



Nationalism, Sexuality, and  
Women's Reproductive Rights  
in South Africa

# ABORTION UNDER APARTHEID

SUSANNE M. KLAUSEN

# Abortion Under Apartheid



# ABORTION UNDER APARTHEID

*Nationalism, Sexuality, and Women's  
Reproductive Rights in South Africa*

Susanne M. Klausen

OXFORD  
UNIVERSITY PRESS

OXFORD  
UNIVERSITY PRESS

Oxford University Press is a department of the University of Oxford. It furthers the University's objective of excellence in research, scholarship, and education by publishing worldwide.

Oxford New York  
Auckland Cape Town Dar es Salaam Hong Kong Karachi  
Kuala Lumpur Madrid Melbourne Mexico City Nairobi  
New Delhi Shanghai Taipei Toronto

With offices in  
Argentina Austria Brazil Chile Czech Republic France Greece  
Guatemala Hungary Italy Japan Poland Portugal Singapore  
South Korea Switzerland Thailand Turkey Ukraine Vietnam

Oxford is a registered trademark of Oxford University Press  
in the UK and certain other countries.

Published in the United States of America by  
Oxford University Press  
198 Madison Avenue, New York, NY 10016

© Oxford University Press 2015

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, without the prior permission in writing of Oxford University Press, or as expressly permitted by law, by license, or under terms agreed with the appropriate reproduction rights organization. Inquiries concerning reproduction outside the scope of the above should be sent to the Rights Department, Oxford University Press, at the address above.

You must not circulate this work in any other form  
and you must impose this same condition on any acquirer.

Library of Congress Cataloging-in-Publication Data  
Klausen, Susanne Maria, 1965– author.  
Abortion under apartheid : nationalism, sexuality, and women's reproductive rights in South Africa /  
Susanne M. Klausen.  
pages cm  
Includes bibliographical references and index.  
ISBN 978–0–19–984449–4 (hardback : alk. paper) 1. Abortion—South Africa—History—20th century.  
2. Abortion—Government policy—South Africa. 3. Trials (Abortion)—South Africa. I. Title.  
HQ767.5.S6K55 2015  
362.1988'80968—dc23  
2015004891

Reprinted with permission

In chapter 4, “‘The Trial the World Is Watching’: The Crichton-Watts Trial, 1972.” © 2014 Cambridge University Press. This article was first published as “‘The Trial the World is Watching’: The 1972 Prosecution of Derk Crichton and James Watts, Abortion, and the Regulation of the Medical Profession in Apartheid South Africa,” *Medical History*, 58, 2 (April 2014), 210–29.

In chapter 6, “‘Reclaiming the White Daughter’s Purity’: The Passage of the 1975 Abortion and Sterilization Act.” © 2010 Johns Hopkins University Press. This article was first published as “‘Reclaiming the White Daughter’s Purity’: Afrikaner Nationalism, Racialized Sexuality, and the 1975 Abortion and Sterilization Act in Apartheid South Africa,” in the special issue *Reproduction, Sex and Power of the Journal of Women’s History*, 22, 3 (September 2010), 39–63.

9 8 7 6 5 4 3 2 1  
Printed in the United States of America  
on acid-free paper

# CONTENTS

*List of Acronyms*    [vii](#)

*Acknowledgments*    [ix](#)

*Timeline of Significant Events*    [xiii](#)

Introduction    [1](#)

1. “I’d Never Had Pain Like That—A Searing, Dying Agony”: Racialized Clandestine Abortion    [15](#)
2. “South Africa Is Experiencing an All-Out Attack by Permissiveness”: Communism, Immorality, and the Disintegration of Apartheid Culture    [58](#)
3. “My Uterus Belongs to Me”: The Campaign for Abortion Law Reform    [83](#)
4. “The Trial the World Is Watching”: The Crichton-Watts Trial, 1972    [107](#)
5. “Subjected to Relentless and Grueling Cross-Examination”: The Crichton-Maharaj Trial, 1973    [139](#)
6. “Reclaiming the White Daughter’s Purity”: The Passage of the 1975 Abortion and Sterilization Act    [154](#)
7. “The Actual Matter Is with Us Whites”: Abortion and the “Black Peril”    [176](#)
8. “The Law Is a Total Failure”: Abortion from 1975 to the End of Apartheid    [202](#)

Conclusion    [214](#)

*Appendix: The Abortion and Sterilization Act (1975)*    [221](#)

*Notes*    [229](#)

*Bibliography*    [285](#)

*Index*    [307](#)



## LIST OF ACRONYMS

AB	Afrikaner Broederbond (Brotherhood)
ALRA	Abortion Law Reform Association
ANC	African National Congress
ARAG	Abortion Reform Action Group
BCM	Black Consciousness Movement
BOSS	Bureau of Security Services
CI	Commission of Inquiry into the Abortion and Sterilization Bill
CID	Criminal Investigation Department
CISA	Christian Institute of Southern Africa
CPPM	Commission for the Preservation of Public Morals
CPSA	Communist Party of South Africa
CTOP	Choice on Termination of Pregnancy Act
D&C	Dilation and Curettage
DPH	Department of Public Health
DRC	Dutch Reformed Church
FBPW	South African Federation of Business and Professional Women
FPASA	Family Planning Association of South Africa
FSAW	Federation of South African Women
HSRC	Human Sciences Research Council
MP	Member of Parliament
NCW	National Council of Women
NP	Afrikaner National Party
NUSAS	National Union of South African Students
PAC	Pan African Congress
PDP	Population Development Program
PP	Progressive Party
SAALRL	South African Abortion Law Reform League
SAIRR	South African Institute of Race Relations



SAMA	South African Medical Association
SAMDC	South African Medical and Dental Council
SAMJ	<i>South African Medical Journal</i>
SANCMFW	South African National Council of Maternity and Family Welfare
SASO	South African Students Organization
SASOG	South African Society of Obstetricians and Gynecologists
SC	Select Committee on the Abortion and Sterilization Bill
UCT	University of Cape Town
UDF	United Democratic Front
UP	United Party
VOC	Dutch East India Company
WCTU	Women's Christian Temperance Union
WHO	World Health Organization
ZAR	South African Rand (the national currency)

## ACKNOWLEDGMENTS

I have had a longstanding interest in the politics of abortion dating back to the late 1980s when I joined the national reproductive rights movement that fought to prevent the federal government from re-criminalizing abortion in Canada. (We won.) In academia, my first article was on abortion in British Columbia in the 1930s. When I turned my research focus to South Africa, I was riveted by Helen Bradford's path breaking essay "Herbs, Knives and Plastic: 150 Years of Abortion in South Africa" (1991) and since reading it I hoped to build upon her important findings. After completing my book on the South African birth-control movement, published ten years ago, I set out to do so. From that point in time until now, I have received assistance and guidance from many generous colleagues, friends and strangers without whose help this book would not have been possible. It is with a grateful heart and a great deal of pleasure that I acknowledge them here.

At the start of my research Helen Bradford was wonderfully generous in numerous ways. She offered her expert opinion about my earliest findings in the national archives, gave me newspaper articles related to abortion she no longer needed, and invited me to stay in her lovely home in Cape Town. I was very fortunate to have received the support of such an outstanding feminist historian.

