was decreasing as a result of rapid population growth.15 In order to compensate for this, peasants would often rent or buy additional land from their former landlords. Land prices and rentals, however, were growing. Moreover, in order to finance the rapid industrialisation of the 1890s, the state increased the peasants’ taxes – an economic burden that was added to the peasants’ land redemption dues (Andrl 1994: 61).

There were also problems related to the land itself. First, centuries of primitive cultivation had rendered it unable to support the growing population – by the 1880s, the average peasant household was rarely self-sufficient (Glickman 1992: 56-57). Second, bouts

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14 Although it is very hard to establish any reliable statistics for this era, Moss estimates that in the Russian Empire as a whole, from “1856 until 1916, the urban population increased from about 9-10 percent to about 18 percent of the total population (Moss 2005: 120).” Between 1856 and 1910, St. Petersburg’s population more than tripled, while Moscow’s quadrupled – rendering both cities with a population of slightly above and slightly below 1.5 million people, respectively, a large proportion of whom were migrant peasants (Engel 1991: 141). The next largest cities experienced an even more rapid growth in this period (Moss 2005: 120).
15 The rural population of European Russia increased by more than 50 percent between 1863 and 1897 – from ca. 50 million to 79 million (Andrl 1994: 61).
of extraordinarily poor harvests (e.g. in 1889-1892) had led to periodic food shortages (Andrle 1994). In other words, the peasants’ living standards were declining significantly.

The ever more acute need to earn money spurred many peasant men to migrate to the cities, while the majority of peasant women stayed behind, taking on their husbands’ work in addition to their own. Some tried to add to their income by starting up a form of cottage industry, selling homemade goods or taking on work (e.g. sewing) outsourced by factories. However, as even this opportunity disappeared with the increased industrialisation, a growing minority of women started to seek wages elsewhere (Engel 1991: 140).

In the 1890s, the number of women in the Russian labour force grew noticeably. The largest group of wage-earning women became domestic servants, while an increasing number also found work in factories. Stites (1991) notes that the percentage of women in the labour force rose from ca. 25 per cent in the 1880s to 40 per cent in 1914, the greatest concentration of which was found in the textile industry. Many women were also employed in other light industries, e.g. in tobacco or leather factories (Stites 1991: 162). Some women undertook seasonal work; others became hired field-hands (around ca. 25 percent of all female wage-earners in 1897; Stites 1991: 161). According to Engel (1991), by 1900 “marriageable women aged sixteen to twenty-five comprised 17.6 percent of the peasant women in St. Petersburg (Engel 1991: 141).”

The dire living conditions facing workers in the Russian cities before the 1917 revolution have been described by several authors (Glickman 1978; Engel 1991; Stites 1991). In the 1880s, the average working day (without overtime) was 12-14 hours (Service 2009: 28). Although largely working under the same conditions and for the same number of hours as men, women were paid less and generally had to get by on subsistence level. There was admittedly a small increase in average real wages between 1900 and 1913, but “it was the slightness of the improvement and not the improvement itself that most workers noticed (Service 2009: 29).”

Overcrowded housing was an ubiquitous problem. Very few could afford a room of their own. At the turn of the century, the majority of the population in Moscow and St. Petersburg lived in “multi-occupied apartments” – the only affordable option for most people. According to Andrle (1994: 91), the average Moscow apartment in 1912 “housed between eight and nine residents, of whom less than one-half were in any way related to each other.” As for factory employees, Stites (1991: 164) notes that there was a “growing tendency (...) for workers of all ages and sexes to live in barracks provided [to] them by the owners,” where the
cramped conditions and the lack of sanitary facilities made for a system of which
“conventional sexual morality was a casualty (Stites 1991: 164).”

If “conventional sexual morality” was suffering under the given conditions, so was
public health. Health care was very poor; social insurance was expensive (Service 2009). The
big cities were particularly unhealthy places to live: overcrowding and inadequate sanitation
made them a fertile ground for epidemic diseases (e.g. typhus, cholera, tuberculosis, syphilis),
as well as “the real or imagined moral depravities of slum living (Andrle 1994: 92).”

The combination of increased urbanisation, the crowded (and unsanitary) living
conditions among city dwellers, the general poverty and the increasing complexity of social
relations in the growing cities forms part of the setting in which the pre-revolutionary abortion
discourse took place.

3.1.1 The sexual question: changing norms and “decadence”

As the urbanisation of the 1880s and 1890s made life ever more complex, the question of
sexual morality started to attract attention among Russian intellectuals (Stites 1991). On the
one hand, living in the cities allowed for a certain sexual freedom: no longer “directly subject
to patriarchal control,” peasant women were reportedly “much freer than their rural sisters to
court and to live as they chose (Engel 1991: 141),” despite the limits imposed by financial
hardship, heavy work and, for some of them, legal and psychological ties to their village.
According to Stites (1991), this kind of relative independence made for a wider gap between
rural and urban sexual norms.

Moreover, “[a]s increasing numbers of women penetrated into public and previously
male space, the woman question took on a new and complex life (Engel 1991: 142)” –
another indication that the society was changing. The starting point of this development might
be traced back to the 1860s and 1870s, during the relatively liberal reign of Alexander II
(1855-1881), when the question of woman’s role in society was given enough publicity to
produce some concrete results – “a gratifying reform of women’s education, a bright galaxy
of female revolutionaries, and a widespread acceptance of women’s equality among the
intelligentsia (Stites 1991: 159).”

However, although women in the cities might be freer and more visible to the public
eye than their rural counterparts, their “independence” was limited by a number of factors –
economic, social and psychological. Facing difficult working and living conditions, urban
women’s range of options was generally restricted. On the darker side of the spectrum, the low status of female servants and factory workers made them subject to exploitation by their masters or factory managers: “From the 1890’s onward, labor newspapers and underground leaflets regularly printed complaints of sexual exploitation and mistreatment of women; and some factories were used as recruitment pools by white slavers and pimps (Stites 1991: 165).” Moreover, prostitution – and with it, the spread of venereal disease – seemed to be increasing, becoming a much-debated problem at the time (Engel 1991; Stites 1991). By the mid-1890s, St. Petersburg had between 30,000 and 50,000 prostitutes out of a population of 1,400,000, a ratio comparable to those of the large Western European cities (Stites 1991: 183).

Although Russia had a lower illegitimacy rate than other European countries, 268 per 10,000 births between 1884 and 1892 (Stites 1991: 179), the rate was serious enough. Unwanted children, when not aborted or killed after birth, might end up on the streets and become child prostitutes – another phenomenon that seemed to be growing during the pre-revolutionary years.

Decadence after 1905

When the 1905 revolution ultimately failed to produce any long-term political changes, there was a widespread sense of disillusionment among the Russian intelligentsia:

After sixteen years of gradually increasing social activity and ferment, beginning with the famine of 1891 and reaching its climax in the stormy years 1905-1907, there had been a sudden collapse followed by political reaction and social immobility. It was as though the inflated spirit of the nation had been pricked like a balloon (Stites 1991: 185).

Partly because of this, the educated public started to turn their focus inward (Stites 1991; Engelstein 1992). The subject of sexuality received ever more attention, especially in relation to the phenomenon known as decadence. The term was used to denote the heightened focus on sex, sensualism and the human psyche (in literature as well as in life) that was said to be a feature of the post-1905 years. During these years, there appeared a number of literary works dealing with sexual themes, most notably Mikhail Artsybashev’s novel Sanin (1907) and Anastasiya Verbitskaya’s Klyuchi schast’ya (Keys to Happiness; 1910). Among critics, Sanin, “the story of a young man without social ideals who spends his time in aggressive pursuit of sensual pleasure, defying respectable conventions and violating the rules of both sexes (Engelstein 1992: 383),” met with particular hostility. However, the novel was also said to
reflect the spirit of the post-1905 years: young people, it seemed, were finding an outlet for their “blocked energies” in sexual escapades and/or self-destructive behaviour. This also caused much debate:

Suicide and sensualism, said a Kiev critic, were both (...) desperate responses to the apparently insoluble problems that Russian society faced as it stood amid the rubble of an unsuccessful revolution. Sanin (...) merely reflected the spirit of social and psychological despair that had engulfed youth and was driving it either to self-immolation or to sexual self-oblivion (Stites 1991: 187).

The decadence of the post-1905 years, and the Russian intelligentsia’s preoccupation with it, reflects some of the climate in which the pre-revolutionary abortion discourse was taking place. In order to get a more complete picture of this discourse, these factors are worth keeping in mind.

3.2 Abortion in Russia before 1917

Under the conditions of life in early 20th-century Russia, children were an economic burden for urban workers. The mother “enjoyed no adequate maternity protection until 1912 (Stites 1991: 165)”. For unmarried women, an unwanted pregnancy could – in addition to everything else – also lead to social sanctions. Birth control – a much-debated subject in the Western World at the turn of the century – seems to have met with little success in Russia (Stites 1991: 180). References to the topic (at the time also referred to as Neo-Malthusianism) appeared in the Russian press only after 1905. Lenin, for instance, only wrote one article on the subject, “The Working Class and Neo-Malthusianism”, in which he condemned birth control as an unacceptable solution to social problems, but still supported the legalisation of abortion because the alternative was “hypocritical” (Kommunistka, no. 1, 1925: 30).

Engelstein (1992: 113) argues that city life did little to make children more wanted; instead, “cities offered more effective, less violent and desperate ways of getting rid of them.” An observer writing in 1904 noted that “although urban living ‘reduce[d] infanticide, it increase[d] abortion’ (Engelstein 1992: 113).”

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16 The term “Neo-Malthusianism” is connected to the ideas of Thomas Malthus, whose influential Essay on Population (1798) focused on the social consequences of population growth. Malthus argued that since a large population demanded large resources, the lower classes would need to limit their numbers in order to achieve social improvements. Poverty “was a problem caused by the poor which they would have to solve themselves (McLaren 1990: 182).” It is exactly this notion which is rejected by Lenin. For more information on the birth control movement, see, for instance, Gordon (1990) and McLaren (1990).
Abortion rates in Russia seemed to be growing between ca. 1890 and the outbreak of the First World War in 1914. In Moscow, abortion rates were reported to have increased 2.5 times between 1909 and 1914, whereas St. Petersburg noted a tenfold increase between 1897 and 1912 (Stites 1991: 181). Statistics from the Imperial Gynaecological Institute in St. Petersburg suggested a near fivelfold increase between 1883-1893 and 1904-1907, when the average abortion rates were 2.6 percent and 11.8 percent, respectively; in 1907, however, the clinic noted an abortion rate of 14 percent (Yakobson 1911: 90).

This development transformed the abortion question into a seemingly pressing social problem after 1900, like the earlier mentioned issues of prostitution, venereal disease, infanticide and abandoned children that had been receiving public attention for decades. Whereas the articles on the subject of abortion had been relatively sporadic before the turn of the century, the subject started to be debated more during the years before the outbreak of the First World War.

### 3.2.1 Pre-revolutionary abortion legislation

With regard to abortion, the criminal codes of tsarist Russia were strict. The Criminal Code of 1845 stated that anyone convicted of performing an *unwanted* abortion (i.e. without the mother’s consent) would lose their civic standing and risk a sentence of six to ten years of the most severe kind of penal labour. Furthermore, they might be subjected to branding and the lash if they belonged to the unprivileged ranks, which were liable to corporal punishment. Abortion by the mother or with her consent also entailed loss of civic rights but only exile or resettlement in Siberia (and the lash in appropriate cases) (Engelstein 1991: 188, note 16).

In the 1885 edition of the Criminal Code,\(^{17}\) following the elimination of corporal punishment from Russian law, the provisions on abortion were slightly modified. Abortion was defined as a premeditated act of murder (Engelstein 1991; Goldman 1993), permissible only to save the life of the mother,\(^{18}\) but the penalties were lowered to “loss of rights plus simple penal servitude (again six to ten years) where consent was absent (Engelstein 1991: 188, note 16)”.

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17 The 1885 Criminal Code was in effect until 1917.
18 Infanticide, on the other hand, was defined as an “unpremeditated form of murder since the guilty mother was presumed to have acted impulsively, under the pressure of overwhelming emotion, in an abnormal physical and mental state occasioned by ‘shame and fear’ or in the commonplace anguish of postpartum distress (Engelstein 1991: 188).”
The most severe penalties were to be invoked if the abortion led to serious medical injuries or death, but penalties could also be increased if the procedure had been carried out by trained personnel – “a doctor, an obstetrician, a midwife or a chemist, or if it is discovered that the defendant has been guilty of a similar crime in the past (Gens 1926a: 12; Engelstein 1991)”.

Abortion performed by the mother, or with her consent, could lead to deprivation of rights plus prison sentences ranging in severity from four to six years for both the woman and the person(s) helping her (Savage 1988; Engelstein 1991).19

With regard to the attitudes towards abortion, Russia does not seem to have differed all that much from her Western contemporaries. Abortion seems to have been a rather common phenomenon in the pre-revolutionary era, and the general public seems to have been rather tolerant towards this method of birth control. Thus, the risk of being turned over to the authorities by an acquaintance or a neighbour was probably very small. This view is supported by Grin (1914: 16): “Personally, I have never heard of a single case in which someone was informed on [for having had an abortion]”. Grin further argues that many women saw nothing wrong in trying to “induce their menstruation” during the first stage of an unwanted pregnancy. Neither did they have any difficulty in asking their doctors for help to “do away with the consequences of conception (Grin 1914: 19).” Furthermore,

it is a commonly known fact that in the eyes of the general public, there is nothing particularly disgraceful about having an abortion shortly after conception. If there is any kind of motive behind the decision to terminate the pregnancy, public opinion will be especially sympathetic. (…) Furthermore, people consider abortion during the first months of pregnancy only slightly – and then quantitatively (kolichestvenno) – different from contraception, where a lot of eggs and billions of sperm are wasted (Grin 1914: 19-20).

This argument seems to be supported by Brodskii (1914), who notes that “people do not perceive the abortion of a small foetus of one or two months as murder (Brodskii 1914: 12).” According to him, people did not consider the foetus to have a soul at that stage of pregnancy. Under the social conditions of the day, abortion was a necessity for many people; if nothing else, it seems like the phenomenon was accepted as a “fact of life” during the pre-revolutionary years and well into the Soviet period.

3.3 Abortion in Soviet Russia, 1920-1930

19 It should be noted, however, that there were discrepancies between theory and practice in this area. According to some pre-revolutionary sources (e.g. Grin 1914), many judges showed a rather tolerant attitude towards women who were accused of having abortions. Thus, abortion trials could often end with the defendant being acquitted rather than punished.
After the Bolshevik revolution of 1917, Russian (Soviet) abortion policy started to develop along a different and unprecedented path. When abortion was legalised in 1920, the Soviet government enacted a piece of legislation that was ahead of Western Europe by several years; the next country to pass a modified abortion law (with the concept of “medicosocial indications” included) was Iceland in 1935 (David 1992: 4).

Consequently, Soviet abortion discourse of the 1920s is the first case in which abortion is being discussed as an already legalised phenomenon. Even so, the issue remained controversial. The Soviet government regarded abortion as a social evil that they sought to combat. Decriminalisation of the procedure did not mean endorsement. Rather, the Decree of 1920 was considered a pragmatic response to contemporary social and economic circumstances. As the increasing abortion rates were regarded as a result of poverty and social hardship, legalisation of the operation was thought to be a temporary solution. It was assumed that once the state succeeded in improving the country’s socioeconomic conditions, the need for having abortions would disappear and the evil would cease to exist.

The focus of the following part of this chapter will be on Soviet abortion legislation of the 1920s and its origins. First, an outline of the Soviet ideology on women will be presented by giving a rough presentation of the theories of Karl Marx, Friedrich Engels, August Bebel and Klara Zetkin, and of how these theories were furthered by early Soviet theorists. Although it would be questionable to think of the legalisation of abortion in Soviet Russia as an act mainly connected to “the woman question”, an overview of the socialist ideas on women’s emancipation might provide a necessary backdrop for the further reading. Subsequently, the history of the legalisation of abortion in Soviet Russia in the early 1920s will be outlined.

3.3.1 “The woman question” in Soviet Russia and its origins

Soviet theorists’ ideas on women’s role in society had at their core an elaborate framework of 19th-century socialist theory, mainly represented by the works of Karl Marx, Friedrich Engels, August Bebel and Klara Zetkin.

In *The German Ideology* (1845-1846), Marx and Engels suggested – in accordance with their materialist conception of history – that the social form of the family was relative to a society’s prevailing mode of production. However, they also argued that women’s
oppression was rooted in the family’s biological or sexual division of labour, especially in motherhood. Owned by men, women were the first form of private property (Goldman 1993). While at the time still unable to resolve this contradiction between the “social perspective on the family and their strictly biological explanation for women’s oppression within it (Goldman 1993: 32-33),” some of the ideas outlined by Marx and Engels in *The German Ideology* were to remain almost intact throughout their subsequent work. This is the case, for instance, with their argument that if women were to be liberated, all domestic work would need to be transferred to the public scene. Along with the “collectivisation” of the family economy, the family in its present, bourgeois form would cease to exist.

These ideas were furthered in subsequent works, such as *The Communist Manifesto* (1848). By removing the principle of private property altogether and educating children collectively, the main bases of traditional marriage – property-based dependence, the wife’s dependence on her husband and the children’s dependence on their parents – would be eliminated (Marx and Engels 2004). All that would remain were bonds of genuine affection.

The most comprehensive and influential account of Marxist thinking on women and the family, however, was Engels’ *The Origin of the Family, Private Property, and the State* (1884), published after Marx’s death. Compared to Marx, Engels showed a more elaborate interest in questions related to sexual and family relations under communism (Hunt 2010). In *The Origin*, Engels argued that women’s oppression was a result of the destruction of the traditional communal household. The transition to individual family units, “the monogamous family,” had turned the wife into a domestic servant.

Modern monogamous marriage, according to Engels, was based on property relations and founded on the subjugation of the woman by the man, with “the express purpose being to produce children of undisputed paternity; (…) because these children are later to come into their father’s property as his natural heirs (Engels 1972: 92).” Among the propertied classes, where marriages were arranged as matters of convenience and in accordance with each spouse’s social status, there was little room for what Engels termed “individual sex love”; instead, the relationship between the husband and the wife could be compared to general class antagonisms: “Within the family [the husband] is the bourgeois, and the wife represents the

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20 “Our sex love (...) assumes that the person loved returns the love; to this extent the woman is on an equal footing with man (...). Secondly, our sex love has a degree of intensity and duration which makes both lovers feel that non-possession and separation are a great, if not the greatest, calamity (...). And finally, there arises a new moral standard in the judgement of a sexual relationship. We do not only ask, was it within or outside marriage, but also, did it spring from love and reciprocated love or not? (Engels 1972: 108)”
proletariat (Engels 1972: 105).” Bonds of genuine affection could only be forged among proletarians, as their lack of property left no incentive for the husband to suppress the wife.

Once men and women possessed equal legal rights, it would “be plain that the first condition for the liberation of the wife is to bring the whole female sex back into public industry, and that this in turn demands that the characteristic of the monogamous family as the economic unit of society be abolished (Engels 1972: 105).”

By enabling women to become involved in production, capitalism had created the preconditions for her economic independence and eventual liberation. In turn, the family structures would have to be adapted to fit the new gender roles – for instance, private housekeeping should be replaced by public and children should be educated collectively. This could only be achieved through socialism.

August Bebel, one of the most influential socialist thinkers and one of the founders of the Social Democratic Party of Germany (SPD), as well as the “most widely read of the male socialists on the woman question (Boxer 2007: 133),” was “the first Marxist to fit the woman question into the larger framework of Marxist theory (Stites 1991: 233).” In 1879, he made a significant contribution to the discussions on this issue by publishing his book Woman and Socialism. Providing an account of women’s history from the ancient times to the present, the book was wide-ranging enough to become “the unofficial Bible of the European Marxist movement (Stites 1991: 234).”

In this work, Bebel, like Marx, argued that men’s oppression of women was an expression of a general social dependence rooted in “the economic dependence of the oppressed upon the oppressor (Bebel 1904: 9, italics in original).” Women could only be emancipated once their social conditions changed radically. Equality of the sexes, in turn, was a precondition for the emancipation of humanity. When everything that made human beings dependent upon each other was removed, the relations between women and men would improve.

The German socialist Klara Zetkin was, after Engels and Bebel, “the principal theoretician on the woman question in the European socialist camp before the First World War (Honeycutt 1976: 131).” Like many other Marxist thinkers, Zetkin believed that women’s participation in productive labour was a prerequisite for her emancipation. However, she also placed greater emphasis on women’s role in reproduction. This led her to the conclusion that in order to reach their full potential, women had to develop in two separate directions at once: as a female human being – through motherhood and as a social being –
through productive work. Both these directions would then, in a mutually beneficial way, contribute to expand the horizons and abilities of women and help them become a resource for society (Honeycutt 1976). Consequently, motherhood was a social responsibility. In the words of Honeycutt, this standpoint followed logically from [Zetkin’s] conception of woman’s place within the larger social order and her conviction that the interests of the female sex must not be placed before those of humanity as a whole. (…) the totality had priority over the particular, “the interest of the species” over that of the female sex, and “the welfare of humanity over the rights of the individual” (Honeycutt 1976: 135-136).

Following this logic, regarding the question of whether birth control and abortion could play a positive role in women’s liberation, Zetkin’s attitude was downright dismissive; she believed that social problems needed to be solved by collective action, not by resorting to what she regarded as individualistic solutions. In this respect, she was far from alone among her peers.  

According to Neuman (1974: 277), many German Social Democrats had an ambivalent attitude towards contraception (as well as an ambivalent attitude towards sexual questions in general). While the Social Democratic Party (SPD) of Imperial Germany was critical of middle-class morality and the Christian church’s traditional attitudes towards sex, Neuman’s study of the writings of Bebel, Kautsky and other Social Democrats reveals that in spite of their attacks on traditional sexual morality and marriage they in fact shared many of the most widespread and repressive sexual misconceptions of their time and that they helped to spread these misconceptions through their writings, thereby encouraging their supporters to find an answer to the sexual question in the sublimation of the sexual drive and in that eminently bourgeois institution, monogamous marriage (Neuman 1974: 272).

Thus, the sexual conservatism of the SPD, according to Neuman, was revealed in what he refers to as “the socialist solution to the sexual question” – namely, sexual restraint, studies, hard work, self-mastery and marriage (ibid.: 273). Some Social Democrats, including August Bebel, regarded contraception as “offensive”, “immoral” and “unnatural”. Neuman argues that these “bourgeois reactions” might have an additional reason, i.e. the “misconception of the time (...) that contraception was simply another form of masturbation and thus represented a threat to good health (ibid.: 279).” The idea that masturbation could have an adverse effect on a person’s health was indeed fairly widespread in the 19th century. For instance, Sigmund Freud’s early writings include assertions that “masturbation was itself a cause of nervous

21 In his article “The Working Class and Neo-Malthusianism” (1913), Lenin expressed a similar negativity towards contraceptives, using arguments that largely echo Zetkin’s view (Kommunistka, no. 1, 1925: 30).
debility”; consequently, contraception “either by coitus interruptus or by condom [Freud] presented (…) as little more than a sub species of self-abuse (McLaren 1979: 518).”

3.4 Early examples of Soviet theorising on the woman question

After the First International Congress of Socialist Women in 1907, the “German position” on the woman question – as promoted by Zetkin – also gained supremacy among Russian socialists (Stites 1991). At the turn of the 20th century, the ideas of Marx, Engels, Bebel and Zetkin were well-known among Russian social-democrats, some of whom had gained insight in Marxist literature by studying abroad. Bebel’s *Woman and Socialism* had been published in 1895, followed by a number of other works dealing with these issues (Stites 1991; Goldman 1993).

