



Message from the NSTF Executive Director

What is a life worth?

I once knew a young woman who found that she was pregnant a couple of months after her matric dance, where she had thrown caution to the wind and drank too much. The young man in question didn't think it was any of his business and refused to take responsibility. The young lady's family was very strict and did not even allow their daughters to date boys. So she couldn't bear to tell them. To complicate matters, her mother suffered from alcoholism, and was already battling to take care of her own latest baby. The girl then bought abortion pills from someone (here in South Africa) and took them. The pills did not clear out her uterus properly and it became septic. She waited as long as she could for the pain to go away and at last went to a hospital. She was admitted and given emergency treatment, and told that she would have died if she had not gone to hospital. Her ability to have children would be affected.

When I visited her she told me that she was devastated, and that she will be punished because she is such a bad person. How could she, a mere inexperienced child, be expected to bear such a burden alone? Yet this is what seems to happen all the time, even in the context of South Africa, where we have excellent legislation to guide reproductive rights, abortion is completely legal and the right to decide on one's body is enshrined in the Constitution.

There is yet another drama playing out in the United States (US), which further divides opinions in the country. The abortion rights established firmly in law could be overturned by conservative justices on their Supreme Court.

In this article

I intend to highlight teenage pregnancy, and that access to information, counselling and safe and registered facilities for conducting abortions are critical to save the lives of women, especially young women. The rights to reproductive health in South Africa (SA) are well protected and regulated in law, but often inaccessible in practise. Policies related to reproductive health in SA and in the rest of the world are described, as well as developments around these issues in the US. Younger women in SA have a better chance of taking control of their own bodies and lives than the older generation. Worldwide, 60% of all unintended pregnancies end in abortion, and 97% of abortions take place in developing countries.

The main issue sketched in this article

Abortion has always been an emotional and contentious issue in any country, as matters of birth, life and death tend to be. People find it hard to think logically, and are loath to look at the evidence. I suspect that this situation is similar to the wide-spread reactions of denialism in response to the COVID-19 pandemic and climate change – because these are life threatening scenarios that (rightly) engender fear. This is again an ideal time for fear-mongering as societies are under enormous strain everywhere, trying to recover and/or managing the effects of the pandemic, and as a third world war threatens to break out as a result of Russia's invasion of Ukraine. Perhaps people feel powerless in the face of such catastrophic events, and insist on changing that which they think to have control over?

Whatever the underlying psychological reason may be, abortion has usually been a matter that men regard as their right to determine, both as the fathers of unwanted children, as religious leaders and

law makers. This is despite the fact that they are not the ones carrying pregnancies to full term and giving birth. What is worse, is that many fathers do not support their babies once they are born, creating a grossly unfair dilemma for those women who were somehow compelled to give birth.

At the same time, our world is full of unimaginable cruelty. Ukraine is being levelled with the ground, and many thousands have been killed, including children. The brutality of the violence perpetrated on innocent and unarmed civilians will haunt people from both sides for the rest of their lives.

The Ukraine war is not the only one taking place in the world. There have been and are, other ongoing wars from which millions of people have fled. Refugee camps in Syria and elsewhere, that were meant to provide temporary emergency accommodation, are still standing after many years, with no hope of decent, permanent accommodation, nor of normal, productive lives and participation in any economy.

For decades the US has sent military incursions, military funding and weapons into other countries to support the one side against the other. Hundreds of thousands have been killed, mostly civilians.

One has to wonder – what is a life worth? Why would people who are not taking care of the poor of the earth, want to force every woman in their own country with a foetus inside her to give birth?

I suspect that very few mothers actually want to abort the children growing inside of them. The choice to have an abortion is an extremely hard one, and even if it was taken with relative ease, probably causes the mother to mourn the unborn baby for the rest of her life, as is the case with miscarriages. Every abortion is a tragedy for the mother. But that does not mean that abortions should be outlawed. The mother is the one who should decide and bear the consequences.

Unplanned pregnancy in teenagers

The abstract of this article from the [National Institute of Health](#) in the US says: “Adolescents are extremely vulnerable to unwanted pregnancy. Counselling around the decision making process requires expertise in the areas of adolescent development, teenage motherhood and abortion. Teenagers usually need more intensive counselling than adult women in coping with an abortion because of their developmental status. If the abortion issue is not adequately resolved, adolescents may present later life problems around sexuality and parenting. Although teenagers who choose abortion have good potential to benefit from crisis intervention, there are very few services available to them”.