From Cape Town my research took me to Durban, where the astonishing Crichton-Watts trial took place in 1972. Because the Supreme Court trial transcripts are located in Durban, as are a number of the key individuals involved, I established my research "headquarters" there with the help of Marijke du Toit and Julie Parle, both formerly of the Department of History at the University of KwaZulu Natal. During my first visit to Durbs, Marijke welcomed me to stay with her and her zoo (I especially loved her charming cats, Kista and Dido), and helped me find my bearings. I stayed with her during subsequent research trips as well. Afterwards, Julie allowed me on numerous occasions to stay for extended periods of time in her much-coveted "apartment with a view." Their generosity allowed me to spend sufficient time tracking down leads, records and people.

Interviewing people who played key roles in events described in my book proved surprisingly easy. I expected they would have passed away or left South Africa, or else would be wary of an outsider like me and refuse to discuss their pasts. But the exact opposite was the case: most people were alive, living in the country, and very willing to share their version of events. Indeed, some were keen to do so. I was always fully aware of what an honor it was to be trusted by people whose recollections were invaluable to me in piecing together the story of clandestine abortion. Without their help I would not have been able to fully grasp what it was like to live in South Africa when abortion was a crime. In the order of meetings, I offer thanks from the bottom of my heart to: Helen Suzman, Beatie Hofmeyr, Dr. Lynette Denny, Susan Pohl Crichton, Linda Redman, James Watts, Dan Matthee, Dr. Keith Saville, Douglas Shaw, Dr. Derk Crichton, Dr. Sam Mokgogong (with whom I spoke twice on the telephone), Dr. Samuel Pitsoe, and S. A. S. Strauss. I am most grateful to Luelle Watts and Jimmie Watts, who were so hospitable to me during my visits to their home (where their daunting cat Skollie continues to amaze), and to Susan Pohl Crichton who very kindly fetched me from Betty's Bay during the Christmas holiday of 2010 and drove me to Hermanus to stay with her and Derk Crichton. I would also like to thank Susan for agreeing to donate papers related to Derk's two trials to the Killie Campbell Africana Library so that future historians will have access to such important documents. These South Africans impressed me with their integrity, kindness, generosity and openness. I am also grateful to ARAG, in particular June Cope and Dolly Maister, who donated their papers in two separate collections (at the University of Kwa-Zulu Natal and the University of Cape Town); having access to these invaluable sources helped me a great deal in making sense of the politics of abortion during the 1970s.

In Johannesburg, Natasha Erlank in the Department of Historical Studies at the University of Johannesburg, has always welcomed me into her home in the neighbourhood of Melville, my old stomping grounds from the days of my doctoral research. Natasha and her partner Neil Klug have long provided shelter, good company, delicious wine, and fascinating observations about life in late-apartheid and the "new" South Africa, for which I am very grateful. Without a doubt, the best perquisite of this project was the opportunity it gave me to spend time with my fabulous friends Natasha, Marijke, and Julie.

While writing up and presenting my findings over the years I have had the good fortune to attract the interest of first-rate scholars whose comments have been hugely helpful. First and foremost I must thank the late Glen Elder, whose untimely passing still stings when I think of it. Glen was a pioneering queer theorist whose work provided me with a theoretical

roadmap with which to make sense of all that I was discovering in South Africa. His comments on a paper I presented at the NEWSA conference that took place just weeks before his sudden death were crucial to the shape that the study would subsequently take.

Without doubt, the scholar to whom I turned for advice most frequently and fruitfully while working through my findings is my friend Mary Caesar. I am so grateful to have had such an intelligent and indulgent colleague so close by, at Queen's University in Kingston, for all these years. Mary listened to me as I reported "eureka" findings and gave me great ideas to consider during intellectual dry spells, as well as translated from Afrikaans to English crucial documents that yielded key pieces of the research puzzle. For all of these things I offer a heartfelt thank you.

Back in South Africa, Rebecca Hodes offered me astute and helpful comments on early drafts of various chapters. She also shared with me the transcript of an interview she conducted with a Cape Town doctor who performed abortions during apartheid, and gave me permission to use her photograph of one of the ubiquitous advertisements for clandestine abortion that are plastered across South African cities. Meghan Healy-Clancy also shared with me tremendously helpful transcripts of interviews she conducted, this time with former students of Inanda Seminary who discussed their vivid memories about teen pregnancy and abortion in decades gone by. Thank you, Rebecca and Meghan, for sharing research findings that added vitally important first-person recollections to the narrative.

While researching and writing, I have been extremely fortunate to be based at Carleton University, an extraordinarily collegial institution. My Dean in the Faculty of Arts and Social Sciences, John Osborne, has always advocated for us Africanists and our initiatives, most notably our nascent Institute of African Studies. He and the Associate Dean of Research, Pauline Rankin, supported my research in important ways. I won two faculty research awards that granted me additional time for this project. I was also offered funds to pay for lessons in Afrikaans; I am certain the language training helped secure me a SSHRC Standard Research Grant in 2011, and I am very grateful to SSHRC for providing me with the means to make many trips to South Africa possible. Thank you John and Pauline; if only all managers would be so encouraging of their staff. In the Department of History and the Institute of African Studies I have colleagues who make working at Carleton fun and satisfying. In particular, Sonya Lipsett-Rivera and Blair Rutherford are wonderful co-workers whom I am lucky to call my friends.

Once I began writing the manuscript I was confronted with the usual gazillion gaps in the story that required follow up in South Africa, and I was incredibly lucky to secure the research services of the intrepid Chris

Eley. Chris obtained everything I asked for, from the titles of articles published in obscure newspapers on dates I had forgotten to the permission of numerous newspapers to reprint photographs in my book. Chris was both tenacious and creative when tracking down sources of both the paper and human variety; I believe he would make an excellent private detective.

Finally, when a draft manuscript was complete I benefited from the editorial skills of a range of talented people. Two graduate students in my department, Jane Freeland and Alana Toulín, offered very helpful comments and suggestions. At OUP, my editor, Nancy Toff, gave me extremely effective guidance on how to write a scholarly yet accessible book for a wide audience, and the expert copy editors did a terrific job polishing the manuscript. Patricia Buchanan was an invaluable indexer. And, finally, a sincere thank you to my two doctoral students, Melissa Armstrong and Christine Chisholm, who applied their impressive intellects and sharp analytical skills to the task of reading the final version of the manuscript just days before I returned it to OUP. Their critiques and suggestions at the eleventh hour helped me to avoid some silly mistakes and produce a more nuanced analysis of some events.

My parents, Karen Klausen and Willy Klausen, have been ever-present sources of support, and their boundless love and pride in me inspire intense gratitude. And I have been truly blessed on the sibling front: my brother Steven's unwavering friendship, and uncanny abilities to read my mind and make me laugh out loud mean the world to me. I hope one day I will once again live near him, his talented wife Debbie, and beautiful children Jessica, Torben, and Josie – or least that we will live in countries not quite so far apart as Canada and New Zealand.

I began this research project just as Ken MacPhail came into my life, and in my mind the two adventures, professional and personal, were inseparable from the start. Ken has been the home from which I traveled and to which I always longed to return during the past decade, and he has been my anchor all the times I was alone and on the move. There is no way to adequately express how deeply I value his ideas, advice, wisdom, wicked sense of humour, and, of course, personal tech support; on the last point, I am grateful to him for so skillfully photoshopping the images contained in the book and for finding Siegfried Modola's striking photograph for the cover. His kindness and generosity of spirit constantly humble and challenge me to strive to be a better person. It is wonderful to see his best qualities sparkle in his remarkable daughters Brenna and Aislin. I have been profoundly fortunate to find a partner with such a selfless and unshakable commitment to those he loves.