The first Russian Marxist discussion on the woman question was *The Woman Worker*, a brochure written by Nadezhda Krupskaya – Lenin’s wife – in 1900. Echoing the ideas of Bebel and Zetkin about the liberating force of productive labour and of how only the working class itself could bring about its own emancipation, she portrayed a socialist future where exploitation and inequality will have vanished; when people would work in clean, well-ventilated, spacious factories; when society would care for the old, the weak, and the sick; when no one would have to die alone or be fed by charity; when mothers would be assured that their children would be fed, clothed, and cared for in decent public institutions, and not left to the mercy of ignorant village babas, “angel factories,” or the infested streets of the factory towns (Stites 1991: 241).

*The Woman Worker* was printed abroad, smuggled into Russia and used as propaganda material among factory workers, and was to remain the only Russian Marxist work on these issues until Aleksandra Kollontai’s *The Social Bases of the Woman Question* appeared in 1909 (Stites 1991). According to Stites, Krupskaya’s contribution (the publication of which had been supported and encouraged by Lenin from the beginning) also helped to raise some consciousness on the problem among Russian social-democrats. At its Second Congress in 1903, the Russian Social Democratic Labour Party included a section in its programme calling for equal rights between men and women, exclusion of female workers from potentially harmful industries, maternity leave, factory nursery facilities and women

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22 The term “angel factories” referred to the tsarist-era foundling homes for poor children, where mortality rates could be quite high.
inspectors at the workplace. These principles were retained – among both groups – even after the Party split into Bolsheviks and Mensheviks (Stites 1991).

Lenin’s own writings on women furthered the ideas of Bebel, Engels and Marx, but placed greater emphasis on the practical side of the matters, i.e. the concrete policy goals that were needed to agitate for revolution in Russia and build socialism (Buckley 1989). In accordance with the orthodox Marxist position on women, Lenin was convinced that a socialist revolution was needed to free women from the yoke of capitalism. In order to achieve a successful revolution, women needed to be involved. In Lenin’s words, “you cannot draw the masses into politics without drawing women into politics as well. For the female half of the human race is doubly oppressed under capitalism (quoted in Buckley 1989: 25)”. Like Klara Zetkin, Lenin was opposed to the idea of separate women’s organisations, but he did recognise the need for special political work among women (Buckley 1989).

3.5 Revolutionary legislation: Putting theory into practice

The Decree of 18th November, 1920 on the Legalisation of Abortion formed part of a series of reforms in the sphere of family law. In the years immediately following the October revolution of 1917, the family legislation of the 1836 Russian Code was replaced by a whole “package” of more radical – and modern – laws based on the Marxist principles outlined above. Now both men and women were granted rights which had previously been denied to large groups of the population: formal equality before the law; a set minimum wage that applied to both sexes; the principle of “equal pay for equal work”; maternity leave; an annual paid holiday; equal rights to education. The first constitution of 1918 granted both sexes the right to vote and to be elected as deputies to the soviets (Buckley 1989: 34-35).23

23 The radical nature of these reforms becomes more visible when they are compared with Imperial Russian family law. In tsarist Russia, marriage was defined as a “religious institution based on patriarchal authority, unquestioning obedience, and unequal status (Wagner 1989: 66).” The husband’s authority over the wife was absolute; similarly, a father had the right to dominate his children completely. A woman would need the formal permission of her father or husband if she wanted to leave her household or take on paid employment. Divorce could only be obtained for a limited number of reasons – “adultery, sexual incapacity arising before marriage, exile to Siberia due to a criminal conviction, or disappearance (Wagner 1989: 67).” The divorce procedures were complicated and potentially humiliating. Nobody, male or female, could marry without the consent of parents or other authorities. Although women had the right to keep their own property after marriage, they had very limited rights of inheritance (Engelstein 1992: 32).
Assessing the pre-revolutionary situation in a somewhat propagandistic, but nonetheless colourful way, Nikolai Semashko – People’s Commissar of Health between 1918 and 1930 – stated that

[i]n Tsarist Russia, the working woman was the most down-trodden and exploited of all beings. Enslaved by domestic life, chained to the kitchen and to the washing through, tied hand and foot by the children, fettered by the “sacredness” of Church marriage, the woman was unable either to work, study or take part in the life of the community. The November Revolution (sic) of 1917 radically changed the situation. Soviet legislation made of woman man’s equal in every respect (Semashko 1934: 72).

Although there may have been discrepancies between theory and practice, the reforms made in Soviet family law did signify “a foundation for changed patterns of behaviour (Buckley 1989: 35).” As early as December 1917, the restrictions on divorce were lifted. Mutual consent was no longer needed; from now on, divorce could be granted at the request of either the wife or the husband. According to Buckley, the Decree on the Introduction of Divorce was “a reaction to the harsh restrictions of Tsarist law and an attack on the Orthodox Church (Buckley 1989: 35).”

In a similar vein, the new marriage regulations – enacted as part of the Code of Laws concerning the Civil Registration of Deaths, Births and Marriages of 17th October, 1918 (a.k.a. “the Family Code”) – were a contrast to the restrictions of the previous Russian Code of 1836. “Church marriage” was replaced by civil marriage, registered in the Bureau of Registration of Civil Acts (Otdely zapisei aktov grazhdanskogo sostoyaniya or ZAGS). Unregistered or de facto marriages, however, were recognised equally (Semashko 1934: 73). As a general principle, neither spouse should be able to place restrictions on the other; thus, the principle of equality between the sexes should – ideally – be adhered to both privately and publicly. In practice, however, this proved to be very difficult.

With regard to family rights, the concept of “illegitimacy” was removed: from now on, “[c]hildren descended from parents related by non-registered marriage have equal rights with those descended from parents whose marriage was registered (Schlesinger 1949: 37, excerpt from the Family Code)”. In other words, all children, “regardless of whether their parents were married, were entitled to parental support until the age of 18 (Goldman 1993: 133).”

The regulations concerning alimony and child support were also reformed considerably. If a marriage (registered or de facto) was dissolved, the wife – if she was disabled or in need – would be entitled to receive alimony for one year afterwards.\(^{24}\) If she

\(^{24}\) Goldman (1993: 133) describes this system as follows: “The very concept of alimony – the monetary expression of women’s dependence on men – signified the persistence of the family as the primary form of
had “become disabled through the husband’s fault – beatings, frequent abortions, etc. – the court grants her alimony from the husband, until she regains ability to work (Semashko 1934: 74).”

Since all children were granted the right to receive financial support from their parents, it also became a lot easier for unmarried women to sue their ex-partners for child support. A 1925 survey of 300 alimony cases in Moscow’s city and provincial courts revealed that although “men denied paternity in about one-third of the cases, the woman received an award for child support 99% of the time (Goldman 1993: 135-136).”

The law on inheritance was also changed: article 160 explicitly stated that “[c]hildren have no rights to the property of their parents, or parents to that of their children (Schlesinger 1949: 40, excerpt from the Family Code).” Thus, the new Soviet government – at least on paper – did away with what had been considered the foundations of bourgeois marriage: economic dependency on the one hand (seeing as both sexes now were formally equal, also on the labour market), and property relations (inheritance) on the other.

On 18th November, 1920, the Decree on the Legalisation of Abortion was enacted. On the one hand, this decree formed part of the general package of revolutionary legislation that was intended to “do away with” the relics of the past; on the other, it was a temporary measure, a response to contemporary circumstances. This decree will now be examined in greater detail.

3.6 The Decree of 18th November, 1920 on the Legalisation of Abortion

On 18th November, 1920, following a series of radical reforms, Soviet Russia became the first country in the world to allow “artificial discontinuation of pregnancy” for other than strict medical reasons.25 The Decree was first promulgated by the Sovnarkom (the Council of social organization and security. The practice of alimony, ensuring that the male wage earner rather than the state took responsibility for the needy woman and the child, revealed the scarcity of social services and the paucity of options for women outside the family.”

25 According to Savage (1988), penalties for abortion were cancelled de facto almost immediately after the Great October Socialist Revolution. Given the circumstances, this was a pragmatic solution. The First World War had drained the country of resources and led to disastrous consequences for the civil population. As doctors had been called to serve at the front, the rural areas of the country had been drained of qualified medical personnel. Hunger, cold, famine and rampant epidemics led to a tripling of the death rate in the cities, and the food shortage grew steadily worse towards the end of the decade. By the end of the civil war in 1921,
People's Commissars, the government of the early Soviet republic) in the R. S. F. S. R. It took a while before it was made public in the other Soviet republics. In the Ukraine, for instance, the Decree was publicised only in the summer of 1921 (Ginekologiya i akusherstvo, no. 4-5, 1922: 104).

The Decree stated that repressive measures were not only ineffective in combating the rising number of abortions, they were also potentially harmful, “driving the operation underground and making the woman a victim of mercenary and often ignorant quacks.”

The Workers’ and Peasants' Government is conscious of this serious evil to the community. It combats this evil by propaganda against abortions among working women. By working for socialism, and by introducing the protection of maternity and infancy on an extensive scale, it feels assured of achieving the gradual disappearance of this evil. But as the moral survivals of the past (moral'nye perezhitki proshlogo) and the difficult economic conditions of the present still compel many women to resort to this operation, the People’s Commissariats of Health and of Justice, anxious to protect the health of the women and considering that the method of repressions in this field fails entirely to achieve this aim, have decided (…) [to] permit such operations to be performed freely and without charge in Soviet hospitals, where conditions are assured of minimizing the harm of the operation (Decree of 18th Nov., 1920, reprinted in Semashko 1934: 83-84).

The decree further stated that abortions were to be performed in hospitals and by trained doctors only; nurses or midwives found guilty of performing abortions, as well as doctors doing so with “mercenary aims,” would face sanctions (Semashko 1934; Savage 1988; Goldman 1993).

In accordance with the premise that the laws of a proletarian state would be constructed “with [their] own obsolescence in mind (Goldman 1993: 1),” legalisation of abortion was intended to be a temporary solution. By spreading anti-abortion propaganda and introducing an extensive welfare system for mothers and children, the socialist state would seek to combat abortion as a phenomenon by gradually eliminating the need for women to terminate their pregnancies. Until then, lifting the ban on such operations would be the lesser – and necessary – evil.

Despite enacting the world’s most liberal abortion law at the time, the Soviet government did not consider fertility control a private matter that should be left to the individual. It was already clear from the outset that abortion was not really considered a “woman’s right”. In an article published in the journal Kommunistka a few months before the

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26 The Decree on the Legalisation on Abortion will henceforth be referred to as “the Decree of 1920” or simply “the Decree”.

Moscow had lost half its population, Petrograd had lost two-thirds, and the country was in ruins (Buckley 1989; Meyer 1991; Goldman 1993: 60-61).
enactment of the Decree, Nikolai Semashko stated that the abortion question should be solved “not as a matter of individual rights, but by taking into account the interests of the entire collective (society, race) (Semashko 1920: 21).”

Savage (1988) argues that the Decree of 1920 “did not establish a woman’s right to choose whether to have an abortion, but rather constituted a health measure responding to contemporary circumstances (Savage 1988: 1038).” A Soviet citizen’s right was relative to the given political and historical context. Thus,

legal provisions with respect to any subject may vary as the purposes of the Communist Party of the Soviet Union (C.P.S.U.) and the state vary, and legal rights may exist notwithstanding an underlying moral disapproval by the Party and the state (...) rights in the U.S.S.R. [were] devices of democratic participation, class struggle, and socialist transformation, not ends in themselves (Savage 1988: 1031-1032; my italics).

This helps to explain why the Soviet state could allow for abortions to be performed legally, while at the same time considering the practice an “evil”. The Decree was indeed meant to be a temporary solution,27 and the “right” to have abortions was conditional, based on the given historical context and the needs of contemporary society.

To some Soviet theorists, the notion of abortion being a woman’s right could in itself be interpreted as an expression of “bourgeois feminism”. Aleksandra Kollontai, for instance, “supported the abortion law of 1920 as a matter of principle but, like most Bolsheviks, saw it as a necessary and temporary evil (Stites 1991: 355).” Whereas marriage and sex were personal affairs, motherhood was a social concern; avoidance of maternal duties, in turn, represented a “selfish and immature lack of responsibility (Stites 1991: 355).” In Kollontai’s view, women’s responsibility towards society was twofold – on the one hand, they should “effectively contribute to society” through their work; on the other, they should “provide society with healthy offspring (quoted in Schlesinger 1949: 45).” 28

In order to harmonise these two demands, the Soviet state sought to extend the system of welfare services and make it possible for women to combine motherhood with working outside the home. To Kollontai, society should help mothers raise their children: “Every

27 This “temporary” character was an important trait not only of the Decree, but of Soviet legislation in general. Aleksander Goikhbarg, head of the committee drafting the new Family Code of 1918, expressed it thus: “Of course, in publishing these law codes, proletarian power, in constructing socialism, does not want to create ‘eternal’ codes or codes which will last for centuries (quoted in Goldman 1993: 53).” – “Law, like the family and the state itself, would soon wither away (Goldman 1993: 53).”

28 This was in line with arguments voiced by Klara Zetkin at the turn of the century (see above). According to Karen Honeycutt, the “notion, widely accepted today, of woman’s right to control her own body would have been unintelligible to Zetkin, influenced as she was by a cultural heritage and by socialist ideas which accorded priority to the good of the whole over that of the individual (Honeycutt 1976: 136).”
mother must be convinced that once she fulfills her natural function and gives a new member to communist society, i.e. a new worker, the collective will love and attend to her and her child (quoted in Stites 1991: 355).” In turn, the introduction of welfare measures – such as public child-rearing arrangements\(^29\) – would lead to the eventual elimination of abortion as a phenomenon.

“Modern” arguments, such as the question of whether abortion should be a woman’s inherent right (i.e., whether a woman should be in charge of her own body), were virtually absent from the official discussions. Soviet abortion discourse should be analysed with these factors in mind.

### 3.7 Practical implications of the new abortion legislation

Although the enactment of the Decree of 18\(^{th}\) November, 1920 was a revolutionary step in the world history of abortion policy, the new legislation did not signify a complete liberalisation of Soviet abortion laws.

First, access to abortion was restricted formally: the People’s Commissariat of Health, Narkomzdrav, initially required that abortions be denied to women who were pregnant for the first time, unless childbirth would pose a serious threat to the life of the mother. Neither should the operation be permitted if the woman was more than two and a half month pregnant. Abortions should be performed by surgical operation, after which the woman was required to stay in the hospital for three days; she was also required not to return to work for two weeks (Savage 1988). Doctors had no right to deny the abortion requests of women who fulfilled the official requirements. However, they could – and were supposed to – try in every way to dissuade them by stressing the dangers of having the operation, and “[i]f the woman is excessively afraid of giving birth, [the doctor] needs to ensure her that her fears are exaggerated and unfounded. He should instil in her an optimistic attitude towards her pregnancy and future childbirth (Vasilevskie 1924: 112).”

For various reasons, access to abortion also continued to be limited by practical circumstances. First, the government was simply unable to provide enough health care

\(^{29}\) However, the state “would not take children away from their parents, and all public child-rearing arrangements would be voluntary on the part of the parents (Stites 1991: 354-355, emphasis in original).”
facilities to meet the enormous demand. In addition, many physicians were opposed to legalisation in the first place and found their own ways of refusing women’s requests (Savage 1988). According to Vasilevskii and Vasilevskii, women seeking to terminate their pregnancies often met with hostility from doctors who had nothing but contempt for the “so-called ‘social reasons’ (Vasilevskie 1924: 108).” Doctors could sabotage the new abortion directives by telling their patients to return in two or three months, referring to the lack of hospital beds. Given Narkomzdrav’s demand that the operation be performed within the first ten weeks of pregnancy, postponement of the surgical procedure was an effective way of preventing women from having legal abortions (Vasilevskie 1924: 108; Savage 1988: 1039).

3.7.1 Abortion in the countryside: A particular problem

Extending the new abortion services to the country’s vast rural areas, notorious for their shortage of medical doctors and health care facilities, would prove problematic – especially in the early 1920s. The First World War and the subsequent civil war had destroyed much of the country’s infrastructure and, as most rural physicians had been called to serve at the front, emptied the countryside of qualified medical personnel (Gens 1926a; Semashko 1934; Avdeev 2008). As it turned out, returning doctors to the rural districts after the civil war proved to be a difficult task – “the extremely low wages, on the one hand, the hospitals being in a state of disrepair and lacking adequate heating, the hunger, and the lack of even the most essential medicines and instruments all contributed to scaring doctors away from working in the countryside (Gens 1926a: 19).”

As a result of the rural areas’ desperate lack of resources, it took a while before legal abortion became accessible to the country’s large peasant population. According to Gens, this situation started to improve somewhat in the mid-1920s, but even by 1925 several district hospitals still lacked the equipment necessary to carry out surgical abortions. Consequently, by the middle of the decade “in the rural areas of Russia (sic), the Decree has had virtually no perceptible impact on public health, and the overwhelming majority of abortions continue

30 Semashko paints a rather vivid picture of the health care situation in Russia during the First World War: “[T]he medical service, poor as it was, was finally disorganised, the great majority of the doctors having been mobilised for the war. Owing to food, fuel and other difficulties, the lack of necessary medicines and of food for the patients, even the hospitals which remained intact dragged on a miserable existence, while some were forced to close down (Semashko 1934: 15).”

31 Here, Vasilevskii and Vasilevskii are probably referring to the R.S.F.S.R (The Russian Soviet Federative Socialist Republic), and not to the Soviet Union as a whole.
to be performed by midwives, babki\textsuperscript{32} (...) and others, if not by the pregnant women themselves (Vasilevskie 1924: 109).”

“So far,” wrote Vera Lebedeva, the head of the Department for the Protection of Maternity and Infancy (Otdel okhrany materinstva i mладенчества, OMM) in 1925, 

our policy for the rural areas has, in a way, consisted of “not allowing” abortion to enter the countryside. We were afraid, and not without reason, that abortions would “overwhelm” the weak rural health care networks. (...) It seemed dangerous and unacceptable to open the doors of the district hospitals for abortions as long as they did not have enough space for this (Lebedeva 1926: 5).

The bureaucratic process of obtaining a legal abortion was complicated. First, the woman’s pregnancy had to be attested by a doctor; second, her overall health had to be documented; third, she had to get documents from her workplace stating her income level; fourth, she needed to have her marital status confirmed by her domkom (domovyi komitet), the residents’ committee of the house where she lived. Unemployed women would have to be registered by the Labour Exchange (Gens 1926a). To peasant women living far away from the nearest medical facility, the amount of time and work needed to obtain a legal abortion – along with the embarrassment of revealing the most intimate details of their personal lives to a commission of health officials – could be enough to deter them from the procedure altogether and go to a babka instead.

\textbf{3.7.2 Illegal abortions}

For various reasons, illegal abortions remained widespread in the countryside even after 1920. Goldman (1993) argues that since a lot of peasant women had never even been to a doctor, let alone in a hospital, the babka – a familiar figure in the village – would be a natural person to turn to when they needed an abortion. Many peasants seem to have “simply trusted the practices of the babka and midwife over those of the modern doctor (Goldman 1993: 281).” Moreover, the intimate nature of the issue could play a role of its own; Gens (1926a: 28) notes that even at the local medical centre many peasant women preferred talking to a midwife (“woman to woman”) instead of addressing a male doctor.

\textsuperscript{32} “Quacks”; women performing abortions by using various folk remedies. This derogatory term was widely used in Russian and Soviet discourses on maternal health, childcare, and abortions.
Furthermore, as has already been mentioned, the process of obtaining a legal abortion was complicated. Not only did the bureaucratic machinery pose practical difficulties, it also made it difficult to keep the pregnancy a secret. While Soviet anti-\textit{babka} campaigns repeatedly stressed the fact that pregnancy outside of wedlock was nothing to be ashamed of, the customs of village life often dictated otherwise, and whereas legal abortion equalled a degree of exposure, the \textit{babka} granted secrecy (unless, of course, something went wrong). Additionally, peasant women usually made every effort to keep the \textit{babka}’s identity a secret (Gens 1926a: 28).\textsuperscript{33}

The methods traditionally used by underground abortionists in Soviet Russia do not seem to have been all that different from the ones used in the Western world. Goldman (1993: 281) mentions “teas from saffron, camomile, aloe, and ergot,” as well as primitive instruments (e.g. knitting needles, crochet hooks and goose feathers), teas brewed from different types of herbs, or advising women to inflict external trauma to the uterus (e.g. by heavy lifting) or to take drugs such as quinine and bleach (Gens 1926a: 30-31; Goldman 1993: 281).

As mentioned earlier, the frequency of illegal abortion is generally hard to establish. Since the procedure was shrouded in secrecy, the only abortions recorded are those that ended up in the hospital. The statistics on the “success stories” are all but impossible to establish. Furthermore, since not all incomplete abortions were the results of illegal operations (some miscarriages could be spontaneous or accidental), even this number provides an inaccurate picture. Complicating matters even further is the fact that many women refused to admit that they had had an illegal abortion in the first place (Gens 1926a: 28). Nevertheless, the number of registered incomplete abortions does provide a rough indication of the overall trend.

\textbf{3.7.3 The development of Soviet abortion legislation during the 1920s}

The Decree of 1920 was of a declaratory nature and did not mention anything about penalties. During the first few years after the Decree’s enactment, however, the abortion directives were altered several times.

\textsuperscript{33} In many ways, the \textit{babki} and the women they served seemed to be “bound together in a pact of silence that often remained unbroken unto death (Goldman 1993: 281; Gens 1926a).”
In 1922, the Decree itself was replaced by Article 146 of the Criminal Code, which stated that illegal abortions – that is, abortions procured by persons without the correct medical qualifications, or by medical personnel operating in “inappropriate conditions” – would incur a sentence of imprisonment or forced labour for up to one year. If the operation was undertaken with mercenary aims, without the mother’s consent, or if the mother died as a result, the penalty would be increased to a maximum of five years (Vasilevskie 1924: 104-106).

Article 146, however, was very vague, leaving room for interpretation – if not confusion – on several accounts. Whereas the Decree of 1920 stated that abortions were to be performed in hospitals only, the article made no mention of this; neither did it specify the qualifications needed to carry out such surgery. As a temporary solution, the Decree was used as a set of guidelines for the local health and judicial departments even after the article was established (Vasilevskie 1924: 104-106), but the need for specific directives in this sphere was made even more urgent “by the chaos that still prevail[ed] in people’s understanding of Soviet abortion legislation”:

The vulgar assumption that all norms and restrictions in this sphere – not to mention the legal repressions – have been lifted is, of course, completely false, but nonetheless extraordinarily widespread. People everywhere tend to explain the new regulations by saying that “now you can” (“teper’ mozhno”). (…) The saddest part is that not only uneducated people – especially women, – but also medical personnel, including midwives and doctor’s assistants, have a very vague understanding of what, exactly, you “can” and “can’t” do these days. This (…) has to be changed (Vasilevskie 1924: 108).

In January 1924, to ensure a certain level of control over the abortion practices, Narkomzdrav ruled that every provincial Department for the Protection of Maternity and Infancy (OMM) was to establish commissions to consider every individual request at the women’s consultation bureaux. These commissions would consist of a doctor and representatives from OMM and the zhenotdel, and based on a set of very specific criteria, they would decide whether a woman was “qualified” to have an abortion. As the commissions in fact were intended to prevent the use of abortion (Savage 1988), they were “expressly instructed to explain the health risks of abortion and its negative impact on society (Goldman 1993: 261)” to the women they interviewed. In addition, the local departments of OMM were

34 ”(…) v ponimanii sovetskogo zakonodatel’stva ob aborte gospodstvuet poistine khaos.”
35 Women’s consultation bureaux, organised by the Department for Protection of Maternity and Infancy, provided health care services aiming to “teach women to prevent female diseases by hygienic measures, and systematically to examine expectant mothers and thus detect all abnormalities and effect their cure (Semashko 1934: 80)”, in addition to providing information on abortion, contraception, and the existing maternity and infancy protection laws.
to arrange lectures, seminars and public trials against midwives who were accused of having performed abortions, with the aim of exposing the harmful effects of abortions in general and illegal abortions in particular (Gens 1926a).  