This refers to adolescents in the US. In SA such services are even scarcer. When the teenager has the burden of other issues in her life, lack of crisis intervention can be disastrous.

Abortion rights in South Africa

The right to make decisions over one’s own body is enshrined in the South African Constitution, which makes SA the only (or one of very few) countries to have protection for reproductive rights, including the right to abortion, in its constitution. (See a fact sheet about abortion in SA: [0 \(heard.org.za\)](#))

Abortion is legal in South Africa in accordance with the [Choice on Termination of Pregnancy Act 1996](#) (CTOPA) and [2008 amendments](#) to the same Act. Medical abortions can be done at no cost at licenced government and private facilities. See the advice from Abortion Clinics South Africa: [Abortion Laws in South Africa | Abortion Clinics South Africa](#).

The Act allows a woman of any age to terminate a pregnancy upon her request, if she is within the first 12 weeks of gestation. However, if approved by a medical practitioner, an abortion can also be performed from the 13th to 20th week of pregnancy under stipulated conditions. Abortion may even be legal after the 20th week if a medical practitioner is of the opinion that the continued pregnancy would endanger the woman’s life or the foetus.

Nurses and midwives can undergo the prescribed training, and are only allowed to perform abortions for pregnancies under 12 weeks. After three months’ gestation, only a medical doctor can perform an

abortion. Safe and legal abortions in South Africa can be performed at public or private [medical facilities designated by the government through a gazette notice](#).

Only the pregnant woman's consent is required for the termination of a pregnancy. If the pregnant person is a minor, the abortion service provider is required to advise her to consult with her parents, guardians, family members or friends before the pregnancy is terminated. However, the law clearly states that the provision of abortion services to a minor should not be denied just because the minor did not consult the recommended persons.

As always, there are problems in the implementation of the noble intentions of our legislation:

SA has a health system of which a large part is dysfunctional, making access to safe abortion services harder than the legislation would suggest. Access has also been hampered by competing health priorities, such as COVID-19, HIV/AIDS, and by the high number of people opposing abortion in principle. There is still a stigma attached to abortion, and strong social sanction in some communities, so that women who seek abortion might make use of unsafe abortion providers instead of the clinics and hospitals. It is not generally known that abortion is both legal and free, and that girls do not have to get their parents' permission to request an abortion.

SA also has a problem with unregistered people selling miscellaneous abortion pills to women, thereby increasing the rate of women hospitalised due to unsafe abortion practices. Illegal sellers often provide abortion pills without a prescription; and they do not always provide proper instructions on eligibility, dosage and usage. To be safe, women must ensure that they get abortion services from registered providers.

Unwanted babies in South Africa?

Reproductive rights are ensured (among other aims) to prevent the debilitating burden of unplanned and unwanted babies on mothers who are young, unprepared and unsupported. This includes access to contraceptives. In 2020, Statistics South Africa (Stats SA) produced a [study](#) based on women's and children's data from 1998 and 2016 South African Demographic and Health Surveys (SADHS).

When the surveys of all women aged 15-49 from 1998 and 2016 were compared, the increase of unwanted births was **only 3.1 percentage points**. However, unwanted births of the older women in this cohort were significantly higher than for younger women born in later years. Amongst women born during 1965-1969, unwanted births increased significantly from 13.2% in 1998, to 54.3% in 2016. This is an increase of 41.1 percentage points. The younger women had far less unwanted births. The advantage that younger women had, was due to education, economic improvement, and better control over their lives. In 2016 unwanted births to mothers with tertiary education (11.4%) was four times less compared to mothers with no education (46.3%). Unwanted births decreased gradually with increasing household wealth in 2016.

These findings suggest that women's circumstances have indeed improved overall, contrary to expectations, when there are such unprecedented rates of rape, and other forms of gender based violence in our country. These results are also in keeping with trends that have been observed elsewhere in the world. When women have the means to take care of themselves and their children, they are not as dependent on a partner and are able to control their bodies and lives. Education helps, because it gives women access to reliable information and makes women more employable. South African women appear to have improved their own lives and that of their children. Empowerment of women is one of the best ways to improve a society, and in general the laws on reproductive health seem to have paid off.

This makes it all the more tragic that young people like the girl I referred to in the first paragraph should go through a dangerous and traumatic ordeal because of ignorance of their rights.

How does South Africa compare to other countries regarding legislation on abortion?