## TIMELINE OF SIGNIFICANT EVENTS

---

1817	Dutch Reformed Church condemns marriage between whites and Africans
1899–1902	South African War
1910	South Africa proclaimed a British dominion
1918	Formation of the Afrikaner Broederbond
1938	Dr. Aleck Bourne acquitted in Britain of charge of performing a criminal abortion on a fourteen-year-old girl
1938	Formation of Commission on Mixed Marriages
1948	National Party elected
1949	Dr. Gerhardus Buchner and colleagues convicted of performing criminal abortions, Johannesburg
1949	Passage of the Prohibition of Mixed Marriages Act
1950	Passage of the Immorality (Amendment) Act that prohibited sex between whites and all other “races”
1959	Passage of the Promotion of Bantu Self-Government Act
1960	Sharpeville Massacre
1960	PAC and ANC banned
1961	South Africa withdraws from the British Commonwealth and becomes a republic
1968	South African Society of Obstetricians and Gynecologists holds a national symposium on abortion at Hermanus
1971	Conviction of Dr. Edward King for performing criminal abortions on white teenagers (June)
1971	Acquittal of Dr. Laurence van Druten of charge of performing a criminal abortion on a fifteen-year-old white girl (November)
1971	Formation of the South African Abortion Law Reform League, Cape Town
1972	Formation of Abortion Reform Action Group, Durban
1972	Formation of Commission of Inquiry into Certain Organizations (the Schlebusch Commission)
1972	South African Medical and Dental Council requests a commission of inquiry into the abortion law (February)

1972	DRC Synod of Northern Transvaal appoints Commission for the Investigation of Medical Ethics to consider abortion law reform (May)
1972	Conviction of Dr. Derk Crichton and James Watts, Durban (December)
1973	NP submits Abortion and Sterilization Bill to Parliament (February)
1973	Formation of the Select Committee on the Abortion and Sterilization Bill (February)
1973	Conviction of Dr. Derk Crichton and Dr. Angini Maharaj, Durban (March)
1973	Formation of the Commission of Inquiry into the Abortion and Sterilization Bill (July)
1974	NP submits amended Abortion and Sterilization Bill to Parliament (February)
1974	Government forbids public hospitals to report on abortion-related admissions
1974	Department of Health launches population control program
1975	Passage of the Abortion and Sterilization Act (February)
1976	Television introduced in South Africa
1980	National media gripped by attempt of “Abortion Girl” to have a legal abortion
1990	Demise of apartheid
1994	Election of ANC
1996	Passage of the Choice on Termination of Pregnancy Act

---

# Introduction

In South Africa during apartheid, the era of white supremacy that existed from 1948 to 1990, abortion was illegal except to save a woman's life.<sup>1</sup> As a result, the vast majority of women wishing to terminate an unwanted pregnancy were forced to use clandestine and often dangerous methods to do so. Unsafe abortion became extremely widespread.<sup>2</sup> For years, countless hospital admissions, and the bulk of emergency care provided in gynecology wards, were related to unsafe abortion. Women's health advocates estimated that by the 1970s, 250,000 women, the vast majority black, were illegally procuring abortions annually, and hospital statistics, eye-witness accounts provided by doctors, and evidence produced by researchers and reporters make it abundantly clear that pain, humiliation, and gruesome death were regular occurrences.<sup>3</sup>

Clandestine abortion has received a great deal of attention from historians in other national contexts, but in South Africa, as for Africa generally, research has emerged mainly from the fields of social science, anthropology, and medicine.<sup>4</sup> This is, to my knowledge, the first full-length scholarly study of the history of abortion in an African context. It describes the criminalization of abortion during apartheid and the response by women and political, medical, social, and religious groups grappling with changing ideas about the traditional family and women's place within it. At the heart of this story are the black and white girls and women who—regardless of hostility from partners, elders, religious institutions, nationalist movements, doctors, nurses, or the racist regime—persisted in attempting to determine their own destinies. Although a great many were harmed and some even died as a result of being denied safe abortions, many more succeeded in thwarting opponents of women's right to control their capacity



to bear children. This book conveys both the tragic and the triumphant sides of their story.

The silence surrounding the topic of abortion in the study of apartheid, and of the politics of sexuality and fertility more generally, speaks volumes about the ongoing privileging of a male-centered analysis of South Africa's past. For decades, race and class have been the predominant concerns of researchers, and in the so-called liberal versus Marxist debate about the cause of apartheid, one thing was certain: both sides were gender blind. Without taking women and gender into account, scholars' understanding of the historical process was, in the words of one historian, "unacceptably inaccurate" and "incurably defective."<sup>5</sup> This is hardly an isolated observation; for decades feminists have been flagging the issue of gender blindness and brought women and gender relations into focus.<sup>6</sup> As historian Helen Bradford writes, if gender and women are "omitted, or trivialized, or not examined with the same rigor automatically accorded men, then the price is frequently interpretations with limited purchase on the past."<sup>7</sup> More recently scholars have also shown that, in addition to operating as a sexist and racist body of laws, apartheid was intensely homophobic. One queer theorist calls for analysis of apartheid's "heterosexual matrix," Judith Butler's term for "that grid of cultural intelligibility through which bodies, genders, and desires are naturalized."<sup>8</sup>

The politics of sexuality and reproduction were fundamental to apartheid, yet it continues to be discussed and remembered mainly in terms of racial oppression.<sup>9</sup> This observation applies to much popular, as well as scholarly, representations of the apartheid era. The standard account of those four decades continues to perpetuate a male-centered narrative that reduces much of its history to a struggle for control of the state by two competing nationalisms: Afrikaner and African. Left ungendered, "Afrikaners" (and "whites" in general) who tried to retain political control are assumed to be men, as are the "Africans" who fought to overthrow apartheid.<sup>10</sup> This sidelines essential dimensions of the recent past, not least of which is the oppression of women—regardless of race—in the home, at work, and alongside their men in nationalist struggles to either protect or destroy the racial order.

This book aims to make a meaningful contribution to our understanding of South Africa's recent history by bringing into sharp relief the intensity of struggles over women's reproductive sexuality in the maintenance of apartheid. Specifically, it shows just how deeply Afrikaner nationalism was invested in controlling white women's sexuality. By highlighting gender and sexuality, this study reveals a very different, immense power struggle that took place: between women and patriarchal laws, policies, norms, and

customs that resulted in humiliation, fear, and death—in this case for women trying to control their fertility. That struggle led to events that were in turn inspiring, tragic, poignant, and outrageous, and throughout this book people who lived through this history—women, doctors, police officers, lawyers, legal scholars, feminist activists—describe their experiences in their own words. Indeed, since I began this project ten years ago I consistently found people incredibly open, welcoming and willing to share memories and opinions about their experiences. In addition, I have drawn upon the records of government, the courts, the medical press, and the pro-choice groups that fought so hard for accessible medical abortion services, and I have also turned, for descriptions of subjective experience, to memoirs and novels written by authors keenly aware of the humiliation and fear experienced by women wanting to terminate unwanted pregnancies.