The selection criteria for granting abortions were based on a hierarchy where class position and social vulnerability played an important role (Goldman 1993). If a woman’s reasons for seeking abortion were regarded as well-founded, the commission “balanced her need with the shortage of beds (Savage 1988: 1040).” First priority should be given to women with health problems; second, healthy women with social insurance would be considered in the following order:

1. Unemployed single mothers receiving benefits from the Labour Exchange
2. Single women workers with one child
3. Factory employees with several children
4. Worker’s wives [and peasant women] with several children
5. All other categories of insured women

Then: Uninsured women in the above-mentioned order (Gens 1926a: 14).

This hierarchy, then, reflected the official view on abortion as a phenomenon caused by poverty and difficult social conditions. Vera Lebedeva expressed this way of reasoning as follows:

[I]n permitting abortion for social reasons, we regarded the following reasons as the most important: poverty and having several children (mnogodetnost’) (…). Often, however, requests for abortions are made by women who have no social reasons for terminating their pregnancies, but who nonetheless insist on doing so. As a state, as legislators, we do not ban these women from having abortions or prosecute them if they do, but we do not consider ourselves obliged to help them either (Lebedeva 1926: 9).

In other words, abortion was not considered a “right”, but a way of responding to the contemporary needs of a large part of the population. The commissions would then ensure that the distribution of this public health service was kept under control and offered only to those who needed it the most. In practice, however, this was a complicated task.

3.7.4 Problems related to the abortion commissions: The bureaucracy and the limited capacity

36 “[The commissions’] function contravened the requirements of paragraph 1 of the Decree of November 18, 1920, which stated that abortions should be permitted freely in state hospitals (Savage 1988: 1040, note 64).”
37 The group of women without insurance included “students, servants, handicraft workers, the free professions (writers, artists, etc.), peasants, and the unregistered unemployed (Goldman 1993: 261).” White-collar and blue-collar workers were insured, along with their families.
In the countryside and in the provincial towns, the commissions – if they were at all established – proved to have a largely counterproductive effect. The painstaking and sometimes humiliating process of compiling the necessary documents, along with the embarrassment of being interviewed by the commissions, could be enough to discourage a woman from seeking abortion legally. According to a survey made in the mid-1920s among provincial physicians, peasant women who did ask their doctor to carry out an abortion often requested that it be done “secretly” (Gens 1926a: 20).

This problem did not go unnoticed by the authorities. At the Third All-Union Conference on the Protection of Maternity and Infancy in December 1925, the question of how to handle the abortion issue in the countryside was dealt with especially. The right to grant hospital abortions, it was agreed, should be handed over to the local doctors, who would then be working under the supervision of provincial commissions. Such commissions, however, should not be established in the local hospitals, as they proved to be “unfavourable under the conditions of village life (Kommunistka, no. 1, 1926: 43-44).”

Furthermore, the shortage of resources meant that the state hospitals were unable to perform even the limited number of abortions that the commissions would permit (Savage 1988). In fact, the capacity of the abortion commissions could in itself be highly inadequate, as was reported in the town of Ivanovo-Voznesensk:

Registration begins at 8 am (and women start lining up from 3-4 am). Since early 1926, we have only been registering the first 25 people in the queue; the rest of them are rejected, neither registered nor counted (Kommunistka, no. 9, 1928: 49).

The large number of women who were “rejected, neither registered nor counted” only exacerbated the problem and made for a vicious circle: As abortion wards were filled with women needing treatment after ill-fated illegal abortions, the hospitals’ capacity was strained even further, forcing even more women to seek help outside of the public health care system. As a consequence, it became clear that the right to perform this operation had to be extended somewhat beyond the directives given in the Decree of 1920. According to the original decree, abortions were to be performed in Soviet hospitals only. The new regulations of 1924, on the other hand, allowed for the operation to be performed by physicians in private practice, as long as they did so in a state-approved medical facility. This could be done for a fee.

Although the Decree of 1920 intended the legal abortions to be free of charge, the strain on the state hospitals was so great that further attempts had to be made to reduce it. In
the latter half of the 1920s, it was agreed that free abortions should only be granted to women who were unable to pay for them. A woman’s inability to pay would have to be demonstrated to the commission before a free abortion could be granted; thus, the role of the commissions changed from deciding whether a woman “qualified” for a legal abortion to deciding whether she would be able to pay for it (Savage 1988: 1041). Abortion fees were then established according to per capita income. In the Siberian town of Kamen’, for example, those with an income of less than 50 rubles would be granted free abortions, whereas someone earning more than 150 rubles would have to pay 20 rubles for the operation (Kommunistka no. 2, 1929: 40).38

This was considered a pragmatic measure. Rather than paying underground abortionists (as a lot of women were already doing) for performing the operation, it would be better if their money were spent in state-owned medical centres, where they were guaranteed a higher level of safety. Furthermore, the state would use the abortion fees to finance abortaria, special abortion clinics in the larger cities, and thus further expand the possibilities of having a safe abortion. “The important thing is to turn women away from the babki, from the incompetent midwives, [and] from the unskilled doctors (ot khalturschika-vracha) (Kommunistka no. 2, 1929: 39).”

3.7.5 Combating abortions: Propaganda, public health and welfare measures

Commenting in 1934 on the Decree of 18th November, 1920, Nikolai Semashko noted that

[a]lthough legalising abortion is in the interest of women, the People’s Commissariat of Health at the same time carries on a determined fight against the spread of abortion, as an operation adversely affecting health. The fight is carried out in three directions:

1) Propaganda of birth-control measures under the direction and control of the women’s consultation bureaux.
2) The development of the network of maternity and infancy protection institutions (crèches, mother-and-child homes, etc.) (...), eliminating in many cases the need for an abortion; with the same object in view, the health authorities have organized special committees of doctors and representatives of women’s organizations which consider the different applications for abortion (...).
3) The third method of combating abortions consists of general sanitary education. A large number of pamphlets and leaflets are distributed, explaining how dangerous abortion is to a woman’s health, even

38 The highest fee – 25 rubles – was reserved for “members of the exploiting classes” (netrudovoi element) and kulaks (kulachki), regardless of income.
This quote gives a concise account of the official view on abortion in the early Soviet state. On the one hand, providing legal abortions was “in the interest of women” (and also, it might be added, in the interest of public health); on the other, abortion was a phenomenon that the state sought to combat.

With regard to the stated goal of propagating birth control measures, it is questionable whether this measure helped to reduce the number of abortions. Even if the women’s consultation bureaux did provide information on fertility regulation, the actual contraceptive devices – e.g. condoms or diaphragms – were largely unavailable to the general public (Goldman 1993). As a result, women still resorted to traditional folk practices – the withdrawal method, douching, barrier methods, and as a very last resort, abortion. Given the unreliability of the most common contraceptive measures, termination of pregnancy remained a widespread method of preventing births: in 1930, a survey conducted among peasant women in a collective farm revealed that abortion was their “second most popular form of birth control after coitus interruptus (Goldman 1993: 60)”; according to a Soviet demographer, even in big cities like Leningrad, abortion was the primary means of limiting births in the late 1920s (ibid.).

On the other hand, the “development of the network of maternity and infancy protection institutions,” as well as the programmes of general sanitary education, were carried out more systematically. The programme of the Communist Party of the Soviet Union included a clause stating that the C.P.S.U. would “base its public health measures on a comprehensive series of health and sanitary measures aiming to prevent the development of disease (Semashko 1934: 22-23).” The fight against abortions constituted a part of this series of prophylactic measures.

The measures that were “designed to improve the health of the female population (Semashko 1934: 80)” also had a distinctly politicised character, as their core aim was to draw more women into the labour force (Avdeev 2008). This in turn was connected to what – in the words of Aleksandra Kollontai – constituted women’s “twofold responsibility to society”, i.e. work and motherhood.

39 In the Soviet Union, hospital abortions were performed by the process of dilatation and curettage (vyskablivanie matki). As we shall see in chapter 5, the complications that might result from such operations were frequently referred to in Soviet sources warning of the dangers of abortion. Repeated procedures might cause permanent damage to a woman’s health. Abortions were, nonetheless, performed using this technique during the entire Soviet period (Henshaw 1990; Goldman 1993).
The decision to create the Department for the Protection of Maternity and Infancy (Otdel okhrany materinstva i mладенчества, termed OMM or – by a typical Soviet-style abbreviation – Okhmatmlad) had been made already in December 1917 by the People’s Commissariat of Social Welfare (Narodnyi komissariat gosudarstvennogo prizreniya), headed by Aleksandra Kollontai. On 1st January, 1918, the OMM started its official work under the leadership of Vera Lebedeva. In an effort to combat the country’s high infant mortality rates, the OMM initiated a wide-ranging campaign to organise orphanages for infants (дома младенца), women’s homes (женские дома) and children’s hospitals (Avdeev 2008). This work continued into the 1920s with the organisation of crèches (day care centres) for the youngest children, women’s consultation bureaux, milk kitchens, etc. (Semashko 1934; Avdeev 2008).

In order to facilitate the combination of work and motherhood, several measures were enacted to protect “female labour”. Working women and “many categories of women employed in non-physical occupations” were entitled to maternity leaves for eight weeks before and eight weeks after childbirth, during which time they could not be discharged from their jobs (Semashko 1934). After the maternity leave was over, the baby would ideally stay in a crèche while the mother was at work; from the age of three, the child could attend kindergarten (Avdeev 2008: 35). Other regulations were enacted concerning night work, overtime, mandatory business trips, paid breaks for breastfeeding during the workday etc. (Semashko 1934: 75).

Welfare measures such as these were intended to eliminate women’s need for having abortions. However, given the poor living conditions of the vast majority of the country’s population, the absence of reliable contraceptives and the still inadequate health care services of the 1920s, abortion as a phenomenon proved very difficult to combat, and discussions on the subject continued throughout the decade.
4 Law versus life: Abortion discourse in pre-revolutionary Russia, 1910-1914

4.1 The intelligentsia and the abortion question

In late Imperial Russia, a new generation of liberal intellectuals was beginning to play an active part in public discourse. This development was a result of the general modernisation process that had been taking place over the past few decades:

[T]he growth of the factories, educational and welfare institutions, zemstvos, and government bureaux brought about a substantial enlargement of the professional employment sector, renewing a split between the radicals who chose to devote their life to revolutionary parties and those choosing to serve progress in salaried careers (Andrle 1994: 18).

It was the liberal wing of the intelligentsia, and especially legal and medical scholars, that would dominate the pre-revolutionary abortion discourse. During the years preceding the First World War, the abortion issue “crystallize[d] as a special object of professional discussion (Engelstein 1992: 335).”

The increasing interest in the abortion issue was, first and foremost, related to the ongoing “abortion epidemic” – a development that was attracting attention across Europe. However, for Russian intellectuals, the subject of abortion seems to have been useful for an additional reason as well: whereas the political atmosphere of the 1860s and 1870s had allowed for comparatively open political struggles (Engel 1991; Moss 2005), the more repressive climate of the 1880s and 1890s – and the state’s reaction to the social turmoil following the 1905 revolution – made it difficult to express political ideas in print or by direct action. Consequently, Russian intellectuals needed to find alternative ways of conveying their views. One way of doing this was to frame social and political issues as matters of professional interest. According to Engel (1991) and Engelstein (1991, 1992), this approach made it possible for Russian liberals to “circumvent” tsarist censorship and find an outlet for their ideas. The abortion issue, in turn – as it involved a whole range of political, moral and philosophical dilemmas – provided ample grounds for such discussions.

40 Organs of rural self-government.
Discussions on the abortion question remained sporadic before 1910. From that point on and until the outbreak of the First World War, the abortion issue was debated at a number of medical and legal congresses, occasions that were followed by the publication of several congress reports and articles. It was no coincidence that the majority of the discourse participants were legal and medical experts: while doctors had to face the problem on a regular basis, the abortion issue also revealed the ineffectiveness of current legislation. Consequently, for doctors as well as legal scholars, the abortion question was not merely of intellectual interest—it was a matter of direct relevance to their professional work:

Not only was the rise [in abortion rates] in itself an ominous sign, but it increased the disjuncture between formal legal principles and both medical and judicial practice: physicians found themselves more often engaged in criminal activity, and the courts came up against the force of contrary public opinion and social reality (Engelstein 1991: 192).

This “force of contrary public opinion and social reality,” in turn, lay at the core of the pre-revolutionary abortion discourse.

In April 1910, the abortion issue was addressed at the Eleventh Congress of the Pirogov Society, Russia’s leading medical association (Engelstein (1991: 186). These discussions were followed by debates at the Fourth Congress of Russian Gynaecologists and Obstetricians in December 1911. In the early summer of 1913, at its Twelfth Congress, the Pirogov Society addressed the question again. On both these latter occasions, the congress participants voted in favour of decriminalisation. This position, moreover, was echoed by the Russian Group of the International Union of Criminologists in February 1914, when the matter was discussed at the group’s tenth national convention. 38 participants voted in

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41 Founded in 1885, the Pirogov Society had “spearheaded the profession’s drive for disciplinary autonomy and become the focus of its oppositional political activity during 1905 (Engelstein 1991: 186).” Later dissolved (likvidirovano) by Soviet authorities because of its opposition to the 1917 revolution, the society nonetheless played an important part in pre-revolutionary public debates. In 1925, Vera Lebedeva described the society as follows: “[The Pirogov Society] organised a series of congresses where doctors made an effort to respond to the hot questions (bol’nye voprosy) of that time; thus, they discussed the abortion question, spoke out against the death penalty, and so on. During the dark ages of tsarism, this society played its part in awakening public opinion and mobilising the liberal circles of the intelligentsia against tsarism (Kommunistka, no. 1, 1925: 28, note 1).” Lebedeva, however, also reproached the Pirogov Society not only for being counterrevolutionary, but also for being unable to do anything but “passing liberal resolutions”.

42 The Russian Group of the International Union of Criminologists (Russkaya gruppa mezhunarodnogo soyuza kriminalistov) was “an association of lawyers, legal scholars, and specialists in crime of varied political views (Engelstein 1992: 349).”

43 This convention will henceforth be referred to as “the Criminologists’ Convention in 1914”.

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favour of decriminalisation, 20 voted against it (*Otchet X obshchego sobraniya*, 1916: 400).\(^{44}\)

The Criminologists’ Convention especially received a lot of public attention. One observer remarked that the “February congress has become the center of public attention (...). In the daily press and the thick journals, at lectures and fashionable debates, the congress’s basic resolutions are discussed with unflagging passion (quoted in Engelstein 1991: 201).”

However, although the resolutions calling for decriminalisation received quite a lot of attention at the time, and although they – in the words of two Soviet authors – “had a significant influence on shaping Russian public opinion in this sphere (Vasilevskie 1924: 81),” they did not bring about any changes in Russian abortion law prior to 1917. “The government resisted on moral grounds. The most imaginative counter-measure it could offer was a Ministry of Justice proposal to increase the punishment of both mother and abortionist to three years imprisonment (Stites 1991: 181)” – a proposal that, admittedly, was not carried out in practice.

The liberal debaters of the pre-revolutionary years were also divided among themselves regarding the question of decriminalisation. By and large, the discourse participants can be divided into two main categories – a moderate wing seeking to reform, but still retain the existing abortion law, and a radical wing seeking complete legalisation. In the following section, the opinions of both these camps will be more closely examined.

**“Moderate” and “radical” abortion debaters**

While there was a general consensus that the contemporary abortion law had little or no preventive effect, and that the need for reforms in this sphere was becoming increasingly urgent, the pre-revolutionary abortion debaters had different views regarding how the abortion question should be solved. An essential dilemma was whether the discrepancy between law and practical life should be taken into consideration when dealing with the abortion problem, or whether the principle that abortion was a crime should remain independent of any popular attitudes. Debaters who were in favour of decriminalisation generally supported the former, while those who maintained that the abortion ban should be retained (but reformed) supported the latter. In other words, it was not the need for reforms, but rather the scope of these reforms, that was the controversial question.

\(^{44}\) Henceforth referred to as *Otchet*...
The rest of this chapter will consist of two parts. The first will be dealing with the less abstract – and less controversial – questions surrounding the abortion issue at the time: abortion statistics; the contemporary explanations behind the “epidemic”; and the question of who had abortions. These aspects are presented first in order to make up the framework of the second section, which will concern the more “philosophical” aspects of, and suggested solutions to, the abortion problem. In this second part, the division between moderates and radicals becomes more visible.

4.2 “Practical” questions

4.2.1 The rising abortion rates

Notwithstanding the difficulties in estimating abortion rates, the trend was clearly identifiable: abortion rates were rising, and the phenomenon appeared to be spreading across all demographic groups – in the cities as well as in the countryside (Shabad 1913: 215).

For the decade of 1883-1893, the Imperial Gynaecological Institute in St. Petersburg had recorded an abortion rate of 2.6 percent (i.e. one abortion per 38.4 births). The average rate for 1904-1907, on the other hand, was reported to be 11.8 percent, indicating a near fivefold increase over the course of these years (Yakobson 1911: 88-90). Most of the cases registered at the Institute involved women seeking treatment for so-called incomplete abortions, a factor indicating – but not necessarily confirming – that the pregnancy had been terminated illegally. By comparison, the number of legal abortions performed at the Institute between 1904 and 1907 was quite low: 0.12 percent, or 12 abortions per 9,554 births (Povolotskaya-Vvedenskaya 1911: 206).

Other hospitals, both in St. Petersburg and elsewhere, noted a similar trend. In 1910, 33 percent of all in-patients in the gynaecology ward of the Petropavlovskaya hospital in St. Petersburg were admitted because of abortions, a near threefold increase since 1906 (12 per

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45 According to Yakobson, determining whether an “incomplete abortion” was the result of an illegal operation could be a difficult task. Unless there was any kind of physical evidence pointing in that direction, e.g. if the uterus had been wounded or it was obvious that the woman had been poisoned, the exact cause of the abortion could be hard to establish (Yakobson 1911: 95). The same point is made by Lichkus (1912: 28).

46 Yakobson estimated that two thirds of all abortions performed at the turn of the century – in Russia as well as abroad – were illegal (Yakobson 1911: 88).
Statistics from the city of Moscow and the province of Saratov showed the same tendency (Kuz’mín 1912; Pirozhkova 1912).

In addition to the statistical evidence, some debaters also relied on less direct indications:

(...) the countless press advertisements (...) for shelters for pregnant women, where they are promised fast and reliable help, [and] for health centres where midwives and obstetricians perform a special kind of massage or give baths to “cure the common cold”, give evidence of a hidden abortion practice, just like the ads for “cultured female arrangers of marriage and other agreements”, models “posing for artists and amateurs”, “young ladies” turning to “nice elderly gentlemen” asking for a loan, and the like (...), bear evidence of prostitution and pandering (Chubinskii 1912: 71-72).

M. L. Oleinik, a law student at St. Petersburg University, presented a similar view: “Abortion is, of course, most common in the big cities, especially in St. Petersburg. It is not a secret that the abundant newspaper ads for ‘shelters for pregnant women’ actually refer to abortion clinics (Oleinik 1913: 112).”

4.2.2 Contemporary explanations behind the rising abortion rate: from “light-heartedness” to “iron necessity”

The years following the 1905 revolution were marked by economic hardship and deteriorating public health. As a result, the frequency of spontaneous miscarriages was said to be increasing. However, the rising abortion rates were attributed not to spontaneous miscarriages, but to a dramatic upsurge in criminal abortions, and it was this trend that really needed to be explained. Why would so many women choose – or rather feel the need – to terminate their pregnancies?

The explanations put forth at the time can be divided into different categories. Many debaters made a distinction between perpetual, universal explanatory factors (e.g. fearing the shame of being an unwed mother), and factors that were directly linked to contemporary

47 “Apart from the ordinary [reasons], factors that have been influencing the rising numbers of abortions lately include: 1] the general rise in sickness rates, caused by worsening living conditions. The high living costs have led to overcrowding [and] malnutrition and have forced [people] to work more in order to deal with the high prices and satisfy the demands of modern life (as well as an inclination for luxury and expensive pleasures). Nowadays, you will rarely find a woman who is only a wife, mother, and housewife; she is also often a teacher, midwife, medical assistant, doctor, seamstress, cashier, secretary, saleswoman, servant, factory worker, etc., etc. Hence the overwork (pereutomlenie) and a whole range of illnesses (Chunikhin 1913: 91).” (Factor number 2, according to Chunikhin, was induced abortions.)
Russian (and European) society, such as financial hardship. It was the latter group of motives, i.e. the present socioeconomic conditions, that was said to be causing the upsurge in criminal abortion. The following quote illustrates the reasoning behind this view:

What is really the matter? Where is the main impulse behind the modern Russian woman’s persistent avoidance of childbirth? We are not going to dwell on reasons such as illegal cohabitation, pregnancy among widows or [unmarried] girls; these reasons have always existed and will always bring about a certain number of abortions. Apart from these reasons, apparently, there are also others [i.e. situational factors] that have played a big part in increasing the abortion rate in Russia (Pirozhkova 1912: 105).

Apart from the distinction between universal and situational explanatory factors, a further distinction can be made between what can be defined as “individualistic” and “socioeconomic” motives for having an abortion. Although the dividing lines between these groups may be blurry, it is still a useful classification. “Individualistic concerns” were thought to be unrelated – or only peripherally related – to socioeconomic factors. The latter motives, on the other hand (including poverty, shame, and fear), were regarded as very serious. 48

While many, if not all, debaters expressed a degree of sympathy for women who had abortions due to social hardship and/or desperation, they often had less respect for what they regarded as petty or self-centred motives. In the following section, we will take a closer look at both of these groups of motives.

“Individualistic” reasons for having an abortion

The category of individualistic motives included a broad range of personal needs, wants and desires that were more or less unrelated to the given socioeconomic context. In the hierarchy of abortion motives, such concerns were generally regarded as the least respectable – especially if they were related to “trivial” or “petty” worries. In 1912, the legal scholar M. P. Chubinskii argued that

[abortion] can be caused by various factors. On the one hand, these include light-mindedness (suetnost’); the desire to travel and have fun without being hindered, or for continuous pleasures; the fear of ruining one’s beauty or figure; an unwillingness to carry the complicated and serious responsibilities of motherhood; extreme selfishness (krainii égoizm); a wish to keep one’s fortune intact, i.e. to leave it to one child only, (…) and similar motives that cannot be ascribed to the ethical/social category (v kategoriyu étiko-sotsial’nykh) (Chubinskii 1912: 87).

48 Shame and fear can be included in the “socioeconomic” category because they were seen as motives generated by society – a single mother would suffer, not only due to the inadequate maternity protection and financial difficulties of raising a child alone, but also because of society’s negative attitudes towards unwed mothers.
However, the motives in this category were generally assumed to play a secondary part in influencing abortion rates. First, this was due to the fact that they were considered universal – selfishness, for instance, was a human character trait that could hardly be attributed to modern society alone. Second, they were generally regarded as “upper-class” motives: given the safe, discrete and reliable medical help that was available to wealthier women, it was assumed that only they would be inclined to have abortions for “trivial” reasons. Not only were they able to pay “experienced people” (doctors) to terminate their pregnancies under safer conditions, they were also able to get help at home if they did suffer complications afterwards. This way, they would not have to go to the hospital, where it might be discovered that they had had an illegal abortion. Thus, both the risk of complications and the risk of exposure was smaller for these women (Lichkus 1912: 47; Gernet 1916: 10).

Seeing as poor women – i.e. the majority – would have to make do with whatever help they could obtain in such cases, it was presumed that they would need more compelling incentives for having an abortion.