According to this [publication](#): SA is one of only about 32% of countries in the world where abortion on request is allowed with no requirement for justification. There are 50 such countries (32% of the 158 countries surveyed); just over half of these are in Europe (54% or 27 countries). In Asia, there are 14

countries, followed by six in Africa, three in Latin America and the Caribbean, and one in North America (Canada). Approximately 82% (129 out of 158) of all the countries allow or permit abortion to save the woman's 'life'.

The [World Health Organisation \(WHO\)](#) says: "Making health for all a reality, and moving towards the progressive realization of human rights, requires that all individuals have access to quality health care, including comprehensive abortion care services – which includes information, management of abortion, and post-abortion care. Lack of access to safe, timely, affordable and respectful abortion care poses a risk to not only the physical, but also the mental and social, well-being of women and girls".

The following points are highlighted in the report regarding world-wide statistics:

- Each year, almost half of all pregnancies – 121 million – are unintended
- 60% of all unintended pregnancies end in abortion
- 30% of all pregnancies end in abortion
- Around 45% of all abortions are unsafe
- 97% of abortions take place in developing countries
- Around 73 million abortions take place worldwide each year

"Unsafe abortion is a leading – but preventable – cause of maternal deaths and morbidities. It can lead to physical and mental health complications and social and financial burdens for women, communities and health systems. Lack of access to safe, timely, affordable and respectful abortion care is a critical public health and human rights issue.

"In the first 12 weeks of pregnancy, a medical abortion can also be safely self-managed by the pregnant person outside of a health care facility (e.g. at home), in whole or in part. This requires that the woman has access to accurate information, quality medicines and support from a trained health worker (if she needs or wants it during the process). When people with unintended pregnancies face barriers to attaining safe, timely, affordable, geographically reachable, respectful and non-discriminatory abortion, they often resort to unsafe abortion".

What is going on in the US?

In the US, a majority of the Supreme Court justices want to overturn the landmark Roe vs Wade finding of 1973, which decisively ruled that abortion must be legal, according to a leaked draft opinion, written by Justice Samuel Alito in February and confirmed as authentic. This ruling indicates that the court's conservative majority had privately voted to strike down Roe vs Wade and subsequent rulings. The famous court ruling in Roe vs Wade made it possible for women in the US to have abortions throughout the intervening years (although various requirements are legislated in different states). Overturning the ruling means that it might become law in certain states that every woman, no matter the circumstances, should give birth if she happened to fall pregnant – even if it took place through rape, incest or in circumstances of coercion; and even when the mother has a disease or condition that makes it dangerous to give birth. It remains to be seen what the exact consequences are of this Supreme Court decision. However, some states are already taking advantage of the Supreme Court's stated intention, to change their laws to stricter requirements for abortion, or even outlawing it altogether. Other states are taking steps to secure their existing pro-choice policies.

The US Democratic Party tried to have abortion right written into law, in reaction to the draft Supreme Court ruling, so that such rights would not have to depend on case law. They failed because [the bill did not get past the Senate](#), which required a 60% majority to vote in favour of the bill. President Joe Biden said that Republicans "have chosen to stand in the way of Americans' rights to make the most personal decisions about their own bodies, families and lives".

The House speaker, [Nancy Pelosi](#) criticised the conservative judges who want to overturn Roe vs Wade, who were appointed by former president Donald Trump, and urged Democrats to keep their "eye on the ball" to protect other freedoms. Other responses to the Supreme Court's decision showed widespread concern that this would only be the start of undermining other women's rights in the US. She remarked: "The genius of our founders was to have a constitution that enabled freedom to

expand. This is the first time the court has taken back a freedom that was defined by precedent and respect for privacy.”

[Hundreds of protest events](#) have taken place nationwide, showing clearly the opposition of American women to the draft ruling. Polls show a majority of Americans want the procedure to remain legal in all or some cases.

FURTHER READING:

[Abortion attitudes of pregnant women in prenatal care - PubMed \(nih.gov\)](#)

[Teen pregnancy: an international perspective - PubMed \(nih.gov\)](#)

[Conceptions and misconceptions. Decisions about pregnancy - PubMed \(nih.gov\)](#)

['Half of America deprived of hope': thousands rally for abortion rights across the US – video | US news | The Guardian](#)

The opinions expressed above are those of the Executive Director, Ms Jansie Niehaus, and do not necessarily reflect the views of the [Executive Committee](#) or [members](#) of the NSTF.