This examination of the history of abortion reveals a great deal about the pervasiveness of patriarchal, sexist ideas about women and the family in South Africa during the apartheid era, and their effects on the intimate, everyday lives of women, about which we still know far too little.<sup>11</sup> It also demonstrates that the oppression of women cut across racial and ethnic divides. Without question, women's racial classification fundamentally shaped the nature and determined the intensity of women's oppression: white women derived political and economic benefits as well as opportunities black women could only dream about. And black women, especially young and rural women, had far less access to safe, medical abortion and consequently suffered much greater harm and hardship than white women, qualitatively as well as quantitatively. But it is equally true that regardless of color, class, or ethnicity, South African women shared in the experience of being denied control over their reproductive capacity and sexuality. During apartheid, both competing nationalist movements (Afrikaner and African) marginalized women politically and held up motherhood as a social role women were expected to fulfill.<sup>12</sup> However, in this study, the main focus is the Afrikaner National Party (NP), the political embodiment of Afrikaner nationalism that governed South Africa for over forty years. I am interested in mapping the government's desire to police white women's reproductive capacity in the interests of maintaining apartheid culture. The NP's attempt to do so led to far greater state intervention in white teenagers' and women's attempts to terminate unwanted pregnancy than in black women's attempts to do the same.

The book's time frame is the apartheid era, 1948 to 1990, which was different, both politically and culturally, from the forms of white supremacist rule that preceded it. Methodologically, the study employs a number

of analytical categories that are distinct theoretically but inseparable in lived reality: gender, sexuality, whiteness, nationalism, and race. And it places the narrative in a transnational context because the criminalization of abortion had roots in the “new” imperialism of the nineteenth century that was inflicted on all of Africa, with the exception of Ethiopia and Liberia, the two countries that remained unconquered by European powers. Moreover, the demands for safe, accessible abortion services that emerged in South Africa in the late 1960s were influenced by political developments taking place elsewhere on the continent and beyond, as was the NP’s response.

### INTIMATE BEDFELLOWS: AFRIKANER NATIONALISM AND SEXUALITY

The NP’s stance on abortion was profoundly informed by the racism and sexism of Afrikaner nationalism. In common with the ideology of many settler populations, Afrikaner nationalism perceived racial distinctiveness as the natural basis of the unequal racial order in South Africa, first as a dominion of the British Empire, founded in 1910, then as a republic, after withdrawing from the Commonwealth in 1961.<sup>13</sup>

Afrikaner nationalism emerged in the wake of the Boers’ defeat in the South African War (1899–1902). (White Afrikaans-speakers were known as “Boers” prior to the invention in the early 20<sup>th</sup> century of the political ethnic identity “Afrikaner.”) A growing sense of national consciousness among conquered Boers was exploited and mobilized by men intent on capturing the state for the *volk* (Afrikaans for both “people” and “nation”), defined exclusively as white Afrikaans-speaking descendants of the original Dutch settlers who arrived at the Cape in the seventeenth century. Boers had believed since the beginning of the eighteenth century that black South Africans were destined by God to be hewers of wood and drawers of water for whites, and the intellectual architects of Afrikaner nationalism continued justifying the assumption of white racial supremacy in religious terms.<sup>14</sup> In 1942, for example, D. F. Malan, a minister in the Nederduitse Gereformeerde Kerk, Afrikaans for Dutch Reformed Church (DRC), and member of the NP who would become the first prime minister of South Africa under apartheid, bluntly equated blackness with barbarianism:

It is through the will of God that the Afrikaner People exists at all. In his wisdom he determined that on the southern point of Africa, the dark continent,

a people should be born who would be the bearer of Christian culture and civilization. . . . God also willed that the Afrikaans People should be continually threatened by other Peoples. There was the ferocious barbarian who resisted the intruding Christian civilization and caused the Afrikaner's blood to flow in streams. There were times that as a result of this the Afrikaner was deeply despairing, but God at the same time prevented the swamping of the young Afrikaner People in the sea of barbarianism.<sup>15</sup>

According to ethnic nationalists like Malan, Afrikaners truly were God's Chosen People.

There were two institutions crucial to producing Afrikaner nationalism and inventing its traditions.<sup>16</sup> The first was the main church of white Afrikaans-speakers, the DRC, established at the Cape in the seventeenth century and their only nationwide church during apartheid.<sup>17</sup> By the 1980s, the church had 246,000 members, 63 percent of the total white Afrikaans-speaking population, making them "the most church-attending people in the world."<sup>18</sup> The DRC's doctrine of Christian Nationalism was adopted as the ideology of Afrikaner nationalism, and already by 1915 the church perceived itself, and was perceived by its members, as the guardian of the Afrikaner identity.

A local variation of Calvinism, Christian Nationalism endorsed a racist social order and patriarchal morality with equal fervor. The DRC provided biblical legitimization and continual reassurance of the general ethical acceptability of racism by teaching that descendants of Ham, the cursed son of Noah whose offspring were said to have populated Africa, were only five-eighths human and therefore it was God's will they be ruled by whites. Marriage between whites and Africans was prohibited in 1817. The DRC also promulgated an intensely conservative notion of the traditional family that celebrated patriarchal authority and expected wife and children to defer to the male head of the household. Unsurprisingly, the church, in keeping with other sexist variations of Christianity such as the Roman Catholic Church, taught that sex was solely for procreation.

Finally, the DRC was extremely hierarchical. Emphasis on hierarchical authority was based on the religious presupposition "of a cosmological hierarchy headed by God . . . consisting of an all-encompassing descending structure of authorities over all of human existence," and in practice the church had zero tolerance for questioning authority, as was demonstrated many times in its dealings with internal critics and dissidents.<sup>19</sup> Until the 1980s, the church was officially unwavering in its support for apartheid—to the extent that it became a front organization for the NP

government, which in 1974 secretly financed an ecumenical office that sent an officer around Europe to “sell” apartheid.<sup>20</sup>

The second institution was the powerful Afrikaner Broederbond (Afrikaans for “Brotherhood”) (AB), a secret society formed in 1918 to protect and promote Afrikaner interests.<sup>21</sup> The AB comprised hand-picked men of influence or usefulness to the cause, and its watchdog committees closely monitored almost every aspect of Afrikaner national life and supervised the implementation of government policy. From the 1920s until the demise of apartheid, there was considerable overlap in the leadership, values, and purposes of the AB, DRC, and NP: over the decades a significant number of *dominees* (DRC ministers) were members of the Broederbond, and at one time the church’s official publication, *Die Kerkbode*, was distributed to church members as a supplement to the nationalist newspaper *Die Burger*.<sup>22</sup> Similarly, elected members of the NP were almost always *broeders* and some, like D. F. Malan, were also *dominees*. The AB had a close relationship with the government during the years when the public fight over abortion was most intense, the 1970s, when the harsh Balthazar Johannes (John) Vorster had power, first as minister of justice (1961–66), then as prime minister (1966–78), and finally as state president (1978–79).

In 1948, after decades of banishment to the political wilderness, Afrikaner nationalists surprised everyone, including themselves, by winning the national election. To a large extent the NP was victorious because it most effectively tapped whites’ unease over the social upheaval unleashed by World War II. During the war, the manufacturing sector rapidly expanded, and with 300,000 troops overseas, tens of thousands of Africans moved to the cities, pushed by the decline in agricultural production in the “Native reserves” and falling wages for farm labor, and pulled by available work in industry for relatively high wages. At war’s end, the much increased black population in the cities was undermining pre-war segregation. This was a deeply unsettling situation for whites and intensified their longstanding fear, dating back to the nineteenth century, of the *swart gevaar* (“black menace,” known in English as the Black Peril)—that is, being numerically “swamped” by Africans.<sup>23</sup> By 1946, whites constituted only 20.8 percent of the total population.<sup>24</sup> Semi- and unskilled white male workers (mostly Afrikaans-speakers) were also anxious about the economic challenge posed by black workers, against whom they now faced competition for jobs, and the business elite was wary of the growing political strength of black trade unions. Moreover, white farmers resented the exodus of cheap black labor to the cities and the resulting rise in the cost of labor. The ubiquity of black urban poverty, the rise of black worker

militancy, resurgent black political aspirations, and the proximity of so many black bodies fed whites' sense of a world in chaos.