Related to the category of individualistic concerns, but more specific to the Russian situation, was a view expressed by Dr. O. Pirozhkova at the Fourth Congress of Russian Gynaecologists and Obstetricians in December 1911. In her opinion, the years following the 1905 revolution were marked by moral decline (upadok nravstvennosti) and decadence, a phenomenon that was much debated during these years (Stites 1991). These factors, she argued, had also contributed to the abortion epidemic:

This [moral decline] is not a new phenomenon. It has been repeated throughout history: after a [revolutionary] upsurge, there is a reaction. There is a greater interest in the sexual question. A similar phenomenon could also be seen in French society after the revolution; our Russian society had to go through the very same thing. The literature of these years confirms this theory best of all: if there had been no demand for that sort of literature, then there would have been no supply either. This kind of interest in the sexual question resulted in pregnancies that needed to be terminated. (…) In this way, the literature of 1906-1907 was one of the reasons why abortion numbers were rising during this period of time (Pirozhkova 1912: 106).

The “literature of these years” – known for dealing with sexual themes – has been mentioned earlier. Apart from Pirozhkova, however, very few debaters made such a distinct connection between decadence and rising abortion rates.

49 “Of course, there are ladies who have abortions because they want to preserve their body shape, but they are exceptions, and they are not the ones who end up in court (Gernet 1916: 241).”
50 The sources do not mention whether these women also had better access to contraceptives.
Finally, among the discourse participants of these years, Yakob Vygodskii (1913), a doctor working in a Jewish hospital in Vilnius, stands out by emphasising socioeconomic and individualistic motives alike. According to him, abortion resulted from the combination of women’s sexual drive, on the one hand, and the social conditions that required fertility regulation on the other (Vygodskii 1913a: 88). In addition, he mentioned three factors that he believed had furthered the spread of illegal abortions over the last 25 years: “1) abortionists’ success [regarding] abortion techniques and asepsis, 2) the fact that the market price for abortion has fallen, 3) the fact that the level of professionalism among abortionists has been improved (medical assistants, midwives, doctors) (Vygodskii 1913b: 375).”

Nevertheless, despite the fact that there might be singular factors – such as the alleged drop in market prices for abortion – at hand, most debaters placed the main emphasis on broader socioeconomic conditions. The following section will examine the factors that were said to be the most important explanation behind the abortion epidemic.

**“Socioeconomic” reasons for having an abortion: the burden of “iron necessity” (gnot zheleznoi neobkhodimosti)**

Illegal abortion, infanticide and the use of contraceptive devices are, medically speaking, not an illness, but merely symptoms of an illness (Lichkus 1913: 84-85).

Poverty and shame, and fear of the inevitable disgrace of having a child outside of wedlock, play the decisive and leading part (...). This is such a banal truth that I do not want to keep your attention on it (Gernet 1916: 241).

While speaking at the Fourth congress of Russian Gynaecologists and Obstetricians in 1911, Lazar Lichkus – the director of a maternity clinic in St. Petersburg – argued that criminal abortion should be regarded as “an epidemic social disease” that was caused by profound social inequalities (Lichkus 1912: 37). If unhealthy social conditions could be regarded as a universal motive for having abortions, there was little doubt that “now, as life is getting...

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51 Vygodskii was one out of nine physicians speaking at the 1913 Pirogov Society congress session on abortion. According to Engelstein (1991: 192), Vygodskii called “for outright decriminalization [of abortion]” at this congress. Engelstein, however, seems to have misunderstood his argument: while Vygodskii did call for reduced penalties for abortion, he did not think abortion should be legalised altogether. “Doctors, more than anyone else, should fight for (...) the sacred rights of the foetus, rights that are being trampled on everywhere. Although it would be highly desirable to soften the penalties for women who have illegal abortions, legalising this operation would nevertheless be inconceivable, because that would signify a return to barbaric times, or even to savagery, when the life of the foetus had no value whatsoever (Vygodskii 1913b: 376).”
harder and harder, [this reason] is bound to exert an even greater influence on abortion rates (ibid.: 38).” A similar opinion was expressed by M. P. Chubinskii at the same congress:

[W]e will have to admit that the reasons behind the given phenomenon are extremely diverse, but an enormous amount of them are rooted in the bad conditions of the contemporary socioeconomic system in general, and women’s position in particular; in our society’s narrow-minded and biased views (often closely related to old prejudices), and in other similar reasons (Chubinskii 1912: 84).

The number of working women was rising, but the lack of welfare measures for working mothers meant that they were likely to lose their jobs if they became pregnant. While unemployment could cause enough difficulties for a married woman, it would be downright disastrous if she was single (Chubinskii 1912: 84-85; Gernet 1916: 242). Moreover, living costs were on the increase:

After 1905-1906, prices have gone up by 10-15 percent, especially in Moscow. Before the strike movement commenced, families with three or four children could exist in one way or another; but ever since the living costs started rising, such families have been become downright destitute (nachali pokozhitel’no nishchenstvovat’). Naturally, under such circumstances, every newborn was a huge burden. This reason, i.e. the financial crisis that followed in the wake of the strikes, is confirmed more than anything by the [abortion statistics]. Almost every table shows a sharply rising curve in 1906 (Pirozhkova 1912: 105).

“Like an iron law,” noted Brodskii (1914: 29), “the economic conditions do not allow the majority of the proletariat to start a family. (…) Statistics show that along with the worsening economic conditions, the number of abortions increase every year.”

According to Chubinskii (1912), this situation affected the marriage rate, too. Rising living costs meant that less people could afford to get married, or they had to marry at a later stage of life. This view is supported by Gernet (1916). As a growing number of unmarried women now would have to “satisfy their sexual instincts [outside of] wedlock,” they were also more likely to face the abortion dilemma at some point during their lifetime (Chubinskii 1912: 86).

In addition, there was the issue of gender inequality: it was the woman, not the man, who would have to pay the price of having sexual relations. “[T]he law (…) places the full burden of the sexual relationship and its consequences on the woman, while showing considerable leniency towards the man, even when it is obvious that he was the seducer (Chubinskii 1912: 85).” Furthermore:

[Under Russian law] it is very hard for an unmarried mother to obtain an acknowledgement of paternity

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52 Pirozhkova is referring to the strikes and the social unrest following in the wake of the 1905 revolution.
from the child’s father. Whereas the “recherche de la paternité” is protected by law in England, it is very difficult, almost impossible, for an unmarried woman in Russia to [do the same] (Pirozhkova 1912: 106).

Who, then, were the women behind the statistics? In the following section, we will look at how this question was answered by the participants in the pre-revolutionary discourse.

### 4.2.3 Who had abortions?

In the early 20th century, as has already been mentioned, the phenomenon of abortion was said to be common among all social groups:

(...) the use of abortion is becoming increasingly widespread; moreover, it is becoming democratised. Whereas [abortion] used to be the privilege of the upper strata of society, it is now also widely practiced by the lower classes, in the cities as well as in the countryside (Shabad 1913: 215).

Relying on German sources, Gernet (1916: 241) distinguished between two main categories of abortion-seeking women: unmarried girls/women on the one hand, and slightly older, married women with several children on the other.

According to statistics from the Imperial Gynaecological Institute for the period 1904-1907, nearly 80 percent of the women admitted with abortion complications were married. Unmarried women, it was presumed, were more likely to hide their abortions and stay away from hospitals. Furthermore, the 1,016 women in question53 were distributed across the following professions:

- Housewives – 633
- Servants – 150 (12 of them were laundresses)
- Educated women (*litsa, zhivushchie intelligentyom trudom*) (students, teachers, doctors etc.) – 105
- Craftswomen – 82
- Unskilled labourers (*chernorabochie*) – 29
- Factory workers – 14
- Wealthy women (*iz material’no obespechennogo klassa*) – 3 (Yakobson 1911: 94-95)

The number of unskilled labourers and factory workers registered with abortions was relatively low. While the author took this as an indication that “hard work is a quite rare cause of abortion (ibid.: 95),” another explanation might be the fact that these women were more likely to have abortions that went unregistered by the clinic. Brodskii (1914: 29) noted that

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53 As it could be difficult to determine whether abortion complications resulted from an illegal operation or simply a spontaneous miscarriage, these figures do not distinguish between spontaneous and induced abortions.
the majority of abortions were obtained by women from the middle and lower classes.

Regarding the other groups,

the large number of abortions among middle-class housewives (lits srednego dostatka, zanimayushchikhsya domashnim khozyaistvom), among servants and educated women suggests that their pregnancies have been terminated illegally. The small number of upper-class women admitted to hospital is explained by the fact that these patients usually get medical help at home (Yakobson 1911: 95).

Yakobson does not mention whether or not these upper-class women generally had fewer abortions (e.g. due to a better access to birth control measures). Whether this was the case, however, would be hard to establish – statistics are few, not least because wealthier women for the most part had abortions that went unregistered. Nevertheless, Yakobson seems to have presumed that the abortion rates among these women were higher than the Institute’s statistics would indicate.

These “practical” aspects of the abortion debates may serve as a framework for the second part of this chapter, in which the more complex “philosophical” side of the question will be discussed.

4.3 Suggested solutions to the abortion problem

All participants in the pre-revolutionary abortion discourse, “moderates” as well as “radicals”, agreed that the current legislation was ineffective. The abortion law was not only considered outdated; in the words of Chubinskii (1912: 70), it was “notable for being extraordinarily rigid and remote from life (otlikaetsya chrezvychainoi pryamolineinost’yu i otorvannost’yu ot zhizni).” As indicated by the increasing abortion rates, the general public did not seem to care about the fact that abortion was prohibited: “Evidently, there are life circumstances that sometimes outweigh the law. (…) there are few laws that would arouse less sympathy among the general public than the law against abortion (Lichkus 1912: 36-37; 44; my italics).”

Increasing penalties was considered unlikely to have any preventive effect: if a woman was willing to risk her life and health in order to terminate her pregnancy, then the threat of criminal punishment would not be enough to dissuade her from having the operation.

(... there is no punishment that will be strong enough to [discourage] a woman who, under the influence of need, fear, and shame, suppresses her natural maternal instinct and lets herself go through with an unnatural operation. There is no point in threatening a woman with jail when she fears her future child more than imprisonment, illness and death (Povolotskaya-Vvedenskaya 1911: 208).
While the need for reforming the existing abortion legislation was universally acknowledged, not everyone was in favour of decriminalisation. Before addressing the debates on the question of legalisation, however, one of the core issues that seemed to determine the debaters’ approach to this subject – the status of the foetus – should be discussed. This subject was given a lot of attention in the pre-revolutionary discourse, and it was an issue that aroused heated debates among both groups of discourse participants. Thus, this question deserves particular attention.

4.3.1 The status of the foetus: a core issue

By and large, there were two main views on the foetus: One – that it had an inherent value and thus should be protected (and that abortion, consequently, was murder). Two – that the foetus belonged to the mother just like any other part of her body, and that it was up to the mother to decide whether it should be born or not. (There was, however, general consensus that if the pregnancy endangered the life of the mother, her life should always be given the top priority.)

The view of the “moderates”: the foetus’s life should be protected

The explanatory note to Article 466 in the Russian Criminal Code stated that the main focus of Russian abortion law was to protect the “conceived, but still unborn foetus”.54

The object of the crime is the foetus (zarodysh), i.e. the conceived, but still unborn foetus (plod zachatyi, no ne rozhdenyi) that lives by (…) [sharing] its mother’s circulatory system. It is closely connected to the mother’s body, but at the same time, it has an existence of its own. The foetus is protected from the moment of its conception to the moment of its birth. The difference between foetus animatus and foetus non animatus, established by canonical law, as well as the medical

54 Article 466 stated: “A person who performs an abortion will be punished: by imprisonment in a house of correction (ispravitel’nyi dom). If the abortion is performed by a doctor or a midwife, then (…) the defendant should be sentenced and lose the right to practice [his/her profession] for a period of one to five years. If the abortion is performed without the pregnant woman’s permission, then the defendant will be punished with up to eight years of hard labour (Povolotskaya-Vvedenskaya 1911: 191).” Although the Criminal Code did not include any articles on medical abortion, the latter was de facto allowed if the pregnancy threatened the mother’s life and health (Povolotskaya-Vvedenskaya 1911: 192-193).

55 In the Russian language, the words zarodysh and plod are both used to denote the foetus in a neutral way. (Plod literally means “fruit”, but in a figurative sense; e.g. plodotvornyi – “fruitful”; besplodnyi – “infertile.”)
difference between a foetus that is incapable of living outside of the womb (…) and a foetus that is capable of this (…), has no influence on the juridical basis of this crime (dlya yuridicheskogo obosnovaniya prestupnogo deyaniya nikakogo znacheniya ne imeet) (The explanatory note, quoted in Povolotskaya-Vvedenskaya 1911: 191-192, my italics).

Consequently, abortion was defined as a crime against the future human being, not as an assault on the woman’s health.

Moderate discourse participants generally supported this position. Lazar Lichkus held the view that “abortion [was] undoubtedly a violation of the foetus’s rights, at every stage of the pregnancy (Lichkus 1912: 31).” He expressed a similar view at the Criminologists’ Convention in February 1914: “From a medical point of view, every foetus has to be regarded as a human life that is beginning to take form (dolzhno rassmatrivat’ (...), kak zarozhdayushchuyusya zhizn’) (Lichkus, in Otchet..., 1916: 305).”

Lyudvig Okinchits (a junior professor) regarded abortion as a form of murder, regardless of motives:

In my opinion, regarding (…) the question of whether abortion is murder (ubiistvo vnutiutrobnogo ploda) and whether it as such should be subject to (…) criminal penalty, there can be no doubt: Regardless of motives, termination of pregnancy will always remain [a form of] murder (vsegda ostanetsya ubiistvom), because the life of the foetus, or the future human being, begins with the joining of an egg cell and a sperm cell (s momenta soedineniya zhenskoi i muzhskoi semyannoi kletki). While it might be possible to argue against this view from a legal standpoint, (…) from a biological standpoint, life begins at conception (Okinchits 1912: 53-54).

The question, according to Okinchits, was a matter of deciding when this kind of murder was acceptable, i.e. in which cases it would be inevitable and sensible (tselesoobrazno) to go through with such an act.

At the Criminologists’ Convention in 1914, there were two main presentations on the abortion issue, each representing different views on the foetus. The first was by the sociologist Mikhail Gernet, who was in favour of decriminalisation; the second was by Evgenii Kulisher, a St. Petersburg lawyer.56 Kulisher considered it possible to regard the foetus as a legal subject, and he thought that abortion should be prohibited (with room for exceptions) as a general principle. However, he did not necessarily agree that the abortion ban should be based on the premise of protecting the foetus’s interests. Rather, the abortion law should be retained on principle due to a general respect for human life – including the life of unborn human beings (Kulisher 1916: 245-246). Another participant at the convention,

56 “Fourteen people spoke on each side of the question – thirteen jurists (including one woman) and one physician (also a woman) for decriminalization, ten jurists (including one woman) and four physicians (all male) against (Engelstein 1991: 200).”
Bryukhatov, argued that “the foetus is a [human] life, an organised entity, that has every right to life, to further existence (Bryukhatov, in *Otchet...*, 1916: 283).” Consequently, abortion was a form of murder (*umershchvlenie*).

The legal scholar M. Isaev brought up the subject of *when*, i.e. at what stage of pregnancy, abortion should be allowed:

[Geret, the speaker who supported legalisation] did not dwell on a question that, undoubtedly, should be a focal point for everyone who is in favour of decriminalisation: (…) Is it all right to perform an abortion at any stage of pregnancy, or does he only allow for it to be performed during the first months, and not during the fifth, sixth, or seventh month, when the foetus could be able to live outside the womb? (…) This question was definitely not clarified by the speaker, and neither was it clarified by his first opponents (…), but I nevertheless want to hear a clear and definite answer to this (Isaev, in *Otchet...*, 1916: 281).

This line of reasoning reflects a common problem in pre-revolutionary discussions on the abortion question: determining the limits between the “respectable” and “non-respectable” being. Those who favoured restrictive abortion laws, like Isaev, sometimes argued that their opponents were too vague in the question of late abortions, i.e. that they failed to specify whether abortion should be allowed at any stage of pregnancy or not. At the other end of the spectrum, radical debaters could argue that if the foetus could be regarded as a potential human life, then so could the egg and the sperm – thus, establishing any definite limits between the “defendable” and the “non-defendable” object was very difficult.

**The view of the “radicals”: the foetus is not a person – abortion is not murder**

According to I. V. Grin (1914), a doctor who participated at the Twelfth Congress of the Pirogov Society in 1913, it was “absurd” to speak of the murder of a future human being: “As a legal scholar, I understand the principle of selling a future harvest, but [to speak of the] killing of a future human being is, in my opinion, pure nonsense (Grin 1914: 30).” The foetus, he said, was incomparable to human beings, as it did not have an independent life; it belonged to the mother, it was a part of her body, and terminating a pregnancy was no different from amputating other body parts. He quoted G. Zak, another Russian debater of the pre-revolutionary years, with the following words:

“Generally, the life of the foetus is not only impossible to identify with the life of a human being, it is also incomparable to it. (...) on the first stages of its development, a foetus bears resemblance to a fish or an amphibian, and after that to a primitive mammal. The foetus lacks self-consciousness as well as independent life. (...) The most important organs of the higher animals – the brains and the lungs – are paralysed. Its ability to live is inconceivable outside of the womb, at least during the first 28 weeks.
Thus, it is impossible to say that a foetus is a human being, just like it is impossible to say that an egg is a hen (quoted in Grin 1914: 34-35, my italics).”

At a later point during his presentation, Grin referred to the foetus as a “worthless, lifeless, useless lump” (“nichtozhnyi, bezdushnyi, nikomu nenuzhnyi komok”) that the pregnant woman should have the right to deal with as she saw fit (Grin 1914: 39).

In his 1914 monograph Abortion from a medical and socioeconomic viewpoint, V. A. Brodskii, a doctor who had participated at the Eleventh Congress of the Pirogov Society in April 1910, repeated one of his main conclusions from this congress: “(...) before week six, the foetus – compared to a grown-up, conscious human being – represents an almost insignificant, primitive mass (Brodskii 1914: 42).” This conclusion was based on his knowledge of embryology (a subject that he dealt with at length in this monograph).

Mikhail Gernet, one of the two keynote speakers at the Criminologists’ Convention in February 1914, did not say very much about the foetus as such – except that he did not consider “the unborn” (“nerozhdennyi”) to be a human being yet (Gernet 1916: 244). Consequently, in his view, abortion was not murder. Moreover, in an argument resembling Grin’s, he said that “at certain stages of its development, the human embryo can hardly be distinguished from other animals – sheep, dogs, monkeys, pigs (Gernet 1916: 244).”

Several of the opponents at the Criminologists’ Convention agreed with Gernet’s position. The first to speak out, Fuks, argued against the moderate Evgenii Kulisher (the second keynote speaker):

[The idea is that the] embryo is a future human being, and that the respect that we have for human life should extend to the life that is still [in the process of] maturing. This is the standpoint of E. M. Kulisher (...). This thought is the last refuge for those who defend the principle of banning abortions, and I allow myself to dwell on it. (...) When talking about respect for the embryo, the future human being, E. M. should have included [the notion of] showing respect for the newly fertilised egg. Following this logic, he should have talked about the same kind of respect with regard to sperm, admitting that every voluntary or involuntary ejaculation of semen is a crime (Fuks, in Otchet..., 1916: 272-273).

Lyubov’ Gorovits, a female physician, likened the foetus to a “parasite”:

From a biological point of view, it does not seem possible to equate abortion to infanticide. The fertilisation of a cell, the existence of the foetus, is only a stage towards potential life, a life that is slumbering within each sex cell (v kazhdoi polovoi kletke), [a stage] towards the baby’s first breath. The very close connection between the foetus and its mother means that the foetus, biologically speaking, is a parasite in its mother’s body (Gorovits, in Otchet..., 1916: 294).

57 Gernet, a socialist, “stayed on to become a respected Soviet legal sociologist (Engelstein 1991: 202, note 81).”
Gillerson, another opponent, thought that “if a woman has a right to remove a tooth that causes her pain, then (...) she also has the right to remove a foetus that threatens her with disgrace and impoverishment (Gillerson, in Otchet..., 1916: 314).”

To summarise, the debaters had differing views on the status on the foetus. Their views on the question of legalisation were equally divided.

4.3.2 Legal reforms or complete decriminalisation?

**The moderate view: the abortion law should be retained, but reformed**

According to moderate debaters, abortion should remain prohibited as a matter of principle – regardless of outward circumstances. Some argued that the question of decriminalisation of abortion – or any other crime, for that matter – was controversial for judicial reasons. Did the apparent neglect for a given law mean that the law itself should be abolished? Moreover, a number of moderate debaters were concerned with the possible consequences of legalisation, not least psychologically: decriminalisation, according to some, might lead to declining morals.

In the following, an outline of these debaters’ most frequent arguments against complete legalisation – and their suggested legal reforms – will be presented.

*The discrepancy between law and life: a reason to reform, but not to decriminalise*

M. P. Chubinskii (1912) did not think that abortion should be legalised as a pragmatic response to contemporary social circumstances. He protested against the commonly voiced notion that decriminalisation would reduce the discrepancy between existing law and public attitudes towards abortion – this discrepancy, he said, was not as great as his radical counterparts would like to think. Among the lower classes, according to him, abortion was considered a grave sin, bordering on murder. Although he acknowledged that there were different views among “educated people and intellectuals,” he did not accept the radicals’ “categorical generalisations” regarding the popular attitudes towards the abortion question (Chubinskii 1912: 76-77). Furthermore, Chubinskii rejected another common argument in favour of legalisation – that abortion should be legalised as a preventive measure against infanticide:
First, a *direct and complete* causal relationship between the number of abortions and the number of infanticides has not been established; (...) second, the standpoint that a lesser evil can be approved in order to fight a greater one is hardly acceptable. In that case, we would also have to approve of [petty] theft in order to fight robbery, (...) approve of seduction in order to prevent rape, etc. (Chubinskii 1912: 78-79, italics in original).

Neither did the upsurge in abortion rates, nor the fact that the law thus proved to be futile, provide sufficient reason for decriminalisation. While there were a lot of laws that were hard to enforce, this did not mean that the laws themselves should be abolished:

First of all, there is a number of [criminal] acts that are committed very frequently, but that are rarely brought to court due to a lack of evidence and a broad range of other reasons. Examples of this include cases of poisoning, infanticide, fraud, falsification of food products, smuggling, homosexuality and others. (...) there are a lot of laws that prove to be ineffective, (...) however, this only means that it is necessary to lessen the distance between law and life and make an effort to increase [the law’s] importance; it does not mean that all repressions should be abolished in such cases, i.e. [that one should] surrender to the growing evil (Chubinskii 1912: 79-80).

These opinions were explicitly supported by Kulisher (1916: 12), who also expressed the opinion that “disgraceful crimes can not be legalised simply because there are cases in which they can be excused (Kulisher 1916: 391).” Some of his fellow participants at the Criminologists’ convention had similar opinions. Zhizhilenko (in *Otchet..., 1916: 310*) argued that “acquittals (...) have never yet served as an incentive for abolishing penal measures.” Zarudni (in *Otchet..., 1916: 357*) argued that although the law should make room for individual considerations (e.g. the compelling circumstances behind a woman’s decision to have an abortion), such considerations alone were not sufficient to decriminalise abortion as a general principle.

**Legalisation and its potential consequences**

While recognising the discrepancy between the formal law and actual abortion practices, some discourse participants feared that decriminalisation would increase the abortion rates even more. Thus, they regarded the abortion ban as an important preventive measure – if only as a matter of principle, because the alternative seemed worse.

Chubinskii (1912) emphasised the need to have respect for human life, including the life of the unborn. While modern legislation should be based on secular values, ethical considerations had a social importance that should not be underestimated (Chubinskii 1912: 81-82). Certain vital interests, such as the respect for human life, should not be undermined,
but rather be promoted by lawmakers in a modern and civilised state. If abortion was decriminalised, it would look like the state endorsed the procedure; this, in turn, might give hesitant people an additional push towards having the operation – something which might lead to a further upsurge in the abortion rates.