Adding to the sense of social disintegration was the employment during the war of a small number of white women in munitions factories.<sup>25</sup> Considered a necessary evil at the time, social conservatives were nevertheless chagrined by women working outside the home and, after the war, they were appalled by the radical effect the experience had on some women's attitude toward their place in the "traditional" (patriarchal) family. In 1947, for example, a report of the DRC titled *Kerk en Stad* (Church and City) lamented the spreading social evils of divorce and sexual immorality (specifically, women having sex outside of marriage), along with a rise in crime and the popularity of gambling.<sup>26</sup> It was not a surprise to anyone when the DRC, along with the NP, opposed postwar demands of white women for elimination of legal discrimination at work and in the home.

As a solution to the chaotic situation, the NP proposed a number of measures, including the policy of apartheid (Afrikaans for "apartness"). White supremacy and the preservation of white racial purity would be ensured through the "separate development" of the four officially categorized races: Bantu (African), Asiatic (Indian), European (white), and Coloured.<sup>27</sup> (I use the terms when quoting sources or referring to state policy.<sup>28</sup>) During the election, the NP was in fact vague about how and to what extent it would separate the races spatially and socially without harming an economy entirely dependent on cheap black labor, the very basis of racial capitalism.<sup>29</sup> Yet despite, or probably because of, conflicting ideas about how best to protect white supremacy and the vagueness of the policy, the promise to somehow distance racial "others" from whites was appealing and ultimately successful.

In addition, the NP assured Boers they would have jobs and exploited their resurgent sense of national identity by pledging to safeguard them against a return to economic and cultural subservience to their erstwhile enemy, the British. On the basis of such promises, and the weakness of the rival United Party (UP), the NP won the first postwar national election. The party drew a minority of votes, 39 percent, but managed to win because of the over-representation of rural seats. The nationalists had a small majority of five seats in Parliament, seventy-nine seats in total against the seventy-four seats of the combined opposition.<sup>30</sup>

Although the NP's racism showed continuities with that of previous governments in South Africa, apartheid inaugurated a new era of total obsession with demarcating and policing racial boundaries. Race became "the critical and overriding faultline," the "fundamental organizing principle for the allocation of all resources and opportunities."<sup>31</sup> In a nutshell,

apartheid was characterized by the thorough institutionalization of racial difference. All South Africans, including whites, had to register their racial classification with the state, and would be racially segregated.<sup>32</sup>

In theory, Africans would one day live separately in their own self-governing territories. In 1959, the NP government passed the Promotion of Bantu Self-Government Act that eventually led to the creation of ten Bantustans, or homelands, the new Orwellian term for previous reserves, one for each ethnic group (Xhosa, Zulu, Tswana, etc.). The law was intended to dilute Africans' collective political potential by emphasizing ethnic difference, and ultimately the homelands became dumping grounds for "surplus" Africans.<sup>33</sup> Each ethnic group would one day live in its own territory subsidized by the central state and would evolve according to its own cultural imperatives toward a putatively preordained national destiny. As one NP Member of Parliament (MP) explained in 1971, "separate development and social separation is [*sic*] part of the same pattern and of our policy. Our policy, the entire separate development policy, is aimed at retaining the separate identities of the Whites and the non-Whites of South Africa, because we are different."<sup>34</sup> Although the racist vision was never fully realized, once in power the NP government immediately began to systematize apartheid by implementing what would finally become a dizzying array of measures to segregate and subjugate black people.

The races were separated not just politically, economically, and spatially but also socially, including sexually. Indeed, as this book demonstrates, sexuality was key to the formation and maintenance of apartheid.<sup>35</sup> As scholars elsewhere have shown, sexuality is fundamental to the production of modern nation-states, as much in their colonial as in their Western permutations, and is, therefore, a political phenomenon always "entangled in relations of power, and fashioned in ways which bear the imprints of other vectors of inequality and difference, such as race, class, status and generation."<sup>36</sup> Sexuality is a primary site of moral regulation, and dominant meanings and expectations relating to it help define citizenship and, in colonial contexts, buttress imperial projects by designating boundaries between rulers and subjects.

From the very beginning, the apartheid project was deeply steeped in sexual tension and struggles as, in common with nationalist movements everywhere, the NP devised and attempted to enforce sexual norms aimed at protecting the *volk* in particular and whites in general. Afrikaner nationalist morality was puritanical, virulently racist, patriarchal, and homophobic: according to the apartheid sex code, sex could take place only between men and women of the same race joined in marriage. Whites' double desire to maintain white supremacy and social distance



from subject races fueled the rapid passage of numerous laws intended to widen and reinforce the racial border already established by previous governments.<sup>37</sup>

The first two major laws passed by the newly elected NP pertained to sex. In 1949, just one year after coming to power, the government passed the Prohibition of Mixed Marriages Act that criminalized marriage between people of different races.<sup>38</sup> (As a consequence, many couples who were legally married but classified as belonging to different racial categories were forced to live apart, prompting spouses to apply to the Race Classification Board for racial reclassification.<sup>39</sup>) The following year, the government passed the Immorality (Amendment) Act that forbade “illicit carnal intercourse,” meaning sexual relationships between whites and all other races, which expanded the original Immorality Act passed by the UP government in 1927, which only criminalized sex between whites and Africans. If caught, both parties—the offending white person and lover of another color—could be imprisoned; men were liable to a maximum of five years in prison and women to four. (The original legislation stated women could be found guilty of “permitting” sexual intercourse, and the 1950 Amendment Act retained the assumption of female sexual passivity and subordination.)

The sex laws would assist the state in policing racial boundaries to ensure no blacks acquired and no whites betrayed a white racial identity. South African whites, always fearful of being numerically “swamped,” were extremely phobic about miscegenation and the sex laws were intended to work together, hand in glove, as one politician put it in 1971, to prevent race mixing.<sup>40</sup> Softening the color line challenged the racial hierarchy and muddled the “political boundaries on which power rested.”<sup>41</sup> In colonial contexts, prior to the arrival of female settlers, sex between white male colonizers and colonized women was widespread, but after women from the metropole arrived to stabilize and build colonial society, revulsion at miscegenation usually intensified and prohibition of cross-racial sex became common.<sup>42</sup> This was the case in modern South Africa where white racial purity—in actuality, a complete fiction—required preventing the creation of mixed-race children.<sup>43</sup>

When introducing the bill on mixed marriages in Parliament in 1949, the government stated bluntly its purpose was to “promote racial purity as far as possible.”<sup>44</sup> During the 1938 national election, the NP had previously exploited the fear of miscegenation, deploying, for example, a campaign poster of a white woman, a black man, and their mixed-race children pictured with the caption “Mixed Marriages.” Significantly the poster conveyed white men’s sense of insecurity regarding the control of and sexual



access to white women, anxiety that would again become prominent in the response to clandestine abortion in the 1970s.<sup>45</sup>

The rapidity with which the government enacted the two sex laws illustrates the centrality of the regulation of sexuality to the construction of apartheid. Yet despite the publication of path-breaking studies, there is still little attention paid to the importance of sexuality in the making and maintaining of apartheid culture or the state's "hidden war on sexual dissidence."<sup>46</sup> Too often sexuality is still considered marginal to what is considered the only issue at the heart of apartheid, namely the oppression of black people.<sup>47</sup> Why is this blind spot such a problem? To paraphrase an observation made by Dagmar Herzog, a leading historian of sexuality in post-fascist Germany, to neglect sexuality is to fail to fully understand the meaning of apartheid and take seriously the impact of its virulent racism, heterosexism, and homophobia on the everyday lives of South Africans.<sup>48</sup> Focusing on sexuality will profoundly enrich our understanding of the nature of apartheid culture and the experiences of the people who lived in that authoritarian society; it can also deepen our understanding of the social values of the national liberation movement that ultimately triumphed over Afrikaner nationalism, including the African National Congress (ANC) that continues to rule in South Africa today.

South Africa is not exceptional in this regard because there is, in fact, surprisingly little research on the history of sexuality in Africa in general. The reason for this has numerous facets, including the economic devastation wreaked on African countries by the imposition of neo-liberal economic policies starting in the 1970s, which starved universities and research institutes of funds; the relatively late development of feminist and queer historiography; the challenge of conducting research on the pre-colonial era because of the absence of archives full of texts; and a general reluctance by Africanists to write about sensitive themes pertaining to sexuality.<sup>49</sup> In Africanist feminist and queer thinking, sexuality has until very recently been a "no-go area" in large part because "the field was simply too heavily charged with an overload of colonial preconceptions, still alive and kicking long after they were presumed dead."<sup>50</sup>

But since the scourge of HIV/AIDS, sexuality has been a major focus of research by (mainly) Western-based scholars, and Africanist feminists and queer theorists have jumped on board rather than leave this important area of social life to "external investigation—and concomitant misunderstanding."<sup>51</sup> Indeed, the dearth of research on the history of sexuality stands in stark contrast to the almost overwhelming interest taken by social scientists researching the spread of HIV/AIDS in contemporary

sexual behavior, attention that sometimes has the unintended consequence of pathologizing African sexuality.<sup>52</sup>

## POLICING WHITE FEMALE HETEROSEXUALITY

The demise of apartheid has opened up discursive space for considering the nature and meaning of white struggles over sexuality in the decades of NP rule. The lack of historical research on white sexualities is not surprising, because the invention and shoring-up of whiteness (a white racial identity) has yet to be thoroughly unpacked. In common with research in other colonial societies, initial studies of apartheid were dominated by concerns about racism and class exploitation. However, this has left whiteness outside the field of inquiry and consequently has helped maintain the invisibility, the “naturalness,” of the process of producing and maintaining a white racial identity. As the standard racial identity to which other races were compared and found wanting, whiteness has been largely invisible to scholars, leaving the social history of white society largely to popular studies and the arts.<sup>53</sup>

Recently, historians have started to examine how white South Africans imagined themselves, constructed their own communities, and deployed or subverted cultural prescriptions guiding daily behavior in both domestic and public life. Queering whiteness has revealed that the behavior, including sexual behavior, of white men and women during apartheid was regulated and, when necessary, disciplined. As anthropologist Ann Laura Stoler explains, “Ultimately inclusion or exclusion [in the ruling race] required regulating the sexual, conjugal and domestic life of *both* Europeans in the colonies and their colonized subjects.”<sup>54</sup> Whites whose actions or identities transgressed the apartheid sex code were a particularly potent threat to apartheid culture, and many were duly punished.

To date, much of the research into dissident white sexuality focuses on the state’s discrimination against queer men.<sup>55</sup> Male political elites’ fear of white, male gay subculture was the result of a crisis in white masculinity, and men in power sought to assuage their discomfort by first delineating and then trying to close the (white) gay closet. The regime’s bout of sexual anxiety provoked repression in the form of an amendment to the Immorality Act in 1969 criminalizing sex between men.<sup>56</sup> As any student of Foucault would expect, state repression had the unintended, ironic consequence of producing resistance in the gay subculture and fostering a greater sense of community than had hitherto existed. Indeed, repression had an unexpected, positive effect, it “formalized gay culture, creating

as never before gay venues that became safe . . . meeting places for those white men and women who were allowed in.”<sup>57</sup>

A topic that has received scant attention is the regulation and disciplining of white *heterosexuality*.<sup>58</sup> And an entirely neglected target of sexual policing is white *female* heterosexuality.<sup>59</sup> This study shows that the apartheid regime denied white women access to medical abortion in an attempt to police white womanhood, to ensure white women’s reproductive sexuality was sutured to, and pressed into the service of, the racialized traditional family. In turn, the image of the idealized family buttressed apartheid by reinforcing imagined differences between “civilized” citizens and “savage” subjects. New knowledge that young white women were procuring clandestine abortions, much of that evidence produced during prosecutions of medical abortionists in the early 1970s, provoked a strong response from the NP government that culminated in 1975 with the passage of highly restrictive abortion legislation, the Abortion and Sterilization Act.

The NP’s strong reaction to white women’s supposedly errant sexuality highlights the vulnerability of whiteness, even during the 1960s and early 1970s when apartheid was successful from a racist white point of view. The public fight over access to medical abortion that began in the late 1960s is thus a vivid example of the enmeshment of a public discourse of sexuality “within a wider matrix of moral anxiety, social instability and political contestation.”<sup>60</sup> The conflict over abortion clearly reflected whites’ ongoing sense of vulnerability to “swamping,” as well as men’s fear of losing control of women.

White South African women shared the experience of patriarchal state regulation of their bodies with women in colonial and post-colonial nation-states across Africa (and beyond). By the 1960s most women on the continent lived in societies in which men had dominance over them in law and property relations, and women were defined primarily as biological and social reproducers of national/ethnic groups and the boundaries dividing them. In some newly independent countries, African women were criticized for adopting Western fashions: such women were perceived as lacking pride in being African and an insult to African nationalism. In Kenya, Uganda, Malawi, Zambia, Ethiopia, and Tanzania, to name a few, African nationalists jeered at and insulted women wearing Western hair styles, clothing, and cosmetics.<sup>61</sup>

In Uganda in 1972, for example, the dictator Idi Amin’s bid to consolidate control over the country included mobilizing patriarchal notions about women’s sexuality and enacting legislation directing women to wear long dresses. Wearing shorter, Western-style dresses was said to signify siding with British colonialism against Ugandan nationalism, as

did adopting the West's "indecent" sexual morality.<sup>62</sup> Elsewhere, newly independent African governments relinquished colonial-era legislation deemed "unAfrican" by giving women too much power. In post-colonial Kenya, gains made by single mothers in 1959 under British colonial law, such as ensuring paternal financial support for their children, were perceived by men as an example of how "foreign imposition" made men the "slaves" of women and encouraged female promiscuity.<sup>63</sup>

Indeed, there is striking similarity in the patriarchal, puritanical, anti-feminist, anti-Western rhetoric deployed by ruling African and Afrikaner nationalists in the second half of the twentieth century. Despite clashing perspectives on race and colonialism, and vastly different political motives and trajectories, both believed women's primary task was mothering, and women should be denied reproductive control. The various nationalisms shared a gendered worldview that cut across national, racial, and political lines.