I am far from exaggerating the importance of (…) criminal punishment as a means of crime prevention. I do not think [the threat of repressions] should be the main focus (tsentr tyazhesti) in the fight against crime. However, abolishing such a threat is not a way of fighting; rather, it would mean surrendering, renouncing even the modest results that the principle of general crime prevention can – and does – provide (Chubinskii 1912: 82).

Chubinskii argued that there should be room for individual considerations when assessing sentences – not only the objective, but also the subjective aspects of the given crime should be taken into account. A similar opinion was expressed by Kulisher (1916: 248). Kulisher did not think that every individual who was charged with an illegal abortion should be punished – he was only in favour of retaining the principle of prohibition.

I would express this standpoint with the following words: “The foetus is a future human being, and our respect for human life also extends to the life that is still in the process of maturing. This respect for human life, even the life that is still unformed, is reflected in the criminal law in the form of penal measures against abortion. In this lies the significant moral importance [of these measures]. Thus, by decriminalising abortion, lawmakers would violate (…) ethical [principles] that have been established over the centuries. Furthermore, instead of encouraging and strengthening the concept of the sacredness of human life, [lawmakers] would single-handedly close down one of the sources nurturing this (…) notion (Kulisher 1916: 248).

In other words, there should be made room for individual considerations, but the principle underlying the abortion ban – the respect for human life – should not be violated. The approach to the foetus, said Kulisher (1916: 248), was a reflection of this kind of respect, just like “sunrays in a small drop of water” was a reflection of the sun. Legalisation of any kind of act, he argued, led to changes in people’s psychological nature: decriminalisation did not only mean that something was allowed; it was also a signal indicating that it was morally justifiable (Kulisher 1916: 250). The consequences of such a psychological change would have to be taken into account if abortion was to be legalised. In his final remarks at the convention, in response to his opponents, Kulisher warned about the grave consequences decriminalisation could bring about:

Of course, it is not the criminal law that keeps us from being swept away by the waves of immorality (not in the narrow sense of sexual morality, but in the broader sense of the word, i.e. (…) respect for other people’s lives), but if you remove as much as a single brick from the building of penal law, then the whole building, the entire dike, the whole wall will collapse. And this seemingly insignificant act would be able to create a moral Niagara (Kulisher 1916: 394-395).
Kulisher was not the only participant at the Criminologists’ Convention who worried about the moral consequences of decriminalisation. Shiraev (in Otchet..., 1916: 366) argued that the moral effect of legalisation would be serious. Moreover, “[m]oral values that have been established over the centuries can not be abandoned that easily.” Lawmakers, as educators of the general public, should encourage a basic respect for the value of human life.

Consequently, seeing as decriminalisation of abortion was problematic from a moral as well as a legal point of view, and since legalisation might lead to unforeseen consequences, moderate debaters called for retaining the law as a general principle while introducing a number of reforms.

**Suggested legal reforms**

The suggested reforms of three of the most prominent moderates taking part in the pre-revolutionary abortion discourse – Lazar Lichkus (1912), Mikhail Chubinskii (1912) and Evgenii Kulisher (1916) – will be presented in the following.

We want to take into account the offender’s personality and the crime’s biological roots, roots that are hidden in this personality; we are striving towards an understanding of the social factors behind the different categories of criminal acts; we do not defend revenge, but a sensible protection of social interests by fighting crime as constructively as possible (Chubinskii 1912: 83).

At the Fourth Congress of Russian Gynaecologists and Obstetricians in 1911, Lazar Lichkus argued that under the given socioeconomic conditions, there were social factors that were compelling enough to justify abortion. Apart from certain individualistic concerns (e.g. the desire to have fun), some social motivations were almost absolute (e.g. poverty). Consequently, a legal abortion could in some cases be the lesser evil. The state, Lichkus argued, had no right to demand that a woman give birth to a child that was the result of seduction or rape – in that case, the state should also take on the full responsibility for her baby (Lichkus 1912: 42).

Doctors, however, should not be alone in deciding whether a woman should be granted an abortion. Lichkus quoted another author, Mathes, who called for the organisation of special abortion commissions:

[Mathes] considers it unacceptable for a doctor (…) to decide whether an abortion should be granted for social reasons. In order to do this (…), a special commission should be organised, [and this commission] would then solve the case and send the pregnant woman to an establishment especially
Lichkus seemed to support Mathes in this. However, in order to prevent any abuse of the system, he argued that abortion for social reasons should only be performed in state-owned or public medical centres, and not in private clinics. While Lichkus believed that the women should be exempt from punishment, he opposed total decriminalisation: doctors who broke the rules, as well as underground abortionists, should be penalised (Lichkus 1912: 48). In this way, it might be possible to reduce the negative consequences of illegal abortions and limit the number of underground abortionists.

Chubinskii (1912) insisted that the law should make room for individual considerations. He suggested three different categories of abortion:

1. Lawful abortion (abort pravomernyi). This category would include abortion for medical reasons, as well as cases in which the woman was raped; if the sexual intercourse took place at a moment where she was “unconscious”; if she was a minor; if she was mentally ill or mentally handicapped; or for other similar reasons. In such cases, according to Chubinskii, the interests of the foetus would have to be sacrificed for the sake of individual freedom.

2. Unlawful, but non-punishable abortion (abort nepravomernyi, no nenakazuemyi). Including cases where the sexual intercourse was voluntary, but where it turned out that the father of the child was mentally ill, had a venereal disease (e.g. syphilis), or suffered from other conditions that might affect the child. Moreover, this category would encompass cases where the woman had to “choose” between abortion, suicide or death.

3. Punishable abortion, but punishable according to the principles of a broad individualisation, with room for a considerable softening of penalties (Chubinskii 1912: 88-92).

In other words, Chubinskii proposed a very tolerant abortion legislation, where individual concerns were taken seriously. The maximum penalties, however, should remain high for preventive reasons (Chubinskii 1912: 90-91). Moreover, at the 1914 Criminologists’ Convention, Chubinskii said the following:

We have to find a solution; we need reforms, especially reforms based on the Norwegian pattern, where the male seducer is punished if he leaves the pregnant woman in a helpless situation, thus pushing her towards abortion. Generally, we need to broaden women’s rights, and [we need a] broad system of preventive measures that [include an improved system of] maternity protection. Regarding penal measures, as earlier mentioned, we need a broad individualisation (Chubinskii, in Otchet..., 1916: 377).
Kulisher (1916: 16) explicitly supported Chubinskii’s reform suggestions (no. 1-3). He also elaborated on the subject of the responsibility of third parties, i.e. the medical personnel. Regarding third parties, said Kulisher, the main priority should be the woman’s interests, her life and health, even when she had the operation voluntarily. However, according to Kulisher, only persons without the appropriate medical education should be punished (but then severely). Trained physicians should only be punished in exceptional cases (Kulisher 1916: 17-18):

[It is] precisely in order to reduce the harmful and dangerous [sides] of abortion that [we need to] remove the obstacles that prevent people with a medical education from performing them. (...) the doctor should be exempt from penalties if he decided to perform the abortion in view of the pregnant woman’s condition, if he honestly believed that the consequences would be fatal if he refused (ibid.).

To summarise, even the moderates who opposed a total legalisation of abortion wanted to introduce significant legal reforms, including a considerable softening of penalties and room for individual concerns. Consequently, they were not really that far away from their “radical” counterparts as it might seem.

The radical view: abortion should be completely decriminalised

Thus, on the one hand, we have an enormous number of illegal abortions, several times higher than the number of other crimes. On the other hand, there is no doubt that just 1: 10,000 of these crimes are actually brought to court. This fact (...) inevitably leads to the question: 1) Is it sensible (...) to prosecute such crimes? 2) Retention of legal norms that – in practice – can be violated by anyone who wants, without fear of punishment, reduces the authority of criminal law. Retention of such a norm undermines the respect for our juridical system, destroys the faith in [the principle of] retribution and general justice, and thus leads to the demoralisation of society (Oleinik 1913: 113).

While moderate discourse participants thought that the abortion ban should be retained in principle, as a matter of respect for human life, radical discourse participants disagreed that this principle should outweigh other concerns. First, as we have seen, the “radicals” generally placed less emphasis on the value of the foetus. Second, they did not necessarily agree that legalisation represented a moral problem.

The combination of these two factors – a lesser focus on the foetus, as well a different interpretation of what was “morally correct” and what was not – helped to support their argument that the discrepancy between law and life in this question was enough to justify a complete decriminalisation. This section will focus on the opinions of three “radicals”,

61
because their views are representative for the “radical camp” as a whole: Grin (1914), Brodskii (1914) and Gernet (1916).

I. V. Grin, who participated at the Twelfth Congress of the Pirogov Society in 1913, argued that abortion was a crime from a legal standpoint only – it was not a moral crime (Grin 1914: 14). The general public, he argued, was tolerant towards abortions. Grin explicitly disagreed with the moderate Chubinskii on a couple of accounts. First:

The touching unanimity of [modern] nations regarding the prosecution of abortions, [the unanimity] that professor Chubinskii⁵⁸ talked about with such delight at the last congress of gynaecologists, can be explained very simply: it is a result of blind imitation. And I am convinced that once one of these states abolishes the penalties for abortion, the others will follow suit (…) (Grin 1914: 14-15).

Chubinskii, both at the Fourth Congress of Gynaecologists in 1911 and at the later Criminologists’ Convention in 1914, seemed to support his arguments against legislation by referring to the common traits of global abortion laws. Grin did not accept this line of reasoning. On the contrary, Grin seemed to reject the notion that modern abortion legislation had any substance at all.

Furthermore, some radical debaters suspected that the abortion ban was based on motives that were far less noble than they might seem. Brodskii (1914) argued that ideological, religious and moral concerns were often used to mask the true, materialistic motives behind the abortion law:

By becoming acquainted with the basic principles of general law, we can see that no legislation is based on abstract premises, and that there are invisible material motives hidden beneath the visible ideological, religious and moral cover. And in this case, before the state was consolidated, abortion was considered a danger [because it] might lead to population decline and thus weaken the entire collective. Therefore, the state only allowed abortions in cases where the foetus would die anyway. Then, as the economic conditions changed, the abortion ban was used to hide the ruling classes’ material interests, as they considered the multiplication of slaves (razmnozhenie rabov) a source of their own power and wealth. (…) As a legal principle, the absolute value of human life played an insignificant part. This is proved by the fact that among members of the ruling class, the same class that promulgated the abortion laws, abortions were widespread (Brodskii 1914: 9).

In other words, Brodskii thought that there was a hidden, material agenda behind most ethical, moral and religious arguments against abortion. Thus, many of the principles underlying modern abortion law were really quite superficial considerations, sometimes rooted in ignorance:

In the abortion question, moral guardians generally refer to Christian morality. However, following the

⁵⁸ Chubinskii’s remark about the “touching unanimity” can be found in Chubinskii 1912: 72.
laws of the Church, they do not take into consideration the Church’s canonical decrees. According to [these decrees], the foetus has no soul for the first 40-80 days; thus, [during this period.] abortion is not considered a sin. (…) Clearly, these moral guardians are completely unfamiliar with embryology, according to which the foetus has no brain cells during the first days of pregnancy (Brodskii 1914: 11-12).

Thus, the fact that abortion was generally prohibited did not in itself mean that abortion was morally wrong. Furthermore, while some moderate debaters – e.g. Kulisher (1916) – were afraid of the psychological consequences of legalisation, Grin disagreed that decriminalisation might lessen people’s respect for human life or lead to moral depravity: there were excellent, loving mothers who nonetheless saw nothing wrong in having abortions (Grin 1914: 19).

Grin further argued that since the “offender” in abortion cases had no evil intentions, but rather sought a solution to a hopeless situation, penal measures was not the correct way of fighting the abortion phenomenon. If the abortion was voluntary, then any punishment would go against the principle of individual freedom; on the other hand, if the abortion was “forced”, as a result of unfortunate circumstances, the abortion should be regarded not as a crime but as a misfortune. In such cases, abortion should be fought by means of combating the material circumstances that led to the “evil” in the first place (Grin 1914: 32-33). It would be better, according to Grin, for the state to deal with Russia’s infant mortality rate than to care about “a lump of slime (Grin 1914: 46).” (Grin, as we remember, regarded the foetus as something next to worthless.)

Legalisation of abortion, according to several of the “radical” debaters (Grin 1914; Brodskii 1914; Gernet 1916) would be a means of helping poor women through a difficult situation, lessen the discrepancy between law and life, and reduce social inequalities (wealthier women, it was assumed, would always find a way of terminating their pregnancies safely, without risk of punishment). Decriminalisation, argued Gernet (1916: 239-240), would help to save lives, improve the lot of underprivileged women, and possibly make it more difficult for unqualified personnel to perform underground abortions. Grin (1914) concluded his presentation as follows:

1. Abolish penalties for abortion, and you will a) prevent infanticide and, as you would thus provide an open access to hospitals, b) prevent the unfortunate women from being exploited by incompetent people, and c) reduce the mortality rates to the minimum that can be expected for any operation.
2. Ensure a solid (…) defence for deceived girls, abolish the category of “illegitimate” children, ensure that they are supported financially, and the number of abortions will be reduced sharply.
3. Increase the welfare of the working classes and the servants, make sure that they are guaranteed work, and free them from forced unemployment. Then, few women from these classes will turn to abortion (Grin 1914: 48).

59 i.e. “the quickening doctrine” (see chapter 2 of this thesis, pp. 8-9).
Brodskii (1914: 42) believed that the religious basis of the abortion ban had a weak theoretical foundation, and that the moral considerations that were said to be underlying the prohibition were used to mask the true materialistic motives behind the law. Given these considerations, and given the social circumstances that seemed to force women to have abortions, Brodskii was in favour of legalisation. However, based on his knowledge of embryology, he thought that abortions should be allowed *on principle* only for the first six weeks of pregnancy. 60 After this point, he thought that abortion should only be granted for medical or compelling social reasons.

In other words, “radical” debaters challenged the view that abortion was wrong in principle. This was based on their approach to the foetus, as well as their approach to the moral aspects of the phenomenon – they did not think that legalisation would lead to moral depravity; rather, it would be a way to lessen social inequalities and improve the lot of the lower classes. However, they did agree with their moderate counterparts on a number of points, such as the need for improved welfare measures.

**A point of consensus: the need for improved welfare measures**

Debaters that opposed decriminalisation were by no means oblivious to the social problems that seemed to cause the abortion epidemic in the first place. Moderates and radicals alike suggested that the fight against abortion should include a range of welfare measures. Regarding this aspect of the discussions, then, it is hardly possible to separate the moderate discourse participants from the radicals.

A number of debaters argued that the state should take on more social responsibility for women and their children, whether the latter were “legitimate” or not. Some considered the state’s attitude towards abortion to be hypocritical – while the state demanded (indirectly, by means of banning abortions) that women bring their pregnancies to term, it did not do anything to help these women during pregnancy or after the child was born. For unmarried women in particular, this situation left them stuck between two equally difficult alternatives: “[O]n the one hand, you have the disgrace [of becoming an unwed mother], and on the other,

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60 In practice, however, such a narrow window of opportunity would make it difficult to obtain a legal abortion – after all, it can take a woman a few weeks to find out whether she is pregnant.
you have the law, with its strict punishment for those who want to avoid this disgrace by means of abortion (Chubinskii 1912: 85).”

In this respect, the state demanded more than it was willing to give. For families with several children, the state had little to offer financially: “The help that is given to [large] families is so limited that it can scarcely be taken into account. The state takes almost no care of these poor people; thus, they try to help themselves (Lichkus 1912: 40).”

Among the welfare measures that were proposed by participants in the discourse, the most common included a) sanitary education, b) an improved system of maternity care, c) improving women’s social position and legal standing and d) developing – and propagating the use of – more effective contraceptives.

Yakobson (1912: 13) concluded his presentation at the Fourth Congress of Russian Gynaecologists and Obstetricians by stating that “[t]he woman needs to know about all the dangers of terminating a pregnancy under the current circumstances (…), including the risk of a fatal outcome and the possibility of becoming seriously ill.” Lichkus (1912: 48) suggested that information about the dangers of abortion should be spread by means of “lectures, brochures etc.” In addition to such information campaigns, he suggested “establishing a large number of shelters for pregnant women and women who are about to give birth (dlya rodil’nits)” where charity organisations or the state could help them take care of their children; “establishing refuges and educational homes for legitimate as well as illegitimate children; giving unlucky girls the right to seek [financial] support from the men who have seduced them; (…) increasing the material prosperity of the poor, etc., etc. (Lichkus 1912: 47-48).” Chubinskii, also a moderate, expressed similar thoughts:

(...) our scientific duty would not be fulfilled [in this presentation] if we did not point out the necessity of these measures and showed the factors that lead to abortions. Until the focus (tsentr tyazhesti) of the fight against abortions gets directed towards [these aspects], until women’s general position is increased, until the situation of the woman as a mother becomes easier both de jure and de facto, especially with regard to unmarried mothers, until we see a system of financial help offered to expecting mothers, – until then, the complicated reasons that lead to abortions will remain, and the situation will not be improved (Chubinskii 1912: 86).

Okinchits (1912: 66), who regarded abortion as murder, argued that one of the best ways of preventing abortions would be the development of better contraceptives. He also suggested public lectures as a means of informing the public about the dangers of illegal abortions.

In other words, both moderate and radical debaters were conscious of the relationship between the rising abortion rates and the contemporary social problems. Moreover, it can be argued that the “moderates” and “radicals” really agreed more than they disagreed. Although
they had different approaches to the subject of the foetus and the moral aspects of abortion, significant parts of their analyses, and a lot of their suggested welfare measures, have a lot of similarities.

4.4 Summary

In the early 20th century, the increasing abortion rates turned the abortion question into a “hot topic” of discussion for Russian legal scholars and physicians. For these groups in particular, the issue was directly relevant to their professional lives, and one that attracted a lot of attention during the pre-war years.

During these years, it was members of the liberal intelligentsia who dominated the discussions. In fact, the abortion debates of this era show a remarkable absence of “revolutionary” voices. Generally, Russian revolutionaries had a relatively low level of interest in “feminist” causes – a lack of interest that reflects their general attitude towards feminism. Among Russian intellectuals on the far left, there seemed to be a great deal of ambivalence, if not “hostility and indifference (Stites 1991: 257),” towards both Bolshevik and bourgeois feminism. While male workers resented female competition, male Marxist leaders made little effort to organise women. Conventional (bourgeois) feminism was frowned upon by socialists across the board (ibid.).

This is not to say, however, that the discussions on abortion among the liberals had a particularly “feminist” streak. Although several debaters called for an expansion of women’s rights and a strengthening of the woman’s position in society, the abortion question was not simply restricted to being a “women’s issue”. In the professional discourse, abortion was generally being debated as a social problem with far-reaching implications, an issue that reflected social inequalities, unfairness and hypocrisy on many levels. Access to (relatively) safe abortions was a privilege of the upper classes. The double standard of sexual behaviour meant that only women would suffer the consequences of an “illegitimate” pregnancy. While the state prohibited abortion, it was unable to provide any social security or protection for single mothers and their children – moreover, the abortion ban had little effect. As the abortion rates were increasing, this discrepancy between law and practical life seemed to become ever more acute, and the need for legal and social reforms thus became increasingly evident.
In this thesis, the pre-revolutionary abortion debaters have been divided into “moderates” and “radicals”. This is not the only possible classification. In her 1991 article, focusing on “the way in which medical and legal issues were mapped onto the local political and cultural terrain (Engelstein 1991: 187),” Laura Engelstein distinguished between the legal and medical debates. While this was useful for Engelstein’s study, such an approach would probably have been less suitable for our purposes: in discussions on the abortion question, the dividing lines between the arguments of physicians and legal scholars could be blurry.

Another possible distinction could be made between women and men: there were three women, for instance, taking part at the Criminologists’ Convention in 1914. However, there are two reasons why such a classification would be less fertile. First, the vast majority of discourse participants were men – a fact which would make the comparison asymmetrical. Second, the arguments of the female debaters are not too different from their male counterparts – at least not different enough to give grounds for a “gender-based” analysis.

Although the two congresses of the Pirogov Society in 1911 and 1913 and the Criminologists’ Convention in 1914 voted in favour of decriminalisation, these decisions did not have any influence on the abortion legislation in late tsarist Russia. Some debaters also doubted that they would see any changes in the near future:

These conflicts will not stop, and the tragedy will not come to an end, before we see fundamental changes in the existing social structures, changes in the economic conditions, in women’s situation within and outside of marriage, in society’s legal perceptions, and partly also in ethical and social notions. But that will only happen in a distant future or, more correctly, in a very distant future; but life doesn’t wait, life demands an answer. If we can not cure the evil, we will have to provide the best possible [pain] relief and soften the particularly sharp (...) edges (Chubinskii 1912: 91-92).

Two years later at the 1914 Criminologists’ Convention, Chubinskii argued that if women were granted the right to have abortions, then doctors would in effect be obliged to perform such operations, and that would be impossible. Moreover:

(…) if you really want to offer any real help to women who have abortions, then you have to be consistent and demand a mandatory, state-organised [system of] medical help. But gentlemen, you all know perfectly well that you would hardly find a single state that would spend money on (…) reducing its population numbers, especially in those places where there are not enough doctors [to begin with] (Chubinskii, in Otchet…, 1916: 375-376, emphasis in original).

Ten years later, in 1924, this statement was referred to by two Soviet authors who remarked that Chubinskii in this way had proved himself to be a “very weak prophet”, unable to predict even the nearest future (Vasilevskie 1924: 85-86). The next chapter will examine how the abortion debates developed during the first years of Soviet rule.
5 Soviet abortion discourse, 1920-1930

After the 1917 revolution, the civil war left “neither attention, nor time, nor fighters” for “such ‘peaceful’, profoundly civil problems” as the abortion question; thus, the abortion issue did not attract any serious attention until early 1920 (Vasilevskie, 1924: 95). At this point, as the hardships caused by the war led ever more women to resort to illegal abortions (Vasilevskie 1924; Goldman 1993), the rising abortion rate only added to the public health crisis and the “civil problem” became a matter of growing concern:

A range of serious consequences of this [abortion] epidemic – the high sickness and death rate among women in the prime of life, their inability to work, their barrenness, the overloaded state and the strained medical facilities – were particularly noticeable and particularly perceptible under the conditions of that time, with the universal destruction and impoverishment caused by the war, the subsequent famine and (...) the series of epidemic diseases (typhoid fever, cholera, etc.). As a result, the abortion issue started to demand attention (Vasilevskie 1924: 95).

When abortion was decriminalised by decree on 18th November, 1920, Soviet Russia became the first country in the world where termination of pregnancy was discussed as a legalised phenomenon. After the implementation of the new law, the abortion issue was no longer limited to being a topic of professional interest for doctors and legal scholars. Moreover, the Soviet government sought to combat abortion as a phenomenon not only by means of increasing general living standards, but also by large-scale information campaigns.

Generally, the Soviet abortion discourse of these years can be divided into two main categories. The first includes monographs, essays and reports from medical congresses. These publications were aimed towards educated members of society, especially representatives of the Narkomzdrav and the local gubzdravy. The second consists of public enlightenment literature targeting a broader audience, i.e. pamphlets and the women’s journals. This literature provided information about abortion and outlined the essence of the official Soviet attitudes and policies in a simplified manner. The journals sometimes included elements that were absent from the academic discourse, such as short stories and letters from ordinary women. In turn, this literature was part of a broader program of sanitary education carried out by Narkomzdrav throughout the 1920s.

61 A gubzdrav was a local (gubernskii) health department.
With regard to their target audience, the women’s journals can also be divided into two sub-groups. The five titles included in this analysis – Kommunistka (Communist Woman), Rabotnitsa (Working Woman), Krest’yanka (Peasant Woman), Rabotnitsa i krest’yanka (a local journal published by the zhenotdel in Leningrad) and Delegatka (Woman Delegate; Moscow) – were aimed at different groups of women. Kommunistka, launched in 1920, was Zhenotdel’s theoretical journal:

As the leading and guiding theoretical journal for work among women, Kommunistka discussed various aspects of the woman question, such as women and work, motherhood, the position of women in the countryside, the liberation of Muslim women, abortion and prostitution. It printed the conclusions reached at conferences of Zhenotdel leaders and passed on information about party policy affecting women. (...) More general articles on current political issues were included too, such as the needs of the Red Army, how to fight starvation, the state of the textile industry, decisions of Congresses of the Communist International and developments in the international women’s movement (Buckley 1989: 67).

By contrast, Rabotnitsa, Krest’yanka, Rabotnitsa i krest’yanka and Delegatka were popular magazines, targeting a wider audience. These journals aimed to inform the larger public about current political problems and about the new rights granted them by the Soviet government (Buckley 1989: 67-68).

This chapter will be structured a bit differently than the chapter on the pre-revolutionary debates. Instead of dividing the chapter into “causes” and “solutions”, “moderates” and “radicals”, a distinction will be made between the different genres. First, the early beginnings of Soviet abortion discourse, reflected in two Kommunistka articles from the summer and early autumn of 1920, will be examined. These articles are among the rare examples of Soviet abortion discourse before the Decree of 1920. Furthermore, since they are representative of the official Soviet attitudes towards abortion, they can be used as a backdrop for the following analysis.

5.1 Early examples of Soviet abortion discourse

One of the earliest articles presenting the “basics” of the Soviet attitudes towards abortion – and towards family policy in general – is Nadezhda Krupskaya’s “War and reproduction” (“Voina i detorozhdenie”), published in Kommunistka in the summer of 1920. Krupskaya began her article by declaring that the civil war had “shaken loose” the foundations of the old
family relations, leading to more short-term sexual relationships, unstable living conditions and, consequently, a rising number of single mothers.

Because of this, said Krupskaya, the state should take on the responsibility of protecting motherhood and infancy by introducing a system of maternity care (during pregnancy and after childbirth) and by establishing crèches, kindergartens, camps and dormitories for children. This system of public childrearing would improve the woman’s lot significantly and “place her on an equal footing with men (Krupskaya 1920: 19).” The Soviet government, she said, was making “every effort to free women from their heavy childcare duties.” However, the current social and financial troubles meant that it would take a while before these measures could be implemented; for now, “the conditions of having and raising children are generally even harder than before (Krupskaya 1920: 19).” Consequently, it was understandable that a lot of women did not want to become mothers. They might want to have children, but as they knew that they would be unable to raise them, they often had no other choice but to abstain from childbirth.

Throughout the 1920s, the idea that abortion was caused by difficult socioeconomic conditions remained essential in the official discourse. Until the state was able to improve these conditions, however, and provide the best possible conditions for mothers and their children, abortion should be allowed as a temporary measure:

The fight against abortion should not be a matter of prosecuting women who turn to abortion, thereby often risking their lives, but should be aimed at eliminating the social factors that force women to choose between abortion and suicide (libo abort, libo v vodu). Until these general reasons are eliminated, women will be having abortions, no matter how fierce punishments they might be subject to (Krupskaya 1920: 19).

Furthermore, Krupskaya argued, “the destruction of a foetus that has not yet become a living human being, and that still forms part of its mother’s body” could not be regarded as a crime (ibid.). Although legalisation of abortion would not make it psychologically easier for a woman to go through with the operation, it would still be a step in the right direction. Another step would be the promotion of contraceptive measures. The bourgeoisie, in contrast, was all too unwilling to deal with such questions in public:

Talking about [birth control measures] means talking about the bankruptcy of capitalist society, about the extensive category of women who need to limit their fertility, about poverty, social inequalities, etc. In order to divert attention from these unpleasant things, the bourgeoisie cries that “once the woman is freed from the consequences of her [moral decline], we will open [up] for all sorts of depravity.” (...) Luckily, the working masses are not like the bourgeois imagines; usually, it is only bitter necessity [that can] force a working woman to give up motherhood (Krupskaya 1920: 20).
Krupskaya’s article provides a concise outline of the official Soviet view on the abortion question. Furthermore, in the following number of *Kommunistka*, in the early autumn of 1920, Nikolai Semashko summarised his own standpoints as follows:

1. The abortion question has to be solved not as a matter of individual rights, but by taking into account the interests of the entire collective (society, race).
2. From this point of view, abortion is undesirable: [If it becomes] a mass phenomenon, it can affect the rate of population growth. Even when performed under the best possible conditions, it can have consequences for the woman’s health. Thus, it can affect the interests of the society and the race.
3. Repressions against abortion make the situation worse. On the contrary, in order to combat back-alley abortions – which cause immense harm to the woman and the race – abortion needs to be legalised. It needs to be performed freely and, of course, without charge in Soviet medical establishments, where the surgical procedure [can be performed] as safely as possible (Semashko 1920: 21).

Abortion as a phenomenon should be fought by “strengthening the work of the organisations [dealing with the] protection of maternity and infancy (maternity homes, crèches, shelters, consultation bureaux etc.), and also by (…) improving the pregnant woman’s situation in every way – with regard to food, her everyday life, housing etc.” Moreover, the “organisations for working women need to put this question on the agenda and carry out enlightenment campaigns on a large scale (Semashko 1920: 21).”

Throughout the 1920s, the above-mentioned pamphlets and women’s journals would become a vital part of these enlightenment campaigns. At the same time, the question continued to be discussed on an academic level.

### 5.2 The academic discourse

Within medical circles, rumours about the forthcoming Decree on the Legalisation of Abortion started to spread in the autumn of 1920. From that point on, the abortion question started to receive increasing attention.

During the last month before the enactment of the Decree, the Moscow Society for Obstetrics and Gynaecology (*Moskovskoe akusherstvo-ginekologicheskoe obschestvo*) met on a couple of occasions to discuss the question (T’eder and Kolosov 1922: 140-142). In the following years, the question was addressed at a number of other medical congresses, as well as in the medical press. From the mid-1920s, a number of monographs and essays were published on the issue, mainly written by physicians. The continuing “abortion epidemic”, the difficulties of implementing the practical measures against abortion and the fact that the
question was still controversial among many Soviet doctors meant that the question remained a “hot topic” throughout the decade.

5.2.1 The abortion epidemic and its causes

In both rural and urban areas, abortion rates were rising in the early Soviet period. In 1922, an extensive statistical material was published by a professor F. A. Aleksandrov in the journal *Ginekologiya i akusherstvo (Gynaecology and obstetrics)*. The same year, abortion statistics for the city of Yekaterinburg were published in a local medical journal (Vasilevskie 1924: 30); other surveys followed suit, covering different parts of the country, urban as well as rural areas (e.g. Karlin 1925; Shiflinger 1927; Gens 1929). All these works showed the same tendency, i.e. an upsurge in abortion.

During the first half of 1923, M. Y. Karlin (a physician working at the State Clinical Institute of Obstetrics and Gynaecology (*Gosudarstvenny klinicheskii akushersko-ginekologicheskii institut*) in Leningrad) surveyed a total of 1,362 female patients in three different medical centres about their reproductive history. The results of this survey suggested an abortion rate that was almost as high as the birth rate: on average, each of the 1,362 women had had “1.86 births and 1.44 abortions (Karlin 1925: 11).” Moreover, according to Karlin’s survey, only ¼ of the recorded abortions were spontaneous; i.e. provoked abortions made up ¾ of the total number (Karlin 1925: 13).62

In 1929, the physician A. B. Gens published *Problema aborta v SSSR (The abortion problem in the Soviet Union)*, a comprehensive account that was based on official statistics. According to Gens, the abortion rate in Moscow had increased from 10.2 per cent63 in 191464

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62 However, Karlin assumed that the number of spontaneous abortions recorded at the institute were higher than the average for Leningrad as a whole. Among other factors, the number of spontaneous abortions was thought to have increased due to the hardship of the civil war years, with their “[d]ifficult living conditions, the need to spend hours waiting in queues, public work (sawing firewood, heavy lifting, being on night duty), a significant drop in food supply, colossal epidemics of (...) typhoid fever, the Spanish disease and others, (...) and also psychological shocks (...).” Under “normal” circumstances, according to him, between 10 and 20 per cent of all pregnancies ended in miscarriage (Karlin 1925: 13-14).

63 i.e., 10.2 out of 100 pregnancies were terminated.

64 Gens does not include statistics from the period between 1914 and 1921, i.e. the period between the outbreak of the First World War and the end of the Civil War in Soviet Russia. This is probably due to a lack of reliable data from these years.
to around 19 per cent in 1923-1924. From 1925 onwards, there was a remarkably fast increase – from 31.4 per cent in 1925 to 54.7 per cent in 1926, and then to a total of 75 per cent in 1927 – 40,001 abortions versus 53,369 births. In addition, that year there were 5,851 registered cases of incomplete abortions. When including the number of incomplete abortions, then, Moscow’s abortion rate in 1927 was almost equal to the birth rate (Gens 1929: 7). I. G. Burlakov (1927: 7), a Ukrainian physician, noted a similar trend for the given time period: according to him, the number of abortions in the Ukrainian Soviet Socialist Republic increased from 52,836 in 1923-1924 to 156,324 in 1925-1926. How did contemporary Soviet authors explain these trends?

Who had abortions, and why?

From 1st June, 1924, every woman who had a hospital abortion (and who was admitted to hospital with an incomplete abortion) had to fill out a registration card. With this new source of evidence, it gradually became possible to find out more about these women, especially with regard to their living conditions (Gens 1926b: 9). By and large, the official Soviet view – that abortion as a mass phenomenon was caused by socioeconomic factors – was supported by all available statistics throughout the decade.

With regard to the cities (Moscow, Leningrad, provincial towns (gubernskie goroda) and other smaller towns), figures from 1925 indicated that the majority of women having abortions were between 20 and 29 years of age. 65 65-70 per cent were working women (rabotnitsy), women who were otherwise employed (sluzhashcie), or who had husbands working within these sectors. 66 In the countryside, on the other hand, the majority were between the age of 30 and 40 (Gens 1929: 33). In addition, while urban women generally had abortions after having their first child, their rural counterparts usually had three to four children by the time of their first abortion (Gens 1929: 42-43).

Among women who had abortion while in their twenties, the majority (in both rural and urban areas) were unmarried – either single or living in “unregistered” or de facto

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65 Incidentally, this is partially supported by Karlin’s survey from 1923, where the largest group of women having provoked abortions were between 25 and 30 years of age. Older women had fewer provoked abortions, but more spontaneous miscarriages (Karlin 1925: 28).

66 Gens does not specify whether these “wives” were housewives or doing any other kinds of work.
marriages. In Leningrad, the abortion rate among married women was 31.5 per cent, and 47.2 among women living in “unregistered marriages”. “The latter group undoubtedly includes an ‘overwhelming percentage of strictly casual sexual relations (…)’ (Gens 1929: 34).”

Aside from poverty (the most important abortion motive), other common reasons included – in declining order according to frequency – physical illness, a desire to keep the pregnancy a secret, and the fact that the woman already had small children or infants to take care of (nalichie grudnykh detei) (Gens 1929: 37-38).

In his earlier work, Abort v RSFSR (1926b), Gens mentioned a couple of interesting factors that are not included in his Problema aborta... (1929). The first is a more detailed specification of the illnesses causing a woman’s decision to abort. In urban areas, these included (in declining order of importance) tuberculosis, various heart conditions, syphilis, anaemia, “women’s diseases” and “incessant vomiting” (neukrotimaya rvota). Moreover, in the cities, women who had abortions were living under the following conditions:

- Living alone, in one room – 6.4 %
- Sharing a room with her husband – 14.7 %
- Sharing a room with someone else (sister, friend, mother, etc.) – 9.1 %
- Sharing a room with two other people – 25.6 %
- Sharing a room with three or more people – 44.2 % (Gens 1926b: 15, my italics).

Gens comments on these figures as follows:

> The acute housing crisis [that is evident] in almost all of our cities has a severe impact on the abortion rates, and what is more, it seems to be one of the most frequent abortion motives. It is perfectly understandable that people are unwilling to [increase the number of people sharing their living space] when there are already four people or more living in the same room (Gens 1926b: 15).

Vasilevskii and Vasilevskii (1924: 37) mentioned “the growing impoverishment resulting from the war, (...) the increasing disintegration of the old family [structures], and the ever more acute fight for survival” as contributing factors. As ever more women were leaving their families to enter the workforce, they also had to face this “fight” from an early age.

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67 Shiflinger (1927: 63), while agreeing that poverty was the most important of all abortion motives, emphasised the fact that “material'naya neobespechennost” (“a lack of material means”) could be a relative term. Women could assess their material conditions differently; moreover, it was important to consider the factors that accompanied the material conditions, such as illnesses, marital problems, etc. “In any case, although material conditions make up the most important abortion reason, [there are] authors who overestimate this factor.”

68 In 1926, Gens used statistics for the year of 1924.

69 “Vpolne ponyatno nezhelanie vpustit’ v komnatu eshche odnogo pretendenta na zhiluyu ploshchad’, kogda v nei zhivut 4 ili bolee lits (...).”
According to a *Narkomzdrav* survey conducted among provincial physicians in 1925, abortion had become a mass phenomenon in the countryside as well. In addition to the most common motives – poverty and “having many children” (*mnogodetnost’*) – the third most important category included “the shame (…) of being pregnant outside of wedlock, fear of ‘sin’, ‘disgrace’ etc. (Vasilevskii 1927: 79).” Gens (1929: 57) related this to the “religious prejudices” that were still predominant in the countryside.

In addition, 9 per cent claimed to have abortions because of family problems – “arguments with their husband, the husband’s drunkenness, divorce (…) (Vasilevskii 1927: 79).” According to the author, this was a result of changing family structures (partly caused by the war years, when a large number of women had been left alone or widowed).

L. E. Shiflinger (1927), a doctor working at a Saratov hospital, carried out a survey of his own. Over the course of six months, he asked 200 women admitted in the hospital’s abortion ward to fill in questionnaires *anonymously*; only then, he believed, would he be sure to get honest answers. Shiflinger’s survey in many ways confirm the statistics provided by Gens, except that the largest percentage of women (64 per cent) in his case were housewives, and that as much as 90.5 per cent of them were married (Shiflinger 1927: 60-62).

Moreover, Shiflinger was among the few to register his patients’ personal feelings about the abortion procedure. Among the women he questioned, 58.5 per cent felt bad for the aborted foetus; 21.5 did not feel anything at all. The majority of *registered* husbands (65 per cent) were “indifferent” towards their wives’ abortions; 15 per cent were against, but bound to agree because of the circumstances. However, there were also differing views on the question among Soviet physicians.

### 5.2.2 Attitudes towards the new abortion legislation

Both before and in the early years after abortion was legalised in November 1920, Soviet doctors were divided in the question of decriminalisation. According to Vasilevskii and Vasilevskii (1924), Russian doctors had a generally negative attitude towards Soviet medical reforms; the abortion issue was no exception.

[In the first years after the October revolution, most Russian physicians remained in passive opposition,70 and only during the second half of 1921 (approximately) did this attitude start to improve]

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70 This “passive opposition” was, apparently, directed towards Soviet medical reforms in general. Vasilevskii and Vasilevskii (1924: 102) claim that physicians gradually started to display a “more active sympathy and (…)

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By the time of the implementation of the “Decree” of 20th (sic) November, 1920 (…), their attitude towards this reform was still unsympathetic. This is now beginning to change, but only very gradually (Vasilevskie 1924: 102).

In February 1920, in order to investigate the general climate surrounding the abortion question, Narkomzdrav distributed questionnaires to the local health departments, the gubzdravy. The survey respondents were asked to provide their opinion on a number of theses, or statements, concerning the abortion issue. In addition, the gubzdravy were requested to arrange conferences with physicians, legal professionals, representatives of the social services, the local zhenotdely (the women’s departments of the Communist Party) and other organisations, where this question would be discussed.

The majority of the respondents seemed to be against decriminalisation. “As a whole,” note Vasilevskii and Vasilevskii, “they gravitate towards the olden times (k starine), that is, towards prohibition (k nakazuemosti)” (Vasilevskie 1924: 96).”

Among the doctors who thought abortion should be legalised, the majority were in favour of keeping a restrictive legislation. In the city of Kursk, for instance, the conclusion was unequivocal: except in cases of medical necessity, abortion should be prohibited. In extraordinary cases, e.g. if the pregnancy was the result of rape, the decision should be left to what was – somewhat vaguely – called “the healthy instinct of the expectant mother (Vasilevskie 1924: 97).” Another report declared that “the Soviet Union takes care of women and children, and therefore, social reasons [for having an abortion] should not be acknowledged in our country (Vasilevskie 1924: 97).” To the respondents in Ryazan, legalisation of abortion represented “an excessive waste of human material,” especially considering that the country was in need of high birth rates (Vasilevskie 1924: 99). Furthermore, legalisation would go against the entire system of maternal and child care that was being constructed by the Soviet state – it was not only a “state-sponsored fabrication of angels,” but also a “senseless compromise with the prejudices of the past.” Under socialism, “even the embryo must be protected.”

participation in the construction of Soviet medicine” during the early 1920s. According to Starks (2008: 55), on the other hand, doctors in these years “could not make up for the dearth of resources with enthusiasm. Doctors survived difficult conditions in the 1920s. The state paid them little, and their morale was low. (…) Some set themselves up in private practice and proved important as abortion providers, but they were subject to harsh crackdowns in the late 1920s.”

The Russian word “nakazuemost’” literally translates as “punishability”; however, I find “prohibition” to be a better choice of word in this case.

This caused the authors to dismiss their reform proposals as “timid” and “indecisive” (Vasilevskie 1924: 96).

Nevertheless, under Soviet law, “the fetus (sic) was not considered a person entitled to rights (Goldman 1993: 257).”
In 1922, the medical professor F. A. Aleksandrov argued that abortion should be allowed for medical reasons only. This, however, does not seem to have been related to any concern for the foetus as such; rather, his view was based on his knowledge of the health risks of having abortion. In contrast, he argued that multiple childbirths were less harmful than abortion: according to him, there were women (mnogorodyashchie) who had given birth five, ten, or even fifteen times without “having the slightest idea about any kind of illnesses (Aleksandrov 1922: 23).” To illustrate his point, Aleksandrov mentioned a couple who, after 50 years of marriage, could celebrate their anniversary together with “all their 23 children, along with grandchildren and great-grandchildren. (…) a total of 108 people, all in the same family (Aleksandrov 1922: 23).”

The abortion issue seems to have remained controversial among Soviet doctors throughout the 1920s (Vasilevskie 1924: 110-111; Lebedeva 1926: 10; Vasilevskii 1927: 132-133). For instance, at the First All-Ukrainian Congress of Obstetricians and Gynaecologists in Kiev (1927), a Georgian delegate argued that the current Soviet law should be revised in accordance with the interests of the foetus. Moreover, the accepted social reasons for having an abortion should be restricted (Vinogradov 1927: 372).

According to Vasilevskii (1927: 133), a “significant part” of the country’s doctors considered abortion “morally unacceptable and even downright unlawful”:

> The question of the legalisation of abortion is still far from uncontroversial. Abortion is condemned all over the cultured [parts of the] world, except in the Soviet Union. However, even in our own country, the construction work (stroitel’stvo) in this field has only just begun. Even [our] legal norms, as we have seen, are in many ways not fully established: We are still trying to find the correct ways (…) (Vasilevskii 1927: 134).

Consequently, just like people could refuse to take part in military service for religious reasons, doctors should be allowed to refuse to perform abortions for moral reasons. This, however, seems to have been Vasilevskii’s personal opinion rather than the “official” stance. A few years earlier, in 1920, Nikolai Semashko had voiced strong objections to such “medical

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74 Aleksandrov’s argument, and his latter example in particular, were later criticised by Vasilevskii and Vasilevskii (1924: 51): “All of this is very striking, but these kinds of patriarchal scenes are beyond the reach of the vast majority of workers. (...) And the happy family that the author is so delighted with is, of course, one of a kind in our days of general impoverishment (…).” Moreover, according to the authors, modern women were unwilling to spend their whole life raising children.

75 More than 700 delegates took part at this congress. The participants came from different Soviet republics, “sort of turning the All-Ukrainian Congress into an All-Union one (Vinogradov 1927: 363).”

76 This was the second edition of Abort, kak sotsial’noe yavljenie (1924). The 1927 edition has some changes, but is similar to the earlier version in many ways.

77 As described in chapter 3, Soviet abortion legislation was revised a few times throughout the 1920s.
ethics": If a doctor refused to perform abortions for anything but medical reasons, the consequences for the women who were rejected could be severe.

And [then], if a woman who is exhausted by [having many] children, emaciated by hunger, or has other reasons to have the abortion decides to go through with it anyway, then she is bound to poison herself (…), or become disfigured at the hands of a midwife, or fall into the hands of a learned profiteer. And the doctor, crossing his arms on his chest – where his “medical conscience” is hidden – will contemplate this while admiring his own conscientiousness. What [total] nonsense and hypocrisy! The doctor is obliged (according to a true, and not a hypocritical, priest-like (litsemerno-popovskaya) medical conscience) to perform the operation in order to save the woman (…) either from death, from becoming a cripple, or from profiteers. I do not know if [these reluctant doctors] exist, (…) but if they do, this question should immediately be addressed by the medical press (Semashko 1920: 20).

There are, however, not many direct expressions of anti-legalisation sentiments in the academic abortion discourse of the 1920s. Differing opinions are mainly “filtered” through the authors of these essays and monographs or included in summarised versions of conference reports. Nonetheless, the fact that the issue remained controversial throughout the decade was recognised by the vast majority of authors. If anything, this recognition seems to have made them even more determined to argue in favour of the current Soviet policies.

**Justifying Soviet legislation: The advantages of the current law**

Despite the fact that the new Soviet abortion legalisation was controversial within medical circles, the official view remained more or less unchanged throughout the 1920s: abortion was harmful, a social evil that needed to be fought, but because repressions would make the situation worse, legalisation was the lesser evil.

A common way of highlighting the revolutionary character of the Soviet abortion law was to compare it to “bourgeois” legislation. This comparison was used already from the outset in the wording of the original Decree (Semashko 1934: 82-83). Advocates of the official view generally portrayed the Western world and pre-revolutionary Russia as hypocritical and “rigid” with regard to this question, whereas Soviet Russia was described as pragmatic, honest and progress-minded.

The two editions of the extensive monograph *Abortion as a social phenomenon* (Vasilevskie 1924; Vasilevskii 1927) are typical examples of this.78 Here, the Soviet attitudes

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78 The 1927 edition was authored by L. M. Vasilevskii alone. With a couple of exceptions, this second edition is similar to the first when it comes to the use of comparisons. In cases where both versions use the same wording, I will be referring to the 1924 edition.
to the abortion question are contrasted to the traditional “bourgeois” position. Turning to moral or ethical considerations, according to the authors, was an unsuitable approach; the “only correct point of view” was the one rooted in considerations of health and social hygiene. The “New Russia” (novaya Rossiya), having chosen the latter approach, would have the chance to fight the abortion epidemic more successfully than its bourgeois counterparts (Vasilevskie 1924: 5). The following quote can be used to summarise this view:

Soviet abortion legislation has a truly revolutionary character. The main point is not the legal assessment of the termination of pregnancies, despite the great importance of this aspect. The essence lies in the bold approach to this question, in making a move away from conservatism and hypocrisy. Rejecting the notoriously unsolvable problem of when the foetus becomes a living and self-sufficient creature, rejecting all the sophistry, the scholasticism, the haze of mystery and the ethical intricacies that have been growing around this problem for centuries (…), Soviet Russia has put its emphasis on the woman’s health (Vasilevskie 1924: 103).