In both post-colonial Kenyan and South African legislatures, for example, MPs made misogynist jokes about women's sexuality and objected to the effects of Western civilization on traditional notions of the family. In 1969, Kenyan MP Martin Shikuku declared in the legislature:

We, as Africans, in this country—and even on the Continent of Africa—believe that a man is in charge of the family. . . . So this idea . . . that the son or the daughter belongs to the woman . . . is wrong. Where did we get this idea from? . . . Are we going out of our minds? Mr. Speaker, I believe we are not. . . . Western civilization has not quite demoralized us. We can overcome this threat from the women to try and own children instead of letting us own them.<sup>64</sup>

Similarly, in South Africa's Parliament six years later, NP MPs railed against the morally corrupt West, including feminists: the minister of health, Dr. Schalk van der Merwe, declared "completely wrong" the claim made by liberals in the "decadent" West that women have the right to make decisions regarding their bodies.<sup>65</sup> Another MP rejected Western "permissive" values and reminded members of the legislature, "Here in South Africa we have our own moral standards."<sup>66</sup> In apartheid South Africa, as in post-colonial Kenya, pleas for accessible, safe abortion were opposed by religious groups, politicians, and parents who claimed that it, along with birth control, would corrupt school-aged girls and women by giving them the opportunity to have sex without consequences. And in both contexts, conservatives claimed incorrectly, "local reproductive traditions had always been single-mindedly pronatalist."<sup>67</sup>

Examining modern African history through a gender lens reveals similarities between patriarchal Afrikaners' and Africans' ideas about the family, women, and women's reproductive sexuality. Doing so also further undermines the sense of exceptionalism that has long marked South African historiography. More important, it brings into sharp focus a dramatic, longstanding, and still-overlooked struggle on the part of women in Africa: their fight to secure dignity and some control over their destinies by asserting their right to decide whether and when to have children.

## CHAPTER 1

# “I’d Never Had Pain Like That— A Searing, Dying Agony”

### *Racialized Clandestine Abortion*

The criminalization of abortion in Africa is a relatively recent phenomenon, one of the many unfortunate by-products of colonial rule that began in the late nineteenth century when European powers hastily carved up most of the continent among themselves. Prior to colonization and well into the twentieth century, fertility was highly prized in most African cultures, especially in labor-intensive agricultural communities. Premarital pregnancy, however, was commonly considered a serious violation of social norms that had the potential to derail marriage plans arranged by families, therefore sexuality was regulated to ensure reproduction occurred within marriage. Sexual enjoyment before marriage, on the other hand, was often socially acceptable, even condoned; and for this reason young people were taught methods of sexual play that were pleasurable but precluded procreation, such as inter-crural sex (commonly called “thigh sex”), what the Kikuyu called *ngwiko*, the Zulu called *ukuh/obonga*, and the Xhosa called *ukumetsha* (and communities elsewhere in Africa called by different terms).<sup>1</sup> When precautions failed, abortion could be deemed necessary by those who might be affected by an unwanted pregnancy.<sup>2</sup>

We know little about ancient methods of abortion practiced in Africa; most work on the topic has been produced by medical and public health researchers, and more recently by anthropologists.<sup>3</sup> Historically, traditions varied across the continent. Among the Meru of Kenya, for example,

miscarriages were induced by men who specialized in abortion and utilized three methods, often used in combination: the administration of a mixture of roots and seeds to provoke miscarriage; extreme manual pressure on the abdomen; and the insertion of a sharp object into the vagina. A senior Meru woman recalled, "The abortionist . . . would go uproot wild plants, pound them, and then, the person would drink. The abortionist would then [the following day] squeeze and kill the child and it would come out dead."<sup>4</sup> The method could harm or kill women, or else be ineffective, in which case women sometimes practiced infanticide. In southern Africa, prior to the arrival of the first Europeans, indigenous women induced miscarriages by using a vast array of herbal abortifacients and other concoctions made by traditional healers.<sup>5</sup>

Europeans criminalized abortion and brought their laws against it to the newly conquered African colonies. France, Italy, Portugal, Spain, Italy, and Belgium instituted codified laws and England imported common law and statutory law to its African possessions.<sup>6</sup> In some of Britain's colonial jurisdictions, such as Sierra Leone, abortion laws were based on England's Offences Against the Person Act (1861) that criminalized using or supplying instruments or substances for the purpose of abortion. Elsewhere the 1878 Draft Criminal Code of Sir James Fitzjames Stephen, which also forbade abortion, was the basis for laws imposed by the British, such as in Northern Nigeria in 1904 (and all of Nigeria after the amalgamation of Southern and Northern Nigeria in 1914), and in East Africa and the Gambia.<sup>7</sup> English law implied there was an exception to the rule, namely to preserve the life of the pregnant woman, an assumption subsequently made explicit (and in 1938 extended to include the defense of intent to prevent a woman becoming a "physical or mental wreck" because of the case of *R. v. Bourne*).<sup>8</sup>

In southern Africa, where European settlement began in 1652 when the Dutch East India Company first anchored off present-day Cape Town, the criminalization of abortion occurred much earlier. Common laws on abortion were imported by the two competing European colonizers, the Dutch and British, centuries before the scramble for Africa.<sup>9</sup> After the formation of South Africa in 1910, the courts continued to follow the English and Roman-Dutch legal sources that allowed abortion only to save a woman's life.<sup>10</sup>

But South African women constantly circumvented the law. Evidence of clandestine abortion prior to the apartheid era is sparse, which is unsurprising given that women hid their actions from public view to avoid moral condemnation and abortionists wanted to avoid prosecution. The circumstances surrounding illegal abortions usually came to light because of catastrophe or tragedy, such as severe illness or the death of white women,

or else because doctors reported on medical colleagues—events that sparked the intervention of medical authorities or police.<sup>11</sup> In Cape Town between 1896 and 1940, there were a total of thirty-six alleged abortions or attempted abortions prosecuted by the authorities; the women seeking abortions were white and coloured,<sup>12</sup> married and single.<sup>13</sup>

Even when authorities became involved, the records are scanty. Unlike in Canada, the United States, and other jurisdictions, South African authorities routinely destroyed the transcripts of coroner's inquests, some of which would have been held to investigate abortion-related deaths. Similarly, transcripts of trials that occurred in magistrates courts were regularly destroyed several years after the prosecutions. Therefore, legal and medical records provide only brief glimpses into the underground world of clandestine abortion. In 1927, one doctor reported in the *Journal of the Medical Association of South Africa* that women with incomplete or septic abortion were being admitted to hospitals in "large numbers," and added he had no doubt that "in a large proportion of these the abortion has been artificially induced and the patient infected at the same time, but it is, of course, impossible to get reliable statistics as to the actual proportion."<sup>14</sup>

Until at least the late nineteenth century, Africans used a vast array of herbal abortifacients to induce miscarriages, and eventually settler women also used them. At the turn of the twentieth century, after the consolidation of the medical profession that succeeded, with state support, to sideline "lay" competitors, and with the development of new anti-septic techniques, surgical abortion became common, although finding a medical doctor to illegally perform the procedure was normally limited to white women with sufficient means to pay for that doctor's services.<sup>15</sup> By the time of apartheid, black women and poor white women used affordable but riskier options, such as African herbalists, untrained abortionists, and performing abortions on themselves.<sup>16</sup> The great singer Miriam Makeba recalls how she became "sick with worry" when she discovered at age seventeen she was pregnant. The year was 1949, and she writes, "My girlfriends get pregnant all the time. None of us knows about birth control. The girls drop out of school and have their babies. Some have abortions, but this is always dangerous. Many die because they try to perform the operation on themselves."<sup>17</sup>