This way of contrasting the Soviet Union to the bourgeois world is reflected in the authors’ choice of words. People who considered every abortion (medical as well as social) a criminal act, for instance, were described as “rigid doctrinaires and dogmatists, (…) representatives and defendants of simple principles, who are unable to understand real life and make a deliberate effort not to listen to it (…) (Vasilevskie 1924: 5).” The strict tsarist-era abortion laws were described as “formal”, “inhuman”, “scholastic” and “medieval”, supporting not only a “pointless and unfair order [that was] going against the [principles of] science”, but also “a crude discrepancy between law and practical life (ibid.: 23-24).” Revolutionary Russia, on the other hand, “obviously had to look for completely new legal norms in this field (ibid.: 24).” If a woman was willing to defy her maternal instincts by terminating her pregnancy, then “bloodless” and “abstract” threats of punishment would have little effect (ibid.: 45).

With regard to the foetus’s interests, the authors used a similar kind of wording: “In the highly educated European society of the last centuries, clergymen and scholarly pedants have been arguing endlessly about when, during which month of [pregnancy], the foetus acquires a human ‘soul’.” Here, the authors refer to V. A. Brodskii (1914), a physician who used his knowledge of embryology to “emphasise the groundless scholasticism of [these debates].” The science of embryology, developed during the 19th century, had proved that “the embryo is a simple substance that does not consist of organs, a lump of protoplasm that only gradually (…) changes from something simple into something more and more complex (ibid.: 23).” The mother and the foetus were “qualitatively different objects: the mother is a human being (chelovek), the foetus is not (ibid.: 76).”
Vasilevskii and Vasilevskii also presented a detailed outline of the debates at the pre-revolutionary congresses that had voted in favour of legalisation – the Fourth Congress of Russian Gynaecologists and Obstetricians (1911), the Twelfth Congress of the Pirogov Society (1913), and the tenth national convention of the Russian Group of the International Union of Criminologists (1914). The authors added that the question of “a complete and undisputable prohibition” had become less relevant at this point – “in any case, for Soviet Russia, this kind of approach has already become a thing of the past, yesterday’s news (Vasilevskie 1924: 61).”

The most essential arguments against legalisation, said the authors, “boil down to the detrimental health effects of abortion on the one hand, and the sacredness of life on the other.” Out of these two arguments, the first was “the only one that, in our opinion, does not lead us into a quagmire of nit-picking and extreme arbitrariness (Vasilevskie 1924: 67).” Abortion was risky and harmful, but the alternative to legalisation only made matters worse; thus, prohibiting abortion due to an alleged concern for the woman’s health was hypocritical. The latter could also be said with regard to the principle of the “sacredness of life”, as the state’s true concerns were related not to ethical considerations, but to its own material needs (i.e. population growth) (ibid.: 69). The Soviet government, on the other hand, took a definite stance against this kind of hypocrisy.

Like Vasilevskii and Vasilevskii, A. B. Gens (1926b) contrasted the Soviet abortion law with its “bourgeois” counterparts, but with a heavier emphasis on class antagonisms. According to Gens, the birth rate in several countries – most notably in Germany and France – was declining. At the same time, the abortion rate was increasing. Thus, he concluded, there was a direct correlation between these circumstances; moreover, abortion had become a “social phenomenon (Gens 1926b: 3-4)”. While these conclusions were less than original per se, Gens’ further analysis of the situation in these “bourgeois” countries is an interesting example of how the class argument could be used in the abortion discourse:

I am not going to focus your attention on the reasons behind this social phenomenon: they are clear enough. The mechanisation of production has given the capitalists the opportunity to use unqualified labour in the factories, and they have thrown themselves precisely on female labour, as [it is] the cheapest. And the army of working women is growing year by year; now, [its number] has reached more than 10,000,000 people. During the pre-war years, the cheap female labour even started to compete (...) with male labour. (...) On the other hand, the low prices (deshevizna) of agricultural products, and periodical agricultural crises, leave the peasants (...) in economically unprofitable conditions. All of this – along with an increased level of education – forces peasant women, and working women in particular, to strive for fertility regulation, because they lack the material means to raise their children. Seeing as contraceptive devices are widespread only among the ruling classes, among [members of the] bourgeoisie, and because the bourgeoisie (...) is fighting against the
distribution of contraceptives, working women and peasant women are limiting their fertility by turning to their only available method – abortion (Gens 1926b: 4).

Moreover:

Declining fertility rates are obviously unprofitable for capitalist society, which is in need of a backup army of unemployed people in order to keep the salaries on the necessary level. It also needs a backup army of men [to use] as cannon fodder (pushechnoe myaso)\textsuperscript{79} in their imperialist wars. These tendencies within the capitalist society are reflected in the religion, in the bourgeois morality, in the bourgeois family, declaring the sacredness and firmness of marriage, declaring abortion a sin against the capitalists’ god, against the capitalist society.

And for this reason, the legalisation of abortion, ruining the “sacredness” of marriage and the firmness of the religious foundations, changing the bourgeois morality, and – most importantly – reducing the birth rate, is unacceptable for bourgeois states, and there, the fight against abortions is conducted by means of repression (Gens 1926b: 5).

These quotes are among the most telling examples of how the bourgeois legislation was used as a contrast to the newness and uniqueness of current Soviet law. Regarding Soviet doctors’ attitudes towards the abortion question, Gens’ explanation was also rather categorical:

In 1920, as the class struggle was becoming more acute, even our doctors unconsciously took the bourgeois position, and they used a lot of scientifically founded arguments against the decriminalisation of abortion. Now, in 1925, there are few doctors in the Soviet Union who would speak out against legalisation. Now, doctors – having become [truly] Soviet (stav sovetskimi) – have thoroughly forgotten about their scientific objections against the legalisation of abortion (Gens 1926b: 7, my italics).

In a later work (1929), Gens also compared the Soviet welfare system (the protection of maternity and infancy) to the less developed systems of the bourgeois countries. Unlike its Western counterparts, the Soviet Union was striving to make it easier to combine work and motherhood. Nevertheless, since the Union’s level of economic and cultural development remained rather low, the work in this sphere was still far from being completed. “[P]artly because of this, the number of abortions among working women is still rather high (Gens 1929: 13).” In addition, the increasing level of education and the “desire to take part in political life” made more people turn to fertility regulation (ibid.).

While the above-mentioned authors agreed that Soviet abortion policies were much more sensible, progressive and pragmatic than those of the bourgeois world, how did they evaluate the practical results of the legalisation of abortion?

\textit{Estimating the results of legalisation}

\textsuperscript{79} The Russian term literally means “cannon meat” - a telling use of words.
According to Vera Lebedeva (1926: 9), the results of the Decree of 1920 were altogether positive: “nobody” would argue in favour of “returning to the past.” Abortion rates were high across the Western world, proving that repressive measures were futile. Moreover, statistics from other European countries indicated that there were more cases of abortion-related illness and death in places where the operation was prohibited. Regarding the question of whether legalisation had led to moral decline, Lebedeva argued that moral norms were changing anyway, and that

our legislation has, so to speak, summed up the changes that have taken place in people’s ‘subconscious [mind]’ (…). It is possible that we have accelerated and activated the process of [developing] women’s new attitude to this question, but this kind of attitude would have emerged even without us (…) (Lebedeva 1926: 7).

Lebedeva concluded by stating that the Soviet approach to the abortion question was the correct one: “And that’s all. There is no other way (Lebedeva 1926: 10).”

With regard to the increasing abortion rates, Gens (1926b: 17) argued that an upsurge in legal abortion did not mean an increase in the absolute numbers – it only meant that more abortions were actually registered. Growing abortion rates were “a completely natural reaction” to the Decree of 1920, which had given women the opportunity to free themselves of unwanted children. In the long term, this could reduce the number of foundlings (podkidyshi) and, consequently, the infant mortality rate (ibid.). Vasilevskii and Vasilevskii (1924: 30-32) and Lebedeva (1927: 383) presented similar arguments. Moreover, according to Lebedeva (1927: 383-384), the fertility rates had returned to the pre-war level (43.7: 1000) in 1927; thus, the Decree of 1920 did not lead to negative demographic consequences.

Furthermore, Gens (1926b) claimed that the number of abortion- or birth-related deaths had become higher in Berlin than in Leningrad: in 1924, the rates were 11 and 2 per 1000 births, respectively, despite the fact that the hospitals in Berlin had better equipment. Consequently, the reduced infection rate in Leningrad was a result of the Decree of 1920 (Gens 1926b: 8-9). According to another Leningrad survey, the infection rate after abortions performed by doctors had been reduced from 8 per cent between 1917 and 1920 to 4.75 per cent in between 1921 and 1923 (Karlin 1926: 21).80 “Our policies have resulted in reduced sickness rates (…), a death rate that is close to zero, and fewer cases of gynaecological illness (…) caused by [illegal] abortions (Lebedeva 1927: 383).”

80 The infection rate after illegal abortions was 14.1 and 11.1 per cent, respectively, during these years (ibid.).
Regarding the sharp upsurge in abortion rates between 1925 and 1926, Gens attributed this development to a more intensive fight against back-alley abortions (Gens 1929: 9).\textsuperscript{81} This, in turn, was because Soviet hospitals had increased their capacity during the second half of the 1920s (Gens 1929: 25): abortions that previously went unnoticed by the authorities were now registered, and this caused an upsurge in the official rates.

Because even legal abortions were dangerous, however, the Soviet government aimed to “reduce their numbers sharply (Gens 1926b: 24, italics in original).” Among the measures that would help to achieve this goal was the distribution of public enlightenment literature.

5.3 Combating abortions: Public enlightenment

According to Semashko (1934: 87), \textit{Narkomzdrav} carried out the “fight against the spread of abortions” in three directions – birth control propaganda (via women’s consultation bureaux), development of welfare measures for mothers and children\textsuperscript{82} and general sanitary education (public enlightenment campaigns). Due to the state’s lack of resources, however, the development of welfare measures proved difficult to carry out in practice. As a result, the least costly of these three “directions” – birth control propaganda and sanitary education – became all the more significant.

The pamphlets and women’s journals dealing with the abortion question formed part of a larger public enlightenment program carried out by \textit{Narkomzdrav}. During the 1920s, sanitary propaganda campaigns were carried out on a large scale – by means of “pamphlets, lectures, railroad-car exhibitions, and weeklong campaigns devoted to cleaning out hot spots of infection (Starks 2008: 56).” The production of educational literature was extensive:

\[\ldots\text{by [1923], the Medical-Scientific section of Gosizdat\textsuperscript{83} was in charge of medical publications. Over 13 million pieces of literature relating to the fight against syphilis, typhus, and other diseases were released between 1919 and 1927. Between 1925 and 1927 Narkomzdrav presses printed 40 titles in print}\]

\textsuperscript{81} Gens based this conclusion on the fact that the upsurge in abortion rates in 1927 did not lead to decreased fertility rates.

\textsuperscript{82} The measures intended to protect maternity and infancy have been mentioned earlier in this chapter as well as in chapter 3. However, it should be mentioned that the implementation of these measures progressed rather slowly – a fact that was admitted in the official discourse throughout the 1920s. Consequently, the long-term goal of eliminating abortions remained something of a utopian vision.

runs of 600,000 copies and produced 50,000 slides to accompany medical lectures (Starks 2008: 56; my italics).

In addition, the Moscow Department of Health had its own publishers, while private presses, newspapers and journals also produced health care articles (Starks 2008: 56-57).

Regarded as a “social evil” and a threat to public health, the abortion phenomenon was a natural subject to address – along with venereal diseases, alcoholism and other “social illnesses”. The pamphlets in particular provided very detailed information on all aspects of the issue.

5.3.1 Abortion pamphlets

Compared to the relatively short journal articles dealing with the issue, the abortion pamphlets could be voluminous and detailed. Women, it was assumed, knew too little about abortion (and their own reproductive health) to make informed choices; many regarded abortion as a trivial procedure, and this attitude had to be changed: “If women knew well about the harmful and dangerous [aspects] of abortions, they would turn to [this measure] only in particularly important and exceptional cases (Shpak 1927: 7).”

The pamphlets had varying degrees of complexity. Some were written in a simplistic language; others were more “academic” in tone and seemed to be aimed at more educated groups of the population, but they all served the same educational purpose.

As in the academic discourse, the physicians behind the abortion pamphlets presented the abortion phenomenon as an evil that was mainly caused by difficult socioeconomic conditions. Moreover, it had become commonplace among all groups of society. The physician M. Z. Shpak (1927) summarised this position by saying that the only women who did not have abortions were the ones who were infertile in the first place (Shpak 1927: 4).

Many pamphlets included basic information about the female and male reproductive systems and their functions, as well as about conception, pregnancy and birth control measures. Some also presented an outline of the welfare measures that were implemented after the revolution. Most reflected the official abortion attitudes: unlike the bourgeois countries (or pre-revolutionary Russia), the Soviet Union had chosen the most sensible approach to this issue, as decriminalisation helped to combat illegal abortions. Nevertheless, whether carried out by a “dirty babka” or by a hospital doctor, abortion was always a risky
business – thus, women should know about the dangers of both alternatives. Moreover, abortion had negative consequences for society in general.

What were the dangers of having an abortion? With regard to illegal abortions, the picture painted was particularly bleak. Because of their ignorance, babki could try to “induce the menstruation” for women who were not even pregnant in the first place, thus performing a completely unnecessary operation (Gusakov 1926: 5). Moreover, babki could make women drink remedies that were poisonous or led to haemorrhages; they could perform the operations with dirty hands, causing blood poisoning, or use all sorts of harmful instruments – knitting needles, for instance (Shleimovich 1925: 12-13). Shpak (1927) provided some examples of women who had tried to perform the abortion at home. They had all been hospitalised – one with haemorrhages, another with blood poisoning, and a third with heavy stomach pains after spraying iodine into her womb (Shpak 1927: 5-7). The Leningrad professor Nikolai Markov (1929) provided a particularly detailed account of the dangers of abortions, illegal as well as legal. He also included detailed illustrations of female reproductive organs that had been harmed as a result of ill-fated abortions. Another Leningrad doctor, E. I. Kvater (1930), provided equally detailed descriptions of the consequences of illegal abortions as well as the dangers of turning to a babka.

All the authors behind these pamphlets emphasised that legal abortions, even seemingly successful ones, were dangerous, and they gave thorough explanations of this. The operation of dilatation and curettage, the most common hospital procedure, was considered risky for a number of reasons. First of all, the doctor was operating without seeing the insides of the womb – i.e. he was operating “blindly”, and this increased the risk of inflicting damages. Gusakov (1926) and Markov (1929) argued that as the womb expanded, its walls became thinner; thus, the ever-present risk of perforation became higher as the pregnancy progressed. Moreover, abortions after the third month involved a higher risk of haemorrhaging because of the “closer connection between the embryo (yaitso) and the womb (matka) (Levi 1930: 23).” For these reasons, even experienced doctors could face problems. In any case, the operation was never without dangers:

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84 According to Markov (1929: 13), this latter method had become “enormously widespread” in the late 1920s, but it was very dangerous. Apart from the risk of infections, the use of iodine could increase the risk of becoming pregnant outside of the womb.

85 The word yaitso (egg) seems to have been used when speaking about the embryo’s place within the womb, i.e. when talking about the medical aspects of the operation. In other cases, e.g. when talking about the foetus in general, the words plod or zaradysh (foetus) are most frequently used.
The operation of dilatation and curettage involves several possibilities of perforating the uterus. First of all, the womb can be punctured during the beginning of the operation, when the cervix is expanded. By the dilatation of the latter (i.e. the cervix), it is often necessary to use some force to put the dilator through the cervix. [Because of this], the cervix sometimes bursts and becomes wide open. The dilator, having slipped through it, is driven into the womb and perforates it. (…) If the dilatation of the cervix is successful, then the danger can arise when the foetus is removed from the womb with the abortion pincers (abortnymi shchiptsam) and when the womb lining is scraped out (…) (Markov 1929: 17).

Markov then added to this picture:

Sometimes, this perforation is not noticed in time. [The doctor] thinks he is operating within the womb and starts to move the instruments, (…) trying to get hold of the foetus and its membranes and pull it out of the womb, but instead, he wounds and damages the intestines (ibid.: 18).

Markov’s pamphlet in particular is full of similar descriptions, which makes it one of the most detailed and graphic of its kind. He was, however, not alone in trying to provide a “full” picture of all the dangers of abortion – by and large, this seems to have been the goal of most “pamphlet authors”.

What were the harmful effects of a “normal” abortion? According to some authors (Shpak 1927: 8; Markov 1929: 12), the termination of a pregnancy was harmful per se because it put an abrupt end to the physical changes that were going on in the woman’s body (Shpak 1927: 8; Levi 1930: 39). Gusakov (1926: 15-16) noted that the womb remained enlarged and “flabby” (dryablaya) after an abortion (and for a longer time than after a normal birth, when the womb returned to its normal state within ca. six weeks). This state could become permanent, leading to various women’s illnesses and reduce the woman’s capacity to work. For women who were pregnant for the first time, the consequences could be particularly bad. According to Shpak (1927: 8), a woman’s first pregnancy represented the completion of her physical and mental development, and hampering this development (e.g. by abortion) was thus very negative. Terminating the pregnancy was a shock for the body, and repeated abortions made the harm clearly visible:

It has been established by observation that every (…) abortion makes the woman look two to three years older than she really is; i.e., if the woman starts to have abortion at the age of, say, 18, and then has three abortions over the course of two to three years, then she will look not 20-21, but 25-27 (Shpak 1927: 9, italics in original).

Moreover, repeated abortions – even when “successful” – could cause permanent damage to the lining of the womb, heightening the risk of spontaneous abortions. This was one of the complications that could make the woman infertile (Gusakov 1926: 16; Levi 1930: 39).
What, then, about contraception? Contraceptive measures were not entirely uncontroversial (some argued that the use of any kind of contraception was potentially harmful), but they were still regarded as a better alternative than abortion. While stressing that no such method was completely reliable, pamphlet authors still provided (more or less) detailed information about the different means available. Condoms were regarded as a simple solution: “It is made from thin rubber and sold in every chemist’s shop for an average of 15 kopecks a piece. (…) This method is relatively harmless (Shpak 1927: 31).” Other “easy-to-use” methods, according to Shpak, involved douching or using tampons soaked in a mixture of vinegar and water.

Some argued that there were dangers involved with birth control measures, especially the ones involving the use of chemicals (e.g. iodine). The most popular method, *coitus interruptus* (*prevrannoe snoshenie*), was also strongly warned against. *Coitus interruptus* was said to harm the nervous system of both partners, leading to “sleeplessness, headaches, palpitations, etc. (Shleimovich 1925: 17).” Gusakov (1926) went further in stressing the consequences for the woman: apart from the damages caused to the nervous system, and apart from the fact that the method itself was unreliable,

> for women who do not finish the sexual act, the flow of blood to the genital organs does not stop; [thus,] the organs swell. If this kind of intercourse is repeated frequently, the woman’s pelvic organs will suffer stagnation. This, in turn, often leads to pains in the lower abdomen (...), [nervousness], heavy pains etc. (Gusakov 1926: 52).

In any case, the woman was generally encouraged to talk to her doctor before deciding which birth control method to use.

As we have seen, abortion was thought to be negative not only because of its effects on the woman’s health, but also because it was detrimental for the state and the collective as a whole. I. S. Shleimovich (1925), a doctor connected with the *gubzdrav* in the city of Voronezh, described motherhood as a social duty:

> The birth rate is declining year by year. It is necessary to increase it. The woman can do this. By giving birth to a child, the woman fulfils her duty towards the country, by giving it a free (*svobodnyi*) and healthy citizen. If the birth rate is decreasing and the death rate is growing, the country is at risk of dying out, as we can see in France. Girls, remember that you will find the joy of life in motherhood.

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86 Whether condoms really were this available, however, is dubious. “Condoms and diaphragms, simple to produce and use, were almost impossible to get in the 1920s and 1930s, because of the rubber shortage (Goldman 1993: 260).”
Remember that you are set out to be mothers. “Only a healthy woman can be a true wife and a mother of healthy children” (Shleimovich 1925: 15).

According to M. F. Levi (1930: 47), a Moscow doctor, the birth rate in the city was declining between 1926 and 1928; at the same time, the abortion rates were rising. While this increase was partly related to improvements in the registration system, there was also an absolute growth in the number of abortions.

Levi’s further line of reasoning represents something new in the abortion discourse of these years:

Our republic is a worker’s state. The foundation of our prosperity is labour. Every worker is a necessary member of the collective. If he dies or loses his ability to work, the collective’s power is damaged. (…) [all the more so] during our current era of reconstruction, with its unprecedented rates of energetic construction in the industrial sector, as well as in agriculture. At our current stage of socialist construction, the productivity of the average Soviet labourer and working peasant, undoubtedly, grows even more. The realisation of the Five Year Plan (…) will increase the worker’s and peasant’s labour productivity several times (Levi 1930: 55)

Levi’s direct reference to the first Five Year Plan stands out among the other pamphlets of these years (1925-1930). His further rhetoric was in a similar vein: “In the workers’ and peasants’ state, the woman is a working entity who enjoys full rights. The damage caused to the state and society by abortion is becoming clear (Levi 1930: 56).” Abortion led to a reduction in birth rates that had “enormous significance for our workers’ Union (ibid.: 57); thus, it had to be combated. “Our country might be deprived of the number of fighters needed to complete the construction of socialism. For our, and the world’s, proletarian revolution, this is a very serious question (ibid.: 58).” While abortion should not be punished, conscious women should fight the phenomenon actively.

The “break” represented by Levi’s pamphlet will be addressed in the conclusion of this chapter. First, however, an outline of how the abortion question was addressed by the Soviet women’s journals of the 1920s will be presented.

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87 With regard to the question of the birth rate, the participants in the scientific discourse were less pessimistic – in fact, some of them were optimists, such as Vera Lebedeva, head of OMM: in 1927, she thought that the Union’s birth rate was bound to increase in the years to come (Lebedeva 1927: 385). Incidentally, Shleimovich argued that the negative effects of abortions could ruin the relationship between the woman and her husband: “the woman, unneeded and sick, [is] left by her husband. The man finds someone else, who gives birth and keeps her health, and because she is healthy, she is able to work, and she is cheerful. Good health is a guarantee of happiness. It has been noticed that a man becomes more strongly attached to a healthy woman (Shleimovich 1925: 14, italics in original).” While this line of reasoning was rare in the academic discourse and even in the pamphlets, it can be seen occasionally in the women’s journals.

88 By and large, most authors – in the academic discourse as well as the pamphlets – did not make particular references to specific political events.
5.3.2 The women’s journals and the abortion issue

Zhenotdel’s official journal, Kommunistka, had a similar target audience to the academic monographs and essays, and reflected the official attitudes towards the abortion question. Thus, the journal can actually be said to form a part of the academic discourse, while at the same time having an enlightenment purpose. Published from 1920 until Zhenotdel was abolished in 1930, the journal outlined the goals and ambitions of Soviet abortion policies, the current status of the abortion problem, and questions of further reforms in this sphere. It included reports from the Second and Third All-Union Conferences on the Protection of Maternity and Infancy (held in 1923 and 1925, respectively). In January 1925, the journal reprinted Lenin’s article “The Working Class and Neo-Malthusianism” from 1913 with comments by Vera Lebedeva.

Rabotnitsa (from 1923), Krest’yanka (1922), Rabotnitsa i krest’yanka (1923), and Delegatka (1923) were popular journals. They were targeting a broader, less educated audience and published under the supervision of the Central Committee of the Communist Party. From 1924, Rabotnitsa was published every two weeks as a supplement to the daily newspaper Rabochaya gazeta (The worker’s gazette) – the “most popular” newspaper in the entire Soviet Union according to the editors (Rabotnitsa, no. 1, 1924: 2). Krest’yanka was in many ways the peasants’ equivalent to Rabotnitsa. Rabotnitsa i krest’yanka (Leningrad) and Delegatka (Moscow) targeted both working and peasant women. These journals aimed to inform their readers about current policies and matters that were relevant to their daily lives, ranging from food recipes and short stories to health-related articles. Readers were also encouraged to write letters to the editors about things they were concerned about.

The abortion question was addressed by these popular journals on a number of occasions throughout the 1920s (at least a couple of times a year – sometimes more often). These abortion articles – often written by doctors – were closer to the pamphlets in style and content, but (naturally) shorter and generally more simplistically written. The official Soviet policies towards abortion were explained, justified and contrasted with the policies of the “bourgeois” world. Abortion had become widespread – “they are performed by everyone who can be bothered (vse, komu ne len’): both professors and doctors, midwives, simple babki, and medicine women (znakharki) (…) (Delegatka, no. 15, 1927: 15).” However, while the Soviet Union was right in legalising abortion, every article placed a heavy emphasis on the dangerous aspects of every abortion procedure – ranging from the horrifying consequences of
illegal abortions to the long-term effects of seemingly “successful” hospital operations. For women who were pregnant for the first time, abortion was particularly harmful. Repeated abortions were especially dangerous. Most articles included advice on the use of contraceptives as the best alternative to abortion (but stated that no method was completely reliable; moreover, women should go to a doctor before deciding which method to use). In addition, the journals sometimes referred to trials conducted against illegal abortionists.

Readers were expressly warned against going to babki, who were (as we remember) considered dirty and ignorant. Women were also encouraged not to feel any “false shame” (lozhnyi styd) if they were pregnant outside of wedlock. Presumably more prevalent in the countryside, this kind of shame was a result of prejudices that were regarded as unbecoming of the new Soviet society. (Shame was also considered a reason why many women continued to turn to babki; thus, the rhetoric used against “false shame” can be seen as a part of the fight against underground abortionists.)

Because the main arguments in these abortion articles are so similar to the ones found in the pamphlets with regard to motives, consequences and official attitudes, these aspects of the question will not be examined here; they have already been outlined above. Instead, the following part of the chapter will be focusing on the interaction between the journals and their readers, since this is a feature that is fully absent from the academic discourse (and almost absent from the pamphlets).

In 1926 (no. 12, p. 32), based on letters written to the editors of Rabotnitsa, Kommunistka concluded that the life of a working woman was hard: “Their husbands’ despotism and their domestic slavery continue to flourish.” Three years later, the journal referred to the following conversation with a working woman:

“My husband was not in the least interested in the ‘consequences’. (…) Whether I had an abortion or not was all the same for him. Once he saw [that I had] some contraceptives. He scolded me, even gave me a beating. Now I don’t live with him. The other day, he left me altogether.” This working woman is 21 years old, but she looks much older. She has a son who is two and a half years old, and she stands with him in line for hours on end, pleading for an abortion (Kommunistka, no. 2, 1929: 41).

Rabotnitsa i krest’yanka placed a particular emphasis on this kind of interaction with their readers. In 1924 (no. 10-11, p. 42), they asked women to express their opinions on a letter
from “the woman delegate and housewife P. Il’ina”, who urged women not to have abortions: “Comrades! Have mercy on yourselves and your children! Think over the consequences of abortions and refuse to go through with them (...)!” The readers’ responses were printed in a later issue (no. 2, 1925: 37). One woman wrote that she had recently had an abortion for medical reasons, something which had affected her deeply: “It took me four months to regain my health. Now I am pregnant again, and I am keeping the child with a deep feeling of joy.” Another urged that it should be easier to get hold of cheap contraceptives; a third argued that it was better to give birth several times than to have abortions. A “former working woman” wrote the following:

I have been living in this village for more than two years now. I knew the local doctor very well. He performed a whole lot of abortions, for married women as well as for [unmarried] girls (...). They have all become ill – one has consumption, another has pains (...). From being blossoming and healthy, these girls turned into melancholy people who were unhappy with their lives. I told them so many times: “Don’t have an abortion; it’s better to have the child, there is nothing shameful about this.” They just waved their hands in reply – if everybody finds out, nobody will marry me. They agree with me that abortion is harmful, but they are still too backward, they are afraid of looking life straight in the eyes. (...) Oh, it is unpleasant for me to write about our backwardness and ignorance, and I am ashamed that I have done so little to enlighten our village during these years (Rab. i krest’yanka, no. 2, 1925: 37).89

The laboratory worker M. Vasil’evna wrote that women who decided to have an abortion “not only think it over, but suffer agonies (...).” She blamed “healthy women who didn’t want to have children,” but not the women who had “three to five children,” because the latter had no other choice.

In the autumn of 1928, Rabotnitsa i krest’yanka printed a short story, Krasnaya nitochka (The red thread), that continued over three issues. The story is about a young, happily married couple, Raya and Dmitrii, and what happens to them after Raya’s second abortion goes wrong. The first abortion is done because Dmitrii is unemployed. By the time of the second operation, Dmitrii has got his job back, but Raya does not want to be a mother just yet. Dmitrii tries to talk her out of having the abortion (just like he did the first time), but Raya insists. As a result of this operation, however, Raya becomes sick and infertile. While his wife’s health does not seem to improve, Dmitrii has an affair with another woman, who gets pregnant and has a son. Although he does not love the other woman like he loves Raya, Dmitrii realises that he is unable to live without his child – his “paternal instinct” is too

89 This final sentence in particular can seem “propagandistic”. Buckley (1989: 80) suggests that while statements of this kind “may reflect reality, it cannot be overlooked that many may have said not what they believed, but what the party wanted to hear. Such sources should not be taken at face value.” Nevertheless, these sources are, in this case, the closest we get to hearing women’s own voices, and they are as such not irrelevant.
strong. The story ends when Raya, who has been told about everything, breaks up with Dmitrii: apparently, she understands that the fight is lost. In the final scene, Raya is portrayed as an unhappy, strained woman (Rab. i krest’yanka, no. 18-20, 1928).

The editors of Rabotnitsa i krest’yanka received several hundred letters in response to this story, and a select number of them were printed over two issues in December that year. Opinions were divided regarding all the protagonists’ choices. With regard to Raya’s second abortion, there were also differing views. Some supported her: “(…) she had no other choice the first time, when her husband was unemployed. But you can’t blame her for the second abortion either; I know how hard it is to raise a child nowadays.” – “I don’t think you can blame Raya that much. She was very young and afraid of becoming a mother.” Others were less sympathetic: “It is a woman’s duty to be a mother; Raya shouldn’t have been so irresponsible (…)”. – “Why did she have to ruin her family life with an abortion? The fact that Dmitrii was unemployed was no reason not to have the child. (…) And [our social insurance] helps children; after all, the story does not take place in a bourgeois country.” – “I think [Raya] knew that she might lose her ability to have children after [the abortion]. Let this be a lesson for our working women; they shouldn’t rely so much on abortions.” – “Raya is guilty because she refused to listen to her husband (…) and had the second abortion, despite the fact that she was well provided for financially.” Many of the readers felt sorry for Raya, whether they agreed with her or not. (Some, however, objected that the story was too unrealistic – very few men, according to them, would let themselves be ruled by their “paternal instinct” anyway (Rab. i krest’yanka, no. 23-24, 1928)).

The short story in itself illustrates a number of features that were characteristic of Soviet abortion discourse during the 1920s, ranging from Raya’s reasons to have the two abortions (her husband’s unemployment, first, and then the desire to “live a little”), to her experiences in the abortion ward (the woman in the bed next to her dies from post-operation complications) and the fateful decision to have the second “unnecessary” abortion. Both operations were done legally, highlighting the fact that even hospital abortions could be dangerous. In effect, Raya’s life is ruined: she loses her health, her husband, and her ability to have children.

While Rabotnitsa i krest’yanka was not the only journal to print short stories of this kind (Delegatka did the same in 1924, printing two different stories about ill-fated illegal abortions), The red thread is by far the longest, and the only one that was followed up by
responses from the readers. Judging by the number of letters received, it was evident that the abortion question interested a lot of them.

5.4 Summary

From the moment when abortion was legalised in 1920, the official Soviet approach to the abortion question was clear: the question was now a matter of public health and social policy, and not of morality, ethics, or any legal concerns. Any moral considerations about the foetus, or about the ethical aspects of terminating the pregnancy, were rejected.

This approach is visible on several levels. First: who were the discourse participants in the 1920s? In both the academic discourse and the pamphlets, the authors were representatives of the health authorities (e.g. Nikolai Semashko and Vera Lebedeva) or physicians. The latter group were often affiliated with Narkomzdrav or at least writing within the framework of Soviet censorship (Starks 2008: 58), although the 1920s was a decade where there was more room for open discussions. On the other hand, legal scholars are remarkably absent from the official discourse (although they occasionally participated at medical congresses). One reason for this might be the fact that the main legal aspect of the question – the question of decriminalisation – was considered “solved”. Apart from the doctors, the only ones who are given room to express their opinions on the question are the women themselves – reflecting, yet again, the focus on the social and health-related aspects of the question.

The question of when, i.e. at what stage of the pregnancy, an abortion should be allowed, was also discussed as a matter of health: after the third month of pregnancy, it was argued, the foetus was more tightly “fastened” to the womb, which meant that the operation could lead to heavy bleeding. The abortion pamphlets and journals reflect the same thing: the focus is on the procedure’s medical and social sides, not on the foetus.

Although it was occasionally stated, for instance in some women’s journals, that the Soviet Decree of 1920 gave women the “right” to manage their own bodies, this “right” was not unlimited. There were a range of abortion motives that were considered less respectable, such as the desire to “have fun”, and women were strongly discouraged from having abortion unless they saw no other options. Motherhood was regarded as a social duty – refusing to fulfil this duty was not respectable. This was also a reason why young, childless women were
particularly advised against having abortions, as this could ruin their future chances of having children, i.e. contributing to the collective. The “right” to have abortions, then, should not be seen as an individual freedom, but rather as a measure that was intended to benefit public health until the abortion phenomenon could be combated.

The abortion pamphlets and articles can also be seen as part of a larger campaign to improve public health. Tricia Starks (2008: 39), for instance, argues that hygiene was “an integral component in the transformation of the masses into a politically conscious population capable of leading the world revolution and creating the socialist utopia.” Throughout the 1920s, large-scale programs of sanitary education were implemented across the Soviet Union. With regard to the abortion issue, this sanitary aspect is particularly visible in the fight against the babki, who – being considered dirty, ignorant, and backward – represented everything the new Soviet state wanted to combat.

Did the information campaigns of the 1920s succeed in enlightening women on the abortion issue? Judging by the sources, the need for information remained significant throughout the decade. According to Starks (2008: 57), pamphlet literature in general reached a very “limited audience of the interested and educated”; moreover, given the fact that the country’s illiteracy rates were high, it is hard to tell how many people actually read this material. Regardless of this, the pamphlets and women’s journals help to illuminate more aspects of the abortion question, as they provide a glimpse into the daily lives of those who were the most affected by the Decree – women themselves.

While the discourse of the 1920s is rather homogenous during the first few years, a change can be noticed towards the end of the decade, i.e. after the onset of the first Five Year Plan (1928). From this point on, some authors (e.g. Levi 1930, above) started to make a more direct connection between the abortion question and its significance for the collective, i.e. for the “proletarian revolution” and the state’s economic development. This marks the beginning of a new era with regard to abortion (and the woman question), starting in 1930, when the woman question was declared “solved”, the Zhenotdel abolished, and Stalinism “resulted in a termination of serious discussion of the woman question (Buckley 1989: 108).”
6 Conclusion

After abortion was legalised by decree on 18\textsuperscript{th} November, 1920, participants in the Soviet abortion discourse made an effort to emphasise the new legislation’s revolutionary nature. Presented as pragmatic, sensible and honest, Soviet abortion policy was contrasted to the restrictive legislation of the bourgeois world (and pre-revolutionary Russia), which was described as hypocritical, outdated and counterproductive. Vasilevskii and Vasilevskii (1924: 5, 23-24, passim), for instance, made a clear distinction between Soviet and bourgeois attitudes not only through their arguments, but also by their choice of words: the “rigid doctrinaires and dogmatists”, “representatives and defendants of simple principles”, the “formal”, “inhuman”, “scholastic” and “medieval” tsarist-era legislation, the “crude divergence between law and practical life” and the “groundless scholasticism” of pre-revolutionary Russia and the rest of the bourgeois world was a contrast to the “new Russia” and its new ideals in every way.

The “crude divergence between law and practical life” in this sphere, however, was recognised by Russian intellectuals well before the 1917 revolution. Discussions on the abortion question did not commence with the Decree of 1920, but at least a decade earlier – at the Eleventh Congress of the Pirogov Society in April 1910. During the years before the First World War, there were two medical congresses and one convention of criminologists that voted in favour of decriminalisation: the Fourth Congress of Russian Gynaecologists and Obstetricians (1911), the Twelfth Congress of the Pirogov Society (1913) and the tenth national convention of the Russian Group of the International Union of Criminologists (1914). In addition, some physicians and legal scholars published articles in which they argued in favour of legalisation.

While the pre-revolutionary abortion debaters were divided in the question of decriminalisation, they all agreed that the existing abortion law needed to be reformed. It was universally acknowledged that the current legislation was ineffective: it was too rigid, too old-fashioned and needed to be adjusted to contemporary socioeconomic conditions. Among those who opposed outright legalisation, many called for a considerable softening of penalties and a greater room for individual considerations. The physician Lazar Lichkus, for instance, believed that women who had abortions should be exempt from punishment, while doctors (in some cases) and underground abortionists (always) should be penalised (Lichkus 1912: 48).
The legal scholar Mikhail Chubinskii suggested that there should be three different categories of abortion, among which only one would be “punishable” – but then according to the principles of a broad individualisation, with room for a considerable softening of penalties (Chubinskii 1912: 88-92). Given the scope of these reform suggestions, it could be argued that even the moderates who opposed a complete decriminalisation were not as distant from their “radical” counterparts as it might seem at first glance. Thus, they were also not too far away from the later Soviet position.

Furthermore, both moderate and radical debaters were conscious of the social conditions that seemed to be causing the abortion epidemic in the first place. As in the 1920s, the high abortion rates in pre-revolutionary Russia were mainly attributed to difficult socioeconomic conditions, such as poverty. Among the discourse participants of these years, there was a general consensus that the fight against abortion should involve a broader range of welfare measures, and the reform proposals in this sphere bear a striking resemblance to the later Soviet policy. The most common suggestions included a) sanitary education, b) an improved system of maternity care, c) improving women’s social position and legal standing and d) developing – and propagating the use of – effective contraceptives. These reforms, as we have seen, were to become an essential part of Soviet abortion policy in the 1920s.

Not only Vasilevskii and Vasilevskii, but also many other Soviet authors and policy makers decried the “bourgeois” abortion laws for being hypocritical: repressions not only helped to preserve the social inequalities of the capitalist system, they also served to maintain the sexual double standard. These issues, however, were also addressed by pre-revolutionary debaters; moderates as well as radicals. Some radical debaters argued that the state’s abortion policy was hypocritical in itself, believing that the seemingly noble reasons for prohibiting abortion were used to disguise the true, materialistic motivations behind the abortion ban (i.e. demographic concerns). Moreover, the state placed unreasonable demands on the woman: while insisting (by means of prohibiting abortions) that women should bring their pregnancies to term, it did not provide any adequate protection of motherhood and infancy. Additionally, the double standard of sexual morality was criticised by discourse participants of both camps. In many ways, moderate and radical participants in the pre-revolutionary discourse seemed to agree more than they disagreed.

The core difference between the two groups was rooted in their outlook on the foetus. While moderates believed that the protection of the foetus was an important principle, a symbol of respect for human life and that the abortion ban should be retained accordingly,
their radical counterparts held a diametrically different opinion. In the Soviet era, it was this “radical” stance that was adopted. Whereas the tsarist-era legislation explicitly stated that the main focus of Russian abortion law was to protect the foetus, Soviet lawmakers went in the opposite direction: according to Soviet legislation, the foetus was not entitled to rights (Goldman 1993: 257). Consequently, in the Soviet discourse on abortion, the question of the foetus was given less attention than in the pre-revolutionary years. With the Decree of 18th November, 1920 on the Legalisation of Abortion, it became clear that the legal and moral questions related to the abortion issue were “solved”: the focus of Soviet abortion policy was to protect the woman’s health and the interests of the collective, and any moral, ethical or legal considerations (that were unrelated to health concerns or to the collective’s interests) were rejected in the official abortion discourse.

This new focus meant that the Soviet discourse started to diverge from the pre-revolutionary debates in a few ways. First, it is questionable whether the discourse of the 1920s can be called an open debate. Although the authors of the academic essays and monographs acknowledged the existence of dissenting opinions, such opinions were not given much room in the public discourse. Second, while legal scholars had been significant participants in the pre-revolutionary debates, this group of professionals was remarkably absent from the discourse of the 1920s. This can also be attributed to the fact that moral aspects were now disregarded.

Both in the pre-revolutionary and early Soviet abortion discourse, a distinction had been made between respectable and non-respectable abortion motives. The latter category included a host of reasons that were considered trivial, individualistic or selfish: the desire to have fun, the fear of ruining one’s beauty or figure, an unwillingness to take on the duties of being a mother and so forth. Among the respectable motives were socioeconomic factors: poverty, overcrowded housing, having many children to take care of – in other words, circumstances that were beyond the pregnant woman’s control.

In the pre-revolutionary discourse, however, there were two psychological factors that were also ascribed to the “socioeconomic” category: shame and fear. These reasons were regarded as serious and understandable, not least because it was assumed that these factors were imposed on the woman from without: first, the state in late tsarist Russia did not provide any adequate maternity protection. Second, a woman was likely to lose her job if she got pregnant – something which could be bad enough for a married woman, but downright disastrous if she was single. Third, in addition to the financial problems, single mothers would
have to face social sanctions, i.e. the disgrace of having a child outside of wedlock. All these factors, in turn, made it understandable that some women feared their future child “more than imprisonment, illness and death (Povolotskaya-Vvedenskaya 1911: 208).”

According to the official Soviet discourse, on the other hand, there was nothing disgraceful about being a single mother. That kind of disgrace was a relic of the past, another manifestation of bourgeois hypocrisy, but not something that should be a part of the new Soviet society. Moreover, the state had implemented reforms to support motherhood both within and outside of wedlock: the Family Code of 1918 had made it easy to dissolve marriages, while unregistered or de facto marriages were recognised equally. The concept of “illegitimacy” was removed: from now on, children whose parents were unmarried were granted equal rights with those who were born inside of wedlock. Women were granted the right to maternity leave, they could sue their ex-partners for child support even if they had not been married and they were also entitled to receive alimony after their marriage (registered or de facto) had ended.

As a consequence of this, shame (styd) and fear (boyazn’ or strakh) were no longer considered fully respectable motives in the 1920s. They were rather seen as “moral survivals of the past (moral’nye perezhitki proshlogo),” as the wording of the Decree of 1920 put it, i.e. old prejudices that should be abandoned. In the women’s journals, for instance, the shame of being pregnant outside of wedlock was no longer referred to as “styd”, but as “lozhnyi styd” – “false shame”, i.e. an unneeded and undesirable kind of feeling.

“False shame” was, moreover, regarded as a reason why some women continued to turn to babki, especially in the countryside. Along with the old prejudices, babki represented everything the new Soviet state sought to combat, and they acquired an almost symbolic meaning in the early Soviet discourse on abortion and public health. The filthy old crone with dirty fingernails, presumably performing illegal operations in dark huts, served to illustrate most of what was wrong with the old regime (or “old world”, staryi mir): ignorance, poor hygiene, shame, sexual taboos. Legal abortion, on the other hand, performed by qualified doctors in the sanitary conditions of a Soviet hospital, represented a break with the hypocrisy and darkness – metaphorical and otherwise – of the past.

With regard to the question of women’s rights, however, there are two things that should be mentioned. First, while the Soviet government’s family reforms were revolutionary in many ways, and while they did help to broaden women’s formal rights (at least on paper), the need to increase women’s social and legal standing was also acknowledged in the pre-
revolutionary abortion discourse. Second, it is questionable whether the Decree of 1920 represented a woman’s right: after all, the new abortion law was regarded as a temporary measure, one that would remain in effect only until the state was able to provide an adequate protection of maternity and infancy – i.e. eliminate the need for women to have abortions. Once the social reasons underlying the “epidemic” disappeared, it was believed that the phenomenon would cease to exist. Women were supposed to have children and contribute to the collective, and they were strongly discouraged from having abortions unless they saw no other choice. A Rabotnitsa article from November 1927 stated the following:

Having declared that the woman will not be subject to penalties for having an abortion, Soviet legislators have (...) granted the woman the right to control her own body (rasporyazhat’sya svoim organizmom). Unfortunately, at the moment, there are very many women who use this right extremely thoughtlessly, having developed a view on abortion as an insignificant, minor operation that can be performed a countless number of times. (...) [However] abortion damages the female body, exhausts the woman, makes her old, turns her into a sick, nervous, unbalanced human being. (...) Before deciding to have an abortion, you have to give the matter serious consideration, and [you have to] look at abortion, in cases where it really is the only solution, as an unavoidable evil (kak neizbezhnoe zlo) (Rabotnitsa, no. 34, 1927: 17-18, emphasis in original).

Consequently, the same article that stated the woman was granted “the right to control her own body” also tried to dissuade her in the strongest possible terms from having the abortion. Thus, this “right” was not without limitations.

The Decree of 1920 and the abortion discourse: a break with the past?

The question remains: did the Decree of 1920 on the Legalisation of Abortion really represent a break with the past, or was there more continuity than change in the abortion discourse between 1910 and 1930?

As we have seen, the debates on the abortion question did not commence with the implementation of this decree. Neither were the discussions originally initiated by the Bolsheviks – the first to address the abortion question were liberal professionals. Nevertheless, many of the arguments found in the pre-revolutionary discourse bear resemblance to the arguments of the early Soviet period. The Soviet arguments, admittedly, bear a closer resemblance to the radical discourse participants of the pre-revolutionary years, but even the moderate debaters had a number of arguments and reform suggestions that look

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90 This fact was also acknowledged by Vasilevskii and Vasilevskii (1924), who presented a detailed outline of the three congresses that had voted in favour of decriminalisation in Abortion as a social phenomenon.
strikingly similar to the policies implemented in the 1920s. In addition, it should be mentioned that some of the pre-revolutionary debaters stayed on as respected scholars well into the 1920s. They are occasionally referred to as sources by Soviet authors (e.g. Vasilevskie 1924: 84; Karlin 1925: 22). This was the case not only with “radicals”, such as the sociologist Mikhail Gernet and the female physician Lyubov’ Gorovits, but also with members of the “moderate” camp, e.g. Lyudvig Okinchits and Lazar Lichkus. Incidentally, a similar kind of continuity can be seen with regard to the development of Narkomzdrav as an organisation:

Though Soviet reformers decried the efforts of the tsarist government and contemporary bourgeois states as ineffective, prerevolutionary goals for hygiene and bourgeois techniques meshed well with the ideals of the new state and its priorities. (...) Not only the institutions but also the personnel were similar. Many radical Pirogov physicians helped establish Narkomzdrav (Sturks 2008: 47).

Consequently, despite the new legislation – which truly did represent a break with the past – and despite the appearance of a new ideological mantle, the abortion discourse in the early Soviet period continued the legacy of the debates before 1917 on many levels. In other words, it can be argued that there was more continuity than change in the abortion discourse of these two decades.

In the preface to The Women’s Liberation Movement in Russia (1991), Richard Stites writes that “a clear understanding of social history is impeded by the traditional obeisance to the year 1917 as a watershed (Stites 1991: preface, p. xix).” A similar line of reasoning can be found in the essay collection Russian Peasant Women (Farnsworth and Viola (ed.) 1992: 3): “Instead of viewing 1917 as the dramatic turning point in Russian society, we propose to look at the Revolution as part of a continuum.”

As we have seen, the abortion discourse of 1910-1930 represented a similar kind of continuum. Thus, the Decree of 1920 might not have been as much of a “watershed” as it might seem at first glance.
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108

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