In the apartheid era, unsafe abortion became what can only be described as a social epidemic: by the 1960s at least 100,000 women were procuring illegal abortions annually, and the estimated number rose to 250,000 women by the 1970s, the vast majority of them black.<sup>18</sup> The jump in numbers reflected the ongoing urban influx of African women seeking



freedom from patriarchal control in rural areas or else husbands who had disappeared in the city, as well as the increase in numbers of black girls being raised in urban centers and without traditional social controls. In 1970, approximately 4,000 Indian, 15,000 coloured, 18,000 white, and 123,000 African women had clandestine abortions, and by the late 1970s, one out of every nine pregnant South Africans was thought to illegally terminate her pregnancy.<sup>19</sup> In cities, the most popular methods utilized by untrained abortionists were extremely dangerous: injecting fluid into the vagina (risky because of the possibility of perforation and hemorrhage, infection, and/or air entering the bloodstream), and inserting objects such as bicycle spokes or leaves, which could cause perforation or infection. African herbalists also sold *muti* (traditional medicine) that was sometimes poisonous.

During apartheid, women of all races were denied the right to control their fertility. Similarly, regardless of racial classification, South African women were pragmatic consumers of biomedicine who utilized the services of doctors and state-funded medical facilities to either procure abortions or obtain post-abortion care. In this way, biomedicine was perceived and treated as a resource to be exploited as a defense against misogynistic laws and customs designed to prevent women from controlling their reproductive bodies.<sup>20</sup> At the same time, race was fundamentally important in determining women's options for circumventing the law: a maid and her madam from the same household could share a feeling of panic when faced with unwanted pregnancy, but they had very different options for solving their predicament. Exploring those choices, and women's racialized experiences, brings into stark relief the profoundly different social worlds women inhabited depending on their color.

## **BLACK WOMEN AND CLANDESTINE ABORTION**

Apart from the occasional scandal, clandestine abortion was hidden from public view until the 1960s. At that point it emerged from the shadows because women with incomplete or botched abortions began streaming into hospital emergency departments in such large numbers as to prompt hospitals to seek additional resources. The annual reports of the largest hospital in Cape Town, Groote Schuur (which served white and black populations in segregated wards), paint a troubling picture of an institution constantly overwhelmed by women suffering from unsafe abortions, beginning in the late 1950s. In the twelve months from July 1, 1958, to June 30, 1959, 1,436 women were treated.<sup>21</sup>

By 1960, the hospital was reporting a chronic bed shortage in the Casualty Department, a problem greatly exacerbated by abortion-related cases.<sup>22</sup> In addition, the Department of Gynecology that year performed 2,996 “minor operations” (mainly uterine evacuation with a sharp curettage, commonly referred to as a “D&C,” for dilation and curettage) to remove “retained products of conception” in cases of incomplete miscarriage. Issuing a call that was to be repeated almost verbatim in subsequent years, the hospital’s management requested additional funding for a new unit dedicated to dealing with unsafe abortion: “A separate unit (with a small operating theatre of its own) for cases of abortion would avert much of the ward sepsis and may alleviate the pressure on beds.”<sup>23</sup> In 1964, when yet again one-third of all deaths in the Department of Gynecology were due to botched abortions, a medical team was established to deal solely with women whose abortions had led to septic shock.<sup>24</sup> But this did little to stem the rising tide: from 1960 to 1969, the number of women admitted to hospitals ranged between 2,900 and 4,200 annually.<sup>25</sup>

NUMBER OF “MINOR OPERATIONS” PERFORMED ON WOMEN IN GROOTE SCHUUR’S DEPARTMENT OF GYNECOLOGY, 1960 TO 1970*				
Year	Colored	White	African	Total # of Women
1960	n/a	n/a	n/a	2,996
1961	n/a	n/a	n/a	3,320
1962	1,983	1,034	366	3,383
1963	1,950	1,063	320	3,333
1964	2,431	1,134	432	3,997
1965	2,654	1,090	411	4,155
1966	2,734	1,162	392	4,288
1967	2,748	1,043	445	4,236
1968	2,528	801	384	3,713
1969	2,791	898	440	4,129
1970	2,598	873	433	3,904

\* *Note:* During these years Groote Schuur’s annual reports divided surgery in the department into categories of major and minor operations, the latter consisting mainly of abortions.

Over the years, Groote Schuur’s administration repeatedly remarked that the amount of attention required by women with incomplete or septic abortions negatively affected the management of other patients because the large numbers of such cases created a chronic bed shortage in both the Casualty and Gynecology departments. They also absorbed a great deal of the attention of nurses and doctors, leaving the hospital unable to admit

patients for other kinds of care, such as preoperative rest and physiotherapy, and forcing doctors to discharge patients earlier than they liked.<sup>26</sup> In sum, the amount of resources, human and financial, required to treat the consequences of unsafe abortion was a pressing issue, and the hospital regularly asked for funds with which to provide more beds and to open a dedicated abortion unit.<sup>27</sup>

During the ten-year period from 1960 to 1970, about three-quarters of the women who had surgery because of unsafe abortions were “non-White” (mainly coloured); depending on the year, between one-quarter and one-half the total number were white. Such large numbers of black women—combined with the legal requirement to separate patients according to race, with one ward for white women and another for all other racial categories—resulted in a continual critical shortage of beds for black women. In 1967, the Department of Gynecology created a Septic Abortion Unit that “greatly facilitated the handling of abortion cases,” but did nothing to ease the acute bed shortage for black women.<sup>28</sup> As the hospital stated in 1968, “[t]he number of emergency admissions continues to place a very great strain on medical and nursing staff and the non-White Gynaecological Wards are in fact the busiest in the hospital, with the highest bed occupancy and the greatest patient turnover.”<sup>29</sup> Management was frustrated, and it seems to have considered women suffering from induced abortion a nuisance getting in the way of practicing what was considered proper medicine: “The large number of cases of incomplete abortion places a great strain on medical and nursing staff alike and seriously hampers the work of the department, the admission of ‘cold’ cases having to be cancelled or deferred.”<sup>30</sup> In 1974, a larger Abortion Unit was opened in a separate ward.<sup>31</sup>

By the 1970s, other hospitals around the country were reporting similar situations. At the H. F. Verwoerd Hospital in Pretoria in 1970, 1,796 women were treated for unsafe abortions, of whom a minority (277) were white. Six women died.<sup>32</sup> Baragwanath, a massive hospital for Africans located in Soweto (a township next to Johannesburg that had a population of about 1.5 million in the 1970s), treated thousands of women every year.<sup>33</sup> One gynecologist working there bluntly stated in 1972 that the problem was “colossal”: “I don’t think there is another word you can use to describe the extent of the problem among Africans. We treat between 15 and 20 induced abortion cases a day. And we see only a fraction of the number of abortions that do take place.”<sup>34</sup> One doctor called abortion “possibly the second major complaint we have to deal with” in the hospital.<sup>35</sup> Baragwanath had a D&C theatre open seven days of the week to